

1956.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

No. 21.

TUESDAY, 17TH APRIL, 1956.

1. The House met, at twenty-six minutes to three o'clock p.m.—The Deputy Speaker (Mr. Adermann) took the Chair, and read Prayers.
2. RETURN TO WRIT—CUNNINGHAM DIVISION.—Mr. Deputy Speaker announced that he had received a Return to the Writ which Mr. Speaker had issued on the 27th March last for the election of a Member to serve for the Electoral Division of Cunningham, in the State of New South Wales, to fill the vacancy caused by the death of Mr. William Davies, and that by the endorsement on the Writ, it was certified that Victor Dennis Kearney had been elected.
3. COMMISSION TO ADMINISTER OATH TO MEMBERS.—Mr. Deputy Speaker announced that he had received from His Excellency the Governor-General the following Commission:—

His Excellency the Governor-General in and over the Commonwealth of Australia.

To CHARLES FREDERICK ADERMANN, Esquire, Deputy Speaker of the House of Representatives of the Commonwealth of Australia.

GREETING:

WHEREAS by Section forty-two of the Constitution of the Commonwealth of Australia it is amongst other things enacted that every Member of the House of Representatives shall, before taking his seat, make and subscribe before the Governor-General, or some person authorized by him, an Oath or Affirmation of Allegiance in the form set forth in the Schedule to the aforesaid Constitution:

NOW THEREFORE I, SIR WILLIAM JOSEPH SLIM, the Governor-General aforesaid, do by these Presents command and authorize you from time to time, during any absence of the Speaker of the House of Representatives, at Parliament House, Canberra, to administer the said Oath or Affirmation of Allegiance to such Members of the House of Representatives as have not already taken and subscribed the same since their election to the House of Representatives.

GIVEN under my Hand and the Great Seal of the Commonwealth of Australia, this sixteenth day (L.S.) of April, One thousand nine hundred and fifty-six.

W. J. SLIM

Governor-General.

By His Excellency's Command,

ROBERT G. MENZIES

Prime Minister.

4. MEMBER SWORN.—Victor Dennis Kearney, Esquire, was introduced, and made and subscribed the Oath required by law.
5. PAPERS.—The following Papers were presented, pursuant to Statute—
 - Northern Territory (Administration) Act—
 - Crown Lands Ordinance—Reasons for resumption of reserved land on the Sandover stock route.
 - Regulations—1956—
 - No. 5 (Stock Routes and Travelling Stock Ordinance).
 - No. 6 (Stock Diseases Ordinance).
 - Public Service Act—Appointments—Department—
 - Interior—S. A. Sharpe.
 - Shipping and Transport—C. C. Dean.
 - Works—H. Farrell, A. J. Gray, M. D. Mason.
 - Public Service Arbitration Act—Determinations—1956—
 - No. 13—Commonwealth Storemen and Packers' Union of Australia and Federated Ironworkers' Association of Australia.

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- Nos. 16 and 17—Transport Workers' Union of Australia.
 No. 18—Amalgamated Postal Workers' Union of Australia.
 No. 19—Federated Engine Drivers and Firemen's Association of Australasia.
 No. 20—Commonwealth Public Service Artisans' Association.
 No. 21—Commonwealth Storemen and Packers' Union of Australia.
 No. 22—Amalgamated Engineering Union and others.

6. DISCUSSION OF MATTER OF URGENCY.—RECOGNITION OF PARLIAMENTARY PARTY.—Mr. Peters having proposed to Mr. Deputy Speaker that a definite matter of urgent public importance be submitted to the House for discussion, namely, "The action of the Government in providing facilities to a single Member of Parliament on the basis that he is entitled to be treated as the Leader of a separate Parliamentary Party"—

Mr. Deputy Speaker called upon those Members who approved of the proposed discussion to rise in their places, and more than the necessary number of Members having risen accordingly—

Mr. Peters addressed the House.

Discussion ensued.

Mr. C. R. Cameron addressing the House—

Sir Eric Harrison (Vice-President of the Executive Council) moved, That the Business of the Day be called on.

