

1922.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

No. 38.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

WEDNESDAY, 20TH SEPTEMBER, 1922.

1. The House met, at half-past two o'clock p.m., pursuant to adjournment.—Mr. Speaker took the Chair, and read Prayers.
2. PAPER.—Mr. Speaker presented, pursuant to Statute—
Commonwealth Bank Act—Commonwealth Bank of Australia—Aggregate Balance-sheet at 30th June, 1922, and Statement of the Liabilities and Assets of the Note Issue Department at 30th June, 1922; together with the Auditor-General's Reports thereon.
3. ADJOURNMENT-MOTION FOR PURPOSE OF DISCUSSION.—Mr. Blakeley 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 Judgment and Award of Mr. Justice Powers in the Commonwealth Court of Conciliation and Arbitration in the case A.W.U. v. Pastoralists' Federal Council and others and matters connected therewith".
- 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. Blakeley moved, That the House do now adjourn.
- Debate ensued.
- Mr. Considine addressing the House—
- Closure—Mr. Greene moved, That the question be now put.
- Question—That the question be now put—put.
- The House divided—

Ayes, 30.

Mr. Atkinson	Mr. Jackson
Mr. Bamford	Mr. Lamond
Sir Robert Best	Mr. Lister
Mr. Blundell	Mr. Mackay
Mr. Bowden	Mr. Maxwell
Mr. Bruce	Mr. Poynton
Mr. Burchell	Mr. Prowse
Mr. Donald Cameron	Mr. Rodgers
Mr. Chanter	Sir Granville Ryrie
Mr. Corser	Mr. Laird Smith
Mr. R. W. Foster	Mr. Wienholt
Mr. Greene	Mr. Wise
Mr. Groom	
Mr. Higgs	<i>Tellers:</i>
Mr. Hughes	Mr. Marr
Mr. Hunter	Mr. Story

Noes, 15.

Mr. Blakeley	Mr. McGrath
Mr. J. H. Catts	Mr. Parker Moloney
Mr. Charlton	Mr. Scullin
Mr. Cunningham	Mr. Watkins
Mr. Gabb	
Mr. Lazzarini	<i>Tellers:</i>
Mr. W. Maloney	Mr. Mahony
Mr. Mathews	Mr. Riley
Mr. McDonald	

And so it was resolved in the affirmative.

And the question being accordingly put—That the House do now adjourn—

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The House divided—

Ayes, 15.		Noes, 32.	
Mr. Blakeley	Mr. McGrath	Mr. Atkinson	Mr. Jackson
Mr. J. H. Catts	Mr. Parker Moloney	Mr. Bamford	Mr. Lamond
Mr. Charlton	Mr. Scullin	Sir Robert Best	Mr. Lister
Mr. Cunningham	Mr. Watkins	Mr. Blundell	Mr. Mackay
Mr. Gabb		Mr. Bowden	Mr. Maxwell
Mr. Lazzarini		Mr. Bruce	Mr. Poynton
Mr. W. Maloney	<i>Tellers:</i>	Mr. Burchell	Mr. Prowse
Mr. Mathews	Mr. Mahony	Mr. Donald Cameron	Mr. Rodgers
Mr. McDonald	Mr. Riley	Mr. Chanter	Sir Granville Ryrie
		Mr. Corser	Mr. Laird Smith
		Mr. R. W. Foster	Mr. Watt
		Mr. Greene	Mr. Wienholt
		Mr. Groom	Mr. Wise
		Mr. Hay	
		Mr. Higgs	<i>Tellers:</i>
		Mr. Hughes	Mr. Marr
		Mr. Hunter	Mr. Story

And so it was negatived.

4. ELECTORAL BILL (1922).—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.)

Clause 13 debated and negatived.

Clauses 14 to 17 agreed to.

Clause 18 debated—

Question—That the clause be agreed to—put.

