

1934.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA, CANBERRA.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

No. 21.

FRIDAY, 14TH DECEMBER, 1934.

1. The House met, at half-past nine o'clock a.m., pursuant to adjournment.—Mr. Speaker (the Honorable G. J. Bell) took the Chair, and read Prayers.
2. PAPERS.—The following Papers were presented, by command of His Excellency the Governor-General—
 Tariff Board—Reports and Recommendations—
 Arsenic.
 Dredging and Excavating Machinery.
 Dry Batteries and Dry Cells.
 "Lightning" Fasteners.
 Men's Braces and Garters.
 Meters, Gauges, Regulating and Controlling Devices for rate of flow, pressure, temperature, &c., of fluids, gases, &c.
 Platedware n.e.i.; Spoons, Forks, Butter Fish and Fruit Knives, Plated or of Mixed Metal; Cutlery, Spoons and Forks, partly or wholly of gold or silver, except when gold ferruled or silver ferruled only.
 Toilet Soap.
 Waterproofed Cloth, n.e.i., prepared with rubber, oil, celluloid or nitro-cellulose;
 Waterproofed Tape or Textile Strip prepared with rubber, oil, celluloid or nitro-cellulose; Leather Cloth and Leather Cloth Binding prepared with rubber, oil, celluloid or nitro-cellulose; Insulating Tape proofed with pitch or bitumen.

Severally ordered to lie on the Table, and to be printed.

The following Papers were presented, pursuant to Statute—

- Australian Broadcasting Commission Act—Second Annual Report and Balance-sheet of the Australian Broadcasting Commission, for year 1933–34.
- Customs Act—Regulations—Statutory Rules 1934, No. 152.
- New Guinea Act—Ordinances of 1934—
 No. 33—Supply (No. 2) 1934–35.
 No. 34—Superannuation (No. 2).
- Norfolk Island Act—Ordinance of 1934—No. 16—Customs (No. 2).

3. MESSAGE FROM THE SENATE.—FLOUR TAX ASSESSMENT BILL (No. 2) (1934).—Mr. Speaker announced the receipt of the following Message from the Senate:—

MR. SPEAKER,

Message No. 6.

The Senate returns to the House of Representatives the Bill for "*An Act relating to the Imposition, Assessment and Collection of a Tax upon Flour and certain Imported Goods in the manufacture of which Flour has been used*", 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, 13th December, 1934.

P. J. LYNCH,
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.

14th December, 1934.

(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 3, line 30, after “ established ” insert “ and maintained ”.

No. 2.—Page 7, clause 14, line 13, leave out “ or ”.

No. 3.—Page 7, clause 14, sub-clause (l.), after paragraph (j) insert the following paragraph :—

“ ; or

(k) flour which is—

(i) sold ;

(ii) held ; or

(iii) held for sale,

for use as, or in the manufacture of, any food for infants or invalids (being a food specified in the Third Schedule of the Sales Tax Regulations as in force from time to time), and in respect of which the Commissioner is satisfied that the flour will be so used.”.

No. 4.—Page 7, clause 14, line 15, leave out “ or (i) ”, insert “ (i) or (k) ”.

Amendments agreed to, after debate.

Resolution to be reported.

The House resumed ; Mr. Prowse reported accordingly.

On the motion of Mr. Casey (Assistant Treasurer), the House adopted the Report.

4. MESSAGE FROM THE SENATE.—FLOUR TAX BILL (No. 3) (1934).—Mr. Speaker announced the receipt of the following Message from the Senate :—

MR. SPEAKER,

Message No. 9.

The Senate returns to the House of Representatives the Bill for “ *An Act to impose a Tax upon Flour and certain Goods imported into Australia* ”, and requests the House to amend the Bill as set forth in the annexed Schedule.

The Senate,

Canberra, 13th December, 1934.

P. J. LYNCH,
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.

(In the Committee.)

The Committee proceeded to consider the Amendment requested by the Senate, which is as follows :—

SCHEDULE OF A REQUEST BY THE SENATE FOR AN AMENDMENT.