Question—put.

The House divided (The Deputy Speaker, Mr. Adermann, in the Chair)—

AYES, 50.

Mr. Aston	Mr. Downer	Mr. H. E. Holt	Mr. Mackinnon	Mr. Timson
Mr. Beale	Mr. Drury	Mr. Howson	Sir P. McBride	Mr. Turner
Mr. Brand	Sir A. Fadden	Mr. Hulme	Mr. McCollm	Mr. Wight
Mr. Buchanan	Mr. Failes	Mr. Jack	Mr. McEwen	Mr. Wilson
Mr. D. A. Cameron	Mr. Fairhall	Mr. Joske	Mr. McLeay	
Mr. Casey	Mr. Falkinder	Mr. Killen	Mr. McMahon	<i>Tellers:</i>
Mr. Cleaver	Mr. J. M. Fraser	Mr. Lawrence	Mr. Osborne	
Mr. Cramer	Mr. Freeth	Mr. Leslie	Mr. Pearce	Mr. Opperman
Mr. Davidson	Mr. Graham	Mr. Lindsay	Mr. Robertson	Mr. Turnbull
Mr. Davis	Sir E. Harrison	Mr. Luck	Mr. Stokes	
Mr. Dean	Mr. Hasluck	Mr. Lucock	Mr. Swartz	

NOES, 34.

Mr. Bird	Mr. Cope	Mr. E. James	Mr. Makin	Mr. Webb
Mr. Bruce	Mr. Costa	Harrison	Mr. Minogue	Mr. Whitlam
Mr. Bryant	Mr. Coutts	Mr. R. W. Holt	Mr. O'Connor	
Mr. Calwell	Mr. Crean	Mr. James	Mr. Peters	<i>Tellers:</i>
Mr. C. R. Cameron	Mr. Edmonds	Mr. H. V. Johnson	Mr. Pollard	
Mr. Chambers	Mr. Galvin	Mr. L. R. Johnson	Mr. Riordan	Mr. Luchetti
Mr. Clarey	Mr. Griffiths	Mr. Kearney	Mr. Russell	Mr. Stewart
Mr. Clark		Mr. Lawson	Mr. Thompson	

And so it was resolved in the affirmative.

7. INCOME TAX AND SOCIAL SERVICES CONTRIBUTION ASSESSMENT BILL 1956.—Sir Arthur Fadden (Treasurer) moved, by leave, That he have leave to bring in a Bill for an Act to amend the *Income Tax and Social Services Contribution Assessment Act 1936-1955*, and for other purposes.
 Question—put and passed.
 Sir Arthur Fadden then brought up the Bill accordingly, and moved, That it be now read a first time.
 Question—put and passed.—Bill read a first time.
 Sir Arthur Fadden moved, by leave, That the Bill be now read a second time.
 Debate adjourned (Mr. Calwell), and the resumption of the debate made an Order of the Day for the next sitting.
8. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That Order of the Day No. 1, Government Business, be postponed until a later hour this day.
9. WAYS AND MEANS—INCOME TAX AND SOCIAL SERVICES CONTRIBUTION (COMPANIES).—The House, according to Order, resolved itself into the Committee of Ways and Means.

(In the Committee.)

Sir Arthur Fadden (Treasurer) moved—

Interpretation.

- 1.—(1.) That, in this Resolution—
 "co-operative company" have the same meaning as in Division 9 of Part III. of the Assessment Act;
 "life assurance company" have the same meaning as in Division 8 of Part III. of the Assessment Act;
 "mutual income", in relation to a life assurance company (other than a mutual life assurance company), mean—
 (a) so much of that part of the taxable income of the company which has been derived from its life assurance business as bears the same proportion to that part of the taxable income as the amount of the profits divided for the same year of income among the life assurance policy holders of the company bears to the total profits divided among those policy holders and the shareholders of the company in respect of the company's life assurance business for the same year of income; or

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(b) where no profits in respect of the company's life assurance business are divided for the year of income but, by virtue of the company's memorandum or articles of association, any profits to be divided among the life assurance policy holders of the company are required to be a certain proportion of the total profits to be divided—that proportion of that part of the taxable income of the company which has been derived from its life assurance business ;

