

1905.

THE PARLIAMENT OF THE COMMONWEALTH.

HOUSE OF REPRESENTATIVES.

No. 3.

WEEKLY REPORT OF DIVISIONS IN COMMITTEE.

WEEK ENDED 22ND SEPTEMBER, 1905.

TUESDAY, 19TH SEPTEMBER, 1905.

No. 5.—*Commerce Bill* (No. 2).—Clause 3—

3. In this Act, unless the contrary intention appears—

“Officer” means an officer of Customs.

“Trade description” in relation to any goods, means any description, statement, indication, or suggestion, direct or indirect—

(a) as to the nature, number, quantity, [quality,] purity, class, grade, measure, gauge, size, or weight of the goods; or

* * * * *

—(*The Minister for Trade and Customs.*)

Amendment proposed—That the word “quality” in paragraph (a) be omitted.

—(*Mr. Glynn.*)

Question—That the word proposed to be omitted stand part of the clause—put.

The Committee divided—

Ayes, 31.

Mr. Bamford,	Sir William Lyne,
Mr. Batchelor,	Mr. Maloney,
Sir Langdon Bonython,	Mr. McDonald,
Mr. Brown,	Mr. Phillips,
Mr. Carpenter,	Mr. Poynton,
Mr. Chanter,	Mr. Ronald,
Mr. Chapman,	Mr. Spence,
Mr. Crouch,	Mr. David Thomson,
Mr. Culpin,	Mr. Tudor,
Mr. Deakin,	Mr. Watkins,
Mr. Fisher,	Mr. Webster,
Sir John Forrest,	Mr. Wilkinson.
Mr. Groom,	
Mr. Higgins,	
Mr. Hughes,	<i>Tellers.</i>
Mr. Hutchison,	Mr. Hume Cook,
Mr. Kennedy,	Mr. Wilks.

Noes, 12.

Mr. Joseph Cook,	Mr. Liddell,
Mr. R. Edwards,	Mr. Lonsdale,
Mr. Gibb,	Mr. Dugald Thomson.
Mr. Glynn,	
Mr. Johnson,	<i>Tellers.</i>
Mr. Knox,	Mr. Fuller,
Mr. Lee,	Mr. Wilson.

And so it was resolved in the affirmative.

No. 6.—*Commerce Bill* (No. 2).—Clause 3 (*continued*)—

3. In this Act, unless the contrary intention appears—

* * * * *

“False trade description” means a trade description which, by reason of anything contained therein or omitted therefrom, is false [or likely to mislead] in a material respect as regards the goods to which it is applied, and includes every alteration of a trade description, whether by way of addition, effacement, or otherwise, which makes the description false or likely to mislead in a material respect.

—(*The Minister for Trade and Customs.*)

Amendment proposed—That the words “or likely to mislead” in line 2 of the definition of “False trade description” be omitted.

—(*Mr. Kelly.*)

Question—That the words proposed to be omitted stand part of the clause—put.

The Committee divided—

Ayes, 22.

Mr. Brown,	Mr. Maloney,
Mr. Carpenter,	Mr. Ronald,
Mr. Chanter,	Mr. Spence,
Mr. Chapman,	Mr. David Thomson,
Mr. Culpin,	Mr. Tudor,
Mr. Deakin,	Mr. Watkins,
Mr. Fisher,	Mr. Webster,
Sir John Forrest,	Mr. Wilkinson.
Mr. Groom,	
Mr. Hutchison,	<i>Tellers.</i>
Mr. Kennedy,	Mr. Batchelor,
Sir William Lyne,	Mr. Hume Cook.

Noes, 10.

Mr. Joseph Cook,	Mr. Wilks,
Mr. Glynn,	Mr. Wilson.
Mr. Lee,	
Mr. Liddell,	<i>Tellers.</i>
Mr. Lonsdale,	Mr. Fuller,
Mr. Dugald Thomson,	Mr. Johnson.

And so it was resolved in the affirmative.

WEDNESDAY, 20TH SEPTEMBER, 1905.

No. 7.—*Commerce Bill* (No. 2)—(*continued*).—Clause 5—

5.—(1.) An officer [shall] inspect and examine all prescribed goods which are imported, or which are entered for export or brought for export to any wharf or place.