Page 2, The Schedule, leave out the following items :—

“ Allenbury’s food ; ”

“ Bengers’ food ; ”

“ Bowen’s food ; ”

“ Diabetic bread and flour ; ”

“ Gluten biscuits, bread, flour and meal ; ”

“ Mellin’s food ; ”

“ Mellin’s food biscuits ; ”

“ Neave’s food ; ”.

Requested Amendment made, after debate.

Resolution to be reported.

The House resumed ; Mr. Prowse reported accordingly.

On the motion of Mr. Casey (Assistant Treasurer), the House adopted the Report.

Ordered—That the Bill, amended accordingly, be returned to the Senate.

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

[*Flour Tax Bill (No. 1) (1934)*]—

MR. SPEAKER,

Message No. 7.

The Senate returns to the House of Representatives the Bill for “ *An Act to impose a Tax upon Flour manufactured in Australia by any Person, and sold or delivered, or used in the Manufacture of Goods, by him* ”, and acquaints the House that the Senate has agreed to the Bill without requests.

P. J. LYNCH,
President.

The Senate,

Canberra, 13th December, 1934.

14th December, 1934.

[*Flour Tax Bill (No. 2) (1934)*—

MR. SPEAKER,

Message No. 8.

The Senate returns to the House of Representatives the Bill for "*An Act to impose a Tax upon Flour held in Stock by certain Persons on the seventh day of January, One thousand nine hundred and thirty-five*", and acquaints the House that the Senate has agreed to the Bill without requests.

The Senate,
Canberra, 13th December, 1934.

P. J. LYNCH,
President.

[*Wheat Bounty Bill (1934)*—

MR. SPEAKER,

Message No. 10.

The Senate returns to the House of Representatives the Bill for "*An Act to provide for the payment of a Bounty on the Production of Wheat, and for other purposes*", and acquaints the House that the Senate has agreed to the Bill without amendment.

The Senate,
Canberra, 13th December, 1934.

P. J. LYNCH,
President.

[*Wheat Growers Relief Bill (No. 2) (1934)*—

MR. SPEAKER,

Message No. 11.

The Senate returns to the House of Representatives the Bill for "*An Act to provide for Financial Assistance to the States in the provision of Relief to Wheat Growers, and for other purposes*", and acquaints the House that the Senate has agreed to the Bill without amendment.

The Senate,
Canberra, 14th December, 1934, a.m.

P. J. LYNCH,
President.

[*Northern Australia Survey Bill*—

MR. SPEAKER,

Message No. 12.

The Senate returns to the House of Representatives the Bill for "*An Act to authorize and provide for the Geological and Geophysical Survey of certain areas in the northern parts of Australia, and for other purposes*", and acquaints the House that the Senate has agreed to the Bill without amendment.

The Senate,
Canberra, 14th December, 1934.

P. J. LYNCH,
President.

[*Sales Tax Assessment (Fiji Imports) Bill*—

MR. SPEAKER,

Message No. 13.

The Senate returns to the House of Representatives the Bill for "*An Act to amend the 'Sales Tax Assessment Act (No. 5) 1930-1934', the 'Sales Tax Assessment Act (No. 6) 1930-1934', the 'Sales Tax Assessment Act (No. 7) 1930-1934' and the 'Sales Tax Assessment Act (No. 8) 1930-1934'*", and acquaints the House that the Senate has agreed to the Bill without amendment.

The Senate,
Canberra, 14th December, 1934.

P. J. LYNCH,
President.

[*Conciliation and Arbitration Bill (1934)*—

MR. SPEAKER,

Message No. 14.

The Senate returns to the House of Representatives the Bill for "*An Act to amend sections forty-four and fifty A of the 'Commonwealth Conciliation and Arbitration Act 1904-1930', as amended by the 'Statute Law Revision Act 1934', and to amend the First Schedule to the 'Statute Law Revision Act 1934'*", and acquaints the House that the Senate has agreed to the Bill without amendment.

The Senate,
Canberra, 14th December, 1934.

P. J. LYNCH,
President.

6. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That Orders of the Day Nos. 1 and 2, Government Business, be postponed until a later hour this day.
7. SALES TAX PROCEDURE BILL.—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.)

