

1929-30.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
CANBERRA.

VOTES AND PROCEEDINGS
OF THE
HOUSE OF REPRESENTATIVES.

No. 111.

TUESDAY, 16TH DECEMBER, 1930.

1. The House met, at three o'clock p.m., pursuant to adjournment.—Mr. Speaker (the Honorable Norman J. O. Makin) took the Chair, and offered Prayers.
2. MINISTERIAL STATEMENT—CANBERRA RAILWAY SERVICES.—Mr. Forde (Acting Minister for Transport), by leave, made a Ministerial Statement announcing the arrangements made in regard to railway services to and from Canberra.
3. MINISTERIAL STATEMENT—COMMONWEALTH LOAN.—Mr. Fenton (Acting Prime Minister), by leave, made a Ministerial Statement regarding the result of the Commonwealth Loan of £28,000,000.
4. MINISTERIAL STATEMENT—AUSTRALIAN REPRESENTATIVE AT DELHI CEREMONY.—Mr. Fenton (Acting Prime Minister), by leave, made a Ministerial Statement announcing that the Government had invited Sir John Monash to represent the Commonwealth of Australia at the inauguration of New Delhi as the Capital of India, and that the invitation had been accepted.
5. PAPER.—The following Paper was presented, pursuant to Statute—
Naval Defence Act—Regulations Amended—Statutory Rules 1930, No. 142.
6. MESSAGE FROM HIS EXCELLENCY LORD SOMERS, ADMINISTERING THE GOVERNMENT OF THE COMMONWEALTH.—ASSENT TO BILLS.—The following Message from His Excellency Lord Somers, Administering the Government of the Commonwealth, was received, and the same was read by Mr. Speaker:—

SOMERS,

*Person Administering the Government of the
Commonwealth of Australia.*

Message No. 58.

Proposed Laws intituled:—

“ *Income Tax (Salaries) Assessment Act 1930* ”

“ *Income Tax (Salaries) Act 1930,*”

as finally passed by the Senate and the House of Representatives of the Commonwealth, having been presented to the Person Administering the Government of the Commonwealth of Australia for the Royal Assent, His Excellency has, in the name and on behalf of His Majesty, assented to the said Laws.

Government House,
Canberra, 15th December, 1930.

7. MESSAGE FROM THE SENATE.—NORTHERN TERRITORY (ADMINISTRATION) BILL (1930).—Mr. Speaker announced the receipt of the following Message from the Senate:—

MR. SPEAKER,

Message No. 105.

The Senate returns to the House of Representatives the Bill for “ *An Act to amend the ‘Northern Territory (Administration) Act 1910-1926’, to repeal the ‘Northern Australia Act 1926’, and for other purposes,* ” and acquaints the House that the Senate has agreed to the Bill with the Amendments indicated by the annexed Schedule, in which Amendments the Senate requests the concurrence of the House of Representatives.

The Senate,
Canberra, 12th December, 1930.

WALTER KINGSMILL,
President.

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.

16th December, 1930.

(In the Committee.)

The Committee proceeded to consider the Amendments made by the Senate, which are as follows :—

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE.

No. 1.—Page 2, clause 4, lines 5 and 6, leave out “ ‘ the Council ’ means the Advisory Council constituted under this Act ; ”.

No. 2.—Pages 2, 3 and 4, clause 5, leave out proposed sections 4A to 4L inclusive.

No. 3.—Page 7, clause 6, line 26, leave out “ Council ”, insert “ Governor-General ”.

No. 4.—Page 7, clause 6, lines 26 and 27, leave out “, subject to this section,”.

No. 5.—Page 7, clause 6, lines 29–40, leave out sub-sections (2.) and (3.) of proposed section 21.

Mr. Blakeley (Minister for Home Affairs) moved, That the Amendments be disagreed to.

Debate ensued.

Question—put and passed.

Resolution to be reported.

The House resumed ; Mr. McGrath reported accordingly.

On the motion of Mr. Blakeley, the House adopted the Report.

Mr. Blakeley moved, That Mr. Fenton, Mr. Beasley, and the Mover be appointed a Committee to draw up a Reason for the House of Representatives disagreeing to the Amendments.

Question—put and passed.

Mr. Blakeley, on behalf of the Committee, brought up such Reason, which was read, and is as follows :—

Reason of the House of Representatives for disagreeing to the Amendments of the Senate.

Because it is the policy of the Government to give representation to the people of the Northern Territory, and the Amendments made by the Senate will prevent the carrying out of that policy.

Mr. Blakeley moved, That the Committee's Reason be adopted.

Debate ensued.

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

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

Question—That the Committee's Reason be adopted—put and passed.

