

1926.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

No. 42.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

WEDNESDAY, 2ND JUNE, 1926.

1. The House met, at three o'clock p.m., pursuant to adjournment.—Mr. Speaker (the Honorable Sir Littleton Groom) took the Chair, and read Prayers.
2. PAPERS.—The following Papers were presented, by command of His Excellency the Governor-General—Northern Territory—Report of Administrator for the year ended 30th June, 1925.
Ordered to lie on the Table, and to be printed.
Oil Agreement Bill—Letter from the British Imperial Oil Company, Limited, in regard to certain statements concerning the Company made in the Federal Parliament during the debate on the Bill.
Ordered to lie on the Table.
The following Papers were presented, pursuant to Statute—
Canberra—Report of Operations of Federal Capital Commission for Quarter ended 31st March, 1926.
Naval Defence Act—Regulations Amended—Statutory Rules 1926, No. 63.
Northern Territory Acceptance Act and Northern Territory (Administration) Act—Ordinances of 1926—
No. 11—Encouragement of Mining.
No. 12—Real Property.
War Service Homes Act—Arrangement between the War Service Homes Commissioner and the Government of the State of Western Australia.
3. ELECTORAL ACT—JOINT SELECT COMMITTEE.—Mr. Bruce (Prime Minister) moved, by leave, That the order of reference to the Joint Committee on Electoral Law and Procedure, agreed to by the House on the 25th February, 1926, be extended to include the following matters:—
(f) informal voting ;
(g) absent voting ;
(h) joint rolls ;
(i) the administration of the compulsory sections of the Electoral Act.
Question—put and passed.
4. NORTHERN TERRITORY (ADMINISTRATION) BILL (1926).—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 3 further debated and agreed to.
Title agreed to.
Bill to be reported without amendment.

The House resumed ; Mr. Bayley reported accordingly.

On the motion of Mr. Marr (Minister representing the Minister for Home and Territories), the House adopted the Report, and, by leave, the Bill was read a third time.

2nd June, 1926.

5. MESSAGE FROM THE DEPUTY OF THE GOVERNOR-GENERAL.—AUDIT BILL (1926).—The following Message from His Excellency the Governor-General's Deputy was presented, and the same was read by Mr. Speaker :—

W. H. IRVINE,
Deputy of the Governor-General.

Message No. 22.

In accordance with the requirements of section 56 of the Constitution of the Commonwealth of Australia, the Deputy of 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 *Audit Act* 1901-1924.

Melbourne, 2nd June, 1926.

Ordered—That the foregoing Message be taken into consideration, in Committee of the whole House, forthwith.

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

(In the Committee.)

Mr. Bruce (Prime Minister) moved, That it is expedient that an appropriation of revenue be made for the purposes of a Bill for an Act to amend the *Audit Act* 1901-1924.

Question—put and passed.

Resolution to be reported.

The House resumed; Mr. Bayley reported accordingly.

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

Question—put and passed.

The Resolution reported from the Committee was read, and, on the motion of Mr. Bruce, was adopted by the House.

Ordered—That Mr. Bruce and Mr. Earle Page do prepare and bring in a Bill to carry out the foregoing Resolution.

Mr. Bruce 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.

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

Debate ensued.

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.)

Bill, by leave, taken as a whole, and agreed to.

Bill to be reported without amendment.

The House resumed; Mr. Bayley reported accordingly.

On the motion of Mr. Bruce, the House adopted the Report, and the Bill was read a third time.

6. WAR-TIME PROFITS TAX ASSESSMENT BILL (1926).—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.)

Clause 1 agreed to.

Clause 2—

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

The House resumed; Mr. Bayley reported accordingly.

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

7. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the intervening Orders of the Day be postponed until after Order of the Day No. 9, Government Business.

8. CONSTITUTION ALTERATION (INDUSTRY AND COMMERCE) BILL.—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 by Mr. Charlton, who concluded by moving, as an amendment, That all the words after the word "That" be omitted with a view to the insertion of the following words in place thereof :—"the Bill be withdrawn with a view to eliminating Clause 2 and substituting therefor the following :—

2. Section fifty-one of the Constitution is altered—

(a) by omitting from paragraph (i.) the words 'with other countries, and among the States';

2nd June, 1926.

(b) by omitting from paragraph (xxxv.) the words ' Conciliation and arbitration for the prevention and settlement of industrial disputes extending beyond the limits of any one State ' and inserting in their stead the words—

' Labour, and employment, and unemployment, including—

- (a) the terms and conditions of labour and employment in any trade, industry, occupation, or calling ;
- (b) the rights and obligations of employers and employees ;
- (c) strikes and lock-outs ;
- (d) the maintenance of industrial peace ; and
- (e) the settlement of industrial disputes ; and

(c) by adding at the end thereof the following paragraph—

- ' (xl.) Trusts, Corporations, combinations, monopolies and arrangements in relation to—
- (a) the production, manufacture, or supply of goods, or the supply of services ; or
- (b) the ownership of the means of production, manufacture or supply of goods, or supply of services.' "

Mr. Hughes moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and passed.