Clauses 1 to 4 agreed to.

Clause 5—

On the motion of Mr. Casey (Assistant Treasurer), the following amendments were made:—

Page 3, line 32, after "or" insert "where no such form is prescribed, shall be in such form as is authorized by the Commissioner; and, in either case, shall set forth such information as".

Page 3, line 35, after "prescribed" insert "or authorized".

14th December, 1934.

Page 3, after sub-clause (3.) insert the following sub-clause :—

“(3A.) Any return furnished before the date upon which this Act receives the Royal Assent, by any person specified in sub-section (1.) of this section of any goods so specified, and made or purporting to be made under any one or more of the Sales Tax Assessment Acts, shall be deemed to be a return furnished under this section.”

Clause, as amended, agreed to.

Clause 6 agreed to.

Clause 7—

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

“(3.) In any prosecution for an offence against paragraph (c) of sub-section (1.)—

(i) of this section, or

(ii) of section forty-five of the *Sales Tax Assessment Act (No. 1) 1930-1934*,

it shall be a defence if the defendant proves—

(a) that he has not been convicted previously of any offence against this Act or against any *Sales Tax Assessment Act*; and

(b) that, as to so much of any return or answer as has been prepared by him personally, the false particulars were given or (as the case may be) the false statement was made through ignorance or inadvertence; and

(c) that, as to so much of any return or answer as has not been prepared by him personally, the false particulars were given or (as the case may be) the false statement was made through—

(i) ignorance or inadvertence on his own part; or

(ii) reasonable reliance upon the accuracy and competence of the person preparing the return or answer; or

(iii) both (i) and (ii).”

Debate ensued.

Amendment withdrawn, by leave.

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

Page 4, at the end of the clause add the following sub-clause :—

“(3.) In any prosecution, for an offence against paragraph (c) of sub-section (1.) of this section, of any person who has not previously been convicted of an offence against this Act or against any *Sales Tax Assessment Act*, it shall be a defence if the defendant proves—

(a) that the return or answer to which the prosecution relates was prepared or made by him personally; and

(b) that the false particulars were given or (as the case may be) the false statement was made through ignorance or inadvertence.”

Clause, as amended, agreed to.

Clause 8 debated and agreed to.

Clause 9 agreed to.

Clause 10—

Mr. Nairn moved, as an amendment, That all words after the word “payable,” (page 5, line 37) to the end of the clause be omitted.

Amendment negatived.

Clause agreed to.

Clauses 11 to 14 agreed to.

Title agreed to.

Bill to be reported with amendments.

The House resumed; Mr. Riordan reported accordingly.

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

8. WAR SERVICE HOMES BILL (1934).—The Order of the Day having been read for the second reading—

Mr. Thorby (Minister in charge of War Service Homes) moved, That the Bill be now read a second time.

Question—put and passed.—Bill read a second time.

Mr. Deputy-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. Nairn reported accordingly.

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

9. MESSAGE FROM THE GOVERNOR-GENERAL.—SPECIAL ANNUITY BILL (1934).—The following Message from His Excellency the Governor-General was presented, and was read by Mr. Deputy-Speaker :—

ISAAC A. ISAACS,
Governor-General.

Message No. 12.

In accordance with the requirements of section 56 of the Constitution of the Commonwealth of Australia, 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 provide for the Payment of an Annuity to the Widow of the late David Charles McGrath, Esquire.

Canberra, 7th December, 1934.

14th December, 1934.

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

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

(In the Committee.)

Mr. Thorby (Minister in charge of War Service Homes) moved, That it is expedient that an appropriation of revenue be made for the purposes of a Bill for an Act to provide for the Payment of an Annuity to the Widow of the late David Charles McGrath, Esquire.

Question—put and passed.

Resolution to be reported.

The House resumed ; Mr. Nairn reported accordingly.

Mr. Thorby 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. Thorby, was adopted by the House.

Ordered—That Mr. Thorby and Mr. Casey do prepare and bring in a Bill to carry out the foregoing Resolution.

