

1914.
(SECOND SESSION.)

THE PARLIAMENT OF THE COMMONWEALTH.

No. 25.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

WEDNESDAY, 16TH DECEMBER, 1914.

1. The House met, at eleven o'clock a.m., pursuant to adjournment.—Mr. Speaker took the Chair, and read Prayers.
2. PAPER.—The following Paper was presented, by command of His Excellency the Governor-General—
Prime Minister's Department—
Food Supplies and Trade and Industry during the War—Reports and Recommendations of the Royal Commission on.
Ordered to lie on the Table.
3. MESSAGE FROM THE SENATE.—LAND TAX BILL (1914).—Mr. Speaker announced the receipt of the following Message from the Senate :—
MR. SPEAKER, *Message No. 25.*
The Senate returns to the House of Representatives the Bill for "*An Act to amend the 'Land Tax Act 1910,'*" 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, THOS. GIVENS,
Melbourne, 16th December, 1914. President.
4. PRECEDENCE TO GOVERNMENT BUSINESS AT NEXT SITTING.—Mr. Fisher moved, pursuant to notice, That Government Business take precedence of General Business to-morrow.
Question—put and passed.
5. SUSPENSION OF STANDING ORDERS *RE* NEW BUSINESS AFTER 11 P.M.—Mr. Fisher moved, pursuant to notice, That so much of the Standing Orders be suspended as would prevent New Business being taken after 11 o'clock p.m.
Debate ensued.
Question—put and passed.
6. ESTATE DUTY 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 1 again read, and agreed to.
Clause 2 debated and agreed to.
Clause 3 agreed to.
Schedule agreed to.
Title agreed to.
Bill to be reported without amendment.

The House resumed ; Mr. Chanter reported accordingly.
F.12571.

16th December, 1914.

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

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

Question—put and passed.

Mr. Hughes moved, That the Bill be now read a third time.

Question—put.

The House divided—

Ayes, 28.

Mr. Archibald	Mr. W. Maloney
Mr. Bamford	Mr. Mathews
Mr. Burchell	Mr. Poynton
Mr. Burns	Mr. Sharpe
Mr. Catts	Mr. Spence
Mr. Chanter	Mr. Thomas
Mr. Dankel	Mr. Tudor
Mr. Finlayson	Mr. Webster
Mr. Fisher	Mr. West
Mr. Hannan	Mr. Wise
Mr. Higgs	Mr. Yates
Mr. Hughes	
Mr. Jensen	<i>Tellers:</i>
Mr. Lynch	Mr. Parker Moloney
Mr. Mahon	Mr. Page

Noes, 18.

Mr. Abbott	Mr. Patten
Mr. Boyd	Mr. Pigott
Mr. Joseph Cook	Mr. Rodgers
Mr. Fleming	Mr. Sinclair
Mr. Glynn	Mr. Stumm
Mr. Groom	Mr. Watt
Sir William Irvine	
Mr. Kelly	<i>Tellers:</i>
Mr. Livingston	Mr. Greene
Mr. Manifold	Mr. John Thomson

And so it was resolved in the affirmative.—Bill read a third time.

7. MESSAGE FROM THE SENATE.—LAND TAX ASSESSMENT BILL (1914).—Mr. Speaker announced the receipt of the following Message from the Senate:—

MR. SPEAKER,

Message No. 26.

The Senate returns to the House of Representatives the Bill for “*An Act to amend the Land Tax Assessment Act 1910–1912*,” to which it has agreed with the amendments indicated in the annexed Schedule, in which amendments the Senate requests the concurrence of the House of Representatives.

THOS. GIVEN, President.

The Senate,
Melbourne, 16th December, 1914.

Ordered—That the foregoing Message be taken into consideration forthwith 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.)

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

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE.

No. 1.—After clause 1, insert the following new clause:—

“1A. Section twenty-seven of the *Land Tax Assessment Act* 1910–1912 is amended by inserting in sub-section (3.), after the words “in respect of the land”, the words “or the lease is a lease from the Crown,” Amendment of s. 27.

No. 2.—Clause 2, line 9, after “amended” insert “(a) by inserting after the word ‘State’ the words ‘or part of the Commonwealth’, and (b)”.

