

1910.

## THE PARLIAMENT OF THE COMMONWEALTH.

No. 55.

## VOTES AND PROCEEDINGS

OF THE

## HOUSE OF REPRESENTATIVES.

THURSDAY, 6TH OCTOBER, 1910.

1. The House met, at half-past ten o'clock a.m., pursuant to adjournment.—Mr. Speaker took the Chair, and read Prayers.
2. PAPER.—Mr. Tudor presented, by command of His Excellency the Governor-General—  
Fisheries—Report by the Director on the 27th Cruise of the *Endeavour* (Southern Queensland and Northern New South Wales Waters), 30th August to 13th September, 1910.  
Ordered to lie on the Table.
3. POSTPONEMENT OF NOTICE OF MOTION.—Ordered—That Notice of Motion No. 1, General Business, be postponed until Thursday, 20th instant.
4. AGRICULTURE—BUREAU OF.—Mr. Groom moved, pursuant to notice, That this House is of the opinion that a Commonwealth Bureau of Agriculture should be established forthwith.  
Debate ensued.  
Mr. Frazer moved, That the debate be now adjourned.  
Question—That the debate be now adjourned—put.  
The House divided—

Ayes, 27.

Mr. Anstey	Mr. Page
Mr. Archibald	Mr. Poynton
Mr. Batchelor	Mr. Riley
Mr. Beard	Mr. Scullin
Mr. Brown	Mr. Laird Smith
Mr. Cann	Mr. Thomas
Mr. Charlton	Mr. Tudor
Mr. Finlayson	Mr. Webster
Mr. Frank J. Foster	Mr. West
Mr. Frazer	Mr. Wise
Mr. Jensen	
Mr. Mathews	
Mr. McDougall	<i>Tellers.</i>
Mr. Parker Moloney	Mr. Bamford
Mr. O'Malley	Mr. Watkins

Noes, 22.

Mr. Cook	Mr. Hedges
Mr. Deakin	Mr. Hans Irvine
Mr. G. B. Edwards	Mr. Palmer
Mr. Fairbairn	Sir John Quick
Mr. Fenton	Mr. Salmon
Sir John Forrest	Mr. Sampson
Mr. R. W. Foster	Mr. Sinclair
Mr. Fowler	Mr. Thomson
Mr. Fuller	
Mr. Glynn	<i>Tellers.</i>
Mr. Greene	Mr. W. Elliot Johnson
Mr. Groom	Mr. McWilliams

And so it was resolved in the affirmative.

- Ordered—That the resumption of the debate be made an Order of the Day for Thursday, 20th instant.
5. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That Order of the Day, General Business, No. 1, be postponed until Thursday, 20th instant.
6. BANKING COMPANIES RESERVE LIABILITIES BILL.—The Order of the Day having been read for the second reading—Mr. Fuller moved, That the Bill be now read a second time.  
Debate ensued.  
Mr. Webster addressing the House, and not having concluded his speech when the time for precedence to General Business expired, Government Business was called on.
7. AUSTRALIAN INDUSTRIES PRESERVATION BILL (1910).—Mr. Hughes moved, pursuant to notice, That he have leave to bring in a Bill for an Act to amend the *Australian Industries Preservation Act 1906-1909*.  
Question—put and passed.  
Mr. Hughes 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.  
Ordered—That the second reading be made an Order of the Day for to-morrow.

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8. LAND TAX ASSESSMENT 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.)

Clause 62, again read and further debated.

On the motion of Mr. Hughes the following amendments were made, after debate :—

Lines 20, 21, omit “the Commissioner”, insert “a Board consisting of the Commissioner, the Secretary to the Treasury, and the Comptroller-General of Customs”.

Line 22. After “and”, first occurring, insert “the Commissioner may”.

At end of clause add the following sub-clauses :—

“(2.) The Commissioner shall be the Chairman of the Board, and the decision of the majority shall prevail.”

“(3.) The Minister shall cause to be laid before both Houses of Parliament as soon as may be after the close of the financial year a full statement of all cases in which, and the grounds on which, liability has been so released.”

Clause, as amended, agreed to.

Clause 63 agreed to.

Clause 64 read.