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

Debate ensued.

Question—put and passed.—Bill read a second time.

Mr. Deputy-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. Nairn reported accordingly.

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

10. MESSAGE FROM THE GOVERNOR-GENERAL.—TRANS-PACIFIC FLIGHT APPROPRIATION BILL.—The following Message from His Excellency the Governor-General was presented, and was read by Mr. Deputy-Speaker :—

ISAAC A. ISAACS,
Governor-General.

Message No. 13.

In accordance with the requirements of section 56 of the Constitution of the Commonwealth of Australia, 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 appropriate a sum of Five thousand pounds for the purpose of a Grant to Mrs. Mary Josephine Ulm.

Canberra, 13th December, 1934.

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

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

(In the Committee.)

Mr. Casey (Assistant Treasurer) moved, That it is expedient that an appropriation of revenue be made for the purposes of a Bill for an Act to appropriate a sum of Five thousand pounds for the purpose of a Grant to Mrs. Mary Josephine Ulm.

Debate ensued.

Question—put and passed.

Resolution to be reported.

The House resumed ; Mr. Nairn reported accordingly.

Mr. Casey 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. Casey, was adopted by the House.

Ordered—That Mr. Casey and Mr. Thorby do prepare and bring in a Bill to carry out the foregoing Resolution.

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

Debate ensued.

14th December, 1934.

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, after debate.

Bill to be reported without amendment.

The House resumed ; Mr. Nairn reported accordingly.

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

11. LOAN APPROPRIATION (UNEMPLOYMENT RELIEF) 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.

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, after debate.

Bill to be reported without amendment.

The House resumed ; Mr. Prowse reported accordingly.

On the motion of Mr. Casey (Assistant Treasurer), the House adopted the Report, and (the Standing Orders having previously been suspended, *see* page 108), the Bill was read a third time.

12. MESSAGE FROM THE GOVERNOR-GENERAL.—ASSENT TO BILLS.—The following Message from His Excellency the Governor-General was received, and was read by Mr. Speaker :—

ISAAC A. ISAACS,
Governor-General.

Message No. 14.

Proposed Laws intituled :—

“ *Appropriation Act 1934–35* ”

“ *Income Tax Assessment Act (No. 2) 1934* ”

“ *National Debt Sinking Fund Act 1934* ”

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

Canberra, 14th December, 1934.

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

[*Flour Tax Bill (No. 3) (1934)*]—

MR. SPEAKER,

Message No. 15.

The Senate returns to the House of Representatives the Bill for “*An Act to impose a Tax upon Flour and certain Goods imported into Australia*”, and acquaints the House that the Senate has agreed to the Bill as amended by the House at the request of the Senate.

The Senate,
Canberra, 14th December, 1934.

P. J. LYNCH,
President.

[*War Service Homes Bill (1934)*]—

MR. SPEAKER,

Message No. 16.

The Senate returns to the House of Representatives the Bill for “*An Act to amend sections eighteen and twenty-one of the ‘ War Service Homes Act 1918–1932 ’*”, and acquaints the House that the Senate has agreed to the Bill without amendment.

The Senate,
Canberra, 14th December, 1934.

P. J. LYNCH,
President.

[*Special Annuity Bill (1934)*]—

MR. SPEAKER,

Message No. 17.

The Senate returns to the House of Representatives the Bill for “*An Act to provide for the Payment of an Annuity to the Widow of the late David Charles McGrath, Esquire*”, and acquaints the House that the Senate has agreed to the Bill without amendment.

The Senate,
Canberra, 14th December, 1934.

P. J. LYNCH,
President.

[*Trans-Pacific Flight Appropriation Bill*]—

MR. SPEAKER,

Message No. 18.

The Senate returns to the House of Representatives the Bill for “*An Act to appropriate a sum of Five thousand pounds for the purpose of a Grant to Mrs. Mary Josephine Ulm*”, and acquaints the House that the Senate has agreed to the Bill without amendment.

The Senate,
Canberra, 14th December, 1934.

P. J. LYNCH,
President.

14th December, 1934.