No. 3.—Clause 2, line 12, after “mining lease” insert “or a timber lease”.

Mr. Hughes moved, That the Amendments be agreed to.

Debate ensued.

Question—put and passed.

Resolution to be reported.

The House resumed; Mr. Bamford reported accordingly.

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

8. ESTATE DUTY ASSESSMENT BILL.—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole House—Mr. Deputy-Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

(In the Committee.)

Clause 13 again read, and debated—

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

Page 4, line 20, after “made” insert “before or after the commencement of this Act”.

Page 4, line 20, omit “three years” and insert “one year”.

Page 4, line 24, omit “three years” and insert “one year”.

16th December, 1914.

Page 4, after sub-clause (4.), insert the following new sub-clauses :—

(4a.) Estate duty shall not be assessed or payable upon so much of the estate as is devised or bequeathed or passes by gift *inter vivos* or settlement for religious, scientific, charitable or public educational purposes.

(4b.) In respect of so much of the estate as by will, intestacy, gift *inter vivos* or settlement passes to the widow or children or grandchildren of the deceased estate duty shall be assessed and payable at two-thirds of the rate which would otherwise be payable.

Clause, as amended, agreed to.

Clauses 14 to 23 agreed to.

Clause 24—

On the motion of Mr. Hughes, the following amendment was made :—Line 12, omit “three years” and insert “one year”.

Clause, as amended, agreed to.

Clauses 25 to 27 agreed to.

Clause 28 debated—

On the motion of Mr. Hughes, the following amendment was made :—Line 13, after “assessment” insert “or such further time not exceeding thirty days as the Commissioner may allow”.

Clause, as amended, agreed to.

Clause 29 agreed to.

Clause 30 debated—

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

Line 45, before “and” (*first occurring*) insert “and may make such order as to costs as it thinks fit”.

Page 8, omit sub-clauses (2.) and (3.).

Clause, as amended, agreed to.

Clauses 31 to 37 agreed to.

Clause 38 debated and agreed to.

Clause 39 debated—

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

Line 18, after “estate” insert “, exclusive of so much of the estate as is devised or bequeathed or passes by gift, *inter vivos*, or settlement for religious, scientific, charitable or public educational purposes,”.

At the end of clause add—“Provided that for the purposes of this section the value of the interests of the widow or children or grandchildren of the deceased shall be reckoned at two-thirds of their assessed value.”

Clause, as amended, agreed to.

Clauses 40 and 41 agreed to.

Clause 42 debated and agreed to.

Clauses 43 to 50 agreed to.

Clause 51 debated and agreed to.

Clause 52—

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

Line 36, after “who” omit the remainder of the clause, and insert :—

“(a) with intent to defraud, in any return understates the value of any estate, or

(b) by any wilful act default or neglect, or by any fraud, art or contrivance whatever, evades assessment or duty,

shall be guilty of an indictable offence.

Penalty: Five hundred pounds or imprisonment for three years.”

Clause, as amended, agreed to.

Clauses 53 and 54 omitted.

Clauses 55 and 56 agreed to.

New clause—

On the motion of Mr. Hughes, the following new clause was added to the Bill :—

“13A. Nothing in this Act shall apply to the estate of any person who during the present war or within one year after its termination dies on active service or as a result of injuries received or disease contracted on active service with the military or naval forces of the Commonwealth or any part of the King's Dominions.”

Exemption of
persons dying in
military or naval
service.

Title agreed to.

Bill to be reported with amendments.

The House resumed; Mr. W. Maloney reported accordingly.

Mr. Hughes 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.

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

9 MESSAGE FROM THE SENATE.—ESTATE DUTY BILL.—Mr. Speaker announced the receipt of the following Message from the Senate :—

MR. SPEAKER,

Message No. 27.

The Senate returns to the House of Representatives the Bill for “*An Act to impose Duties upon the Estates of Deceased Persons*,” to which it has agreed without requests.

The Senate,
Melbourne, 16th December, 1914.

THOS. GIVENS,
President.

16th December, 1914.

10. WAR PENSIONS 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.)

Clause 1 agreed to.

Clause 2 debated, and postponed.

Clause 3 agreed to.

Clause 4 debated and agreed to.