Mr. Sinclair moved the following amendment :—

Line 29, after “furnish” insert “where possible”.

Amendment negatived.

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

Line 32, before “refuses” insert “without just cause shown by him”.

Clause, as amended, agreed to.

Clause 65 read.

Mr. Glynn moved the following amendment :—

Line 46, after “understates” insert “by twenty-five per centum or more”.

Debate ensued.

Amendment, by leave, withdrawn.

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

Page 18, line 47, before “offence” insert “indictable”.

Mr. Hughes moved the following further amendment :—

Page 19, lines 1 to 4, omit all words after “pounds” and insert “and an amount equal to treble the amount of the tax which would have been evaded if the value stated in the return had been accepted as the unimproved value of the land ; or forfeiture of the land undervalued or any part thereof.”

Mr. Glynn moved that the proposed further amendment be amended by omitting the words “or forfeiture of the land undervalued or any part thereof.”

Debate ensued.

Question—That the words proposed to be omitted stand part of the proposed further amendment—put.

The Committee divided—

Ayes, 30.

Mr. Anstey	Mr. McDougall
Mr. Archibald	Mr. Parker Moloney
Mr. Bamford	Mr. Ozanne
Mr. Batchelor	Mr. Page
Mr. Beard	Mr. Riley
Mr. Cann	Mr. Scullin
Mr. Charlton	Mr. Laird Smith
Mr. Fenton	Mr. Spence
Mr. Finlayson	Mr. Thomas
Mr. Frazer	Mr. Tudor
Mr. Higgs	Mr. Webster
Mr. Hughes	Mr. West
Mr. Jensen	
Mr. Mahon	<i>Tellers.</i>
Mr. W. Maloney	Mr. Frank J. Foster
Mr. Mathews	Mr. Watkins

Noes, 21.

Mr. Atkinson	Mr. Palmer
Sir Robert Best	Sir John Quick
Mr. Deakin	Mr. Sinclair
Mr. G. B. Edwards	Mr. Bruce Smith
Mr. Fairbairn	Mr. Thomson
Sir John Forrest	Mr. Wise
Mr. R. W. Foster	Mr. Wynne
Mr. Fuller	
Mr. Glynn	
Mr. Groom	<i>Tellers.</i>
Mr. Hedges	Mr. Greene
Mr. McWilliams	Mr. W. Elliot Johnson

And so it was resolved in the affirmative.

Proposed further amendment of Mr. Hughes agreed to.

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

Page 19, line 6, omit “assessed by the Commissioner”, insert “found by the jury”.

Page 19, line 7, omit “deemed” insert “presumed, in the absence of evidence to the contrary”.

Page 19, line 8, omit “until the contrary is proved”.

Clause, as amended, agreed to.

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Clause 66 read.

On the motion of Mr. Hughes the following amendments were made :—

Line 11, insert the word "indictable" before the word "offence".

Lines 12 to 14, omit all words after "and" and insert "treble the amount of the tax payment whereof he has evaded or attempted to evade; or forfeiture of the land in respect of which the offence was committed, or any part thereof."

Clause, as amended, agreed to.

Clause 67 read.

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

Omit sub-clauses (1.) and (2.), and insert in their stead :—

"(1.) Where, on the conviction of any person under either of the last two preceding sections, the penalty of forfeiture of any of his land has been imposed, the Governor-General may, by proclamation, declare that the estate or interest of that person in the land is forfeited to the Commonwealth."

Clause, as amended, agreed to.

Clauses 68 and 69 agreed to.

Clause 70 debated and agreed to.

On the motion of Mr. Hughes the following new clauses were added to the Bill :—

"4A.—(1.) The Commissioner shall be appointed for a term of seven years, Tenure and salary of Commissioner. and shall be eligible for re-appointment.

(2.) The Commissioner shall not be subject to the Commonwealth *Public Service Act* 1902-1909; but if any officer of the Commonwealth is appointed Commissioner, his service as Commissioner shall, for the purpose of determining his existing or accruing rights, be counted as public service in the Commonwealth; and if any officer in the Public Service of a State is appointed Commissioner, his service as Commissioner shall, for the purpose of determining his existing and accruing rights, be counted as public service in the Commonwealth as if he had been an officer of a Department transferred to the Commonwealth and were retained in the service of the Commonwealth.