14. PAPER.—The following Paper was presented, by command of His Excellency the Governor-General :—
Commonwealth and State Ministers—Agricultural and Marketing Matters—Conference held
at Canberra, 3rd–4th December, 1934—Summary of proceedings.
Ordered to lie on the Table, and to be printed.
15. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That Orders of the Day Nos. 4 and 5 be postponed
until a later hour this day.
16. SEAT OF GOVERNMENT (ADMINISTRATION) BILL (1934).—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.)

Bill, by leave, taken as a whole, and agreed to.
Bill to be reported without amendment.

The House resumed ; Mr. Prowse reported accordingly.
On the motion of Mr. Menzies (Attorney-General), the House adopted the Report, and, by leave, the
Bill was read a third time.

17. STANDING ORDERS COMMITTEE.—Mr. Lyons (Prime Minister) moved, by leave, That the number
of Members appointed to serve on the Standing Orders Committee be increased to nine, and that
the Right Honorable Earle Page (Minister for Commerce) and Mr. Blackburn be additional Members
of such Committee.
Question—put and passed.
18. SPECIAL ADJOURNMENT.—Mr. Lyons (Prime Minister) moved, That the House, at its rising, adjourn
until a date and hour to be fixed by Mr. Speaker, which time of meeting shall be notified by
Mr. Speaker to each Member by telegram or letter.
Debate ensued.
Question—put and passed.
19. LEAVE OF ABSENCE TO ALL MEMBERS.—Mr. Lyons (Prime Minister) moved, by leave, That leave of
absence be given to every Member of the House of Representatives from the determination of this
sitting of the House to the date of its next sitting.
Question—put and passed.

Suspension of Sitting.—At half-past three o'clock p.m., Mr. Speaker left the Chair.

Resumption of Sitting.—At fifteen minutes to five o'clock p.m., Mr. Speaker resumed the Chair.

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

[*Sales Tax Procedure Bill*]

MR. SPEAKER,

Message No. 19.

The Senate returns to the House of Representatives the Bill for "*An Act to provide Procedure
in relation to the Collection and Recovery of Sales Tax and for other purposes*", and acquaints the
House that the Senate has agreed to the Bill without amendment.

The Senate,
Canberra, 14th December, 1934.

P. J. LYNCH,
President.

[*Loan Appropriation (Unemployment Relief) Bill*]

MR. SPEAKER,

Message No. 20.

The Senate returns to the House of Representatives the Bill for "*An Act to authorise the Issue
and Application of a certain sum of money for the purposes of Works and Services and for the grant of
Financial Assistance to the States, and for other purposes*", and acquaints the House that the Senate
has agreed to the Bill without amendment.

The Senate,
Canberra, 14th December, 1934.

P. J. LYNCH,
President.

[*Seat of Government (Administration) Bill (1934)*]

MR. SPEAKER,

Message No. 21.

The Senate returns to the House of Representatives the Bill for "*An Act to amend the 'Seat
of Government (Administration) Act 1930'*", and acquaints the House that the Senate has agreed to
the Bill without amendment.

The Senate,
Canberra, 14th December, 1934.

P. J. LYNCH,
President.

14th December, 1934.

21. PAPER.—The following Paper was presented, pursuant to Statute—
Arbitration (Public Service) Act—Determination by the Arbitrator, &c.—No. 36 of 1934—
Federated Public Service Assistants' Association of Australia; and Amalgamated Postal
Workers' Union of Australia.

22. ADJOURNMENT.—Mr. Lyons (Prime Minister) moved, That the House do now adjourn.
Debate ensued.
Question—put and passed.

And then the House, at five minutes past five o'clock p.m., adjourned until a date and hour to be fixed
by Mr. Speaker, and to be notified by him to each Member by telegram or letter as determined by
resolution of the House at this sitting.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except—Mr. Baker,
Mr. Barnard, Mr. Curtin, Mr. George Lawson, Mr. John Lawson, Mr. G. W. Mahoney, Sir Charles
Marr, Mr. McBride, Mr. Mulcahy, Mr. Thomas Paterson, Mr. Perkins, and Mr. Stacey.

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