* * * * * * *

—(*The Minister for Trade and Customs.*)

Amendment proposed—That the word “shall” be omitted, with a view to the insertion of the word “may” in place thereof.

—(*Mr. McWilliams.*)

Question—That the word proposed to be omitted stand part of the clause—put.

The Committee divided—

Ayes, 5.

Mr. O'Malley,	<i>Tellers.</i>
Mr. Webster,	Mr. Batchelor,
Mr. Wilkinson,	Mr. McDonald.

Noes, 42.

Mr. Bamford,	Mr. Knox,
Mr. Brown,	Mr. Lee,
Mr. Carpenter,	Mr. Lonsdale,
Mr. Chanter,	Sir William Lyne,
Mr. Chapman,	Mr. Mauger,
Mr. Joseph Cook,	Mr. McLean,
Mr. Crouch,	Mr. McWilliams,
Mr. Culpin,	Mr. Phillips,
Mr. Deakin,	Mr. Poynton,
Mr. G. B. Edwards,	Mr. Ronald,
Mr. R. Edwards,	Mr. Sydney Smith,
Mr. Ewing,	Mr. Spence,
Sir John Forrest,	Mr. Storrer,
Mr. Fuller,	Mr. David Thomson,
Sir Philip Fysh,	Mr. Dugald Thomson,
Mr. Glynn,	Mr. Tudor,
Mr. Groom,	Mr. Watkins,
Mr. Harper,	Mr. Wilson.
Mr. Higgins,	
Mr. Hutchison,	<i>Tellers.</i>
Mr. Kelly,	Mr. Hume Cook,
Mr. Kennedy,	Mr. Robinson.

And so it passed in the negative.

No. 8.—*Commerce Bill* (No. 2).—Clause 5 (*continued*) (*as amended*)—

5.—(1.) An officer shall **may** inspect and examine all prescribed goods which are imported [or which are entered for export or brought for export to any wharf or place].

* * * * *

—(*The Minister for Trade and Customs.*)

Further amendment proposed—That the words “or which are entered for export or brought for export to any wharf or place” be omitted.

—(*Mr. Joseph Cook.*)

Question—That the words proposed to be omitted stand part of the clause—put.

The Committee divided—

Ayes, 28.		Noes, 17.	
Mr. Bamford,	Mr. Mauger,	Mr. Batchelor,	Mr. McWilliams,
Mr. Brown,	Mr. McDonald,	Mr. Joseph Cook,	Mr. Poynton,
Mr. Carpenter,	Mr. McLean,	Mr. G. B. Edwards,	Mr. Sydney Smith,
Mr. Chanter,	Mr. O'Malley,	Mr. R. Edwards,	Mr. Dugald Thomson,
Mr. Chapman,	Mr. Phillips,	Sir Philip Fysh,	Mr. Wilson.
Mr. Crouch,	Mr. Ronald,	Mr. Glynn,	
Mr. Culpin,	Mr. Spence,	Mr. Kelly,	
Mr. Deakin,	Mr. Storrer,	Mr. Knox,	<i>Tellers.</i>
Mr. Ewing,	Mr. David Thomson,	Mr. Lee,	Mr. Fuller,
Sir John Forrest,	Mr. Webster,	Mr. Lonsdale,	Mr. Robinson.
Mr. Groom,	Mr. Wilkinson.		
Mr. Higgins,			
Mr. Hutchison,	<i>Tellers.</i>		
Mr. Kennedy,	Mr. Hume Cook,		
Sir William Lyne,	Mr. Tudor.		

And so it was resolved in the affirmative.

No. 9.—*Commerce Bill* (No. 2).—Clause 5 (*continued*) (*as amended*)—

5.—(1.) An officer shall **may** inspect and examine all prescribed goods which are imported, or which are entered for export or brought for export to any wharf or place.

* * * * *

—(*The Minister for Trade and Customs.*)

Further amendment proposed—That the words “or which are passing from one State to another” be added to sub-clause (1).

—(*Mr. Hutchison.*)

Question—That the words proposed to be added be so added—put.