The Committee divided—

Ayes, 21.		Noes, 20.	
Mr. Bamford	Mr. Mackay	Mr. Anstey	Mr. Parker Moloney
Mr. Bell	Mr. Marks	Mr. Brennan	Mr. Earle Page
Mr. Blundell	Mr. Maxwell	Mr. Considine	Mr. Prowse
Mr. Bruce	Mr. Poynton	Mr. Fleming	Mr. Riley
Mr. Donald Cameron	Sir Granville Ryrie	Mr. Gabb	Mr. Scullin
Mr. Corser	Mr. Laird Smith	Mr. Hunter	Mr. Watkins
Mr. R. W. Foster	Mr. Wise	Mr. Lambert	Mr. Wienholt
Mr. Greene		Mr. Mahony	
Mr. Groom		Mr. Mathews	<i>Tellers:</i>
Mr. Higgs	<i>Tellers:</i>	Mr. McGrath	Mr. Bowden
Mr. Jackson	Mr. Marr	Mr. McWilliams	Mr. Cunningham
Mr. Lamond	Mr. Story		

And so it was resolved in the affirmative.

Clauses 19 to 23 agreed to.

Clause 24 omitted on the motion of Mr. Groom.

Clause 25—

On the motion of Mr. Groom, the following amendment was made :—

Line 28, omit " and counterfoils".

Clause, as amended, agreed to.

Clause 26—

On the motion of Mr. Groom, the following amendments were made :—

Page 9, line 36, after " ballot-paper " insert " issued under the regulations relating to absent voting or pursuant to section eighty-eight, section ninety-one A, sub-section (3.) of section one hundred and fifteen, section one hundred and twenty-one or section one hundred and twenty-one A ".

Page 9, line 39, omit " (i) the counterfoil of the ballot-paper ; ".

Page 10, omit sub-section (2.).

Clause, as amended, agreed to.

Clause 27 debated and agreed to.

Clause 28 agreed to.

Clause 29 omitted on the motion of Mr. Groom.

Clause 30 agreed to.

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Clause 31—

On the motion of Mr. Groom, the following amendment was made :—

Page 12, omit footnote ; insert the following footnote :—

“ NOTE.—The letter ‘ A ’ or ‘ B ’ or ‘ C ’ etc., appearing before the square opposite a candidate’s surname indicates that that candidate and each other candidate who has the same letter appearing before the square opposite his surname have been grouped by mutual consent.

The fact that no letter appears before the square opposite a candidate’s surname indicates that the name of that candidate has not been included in any group.”

Clause, as amended, agreed to.

New Clauses—

On the motion of Mr. Groom, the following clause was added to the Bill :—

1A. The several sections of this Act shall commence on such dates as are Commencement. respectively fixed by Proclamation.

Mr. McWilliams (for Mr. Gregory) moved, That the following clause be added to the Bill :—

1C. After section 19 of the Principal Act the following section is inserted :—“ 19A. The distribution commissioners shall determine which districts in each State are metropolitan districts and which are country districts, and shall fix the average quota of electors in country districts from 20 per cent. to 25 per cent. less than the average quota for metropolitan districts.”

Debate ensued.

Question—put and negatived.

Mr. Earle Page moved, That the following clause be added to the Bill :—

31A. Section 135 of the Principal Act is amended by—

(1) omitting the words “ Divisional Returning Officer ” in paragraph (h) of sub-section (1) and inserting in their stead the words “ Commonwealth Electoral Officer ”.

(2) omitting paragraphs (2) to (14) inclusive and inserting in their stead the following sub-section :—

(2) The Commonwealth Electoral Officer shall in the manner prescribed by this Act or the Regulations examine count and deal with all ballot-papers used for voting in pursuance of—

(a) Part XII. of this Act ;

(b) the regulations relating to absent voting on polling day ; or

(c) section 121 of this Act ;

(3) The Commonwealth Electoral Officer shall—

(a) open the sealed parcels of ballot-papers received from the Assistant Returning Officer in the State for which he is Commonwealth Electoral Officer and shall make a fresh scrutiny of the ballot-papers contained in the parcels, and for this purpose he shall have the same powers as if the fresh scrutiny were the original scrutiny, and may reverse any decisions given by an Assistant Returning Officer in relation to the original scrutiny.