8. MESSAGE FROM LORD SOMERS, ADMINISTERING THE GOVERNMENT OF THE COMMONWEALTH.—WHEAT ADVANCES BILL.—The following Message from His Excellency Lord Somers, Administering the Government of the Commonwealth, was presented, and the same was read by Mr. Speaker :—

SOMERS,

*Administering the Government of the
Commonwealth of Australia.*

Message No. 59.

In accordance with the requirements of section 56 of the Constitution of the Commonwealth of Australia, the person administering the Government of the Commonwealth recommends to the House of Representatives that an appropriation of revenue be made for the purposes of a Bill for an Act relating to Advances on Wheat.

Canberra,

12th December, 1930.

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. Forde (Acting Minister for Markets) moved, That it is expedient that an appropriation of revenue be made for the purposes of a Bill for an Act relating to Advances on Wheat.

Question—put and passed.

Resolution to be reported.

The House resumed ; Mr. McGrath reported accordingly.

The said Resolution was read, and, on the motion of Mr. Forde, by leave, was adopted by the House.

9. WHEAT ADVANCES 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.

Mr. Latham (Leader of the Opposition) addressing the House and not having concluded his speech at the termination of the time allowed by Standing Order No. 257A—the honorable Member was given leave to continue his speech, and concluded by moving, as an amendment, That the following words be added to the motion :—“ and that in the opinion of this House legislation should be introduced providing for the payment by the Commonwealth through the States of an amount of about £4,000,000 for (a) financial assistance to wheat and other farmers who are in financial difficulties and (b) assistance in providing superphosphates and seed for next season, the necessary funds to be provided by means of reduction of expenditure and special taxation or special loan for farmers' relief.”

Debate continued.

16th and 17th December, 1930.

Mr. Latham, by leave, amended the amendment proposed by him as follows :—That all the words after “ That ” be omitted and the following words be inserted in lieu thereof :—“ in the opinion of this House legislation should be introduced providing for the payment by the Commonwealth through the States of an amount of about £4,000,000 for (a) financial assistance to wheat and other farmers who are in financial difficulties and (b) assistance in providing superphosphates and seed for next season, the necessary funds to be provided by means of reduction of expenditure and special taxation or special loan for farmers’ relief.”

Debate continued.

The House continuing to sit until after midnight—

WEDNESDAY, 17TH DECEMBER, 1930.

Debate continued.

Question—That the words proposed to be omitted stand part of the question—put.
The House divided (The Speaker, Mr. Makin, in the Chair)—

Ayes, 37.

Mr. Anstey	Mr. Keane
Mr. Beasley	Mr. Lacey
Mr. Blakeley	Mr. Long
Mr. Chifley	Mr. McGrath
Mr. Bernard Corser	Mr. McNeill
Mr. Crouch	Mr. McTiernan
Mr. Culley	Mr. Earle Page
Mr. Cunningham	Mr. Thomas Paterson
Mr. Cusack	Mr. Price
Mr. Eldridge	Mr. Edward Riley
Mr. Fenton	Mr. Rowe
Mr. Forde	Mr. Stewart
Mr. Frost	Mr. Theodore
Mr. Gabb	Mr. Thompson
Mr. Gibbons	Mr. Tully
Mr. Albert Green	
Mr. Guy	
Mr. Hill	<i>Tellers:</i>
Mr. Holloway	Mr. Hunter
Mr. Jones	Mr. E. C. Riley

Noes, 9.

Mr. Bell
Mr. Malcolm Cameron
Mr. Gardner
Mr. Gullett
Mr. Hawker
Mr. Morgan
Mr. Parkhill

Tellers:

Mr. Bayley
Mr. Josiah Francis

And so it was resolved in the affirmative.

Question—That the Bill be now read a second time—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—

Mr. Earle Page moved, as an amendment, That after “ Australia ” (page 1, line 7) the words “ or any prescribed bank and/or institution ” be inserted.

Debate ensued.

Question—That the words proposed to be inserted be so inserted—put.

The Committee divided (The Temporary Chairman, Mr. Crouch, in the Chair)—

Ayes, 17.

Mr. Bell	Mr. Earle Page
Mr. Malcolm Cameron	Mr. Parkhill
Mr. Bernard Corser	Mr. Thomas Paterson
Mr. Josiah Francis	Mr. Stewart
Mr. Gabb	Mr. Thompson
Mr. Gardner	
Mr. Gregory	<i>Tellers:</i>
Mr. Gullett	Mr. Bayley
Mr. Hawker	Mr. Hunter
Mr. Hill	

Noes, 29.

