

1922.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

No. 50.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

MONDAY, 9TH OCTOBER, 1922.

1. The House met, at three o'clock p.m., pursuant to adjournment.—Mr. Speaker took the Chair, and read Prayers.
2. ALTERATION OF HOUR OF NEXT MEETING.—Mr. Hughes moved, That the House, at its rising, adjourn until eleven o'clock a.m. to-morrow.
Debate ensued.
Question—put and passed.
3. PAPERS.—The following Papers were presented, pursuant to Statute.—
Audit Act—
Regulations Amended—Statutory Rules 1922, No. 146.
Transfers of Amounts approved by the Governor-General in Council—Financial Year 1921–22—Dated 4th October, 1922.
Northern Territory Acceptance Act and Northern Territory (Administration) Act—Ordinance of 1922—No. 14—Jurors and Witnesses Payment.
War-time Profits Tax Assessment Act—Regulations Amended—Statutory Rules 1922, No. 147.
4. POSTPONEMENT OF BUSINESS.—Ordered—That Order of the Day No. 1 be postponed until after Order of the Day No. 2, Government Business.
5. INCOME TAX ASSESSMENT BILL (1922).—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.
Question—put and passed.—Bill read a second time.
Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

(In the Committee.)

Clauses 1, 2, and 3 agreed to.

Clause 4—

Mr. Charlton moved, as an amendment, That the words "where the company is one which usually sells goods only to its own members" (page 2, lines 38–39) be omitted.

Debate ensued.

Amendment, by leave, withdrawn.

Debate on clause ensued.

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

Page 2, lines 38–39, omit "the company is one which usually sells goods only to its own members", insert "the commissioner is satisfied that ninety per centum of its sales is made to its own members".

Clause, as amended, agreed to.

Clauses 5 to 12 agreed to.

Clause 13—

Mr. Prowse moved, as an amendment, That sub-clauses (2.) to (8.) be omitted with a view to the insertion of the following new sub-clauses in place thereof:—

"(2.) In assessments of tax for the financial year beginning on the first day of July, 1922, and for each subsequent year:—

(a) the taxable income of the taxpayer shall be deemed to be the total taxable income of the taxpayer in the years (in this section called "average years") beginning with the first average year and ending with the year next preceding the financial year for which the tax is payable:

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- (b) the rate to be applied to such total taxable income shall be calculated under the Act by which the rates of income tax are declared as if the taxable income were such total taxable income divided by the number of average years comprised in the period from the first average year to the financial year next preceding the financial year for which the tax is payable, both inclusive ;
- (c) from the amount of tax thus calculated there shall be deducted the total amount of tax levied against the taxpayer in the total of the average years comprised in the period from the financial year immediately succeeding the first average year to the financial year next preceding the financial year for which the tax is payable, both inclusive.
- (3.) In assessments of tax for each of the financial years beginning on the first day of July, 1922, the first day of July, 1923, the first day of July, 1924, and the first day of July, 1925, the first average year shall be not earlier than the financial year beginning on the first day of July, 1920.
- (4.) Whenever the taxable income of a taxpayer has been assessed for a period of five average years the rate of income tax to be applied in the next financial year shall be the rate applicable in that year, under the Act by which the rates of income tax are declared, to a taxable income of that amount, and that year shall be the first average year in assessments of his tax for each financial year subsequent to the last mentioned financial year for a further period of five financial years.
- (5.) Any year in which the taxpayer was not carrying on business and was not in receipt of a taxable income shall not be counted as an average year.
- (6.) Any year in which the deductions allowed in his assessment to a taxpayer engaged in business left no taxable income or produced a loss or in which the taxpayer incurred a loss shall be an average year and shall be taken into account in ascertaining the assessment of tax for any financial year.
- (7.) Where the amount of tax calculated under sub-section (2.) (a) and (b) of this section is less than the amount of tax levied against the taxpayer in the total of the average years comprised in the period from the financial year immediately succeeding the first average year to the financial year next preceding the financial year for which the tax is payable, he shall be entitled to a refund of the difference between the amount of the last mentioned tax and the amount of the tax so calculated.
- (8.) Where there are not at least two average years for the purpose of calculating the rate under the foregoing provisions of this section the rate of income tax to be applied in a year to the taxable income of a taxpayer shall be the rate applicable in that year, under the Act by which the rates of income tax are declared, to a taxable income of that amount."

Debate ensued.

Question—That the sub-clauses proposed to be omitted stand part of the clause—put.

The Committee divided—

Ayes, 22.

Noes, 9.

Mr. Bayley	Mr. Lister
Mr. Blundell	Mr. Marks
Mr. Bowden	Mr. Poynton
Mr. Bruce	Mr. Pratten
Mr. Donald Cameron	Mr. Rodgers
Mr. Corser	Sir Granville Ryrie
Mr. Foley	Mr. Watkins
Mr. R. W. Foster	Mr. Wise
Mr. Greene	
Mr. Groom	<i>Tellers:</i>
Mr. Higgs	Mr. Mackay
Mr. Lamond	Mr. Marr

Mr. Robert Cook	Mr. Stewart
Mr. Hill	
Mr. Hunter	<i>Tellers:</i>
Mr. Jowett	
Mr. McWilliams	Mr. Atkinson
Mr. Prowse	Mr. Bell

And so it was resolved in the affirmative.

Clause agreed to.

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

The House resumed; Mr. Chanter reported accordingly.

Resolved—That the House will, at the next sitting, again resolve itself into the said Committee.

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

Question—put and passed.

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

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except—Mr. Bamford, Mr. Blakeley, Mr. J. H. Catts, Mr. Austin Chapman, Mr. Cunningham, Mr. Fowler, Mr. Gabb, Mr. Gibson, Mr. Hay, Mr. Jackson, Mr. Lambert, Mr. Lavelle, Mr. Lazzarini, Mr. Livingston, Mr. Mahony, Mr. Mathews, Mr. McGrath, Mr. Nicholls*, Mr. Earle Page, Mr. Riley, Mr. Scullin, Mr. Story, and Mr. Wienholt.

* On leave.

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