(b) Count the number of first choices recorded for each candidate and reject all informal ballot-papers.

(4) The aggregate number of such first choices shall be divided by one more than the number of candidates required to be elected and the quotient increased by one, disregarding any remainder, shall be the quota, and (except as hereinafter provided by sub-section (12)) no candidate shall be elected until he obtains a number of votes equal to or greater than the quota.

(5) Any candidate who has, upon the first choices being counted, a number of such votes equal to or greater than the quota shall be declared elected.

(6) Where the number of such votes obtained by any candidate is equal to the quota, the whole of the voting papers on which a first choice is recorded for such elected candidate shall be set aside as finally dealt with.

(7) Where the number of such votes obtained by any candidate is in excess of the quota, the proportion of votes in excess of the quota shall be transferred to the other candidates not yet declared elected, next in the order of the voters’ respective preferences, in the following manner :—

(i) All the voting papers on which a first choice is recorded for the elected candidate shall be re-examined and the number of the second choices or (in the case provided for in sub-section (14)) third or next consecutive choices recorded for each unelected candidate thereon shall be counted ;

(ii) The surplus of the elected candidate shall be divided by the total number of votes obtained by him on the counting of the first choice and the resulting fraction shall be the transfer value ;

(iii) The number of second or other choices ascertained in paragraph 1 to be recorded for each unelected candidate shall be multiplied by the transfer value ;

(iv) The resulting number, disregarding any fractional remainder, shall be credited to each unelected candidate and added to the number of votes obtained by him on the counting of the first choices.

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- (8) (a) Where on the counting of the first choices or on any transfer more than one candidate has a surplus, the largest surplus shall be first dealt with. If then more than one candidate has a surplus, the then largest surplus shall be dealt with and so on: Provided that if one candidate has obtained a surplus at a count or transfer previous to that at which another candidate obtains a surplus, the surplus of the former shall be first dealt with.
- (b) Where two or more surpluses are equal, the surplus of the candidate who was the highest on the poll at the count or transfer at which they last had an unequal number of votes shall be first dealt with; and if they have had an equal number of votes at all preceding counts or transfers, the Commonwealth Electoral Officer shall decide which candidate's surplus shall be first dealt with.
- (9) (a) Where the number of votes obtained by a candidate is raised up to or above the quota by a transfer as aforesaid he shall thereupon be declared elected. And in such case, notwithstanding the fact that he may have reached the quota, such transfer shall be completed, and all the votes to which he is entitled therefrom shall be transferred to him, but no votes of any other candidate shall be transferred to him.
- (b) Where the number of votes obtained by a candidate is raised up to, but not above, the quota by a transfer as aforesaid, the whole of the voting papers on which such votes are recorded shall be set aside as finally dealt with.
- (c) Where the number of votes obtained by a candidate is raised above the quota by a transfer as aforesaid his surplus shall be transferred to the candidates next in the order of the voters' respective preferences in the following manner:—
- (i) The voting papers on which are recorded the votes obtained by the elected candidate in the last transfer shall be re-examined and the number of third or (in the case provided for in sub-section (14)) next consecutive choices recorded for each unelected candidate thereon counted;
 - (ii) The surplus of the elected candidate shall be divided by the total number of voting papers mentioned in paragraph (i) and the resulting fraction shall be the transfer value;
 - (iii) The number of second (or other) choices ascertained in paragraph (i) to be recorded for each unelected candidate shall be multiplied by the last-mentioned transfer value;
 - (iv) The resulting number, disregarding any fractional remainder, shall be credited to each unelected candidate and added to the number of votes previously obtained by him.
- (10) (a) Where, after the first choices have been counted, and all surpluses (if any) have been transferred as hereinbefore directed, no candidate, or less than the number of candidates required to be elected, has or have obtained the quota, the candidate who is lowest on the poll shall be excluded and all the votes obtained by him shall be transferred to the candidates next in the order of the voters' respective preferences in the same manner as is directed in sub-section (7).
- (b) The votes obtained by such excluded candidate as first choices shall first be transferred, the transfer value of each vote in this case being one.
- (c) The other votes of such excluded candidate shall then be dealt with in the order of the transfers in which, and at the transfer value at which, he obtained them.
- (d) Each of the transfers which takes place under the two previous paragraphs of this sub-section shall be deemed for all purposes to be a separate transfer.
- (11) (a) Where the number of votes obtained by a candidate is raised up to or above the quota by any such transfer as aforesaid, he shall thereupon be declared elected. And in such case, notwithstanding the fact that he may have reached the quota, such transfer shall be completed, and all the votes to which he is entitled therefrom shall be transferred to him, but no other vote shall be transferred to him.
- (b) Where the number of votes obtained by a candidate is raised up to, but not above, the quota, by any such transfer as aforesaid, the whole of the voting papers on which such votes are recorded shall be set aside as finally dealt with.
- (c) Where the number of votes obtained by a candidate is raised above the quota by any such transfer as aforesaid his surplus shall be transferred to the candidates next in order of the voters' respective preferences in the same manner as is directed in sub-section (9), paragraph (c): Provided that such surplus shall not be dealt with until all the votes of the excluded candidate have been transferred.
- (d) Where any surplus exists it shall be dealt with before any other candidate is excluded.
- (12) The same process of excluding the candidate lowest on the poll and transferring to other candidates his votes shall be repeated until all the candidates, except the number required to be elected, have been excluded, and the unexcluded candidates, who have not already been so declared, shall then be declared elected.
- (13) Where at any time it becomes necessary to exclude a candidate and two or more candidates have the same number of votes and are lowest on the poll at the last count or transfer at which they had an unequal number of votes, then whichever of such candidates are lowest on the poll shall be first excluded, and if such candidates have had an equal number of votes at all preceding counts or transfers the Commonwealth Electoral Officer shall decide which candidate shall be first excluded.

