

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA,
CANBERRA.

No. 25.

VOTES AND PROCEEDINGS
OF THE
HOUSE OF REPRESENTATIVES.

THURSDAY, 21st MARCH, 1929.

1. The House met, at eleven o'clock a.m., pursuant to adjournment.—Mr. Speaker (the Honorable Sir Littleton Groom) took the Chair, and read Prayers.

2. MESSAGES FROM THE SENATE.—Mr. Speaker announced the receipt of the following Messages from the Senate :—

[*Economic Research Bill*].—

MR. SPEAKER,

Message No. 13.

The Senate returns to the House of Representatives the Bill for "*An Act relating to the Establishment of a Bureau of Economic Research*," and acquaints the House that the Senate has agreed to the Bill without amendment.

The Senate,
Canberra, 20th March, 1929.

JOHN NEWLANDS,
President.

[*Seat of Government Acceptance Bill (1929)*].—

MR. SPEAKER,

Message No. 14.

The Senate returns to the House of Representatives the Bill for "*An Act relating to the Administration of the Estates of Deceased Persons in the Territory for the Seat of Government*," and acquaints the House that the Senate has agreed to the Bill without amendment.

The Senate,
Canberra, 20th March, 1929.

JOHN NEWLANDS,
President.

[*Income Tax Assessment Bill (1929)*].—

MR. SPEAKER,

Message No. 15.

The Senate returns to the House of Representatives the Bill for "*An Act to amend section twenty-one of the 'Income Tax Assessment Act 1922-1928'*," and acquaints the House that the Senate has agreed to the Bill without amendment.

The Senate,
Canberra, 20th March, 1929.

JOHN NEWLANDS,
President.

3. PAPER.—The following Paper was presented, by command of His Excellency the Governor-General—
Norfolk Island—Report for the year ended 30th June, 1928.

Ordered to lie on the Table, and to be printed.

4. INSTITUTE OF ANATOMY, CANBERRA—APPROVAL OF WORK.—Mr. Aubrey Abbott (Minister for Home Affairs) moved, pursuant to notice, That, in accordance with the provisions of the *Commonwealth Public Works Committee Act 1913-1921*, it is expedient to carry out the following proposed work, which has been referred to the Parliamentary Standing Committee on Public Works for investigation, and in relation to which the Committee has duly reported to this House the result of its inquiries, viz. :—Construction of buildings for the Institute of Anatomy, at Canberra.

Mr. McGrath 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 a later hour this day.

21st March, 1929.

5. SUPPLY ["GRIEVANCE DAY"].—Pursuant to the provisions of Standing Order No. 241, the Order of the Day having been read for going into the Committee of Supply—
Question proposed—That Mr. Speaker do now leave the Chair.
Question—put and negatived.
Resolved—That the House will, at a later hour this day, resolve itself into the said Committee.
6. AUSTRALIAN SOLDIERS' REPATRIATION BILL (1929).—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.
Mr. McGrath 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 a later hour this day.
7. MESSAGES FROM THE SENATE.—Mr. Speaker announced the receipt of the following Messages from the Senate :—
[*Dried Fruits Export Charges Bill (1929)*]—
MR. SPEAKER, Message No. 16.
The Senate returns to the House of Representatives the Bill for "*An Act to amend the 'Dried Fruits Export Charges Act 1924-1927'*," and acquaints the House that the Senate has agreed to the Bill without requests.
The Senate, JOHN NEWLANDS,
President.
Canberra, 21st March, 1929.
- [*War Service Homes Bill (1929)*]—
MR. SPEAKER, Message No. 17.
The Senate returns to the House of Representatives the Bill for "*An Act to amend the 'War Service Homes Act 1918-1927'*," and acquaints the House that the Senate has agreed to the Bill without amendment.
The Senate, JOHN NEWLANDS,
President.
Canberra, 21st March, 1929.
8. INSTITUTE OF ANATOMY, CANBERRA—APPROVAL OF WORK.—The Order of the Day having been read for the resumption of the debate on the following motion of Mr. Aubrey Abbott (Minister for Home Affairs):—That, in accordance with the provisions of the *Commonwealth Public Works Committee Act 1913-1921*, it is expedient to carry out the following proposed work, which has been referred to the Parliamentary Standing Committee on Public Works for investigation, and in relation to which the Committee has duly reported to this House the result of its inquiries, viz.:—Construction of buildings for the Institute of Anatomy, at Canberra—
Debate resumed.
Question—put and passed.
9. AUSTRALIAN SOLDIERS' REPATRIATION BILL (1929).—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 to 4 agreed to.