(3.) In case of the illness, absence, suspension, removal, or death of the Commissioner, the Governor-General may appoint a person to be Acting-Commissioner, during the illness, absence, or suspension, or until the appointment of a successor, and no longer; and the Acting-Commissioner shall have all the powers and perform all the duties of the Commissioner.

(4.) There shall be payable to the Commissioner a salary at the rate of One thousand two hundred and fifty pounds a year out of the Consolidated Revenue Fund, which is hereby appropriated for that purpose accordingly."

"4B.—(1.) The Commissioner may be suspended from his office by the Suspension or removal of Commissioner. Governor-General, but shall not be removed from office except as in this section provided.

(2.) The Minister shall cause to be laid before both Houses of the Parliament a full statement of the grounds of suspension within seven days of the suspension, if the Parliament is then sitting, but, if not, then within seven days of the next meeting of the Parliament.

(3.) The Commissioner shall be restored to office by the Governor-General unless each House of the Parliament, within forty-two days after the day when the statement is laid before it, declares by resolution that the Commissioner ought to be removed from office; and if each House within that time so declares, the Commissioner shall be removed from office by the Governor-General accordingly."

"24A. The holder of land under a purchase or a right of purchase from the Conditional purchases. Crown upon conditions, under the laws of a State relating to the alienation or disposition of Crown lands, shall be deemed to be the owner of the land if all the conditions other than the payment of purchase money have been fulfilled, but not otherwise."

"26A. Notwithstanding anything in the last two preceding sections, Crown lessees. the owner of a leasehold estate under the laws of a State relating to the alienation or occupation of Crown lands (not being a perpetual lease without revaluation, or a lease with a right of purchase) shall not be liable to assessment or taxation in respect of the estate."

"26B. A covenant or stipulation in a lease of land, which has or purports to have the purpose or effect of imposing on the lessee the obligation of paying taxes on the land—

(a) if the lease was made before the commencement of this Covenant by lessee to pay land tax. Act—shall not be valid to impose on the lessee the obligation of paying land tax to any greater amount than the amount (if any) which would have been payable by the lessee if he had been the owner of the land included in the lease and of no other land; and

(b) if the lease was made after the commencement of this Act—shall be absolutely void."

Title agreed to.

Bill to be reported with amendments.

The House resumed; Mr. Poynton reported accordingly.

Ordered, by leave—That the consideration of the Report be made an Order of the Day for a later hour this day.

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9. NORTHERN TERRITORY ACCEPTANCE BILL.—The Order of the Day having been read for the second reading—Mr. Batchelor moved, That the Bill be now read a second time.  
Mr. Glynn 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 to-morrow.
10. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That Order of the Day, Government Business, No. 3 be postponed until to-morrow.
11. SUGAR BOUNTY BILL (1910) (No. 2).—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. Greene 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 to-morrow.
12. PAPERS.—Mr. O'Malley presented, pursuant to Statute—  
Lands Acquisition Act—  
Land acquired under, at—  
Burren Junction, New South Wales—As a site for a Post-office.  
Fremantle, Western Australia—For Defence purposes.  
Ganmain, New South Wales—As a site for a Post-office.  
Geurie, New South Wales—As a site for a Post-office.  
Goulburn, New South Wales—As a site for a Drill Hall.  
Gulargambone, New South Wales—As a site for a Post-office.  
Koorawatha, New South Wales—As a site for a Post-office.  
Manildra, New South Wales—As a site for a Post-office.  
Portland, New South Wales—As a site for a Post-office.  
Wallerawang, New South Wales—As a site for a Post-office.  
Wauchope, New South Wales—As a site for a Post-office.
13. ADJOURNMENT.—Mr. Hughes moved, That the House do now adjourn.  
Question—put and passed.

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

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except—Mr. Carr, Mr. Catts, Mr. Chapman, Mr. Fisher, Mr. Hall, Mr. Harper, Mr. Howe, Mr. W. H. Irvine, Mr. W. J. Johnson, Mr. Kelly, and Mr. Roberts.

C. GAVAN DUFFY,  
*Clerk of the House of Representatives.*