The Committee divided—

Ayes, 20.		Noes, 27.	
Mr. Brown,	Mr. Spence,	Mr. Bamford,	Mr. Knox,
Mr. Chanter,	Mr. Thomas,	Mr. Carpenter,	Mr. Lee,
Mr. Fisher,	Mr. Tudor,	Mr. Chapman,	Mr. Liddell,
Mr. Higgins,	Mr. Watkins,	Mr. Joseph Cook,	Mr. Lonsdale,
Mr. Hughes,	Mr. Webster,	Mr. Culpin,	Sir William Lyne,
Mr. Kelly,	Mr. Wilkinson,	Mr. Deakin,	Mr. McWilliams,
Mr. Kennedy,	Mr. Wilks.	Mr. Ewing,	Mr. Phillips,
Mr. Maloney,		Sir John Forrest,	Mr. Poynton,
Mr. McDonald,	<i>Tellers.</i>	Mr. Fuller,	Mr. David Thomson,
Mr. O'Malley,	Mr. Hutchison,	Sir Philip Fysh,	Mr. Dugald Thomson.
Mr. Ronald,	Mr. Robinson.	Mr. Gibb,	
		Mr. Glynn,	
		Mr. Groom,	<i>Tellers.</i>
		Mr. Isaacs,	Mr. Hume Cook,
		Mr. Johnson,	Mr. Wilson.

And so it passed in the negative.

No. 10.—*Commerce Bill* (No. 2).—Clause 5 (*continued*) (*as amended*)—

5.—(1.) An officer shall **may** inspect and examine all prescribed goods which are imported, or which are entered for export or brought for export to any wharf or place.

(2.) The officer may where practicable take samples of any goods inspected by him pursuant to this section, and the samples so taken shall be dealt with as prescribed.

(3.) For the purposes of this section an officer may enter any ship, wharf or place, and may break open any packages, and may do all things necessary to enable him to carry out his powers and duties under this section.

—(*The Minister for Trade and Customs.*)

Question—That the clause as amended stand part of the Bill—put.

The Committee divided—

Ayes, 27.		Noes, 15.	
Mr. Carpenter,	Mr. O'Malley,	Mr. Joseph Cook,	Mr. McWilliams,
Mr. Chanter,	Mr. Phillips,	Mr. Gibb,	Mr. Sydney Smith,
Mr. Chapman,	Mr. Poynton,	Mr. Glynn,	Mr. Dugald Thomson,
Mr. Hume Cook,	Mr. Ronald,	Mr. Johnson,	Mr. Wilson.
Mr. Culpin,	Mr. Spence,	Mr. Kelly,	
Mr. Deakin,	Mr. David Thomson,	Mr. Knox,	<i>Tellers.</i>
Mr. Ewing,	Mr. Tudor,	Mr. Lee,	Mr. Fuller,
Sir John Forrest,	Mr. Watkins,	Mr. Liddell,	Mr. Robinson.
Mr. Groom,	Mr. Webster,	Mr. Lonsdale,	
Mr. Higgins,	Mr. Wilkinson.		
Mr. Hughes,			
Mr. Hutchison,			
Mr. Kennedy,	<i>Tellers.</i>		
Sir William Lyne,	Mr. McDonald,		
Mr. Maloney,	Mr. Wilks.		

And so it was resolved in the affirmative.

No. 11.—*Commerce Bill* (No. 2)—(continued).—Clause 6 (as amended)—

6. Every person who intends to export any goods of a kind or class required under this Act to be inspected or examined by an officer shall, **if required to do so by regulation**, before the goods are shipped, give notice, in accordance with the regulations, to the Customs of his intention to export the goods and of the place where the goods may be inspected.

Penalty: Twenty pounds.

—(The Minister for Trade and Customs.)

Question—That the clause, as amended, stand part of the Bill—put.

The Committee divided—

Ayes, 25.		Noes, 10.	
Mr. Brown,	Mr. Poynton,	Mr. Joseph Cook,	Mr. McWilliams,
Mr. Chanter,	Mr. Ronald,	Mr. Fuller,	Mr. Dugald Thomson.
Mr. Chapman,	Mr. Spence,	Mr. Johnson,	
Mr. Culpin,	Mr. Storrer,	Mr. Lee,	<i>Tellers.</i>
Mr. Deakin,	Mr. David Thomson,	Mr. Liddell,	Mr. Kelly,
Mr. Ewing,	Mr. Tudor,	Mr. Lonsdale,	Mr. Wilson.
Sir John Forrest,	Mr. Watkins,		
Mr. Groom,	Mr. Webster,		
Mr. Hutchison,	Mr. Wilkinson.		
Mr. Kennedy,			
Sir William Lyne,			
Mr. Maloney,	<i>Tellers.</i>		
Mr. O'Malley,	Mr. Hume Cook,		
Mr. Phillips,	Mr. Wilks.		