Clause 5—

On the motion of Sir Neville Howse (Minister in charge of Repatriation), the following amendments were made :—

Page 2, line 4, after "amended" insert "(a)" .

Page 2, at the end of the clause add—

"and (b) by omitting the words "'Member of the Forces' means" and inserting in their stead the words "'Member of the Forces' or 'Returned Soldier' means".

Clause, as amended, agreed to.

Clause 6—

Ordered—That the clause be considered by proposed sections.

Clause to the end of proposed section 45A—

On the motion of Sir Neville Howse, the following amendment was made :—

Page 2, omit sub-section (4.) of proposed section 45A, insert—

"(4.) The members other than the Chairman shall be returned soldiers, and one shall be selected for appointment from a list, containing the names of not less than three returned soldiers, submitted to the Minister by any organization representing returned soldiers throughout the Commonwealth."

Clause to the end of proposed section 45A, as amended, agreed to.

Proposed sections 45B, 45C, 45D, and 45E agreed to.

Proposed section 45F debated and agreed to.

Proposed sections 45G, 45H, and 45J agreed to.

21st and 22nd March, 1929.

Proposed section 45K—

Mr. Coleman moved, as an amendment, That after "death" (page 4, line 21) the words "of the member was not precipitated by" be inserted.

Debate ensued.

Amendment negatived.

On the motion of Sir Neville Howse, the following amendment was made :—

Page 4, line 28, after "later" insert ", or within such further time as is allowed by an Appeal Tribunal on special circumstances being shown,".

Mr. Chifley moved, as a further amendment, That the word "shall" (page 4, line 42) be omitted, with a view to the insertion of the word "may" in place thereof.

Debate ensued.

Amendment negatived.

Proposed section, as amended, agreed to.

Proposed sections 45L, 45M, and 45N agreed to.

Proposed section 45P—

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

Page 6, line 29, omit "or reduce".

Proposed section, as amended, agreed to.

Proposed sections 45Q, 45R, 45S, 45T, 45U, and 45V agreed to.

Proposed section 45W debated.

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

Page 8, line 5, omit "any reasonable", insert "the"

On the motion of Mr. Hughes, the following further amendment was made, after debate :—

Page 8, line 5, at the end of sub-section (2.) add the following proviso :—"Provided too that if the appellant or a representative of the appellant shall make out a *prima facie* case in support of his claim that the incapacity from which he is suffering or from which he has died was caused or aggravated by war service, the onus of proof that such incapacity was not in fact so caused or aggravated shall lie with the Commission."

Mr. Brennan moved, as a further amendment, That the following further proviso be added to sub-section (2.) :—"Provided that without limitation of the rights in this Act otherwise arising where it is proved by or on behalf of the appellant, or a dependant of the appellant, that the member of the Forces had served as such member for such period and in such circumstances as might reasonably be expected to be injurious to health, and was on the date of the application for a pension either deceased or suffering such incapacity as would, if death or incapacity had in fact resulted from any occurrence happening during the period he was a member of the Forces, have entitled such member or his dependant to a pension, the appellant or dependant of the appellant shall be deemed in the absence of evidence to the contrary to have established his claim to a pension".

Debate ensued.

The Committee continuing to sit until after midnight—

FRIDAY, 22ND MARCH, 1929.

Debate continued.

Question—That the amendment be agreed to—put.

The Committee divided—

Ayes, 25.

Mr. Beasley	Mr. McGrath
Mr. Blakeley	Mr. Parker Moloney
Mr. Brennan	Mr. Price
Mr. Chifley	Mr. Scullin
Mr. Coleman	Mr. Theodore
Mr. Collins	Mr. Tully
Mr. Culley	Mr. Watkins
Mr. Forde	Mr. West
Mr. James	Mr. Yates
Mr. Jones	
Mr. Lacey	
Mr. Lazzarini	<i>Tellers:</i>
Mr. Long	Mr. Fenton
Mr. Martens	Mr. Makin

Noes, 30.