“ mutual life assurance company ” have the same meaning as in Division 8 of Part III. of the Assessment Act ;

“ non-profit company ” mean a company which is not carried on for the purposes of profit or gain to its individual members and is, by the terms of the memorandum or articles of association, rules or other document constituting the company or governing its activities, prohibited from making any distribution, whether in money, property or otherwise, to its members ;

“ private company ” have the same meaning as in Division 7 of Part III. of the Assessment Act ;

“ the Assessment Act ” mean the *Income Tax and Social Services Contribution Assessment Act 1936-1955*, as proposed to be amended by the *Income Tax and Social Services Contribution Assessment Bill 1956*.

(2.) That a reference in this Resolution to taxable income be read as a reference to taxable income of the year of income.

Incorporation.

2. That the Assessment Act be incorporated and read as one with the Act passed to give effect to this Resolution.

Imposition of Income Tax and Social Services Contribution.

3.—(1.) That a tax, payable by companies, by the name of income tax and social services contribution be imposed in accordance with this Resolution and at the rates declared in this Resolution.

(2.) That, notwithstanding anything contained in this Resolution, income tax and social services contribution be not imposed upon a taxable income which does not exceed One hundred and four pounds derived by a non-profit company.

Rates of Income Tax and Social Services Contribution Payable by a Company.

4.—(1.) That the rates of income tax and social services contribution payable by a company, other than a company in the capacity of a trustee, be as set out in the Schedule to this Resolution.

(2.) That where the taxable income of a non-profit company does not exceed Two hundred and twenty-eight pounds, the maximum amount of income tax and social services contribution payable by the company be eleven-twentieths of the amount by which the taxable income exceeds One hundred and four pounds.

Elimination of Pence.

5. That where the amount of the income tax and social services contribution which a company would be liable to pay under the preceding provisions of this Resolution, before deducting any rebate or credit to which it is entitled in its assessment, is an amount of pounds, shillings and pence or shillings and pence—

(a) if the pence do not exceed six—the amount be deemed to be reduced by the amount of the pence ; and

(b) if the pence exceed six—the amount be deemed to be increased by treating the pence as One shilling.

Levy of Income Tax and Social Services Contribution.

6.—(1.) That the income tax and social services contribution imposed in pursuance of the preceding provisions of this Resolution be levied and paid for the financial year commencing on the first day of July, One thousand nine hundred and fifty-six.

(2.) That, until the commencement of an Act for the levying and payment of income tax and social services contribution upon companies for the financial year commencing on the first day of July, One thousand nine hundred and fifty-seven, the Act passed to give effect to the preceding provisions of this Resolution also apply for all financial years subsequent to that commencing on the first day of July, One thousand nine hundred and fifty-six.

Saving.

7.—(1.) That, subject to the next succeeding sub-paragraph, sub-section (2.) of section twelve of the *Income Tax and Social Services Contribution Act 1955* continue to operate as if the Act passed to give effect to this Resolution had not been enacted.

(2.) That, on and after the date of commencement of the Act passed to give effect to this Resolution, sub-section (2.) of section twelve of the *Income Tax and Social Services Contribution Act 1955* do not apply in relation to a company, other than a company in the capacity of a trustee.

Commencement.

8. That the Act passed to give effect to this Resolution come into operation on the first day of July, One thousand nine hundred and fifty-six.

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THE SCHEDULE.

RATES OF TAX AND CONTRIBUTION PAYABLE BY A COMPANY OTHER THAN A COMPANY IN THE CAPACITY OF A TRUSTEE.