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(14) In determining what candidate is next in the order of the voters' preference, any candidates who have been declared elected or who have been excluded shall not be considered, and the order of the voters' preference shall be determined as if the names of such candidates had not been on the voting paper.

(15) Where on any transfer it is found that on any voting paper there is no candidate opposite whose name a number is placed, other than those who have been already either declared elected or excluded, such voting paper shall be set aside as exhausted.

Question—put.

The Committee divided—

Ayes, 20.		Noes, 29.	
Mr. Atkinson	Mr. Hunter	Mr. Anstey	Mr. Mathews
Mr. Bell	Mr. McWilliams	Mr. Bamford	Mr. Maxwell
Sir Robert Best	Mr. Earle Page	Mr. Bruce	Mr. McGrath
Mr. Blundell	Mr. Prowse	Mr. Donald Cameron	Mr. Parker Moloney
Mr. Bowden	Mr. Scullin	Mr. Corser	Mr. Poynton
Mr. Brennan	Mr. Watt	Mr. Cunningham	Mr. Riley
Mr. Considine	Mr. Wienholt	Mr. R. W. Foster	Mr. Rodgers
Mr. Fleming		Mr. Greene	Sir Granville Ryrie
Mr. Francis	<i>Tellers:</i>	Mr. Groom	Mr. Laird Smith
Mr. Gabb	Mr. J. H. Catts	Mr. Higgs	Mr. Watkins
Mr. Hay	Mr. Jackson	Mr. Lambert	Mr. Wise
		Mr. Lamond	
		Mr. Lister	<i>Tellers:</i>
		Mr. Mackay	Mr. Marr
		Mr. Mahony	Mr. Story
		Mr. Marks	

And so it was negatived.

Title agreed to.

Bill to be reported with amendments.