Mr. Aubrey Abbott	Mr. Lister
Mr. Atkinson	Mr. Mackay
Mr. Bruce	Mr. Marks
Mr. Donald Cameron	Mr. Marr
Mr. Malcolm Cameron	Mr. Maxwell
Mr. Bernard Corser	Mr. McWilliams
Mr. Grosvenor Francis	Mr. Earle Page
Mr. Josiah Francis	Mr. Parkhill
Mr. Gardner	Mr. Parsons
Mr. Gibson	Mr. Thomas Paterson
Mr. Roland Green	Mr. Rodgers
Mr. Gullett	Mr. Thompson
Sir Neville Howse	<i>Tellers:</i>
Mr. Hughes	
Mr. Jackson	Mr. Hunter
Mr. Latham	Mr. Perkins

And so it was negatived.

Mr. Coleman moved, as a further amendment, That the following proviso be added to sub-section (3.) :—"Provided that the accredited representative of any organization representing returned soldiers may be present during the hearing of any appeal, unless objected to by the appellant".

Debate ensued.

Amendment negatived.

Proposed section 45W, as amended, agreed to.

21st and 22nd March, 1929.

On the motion of Sir Neville Howse, the following proposed new sections were agreed to:—

45WA. An Appeal Tribunal or an Assessment Appeal Tribunal may specify, in any decision made by it under this Part, the date from which the decision shall operate, and the decision shall operate accordingly :

Appeal Tribunal may specify date from which decision operates.

Provided that an Assessment Appeal Tribunal shall not give to any decision retrospective operation for any period prior to the date of lodgment of the appeal unless it has satisfactory evidence that the condition of the appellant during that period was such as to justify such operation.

45WB.—(1.) If an appellant dies after the lodgment of his appeal, it may be continued by any person approved by an Appeal Tribunal as a proper representative of the appellant, and the approved person shall, for the purpose of the conduct of the appeal, have all the rights of the appellant.

Conduct of appeal by representative of deceased or mentally afflicted soldier.

(2.) In the case of a mentally afflicted returned soldier, any person approved by an Appeal Tribunal as a proper representative of the soldier may lodge an appeal on his behalf, and shall, for the purpose of the conduct of the appeal, have all the rights of the soldier.

Mr. Coleman moved, That the following proposed new section be agreed to:—

45WC. The Governor-General may, on the recommendation of the Minister, appoint at such salary or remuneration as may be decided in each case, in each State, an ex-member of the forces, to be known as the Official Soldiers' Adviser, whose duties shall be generally to advise and assist ex-Members of the forces in matters pertaining to treatment, pensions and appeals, and to represent appellants where requested so to do before Appeal Tribunals.

Proposed new section, by leave, withdrawn.

Proposed section 45x—

Mr. Coleman moved, as an amendment, That after "Tribunal" (second occurring) the words "and for the purposes of or irrespective of appeal the Commission" be inserted.

Debate ensued.

Amendment negatived.

Proposed section agreed to.

Proposed section 45y agreed to.

Proposed section 45z—

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

Page 8, lines 21–22, omit "Commission an annual report", insert "Minister an annual report, which the Minister shall present to the Parliament".

Page 8, line 24, omit "the reports of Appeal Tribunals and".

Proposed section, as amended, agreed to.

Clause 6, as amended, agreed to.

Title agreed to.

Bill to be reported with amendments.

The House resumed; Mr. Hurry reported accordingly.

On the motion of Sir Neville Howse, the House by leave, adopted the Report, and, by leave, the Bill was read a third time.

10. PAPERS.—The following Papers were presented, by command of His Excellency the Governor-General—

Development and Migration Commission—Report relating to the Canned Fruits Industry of Australia.

Ordered to lie on the Table, and to be printed.

British Phosphate Commission—Report and Accounts for year ended 30th June, 1928 (8th year).

Ordered to lie on the Table.

The following Papers were presented, pursuant to Statute—

Customs Act—Regulations Amended—Statutory Rules 1929, No. 25.

Northern Australia Act—Ordinances of 1929—

Central Australia—

No. 2—Dingo Destruction.

No. 3—Crown Lands.

North Australia—

No. 3—Dingo Destruction.

No. 4—Crown Lands.

11. ADJOURNMENT.—Mr. Bruce (Prime Minister) moved, That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at twenty minutes to three o'clock in the morning, adjourned until this day at eleven o'clock a.m.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except—Mr. Bayley, Mr. Curtin, Mr. Hill, Mr. W. Maloney, Mr. Prowse, Mr. Stewart, and Mr. Watt.

E. W. PARKES,

Clerk of the House of Representatives.