1. In the case of a company (not being a private company, a co-operative company, a non-profit company or a life assurance company) which is a resident, the rates of income tax and social services contribution are—
 - (a) for every £1 of so much of the taxable income as does not exceed Five thousand pounds—Seven shillings; and
 - (b) for every £1 of the remainder of the taxable income—Eight shillings.
2. In the case of a company (not being a private company, a co-operative company, a non-profit company or a life assurance company) which is a non-resident, the rates of income tax and social services contribution are—
 - (a) for every £1 of so much of the taxable income consisting of dividends as does not exceed Five thousand pounds—Six shillings;
 - (b) for every £1 of so much of the taxable income not consisting of dividends as does not exceed the amount (if any) by which the taxable income consisting of dividends is less than Five thousand pounds—Seven shillings; and
 - (c) for every £1 of the part of the taxable income to which neither of the preceding sub-paragraphs of this paragraph applies—Eight shillings.
3. In the case of a company which is a private company, the rates of income tax and social services contribution are—
 - (a) for every £1 of so much of the taxable income as does not exceed Five thousand pounds—Five shillings;
 - (b) for every £1 of the remainder of the taxable income—Seven shillings; and
 - (c) for every £1 of the undistributed amount in respect of which the company is liable under section one hundred and four of the Assessment Act to pay additional tax—Ten shillings.
4. In the case of a company (not being a private company or a life assurance company) which is a co-operative company or a non-profit company, the rates of income tax and social services contribution are—
 - (a) for every £1 of so much of the taxable income as does not exceed Five thousand pounds—Six shillings; and
 - (b) for every £1 of the remainder of the taxable income—Eight shillings.
5. In the case of a company (not being a private company) which is a mutual life assurance company, the rates of income tax and social services contribution are—
 - (a) for every £1 of so much of the taxable income as does not exceed Five thousand pounds—Five shillings; and
 - (b) for every £1 of the remainder of the taxable income—Seven shillings.
6. In the case of a company (not being a private company) which is a life assurance company other than a mutual life assurance company, the rates of income tax and social services contribution are—
 - (a) for every £1 of so much of the mutual income as does not exceed Five thousand pounds—Five shillings;
 - (b) for every £1 of the remainder of the mutual income—Seven shillings;
 - (c) if the company is a non-resident, for every £1 of so much of the taxable income, other than the mutual income, consisting of dividends as does not exceed the amount (if any) by which the mutual income is less than Five thousand pounds—Six shillings;
 - (d) for every £1 of so much of the taxable income, other than the amounts of income to which the preceding sub-paragraphs of this paragraph apply, as does not exceed the amount (if any) by which the total of those amounts is less than Five thousand pounds—Seven shillings; and
 - (e) for every £1 of the part of the taxable income to which none of the preceding sub-paragraphs of this paragraph applies—Eight shillings.
7. For every £1 of interest in respect of which a company is liable, in pursuance of sub-section (1.) of section one hundred and twenty-five of the Assessment Act, to pay income tax and social services contribution, the rate of income tax and social services contribution is Eight shillings.

Progress to be reported, and leave asked to sit again.

The House resumed; Mr. McLeay reported accordingly.

Resolved—That the House will at a later hour this day, again resolve itself into the said Committee.

10. STATISTICS (ARRANGEMENTS WITH STATES) BILL 1956.—Sir Arthur Fadden (Treasurer) moved, by leave, That he have leave to bring in a Bill for an Act relating to arrangements with the States in connexion with Statistics.

Question—put and passed.

Sir Arthur Fadden then brought up the Bill accordingly, and moved, That it be now read a first time.

Question—put and passed.—Bill read a first time.

Sir Arthur Fadden moved, by leave, That the Bill be now read a second time.

Debate adjourned (Mr. Calwell), and the resumption of the debate made an Order of the Day for the next sitting.

11. MESSAGE FROM THE GOVERNOR-GENERAL—SUPERANNUATION BILL 1956.—Mr. Deputy Speaker announced the receipt of the following Message from His Excellency the Governor-General:—

W. J. SLIM,
Governor-General.

Message No. 5.

In accordance with the requirements of section fifty-six of the Constitution of the Commonwealth of Australia, the Governor-General recommends to the House of Representatives that an appropriation of revenue be made for the purposes of a Bill for an Act to amend the *Superannuation Act 1922-1955*.

Canberra, 17th March, 1956.

Ordered—That the Message be taken into consideration, in Committee of the whole House, forthwith. Mr. Deputy Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

(In the Committee.)