The House resumed; Mr. Chanter reported accordingly.

Mr. Groom moved, That the Bill be now recommitted to a Committee of the whole House for the reconsideration of clause 2 in respect to a proposed amendment.

Question—put and passed.

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

(In the Committee.)

On recommitment—

Clause 2—

On the motion of Mr. Groom, the following amendment was made:—

Page 2, lines 5-6, omit " absent from his place of living therein with a fixed intention of returning thereto ", insert " living elsewhere than within the Division in respect of which he claims to vote with a fixed intention of returning to his place of living in that Division ".

Bill to be reported with a further amendment.

The House resumed; Mr. Chanter reported accordingly.

Mr. Groom moved, pursuant to contingent notice, That the Standing Orders be suspended, to enable the remaining stages to be passed without delay.

Debate ensued.

Question—put and passed.

Mr. Groom moved, That the Reports be now adopted.

Mr. Earle Page moved, That the Bill be now again recommitted to a Committee of the whole House for the reconsideration of clause 18.

Debate ensued.

Question—That the Bill be now recommitted to a Committee of the whole House for the reconsideration of clause 18—put.

The House divided—

Ayes, 19.		Noes, 28.	
Mr. Blundell	Mr. Prowse	Mr. Atkinson	Mr. Lamond
Mr. Brennan	Mr. Riley	Mr. Bamford	Mr. Lister
Mr. Considine	Mr. Scullin	Mr. Bell	Mr. Mackay
Mr. Cunningham	Mr. Watkins	Mr. Bruce	Mr. Marks
Mr. Fleming	Mr. Watt	Mr. Donald Cameron	Mr. Maxwell
Mr. Francis	Mr. Wienholt	Mr. J. H. Catts	Mr. McGrath
Mr. Gabb		Mr. Chanter	Mr. Poynton
Mr. Lambert		Mr. Corser	Mr. Rodgers
Mr. Mahony	<i>Tellers:</i>	Mr. R. W. Foster	Sir Granville Ryrie
Mr. McWilliams	Mr. Anstey	Mr. Greene	Mr. Laird Smith
Mr. Earle Page	Mr. Parker Moloney	Mr. Groom	Mr. Wise
		Mr. Hay	
		Mr. Higgs	<i>Tellers:</i>
		Mr. Hunter	Mr. Marr
		Mr. Jackson	Mr. Story

And so it was negatived.

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

Mr. Groom moved, That the Bill be now read a third time.

Mr. J. H. Catts moved, as an amendment, That the word “ now ” be omitted from, and that the words “ this day six months ” be added to the motion.

Debate ensued.

Closure—Mr. Greene moved, That the question be now put.

Question—That the question be now put—put and passed.

And the question being accordingly put—That the word “ now ” proposed to be omitted stand part of the question—

The House divided—

Ayes, 32.		Noes, 9	
Mr. Atkinson	Mr. Jackson	Mr. Anstey	Mr. Scullin
Mr. Bamford	Mr. Lambert	Mr. Gabb	
Mr. Bell	Mr. Lamond	Mr. Mahony	<i>Tellers:</i>
Mr. Blundell	Mr. Lister	Mr. Mathews	Mr. J. H. Catts
Mr. Bowden	Mr. Marks	Mr. McGrath	Mr. Riley
Mr. Bruce	Mr. Maxwell	Mr. Parker Moloney	
Mr. Donald Cameron	Mr. Poynton		
Mr. Chanter	Mr. Prowse		
Mr. Considine	Mr. Rodgers		
Mr. Corser	Sir Granville Ryrie		
Mr. Cunningham	Mr. Watkins		
Mr. R. W. Foster	Mr. Wienholt		
Mr. Francis	Mr. Wise		
Mr. Greene			
Mr. Groom	<i>Tellers:</i>		
Mr. Hay	Mr. Marr		
Mr. Higgs	Mr. Story		

And so it was resolved in the affirmative.