Clause 5 agreed to.

Clause 6 debated and agreed to.

Clause 7 debated and agreed to.

Clauses 8 and 9 agreed to.

Clause 10 debated—

Question—That the clause stand as printed—put.

The Committee divided—

Ayes, 36.

Mr. Anstey	Mr. Mahon
Mr. Archibald	Mr. Manifold
Mr. Bamford	Mr. Mathews
Mr. Boyd	Mr. Parker Moloney
Mr. Burchell	Mr. O'Malley
Mr. Burns	Mr. Palmer
Mr. Carr	Mr. Poynton
Mr. Catts	Mr. Laird Smith
Mr. Dankel	Mr. Spence
Mr. Fenton	Mr. Thomas
Mr. Finlayson	Mr. Tudor
Mr. Fisher	Mr. Webster
Mr. Fleming	Mr. West
Mr. Glynn	Mr. Wise
Mr. Hannan	Mr. Yates
Mr. Higgs	
Mr. Hughes	<i>Tellers:</i>
Mr. Jensen	Mr. Page
Mr. Lynch	Mr. Rodgers

Noes, 15.

Mr. Abbott	Mr. Sampson
Mr. Joseph Cook	Mr. Sharpe
Mr. Groom	Mr. Sinclair
Sir William Irvine	Mr. Stumm
Mr. Livingston	
Mr. W. Maloney	
Mr. McGrath	<i>Tellers:</i>
Mr. Patten	Mr. Brennan
Mr. Pigott	Mr. Greene

And so it was resolved in the affirmative.

Clause 11 debated, and agreed to.

Clause 12 agreed to.

Clause 13 debated and agreed to.

Clause 14 agreed to.

New clauses—

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

“10A. A pension under this Act shall not be payable until approved by the Governor-General.”

Pensions to be approved by Governor-General.

“11A. Subject to this Act, a pension shall be absolutely inalienable whether by way or in consequence of sale, assignment, charge, execution, insolvency, or otherwise howsoever.”

Pension absolutely inalienable. No. 17, 1903, s. 41.

Schedule—

Mr. Joseph Cook moved the following amendment:—

In column Three, omit “per annum”.

Amendment negatived.

Debate on Schedule continued.

Schedule agreed to.

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

The House resumed; Mr. John Thomson reported accordingly.

Resolved—That the House will, to-morrow, again resolve itself into the said Committee.

11. TREASURY BILLS BILL.—The Order of the Day having been read for the second reading—Mr. Fisher 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.

16th December, 1914.

(In the Committee.)

Clauses 1 and 2 agreed to.
Clause 3 debated and agreed to.
Clauses 4 to 10 agreed to.
Clause 11 debated and agreed to.
Clauses 12 to 15 agreed to.
Title agreed to.
Bill to be reported without amendment.

The House resumed ; Mr. Wise reported accordingly.
On the motion of Mr. Fisher, the House adopted the Report.
Mr. Fisher moved, pursuant to contingent notice, That the Standing Orders be suspended, to enable the remaining stage to be passed without delay.
Question—put and passed.
On the motion of Mr. Fisher, the Bill was read a third time.

12. WAR LOAN BILL.—The Order of the Day having been read for the second reading—Mr. Fisher 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.
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(In the Committee.)

Clause 1 read.
Progress to be reported, and leave asked to sit again.

The House resumed ; Mr. Bamford reported accordingly.
Resolved—That the House will, to-morrow, again resolve itself into the said Committee.

13. ALTERATION OF TIME OF NEXT MEETING.—Mr. Fisher moved, That the House, at its rising, adjourn until half-past ten o'clock a.m. to-morrow.
Question—put and passed.
14. ADJOURNMENT.—Mr. Fisher moved, That the House do now adjourn.
Question—put and passed.

And then the House, at twenty-two minutes to twelve o'clock midnight, 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. Chapman, Mr. Charlton, Mr. R. W. Foster, Mr. Fowler, Mr. Gregory, Mr. W. Elliot Johnson, Mr. Jolley*, Mr. McWilliams, Mr. Orchard, Mr. Ozanne*, Mr. Riley, Colonel Ryrie, Mr. Bruce Smith, and Mr. Watkins.

* On leave.

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