Mr. Beasley	Mr. Lazzarini
Mr. Blakeley	Mr. Long
Mr. Chifley	Mr. Martens
Mr. Culley	Mr. McNeill
Mr. Cunningham	Mr. McTiernan
Mr. Cusack	Mr. Edward Riley
Mr. Eldridge	Mr. Rowe
Mr. Fenton	Mr. Theodore
Mr. Forde	Mr. Tully
Mr. Frost	Mr. Yates
Mr. Gibbons	
Mr. Albert Green	<i>Tellers:</i>
Mr. Guy	
Mr. Holloway	Mr. Price
Mr. Jones	Mr. E. C. Riley
Mr. Keane	
Mr. Lacey	

And so it was negatived.

16th and 17th December, 1930.

Mr. Latham moved, as an amendment, That after "growers" (page 1, line 9) the words "or to any prescribed person" be inserted.

Debate continued.

Amendment negatived.

Mr. Latham moved, as an amendment, That after "repayment" (page 1, line 10) the word "monthly" be inserted.

Amendment negatived.

Mr. Earle Page proposed to move, as an amendment, That after "Act" (page 1, line 16) the following words be inserted:—"and there shall be payable into the Consolidated Revenue Fund for the purpose of providing for repayments to the bank or institution under this sub-section all moneys obtained by the imposition of a special sales tax on flour".

Temporary Chairman's Ruling.—The Temporary Chairman (Mr. Crouch) ruled that such an amendment would be out of order on the ground that it was outside the scope of the Bill.

Debate continued.

Clause agreed to.

Clause 3 debated and agreed to.

Clause 4—

On the motion of Mr. Forde (Acting Minister for Markets) the following amendment was made:—

Page 2, line 3, omit "this Act", insert "those sections".

Mr. Nairn moved, as a further amendment, That the word "less" (page 2, line 7) be omitted with a view to the insertion of the words "inclusive of" in place thereof.

Debate ensued.

Amendment negatived.

Mr. Latham moved, as a further amendment, That after "to" (page 2, line 11) the words "or for manufacture into flour for export by" be inserted.

Debate continued.

Amendment negatived.

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

Page 2, line 14, omit "the" (second occurring), insert "a first".

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

Page 2, line 17, after "delivery," insert "to such other payments by that person to the grower"

Page 2, after sub-clause (4) insert the following sub-clause:—

"(4A.) Any guarantee or payment given or made under the preceding provisions of this section shall be in respect of wheat of fair average quality produced by a grower during the 1930-1931 season:

Provided that in respect of wheat of less than fair average quality, as determined by a prescribed authority, guarantees and payments may be given or made of such lesser amounts, as are determined by the prescribed authority, than those which may be given or made in respect of wheat of fair average quality."

Page 2, line 23, omit "for".

Page 2, line 24, omit "becomes liable", insert "has to pay".

Clause, as amended, further debated and agreed to.

Clause 5—

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

Page 2, line 35, after "delivery" insert "and further instalments of any advance shall be paid at such times and in such circumstances as are prescribed."

Clause, as amended, agreed to.

Clause 6 agreed to.

Clause 7—

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

Page 2, line 43, after "the" insert "terms and".

Mr. Josiah Francis moved, as a further amendment, That the word "advances" (page 2, line 43) be omitted.

Amendment negatived.

Mr. Hawker moved, as a further amendment, That after "advances" (page 2, line 43) the words "and payments" be inserted.

Amendment negatived.

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

Page 2, lines 44-45, omit "and the terms and conditions under which advances shall be repaid".

Clause, as amended, agreed to.

Clause 8 debated and agreed to.

Clause 9—

Mr. Nairn moved, as an amendment, That the following words be added to the clause:—"so as to absolve the bank and the Crown from any claim from any person in respect thereof".

Debate ensued.

Amendment negatived.

Clause agreed to.

Clauses 10 to 13 agreed to.

16th and 17th December, 1930.

New Clauses—

On the motion of Mr. Forde, the following new clauses were inserted in the Bill, after debate :—

12A.—(1.) Any person who sells any wheat for interstate transfer at a price ^{Sale of wheat} less than four shillings per bushel delivered to a purchaser in a State other than that ^{interstate.} in which the wheat is produced, shall be guilty of an offence.

Penalty : Five hundred pounds.

(2.) Any agreement or contract for the sale or purchase of wheat for interstate transfer at any price less than four shillings per bushel delivered to a purchaser in a State other than that in which the wheat is produced, shall be null and void.

(3.) The Minister (or any person thereto authorized in writing by him) may, by notice in writing, require any person to produce any contract or agreement in his possession relating to the sale of wheat for interstate transfer.

(4.) Any person who refuses or fails to comply with any notice given under the last preceding sub-section shall be guilty of an offence.

Penalty : Five hundred pounds or imprisonment for two years.