And the further question being accordingly put—That the Bill be now read a third time—

The House divided—

Ayes, 22.		Noes, 20.	
Mr. Bamford	Mr. Lamond	Mr. Anstey	Mr. Mathews
Mr. Bell	Mr. Lister	Mr. Atkinson	Mr. McGrath
Mr. Bruce	Mr. Marks	Mr. Blundell	Mr. McWilliams
Mr. Donald Cameron	Mr. Maxwell	Mr. J. H. Catts	Mr. Prowse
Mr. Chanter	Mr. Poynton	Mr. Considine	Mr. Scullin
Mr. Corser	Mr. Rodgers	Mr. Cunningham	Mr. Watkins
Mr. R. W. Foster	Sir Granville Ryrie	Mr. Fleming	Mr. Wienholt
Mr. Greene	Mr. Wise	Mr. Francis	
Mr. Groom		Mr. Gabb	<i>Tellers:</i>
Mr. Hay	<i>Tellers:</i>	Mr. Lambert	Mr. Parker Moloney
Mr. Higgs	Mr. Marr	Mr. Mahony	Mr. Riley
Mr. Jackson	Mr. Story		

And so it was resolved in the affirmative.—Bill read a third time.

5. MESSAGE FROM THE SENATE.—MEAT EXPORT BOUNTIES BILL.—Mr. Speaker announced the receipt of the following Message from the Senate:—

Mr. SPEAKER,

Message No. 22.

The Senate returns to the House of Representatives the Bill for “ *An Act to provide for the payment of Bounties on the Export of Beef and Cattle from the Commonwealth* ” and acquaints the House that the Senate has agreed to the Bill as amended by the House at the request of the Senate.

THOS. GIVENS,
President.

The Senate,
Melbourne, 20th September, 1922.

6. POSTPONEMENT OF BUSINESS.—Mr. Greene moved, That Orders of the Day Nos. 2 and 3 be postponed until after Order of the Day No. 4.

Question—put.

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The House divided—

Ayes, 30.		Noes, 10.	
Mr. Atkinson	Mr. Lamond	Mr. Anstey	Mr. Riley
Mr. Bell	Mr. Lister	Mr. Considine	Mr. Watkins
Mr. Blundell	Mr. Marks	Mr. Cunningham	
Mr. Bruce	Mr. Maxwell	Mr. Gabb	<i>Tellers:</i>
Mr. Donald Cameron	Mr. McWilliams	Mr. McGrath	Mr. Mahony
Mr. J. H. Catts	Mr. Earle Page	Mr. Parker Moloney	Mr. Scullin
Mr. Chanter	Mr. Poynton		
Mr. Corser	Mr. Prowse		
Mr. Fleming	Mr. Rodgers		
Mr. R. W. Foster	Sir Granville Ryrie		
Mr. Francis	Mr. Wienholt		
Mr. Greene	Mr. Wise		
Mr. Groom			
Mr. Hay	<i>Tellers:</i>		
Mr. Higgs	Mr. Marr		
Mr. Jackson	Mr. Story		

And so it was resolved in the affirmative.

7. LAND TAX BILL (1922) (No. 2).—The Order of the Day having been read for the second reading—

Mr. Bruce moved, That the Bill be now read a second time.

Mr. Anstey addressing the House, and not having concluded his speech, the House ordered that the honorable Member have leave to continue his speech when the debate is resumed.

Ordered—That the debate be now adjourned, and that the resumption of the debate be made an Order of the Day for the next sitting.

8. ADJOURNMENT.—Mr. Greene moved, That the House do now adjourn.

Question—put and passed.

And then the House, at fourteen minutes past eleven 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. Bayley, Mr. Austin Chapman, Mr. Robert Cook, Mr. Fenton, Mr. Foley, Mr. Fowler, Mr. Gibson, Mr. Gregory, Mr. Hill, Mr. Lavelle*, Mr. Makin, Mr. Nicholls, Mr. Pratten, Mr. Stewart, and Mr. West.

* On leave.

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