

1912.

THE PARLIAMENT OF THE COMMONWEALTH.

No. 70.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

TUESDAY, 22ND OCTOBER, 1912.

1. The House met, at three o'clock p.m., pursuant to adjournment.—Mr. Speaker took the Chair, and read Prayers.
2. PAPERS.—Mr. O'Malley presented, pursuant to Statute—
 Public Service Act—Department of Home Affairs—Appointment of J. Orwin to new position of Works Inspector, Class D, Professional Division, Public Works Branch, New South Wales.
 Mr. Frazer presented, pursuant to Statute—
 Post and Telegraph Act—Regulations Amended—Statutory Rules 1912, Nos. 168, 169, 173 (Provisional), 186 (Provisional), 187, 188 (Provisional), 189.
 Mr. Roberts presented, pursuant to Statute—
 Defence Act—Regulations Amended (Provisional)—
 Universal Training—Statutory Rules 1912, Nos. 200, 203, 205.
 Military Forces—Financial and Allowance Regulations—Statutory Rules 1912, Nos. 199, 201, 202, 204.
3. ADJOURNMENT—MOTION FOR PURPOSE OF DISCUSSION.—Mr. Greene rose in his place, and said that he proposed to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely, "The action of the Postmaster-General in increasing the minimum of revenue required for raising Allowance Post Offices to official status from £200 to £300, which action is detrimental to the best interests of the public and officers of the Public Service."
 Mr. Speaker thereupon 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. Greene moved, That the House do now adjourn.
 Debate ensued.
 Question—put and negatived.

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4. NAVIGATION BILL.—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole House—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

(*In the Committee.*)

Consideration resumed of the following postponed new clause, proposed by Mr. Glynn, to be inserted in the Bill :—

416A.—(1.) The agents in Australia of any ship not registered therein shall be deemed to be the legal representatives of the master and owner of the ship after the departure of the ship from the port at which she was discharging for the purpose of receiving and paying claims for short delivery or pillage of cargo, and the amount of any such claim may be recovered from such agents in any Federal or State Court of competent jurisdiction.

Representative of
master or owner.
N.Z. 1903, No. 96,
s. 302.

(2.) Provided that it shall be lawful for such agents, by notice in writing delivered to the collector not later than twenty-four hours before the departure of any ship, to decline to accept any responsibility under this section in respect of that ship, in which case the master shall, before the ship is allowed her clearance, give security to the satisfaction of the Minister for the payment of any sum which, together with costs, may be recovered against the agents of such ship.

Agents may decline
to accept
responsibility.

(3.) No proceedings for the recovery of any claim under this section shall be taken unless notice thereof is given to the agents not later than seven days after the delivery of the cargo in respect of which the claim is made.

Notice of
proceedings to be
given in seven days.

Mr. W. Elliot Johnson moved an amendment, That the word "damage," be inserted before the word "short" in line 4 of the proposed new clause.

Debate ensued.

Amendment, by leave, withdrawn.

Proposed new clause, by leave, withdrawn.

Title agreed to.

Bill to be reported with amendments.

The House resumed ; Mr. Poynton reported accordingly.

Mr. Tudor moved, That the Bill be now recommitted to a Committee of the whole House for the reconsideration of clauses 1, 12, 22, 35, 41, 56, 134, 135, 139, 218, 352, and 421.

Debate ensued.

Question—put and passed.

Mr. Speaker left the Chair, and the House again resolved itself into a Committee of the Whole.

(*In the Committee.*)

Recommitted clause 1 amended, on the motion of Mr. Tudor, by the omission from line 5 of the figures "1911" and the insertion in place thereof of the figures "1912"; and by the omission from the new matter inserted by the Committee on the 1st instant of the word "assent" and the insertion in place thereof of the word "approval".

Recommitted clause 12—

Mr. Tudor moved an amendment, That the proviso be omitted and that the following new sub-clause be added in place thereof :—

"(6.) The regulations shall be so framed as—

- (a) to allow the holder of an engineer's certificate of any grade to serve in such ships, and for such voyages, and in such capacities, as will enable him to qualify for a certificate of the next higher grade ;
- (b) to allow the holder of a third or second class coast engineer's certificate to qualify for a coast engineer's certificate of the next higher grade by service in river and bay ships."

Debate ensued.

Mr. Charlton moved an amendment upon the amendment, That the following proviso be added to the proposed new sub-clause :—

" Provided that the holder of a State certificate shall be entitled, on this Act coming into force, to a second-class coast engineer's certificate."

Debate ensued.

Amendment upon amendment negatived.

New sub-clause agreed to.

Recommitted clause 22 amended, on the motion of Mr. Tudor, by the addition of the following sub-clause :—

"(2.) For the purpose of this section 'officer' means an officer who is required to be duly certificated in compliance with section eleven of this Act, but does not include officers carried in excess of that requirement."

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Recommitted clause 35 amended, on the motion of Mr. Tudor, by the omission from line 39 of the word "fifteen" and the insertion of the word "fifty" in place thereof.

Recommitted clause 41 amended, on the motion of Mr. Tudor, after debate, by the omission from line 18 of the words "Schedules I. and" and the insertion in place thereof of the word "Schedule".

Recommitted clause 56 amended, on the motion of Mr. Tudor, after debate, by the insertion after the word "him" in line 37 of the words "who is required to be certificated".

Recommitted clause 134 amended, on the motion of Mr. Tudor, by the omission from line 11 of the words "or engaged in the coasting trade,".

Recommitted clause 135 amended, on the motion of Mr. Tudor, by the omission from line 27 of the word "paragraph" and the insertion in place thereof of the words "two paragraphs".

Recommitted clause 139 amended, on the motion of Mr. Tudor, by the omission from line 27 of the words "Provided that" and the insertion in place thereof of the figure "(4.)".

Recommitted clause 218 amended, on the motion of Mr. Tudor, after debate, by the omission from the new matter inserted by the Committee on the 3rd instant of the words "one-fourth" and the insertion in place thereof of the words "three or more".

Recommitted clause 352 amended, on the motion of Mr. Tudor, after debate, by the insertion after the figures "352" in line 32 of the following new sub-clause and figure:—

"(1.) The duty of a pilot in compulsory charge shall be to pilot the ship subject to the authority of the master, but the master shall not be relieved, by reason of the ship being under compulsory pilotage, from responsibility for the conduct and navigation of the ship."

"(2.)"

Recommitted clause 421 amended, on the motion of Mr. Tudor, by the omission from the new matter inserted by the Committee on the 17th instant of the word "coastal" (twice occurring) and the insertion in place thereof of the word "coasting".

Bill to be reported with further amendments.

The House resumed; Mr. Poynton reported accordingly.

Mr. Tudor, by leave, moved, That the Reports be now adopted.

Mr. Mathews moved, That the Bill be now again recommitted to a Committee of the whole House for the reconsideration of clause 5A.

Debate ensued.

Question—put and negatived.

Question—That the Reports be now adopted—put and passed.

Ordered—That the third reading be made an Order of the Day for Friday next.

5. ADJOURNMENT.—Mr. Fisher moved, That the House do now adjourn.

Debate ensued.

Question—put and passed.

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

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except—Mr. Carr, Mr. R. Edwards, Mr. Fairbairn, Mr. R. W. Foster, Mr. Fuller, Mr. Gordon, Mr. Higgs, Mr. Hans Irvine, Mr. W. J. Johnson, Sir William Lyne, Mr. Ryrie, and Mr. Thomson.

WALTER A. GALE,
Clerk Assistant,
for Clerk of the House of Representatives.