And so it was resolved in the affirmative.

THURSDAY, 21st SEPTEMBER, 1905.

No. 12.—*Commerce Bill* (No. 2)—(continued).—Clause 7 (as amended)—

7.—(1.) The ~~Governor-General~~ ~~may~~ ~~by~~ ~~proclamation~~ ~~regulations~~ ~~may~~ prohibit the importation or introduction into Australia of any **specified goods specified in the proclamation** unless there is applied to them a trade description of such character, relating to such matters, and applied in such manner, as is prescribed by the ~~proclamation~~ or by the ~~regulations~~.

(2.) All goods imported in contravention of any ~~proclamation~~ **regulation** under this section shall be forfeited to the King

* * * * *

—(The Minister for Trade and Customs.)

Further amendment proposed—That the following words be added to sub-clause (2)—“unless the owner or importer satisfies the Comptroller-General, or on appeal from him the Minister, that he did not knowingly so import the goods.”

—(Mr. McCay.)

Question—That the words proposed to be added be so added—put.

The Committee divided—

Ayes, 12.		Noes, 24.	
Mr. Joseph Cook,	Mr. Lonsdale,	Mr. Batchelor,	Mr. Maloney,
Sir Philip Fysh,	Mr. McWilliams,	Mr. Carpenter,	Mr. Poynton,
Mr. Johnson,	Mr. Wilks.	Mr. Chanter,	Mr. Ronald,
Mr. Kelly,		Mr. Chapman,	Mr. Storrer,
Mr. Knox,	<i>Tellers.</i>	Mr. Crouch,	Mr. Thomas,
Mr. Lee,	Mr. Fuller,	Mr. Deakin,	Mr. David Thomson,
Mr. Liddell,	Mr. McCay.	Mr. Ewing,	Mr. Tudor,
		Mr. Fisher,	Mr. Watkins,
		Sir John Forrest,	Mr. Webster.
		Mr. Groom,	
		Mr. Hutchison,	<i>Tellers.</i>
		Mr. Isaacs,	Mr. Hume Cook,
		Sir William Lyne,	Mr. Kennedy.

And so it passed in the negative.

FRIDAY, 22ND SEPTEMBER, 1905.

No. 13.—*Commerce Bill* (No. 2)—(continued).—Clause 10 (as amended)—

10.—(1.) The Governor-General may by proclamation regulations may prohibit the exportation of any specified goods specified in the proclamation, unless there is applied to them a trade description of such character, relating to such matters, and applied in such manner, as is prescribed

* * * * *

—(The Minister for Trade and Customs.)

Further amendment proposed—That the word “true” be inserted before the word “trade” in line 3 of sub-clause (1).

—(Mr. Joseph Cook.)

Question—That the word proposed to be inserted be so inserted—put.

The Committee divided—

Ayes, 14.		Noes, 26.	
Mr. Batchelor,	Mr. Lonsdale,	Mr. Bamford,	Mr. Mauger,
Mr. Joseph Cook,	Mr. McLean,	Mr. Chanter,	Mr. Phillips,
Mr. G. B. Edwards,	Mr. McWilliams,	Mr. Chapman,	Mr. Poynton,
Mr. Gibb,	Mr. O'Malley.	Mr. Deakin,	Mr. Ronald,
Mr. Kelly,		Mr. Ewing,	Mr. Storrer,
Mr. Knox,	<i>Tellers.</i>	Mr. Fisher,	Mr. Thomas,
Mr. Lee,	Mr. McDonald,	Sir John Forrest,	Mr. David Thomson,
Mr. Liddell,	Mr. Wilks.	Mr. Groom,	Mr. Watkins,
		Mr. Harper,	Mr. Webster,
		Mr. Hughes,	Mr. Wilkinson.
		Mr. Hutchison,	
		Mr. Kennedy,	<i>Tellers.</i>
		Sir William Lyne,	Mr. Hume Cook,
		Mr. Maloney,	Mr. Tudor.

And so it passed in the negative.