Ordered—That the resumption of the debate be made an Order of the Day for the next sitting.

9. MESSAGE FROM THE SENATE.—AUDIT BILL (1926).—Mr. Speaker announced the receipt of the following Message from the Senate :—

Message No. 25.

MR. SPEAKER,

The Senate returns to the House of Representatives the Bill for " *An Act to amend the ' Audit Act 1901-1924 ' ,*" and acquaints the House that the Senate has agreed to the Bill without amendment.

THOS. GIVENS,
President.

The Senate,

Melbourne, 2nd June, 1926.

10. WAR-TIME PROFITS TAX ASSESSMENT BILL (1926).—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 again resolved itself into a Committee of the Whole.

(In the Committee.)

Clause 2—

On the motion of Mr. Earle Page (Treasurer), the following amendments were made, after debate :—

Page 1, line 21, after " elect " insert " at his option ".

Page 2, lines 1-2, after " sub-section " insert " either to accept, in respect of the value of live stock, the assessments so made, or ".

Page 2, lines 37-40, omit " he shall be deemed to have accepted the existing assessments which, in respect of the value of live stock, shall thereupon be deemed to be correct, valid and effectual", insert " his assessments shall be altered so that, in determining his liability to pay tax under the *War-time Profits Tax Assessment Act 1917*, or under that Act as subsequently amended, live stock shall be taken into account at the market selling value thereof ".

Clause, as amended, further debated and agreed to.

Clause 3—

On the motion of Mr. Earle Page, the following amendment was made, after debate :—

Page 3, lines 15-17, omit all words from and including the words " assessments made or altered " to and including the words " as so made or altered ", insert " assessments altered or made, the assessments shall, as soon as conveniently may be, be altered or made accordingly, and the assessments as so altered or made ".

Clause, as amended, agreed to.

Clause 4—

Mr. Earle Page moved, as an amendment, That the clause be omitted, and the following new clause be substituted therefor :—

" 4.—(1.) Where the profits derived during any financial year or accounting period by any individual or partnership were, or are liable to be, assessed under the *War-time Profits Tax Assessment Act 1917*, or under that Act as subsequently amended, and that individual or any member of that partnership was, under any law of the Commonwealth or of a State relating to the imposition of income tax, entitled, by reason of being on active service during the war which commenced on the fourth day of August One thousand nine hundred and fourteen, to an exemption from or a reduction of the income tax he would otherwise have been liable to pay in respect of income derived in that year or period, the assessment shall be altered or made so that there shall be deducted from those profits the amount of income tax which would have been payable, under that law of the Commonwealth or of a State, if—

(a) in the case of an individual—those profits ; or

(b) in the case of a partnership—the share of that member in those profits,

had been the only income derived from sources within Australia by that individual or member during that year or period, and he had not, under that law of the Commonwealth or of a State, been entitled to an exemption from or reduction of income tax on account of such active service.

2nd June, 1926.

“(2.) The assessment altered or made in pursuance of the last preceding sub-section shall be deemed to be the assessment of the profits of the individual or partnership under the *War-time Profits Tax Assessment Act 1917*, or under that Act as subsequently amended, in respect of the year or period to which the assessment relates.”.

Debate ensued.

Mr. Scullin moved, as an amendment to the amendment, That the following new sub-clause be added to the proposed new clause :—

“(3.) Where the naval or military duties of any individual or member referred to in the last preceding sub-section required him to be in any part of the field of operations in connexion with the War, where there was danger to life as a result of the operations of enemy forces, the Commissioner may further alter or make the said assessment so that there shall be deducted from the said profits so much of those profits as were entitled to an exemption from Income Tax by virtue of Section 13 of the *Income Tax Assessment Act 1915-1921* and which would, but for this sub-section, be liable to War-time Profits Tax.”.

Debate continued.

Amendment to the amendment, by leave, withdrawn.

Amendment agreed to.

Clause 5 agreed to.

Proposed New Clause—

Mr. Makin moved, That the following new clause be added to the Bill :—

“5A.—For the purposes of Section 15 (13) of the *War-time Profits Tax Assessment Act 1917-1918*, the amount of losses shall be ascertained upon the same basis on which the profits are ascertained.”.

Debate ensued.

Proposed new clause, by leave, withdrawn.

Title agreed to.

Bill to be reported with amendments.

The House resumed ; Mr. Bayley reported accordingly.

On the motion of Mr. Earle Page, the House, by leave, adopted the Report, and, by leave, the Bill was read a third time.

11. ADJOURNMENT.—Mr. Earle Page (Treasurer) moved, That the House do now adjourn.

Question—put and passed.

And then the House, at one minute to 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. Anstey, Mr. Bell, Mr. Corser, Mr. Hurry, Mr. Killen, Mr. Lambert, and Mr. Perkins.

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