12B.—(1.) The Minister (or any person thereto authorized in writing by him) ^{Interstate} may issue licences, for such periods and upon such terms and conditions as are ^{trade in} prescribed, permitting the carriage of wheat from a place in one State to a place in Australia ^{wheat.} beyond that State.

(2.) The Minister (or any person thereto authorized in writing by him) may require any person to give security, in such form and to such amounts as are approved by the Minister, for compliance by the person with the terms and conditions of any licence issued to him under this Act.

(3.) Where the Minister is satisfied that any person to whom a licence has been issued under this section has contravened or failed to comply with any term or condition of the licence, the Minister may cancel the licence, and the licence shall thereupon cease to be of any force or effect.

12c.—(1.) Any person who being the holder of a licence under the last preceding section, contravenes or fails to comply with any term or condition upon which the ^{Penalty for} licence was granted, shall be guilty of an offence. ^{carriage of} ^{wheat in} ^{contravention} ^{of Act.}

Penalty : Five hundred pounds.

(2.) Except as provided by the regulations—

(a) the owner or person having possession or custody of wheat shall not deliver any wheat to any person for carriage into or through another State to a place in Australia beyond the State in which the delivery is made ; and

(b) a person shall not carry any wheat from a place in one State into or through another State to a place in Australia beyond the State in which the carriage begins,

unless, in either case, a licence has been issued under this Act permitting that carriage of that wheat, and except in accordance with the licence so issued.

Penalty : Five hundred pounds.

(3.) Any wheat which is, or is in process of being, carried in contravention of this section, shall be forfeited to the King.

12D. Sections twelve A, twelve B and twelve C of this Act shall not commence ^{Commencement} until a date to be fixed by Proclamation. ^{of sections 12A,} ^{12B and 12C.}

Preamble agreed to.

Title—

On the motion of Mr. Forde, the Title was amended by adding the words “ and for other purposes ”.

Title, as amended, agreed to.

Bill to be reported with amendments, and with an amended Title.

The House resumed ; Mr. McGrath reported accordingly.

On the motion of Mr. Forde, the House, by leave, adopted the Report, and, by leave, the Bill was read a third time, after debate.

10. MESSAGE FROM THE SENATE.—PORT AUGUSTA TO RED HILL RAILWAY BILL (1930).—Mr. Speaker announced the receipt of the following Message from the Senate :—

MR. SPEAKER,

Message No. 106.

The Senate returns to the House of Representatives the Bill for “ *An Act to provide for the Extension of the Trans-Australian Railway by the Construction of a Railway from Port Augusta to Red Hill in the State of South Australia,* ” and acquaints the House that the Senate has agreed to the Bill without amendment.

The Senate,
Canberra, 16th December, 1930.

WALTER KINGSMILL,
President.

16th and 17th December, 1930.

11. MESSAGE FROM THE SENATE.—NORTHERN TERRITORY (ADMINISTRATION) BILL (1930).—Mr. Speaker announced the receipt of the following Message from the Senate:—

MR. SPEAKER,

Message No. 107.

The Senate returns to the House of Representatives the Bill for "An Act to amend the 'Northern Territory (Administration) Act 1910-1926', to repeal the 'Northern Australia Act 1926', and for other purposes", and acquaints the House that the Senate insists upon its amendments disagreed to by the House of Representatives. The Senate desires the reconsideration of the Bill in respect of such amendments.

The Senate,

Canberra, 16th December, 1930.

WALTER KINGSMILL,
President.

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

12. PAPERS.—The following Papers were presented, pursuant to Statute—

Bankruptcy Act—Second Annual Report for period, 1st August, 1929, to 31st July, 1930.

Service and Execution of Process Act—Regulations Amended—Statutory Rules 1930, No. 147.

13. ALTERATION OF HOUR OF NEXT MEETING.—Mr. Fenton (Acting Prime Minister) moved, That the House, at its rising, adjourn until three o'clock p.m. this day.

Question—put and passed.

14. ADJOURNMENT.—Mr. Fenton (Acting Prime Minister) moved, That the House do now adjourn.

Question—put and passed.

And then the House, at twenty-eight minutes to ten o'clock in the morning, adjourned until this day at three o'clock p.m.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except—Mr. Brennan*, Mr. Donald Cameron, Mr. Coleman*, Mr. Curtin, Mr. Hughes*, Mr. James*, Mr. Lewis, Mr. Lyons, Mr. Mackay, Mr. Mathews, Mr. Maxwell, Mr. Parker Moloney*, Mr. Prowse, Mr. Scullin*, Mr. West*, and Mr. White.

* On leave.

E. W. PARKES,
Clerk of the House of Representatives.