Sir Arthur Fadden (Treasurer) moved, That it is expedient that an appropriation of revenue be made for the purposes of a Bill for an Act to amend the *Superannuation Act 1922-1955*.

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Question—put and passed.
Resolution to be reported.

The House resumed ; Mr. McLeay reported accordingly.

Sir Arthur Fadden moved, pursuant to contingent notice, That so much of the Standing Orders be suspended as would prevent the remaining stages being passed without delay.

Question—put and passed.

On the motion of Sir Arthur Fadden, the Resolution reported from the Committee was adopted by the House.

Ordered—That Sir Arthur Fadden and Mr. Robertson do prepare and bring in a Bill to carry out the foregoing Resolution.

Sir Arthur Fadden then brought up the Bill accordingly, and moved, That it be now read a first time.

Question—put and passed.—Bill read a first time.

Sir Arthur Fadden moved, That the Bill be now read a second time.

Debate adjourned (Mr. Calwell), and the resumption of the debate made an Order of the Day for the next sitting.

12. MESSAGE FROM THE GOVERNOR-GENERAL—TRANSFERRED OFFICERS' ALLOWANCES BILL 1956.—Mr. Deputy Speaker announced the receipt of the following Message from His Excellency the Governor-General :—

W. J. SLIM,

Governor-General.

Message No. 6.

In accordance with the requirements of section fifty-six of the Constitution of the Commonwealth of Australia, the Governor-General recommends to the House of Representatives that an appropriation of revenue be made for the purposes of a Bill for an Act to amend the *Transferred Officers' Allowances Act 1948-1954*.

Canberra, 17th March, 1956.

Ordered—That the Message be taken into consideration, in Committee of the whole House, forthwith. Mr. Deputy Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

(In the Committee.)

Sir Arthur Fadden (Treasurer) moved, That it is expedient that an appropriation of revenue be made for the purposes of a Bill for an Act to amend the *Transferred Officers' Allowances Act 1948-1954*.

Question—put and passed.

Resolution to be reported.

The House resumed ; Mr. McLeay reported accordingly.

Sir Arthur Fadden moved, pursuant to contingent notice, That so much of the Standing Orders be suspended as would prevent the remaining stages being passed without delay.

Question—put and passed.

On the motion of Sir Arthur Fadden, the Resolution reported from the Committee was adopted by the House.

Ordered—That Sir Arthur Fadden and Mr. Robertson do prepare and bring in a Bill to carry out the foregoing Resolution.

Sir Arthur Fadden then brought up the Bill accordingly, and moved, That it be now read a first time.

Question—put and passed.—Bill read a first time.

Sir Arthur Fadden moved, That the Bill be now read a second time.

Debate adjourned (Mr. Calwell), and the resumption of the debate made an Order of the Day for the next sitting.

13. SALES TAX (EXEMPTIONS AND CLASSIFICATIONS) BILL 1956.—The Order of the Day having been read for the resumption of the debate on the question, That the Bill be now read a second time—
Debate resumed.

Debate adjourned (Mr. Anderson), and the resumption of the debate made an Order of the Day for the next sitting.

14. PAPER.—The following Paper was presented, pursuant to Statute—

Seat of Government (Administration) Act—Statement of Receipts and Expenditure for the Australian Capital Territory for year 1954-55.

15. ADJOURNMENT.—Sir Eric Harrison (Vice-President of the Executive Council) moved, That the House do now adjourn.

Question—put and passed.

And then the House, at twenty-four minutes past ten o'clock p.m., adjourned until to-morrow at half-past two o'clock p.m.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except Mr. Anthony, Mr. Beazley, Mr. Bland, Mr. Bostock, Mr. Bowden, Mr. Brimblecombe, Mr. A. G. Cameron, Mr. Curtin, Mr. Daly, Mr. Hamilton, Mr. Haworth, Sir Earle Page, Mr. Snedden, Mr. Townley, Mr. Ward, Mr. Watkins and Mr. Wheeler.

A. A. TREGEAR,
Clerk of the House of Representatives.