

COMMONWEALTH OF AUSTRALIA.

No. 19.

JOURNALS OF THE SENATE.

THURSDAY, 29TH APRIL, 1920.

1. MEETING OF SENATE.—The Senate met at three p.m., pursuant to adjournment.
2. PRAYERS.
3. MESSAGE FROM THE HOUSE OF REPRESENTATIVES.—WAR GRATUITY BILL.—The following Message from the House of Representatives was received and read:—

MR. PRESIDENT,

The House of Representatives acquaints the Senate that it has agreed to the amendments made by the Senate in the Bill intituled "*A Bill for an Act relating to the Payment of the War Gratuity.*"

House of Representatives,
Melbourne, 28th April, 1920.

Message No. 5.

W. ELLIOT JOHNSON,
Speaker.
4. QUESTIONS.—Questions on notice were answered.
5. PARLIAMENTARY STANDING COMMITTEE ON PUBLIC WORKS.—The Minister for Repatriation (Senator Millen), pursuant to notice, moved—That, in accordance with the provisions of the *Commonwealth Public Works Committee Act* 1913-1917, the following Senators be appointed members of the Parliamentary Standing Committee on Public Works, viz., Senator Henderson, Senator Needham, and Senator Newland.
Question—put and passed.
6. JOINT COMMITTEE OF PUBLIC ACCOUNTS.—The Minister for Repatriation (Senator Millen), pursuant to notice, moved—That, in accordance with the provisions of the *Committee of Public Accounts Act* 1913-1917, the following Senators be appointed members of the Joint Committee of Public Accounts, viz., Senator Crawford, Senator Earle, and Senator McDougall.
Question—put and passed.
7. AUSTRALIAN SOLDIERS' REPATRIATION BILL.—The Senate, according to Order, resolved itself into a Committee for the consideration of Message No. 4 of the House of Representatives.

In the Committee.

Message read.

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

SCHEDULE SHOWING THE AMENDMENTS MADE BY THE HOUSE OF REPRESENTATIVES IN THE AUSTRALIAN SOLDIERS' REPATRIATION BILL.

- No. 1.—Page 2, clause 8, line 22, omit "A duly authenticated" and insert "Any".
- No. 2.—Page 2, clause 8, lines 22-3, omit "recognised or acknowledged by the Minister as being a body".
- No. 3.—Page 2, clause 8, line 28, omit "that list" and insert "any list so submitted".
- No. 4.—Page 3, clause 10, line 4, omit "five" and insert "three".
- No. 5.—Page 3, clause 11, lines 21-23, omit sub-clause (3.), insert the following sub-clauses:—

"(3.) All real and personal property, securities and funds, and all rights of action in respect of any such property, securities and funds, vested, in pursuance of any Act repealed by this Act, in the Minister or in a State Repatriation Board, or in any person on behalf of or in trust for the Minister or any such Board, shall, upon the commencement of this Act, become vested in the Commission subject to the trusts upon which the same are held by the Minister or by that Board or person.

"(4.) All the rights of State War Councils in respect of advances made by them under the *Australian Soldiers' Repatriation Fund Act* 1916 shall, upon the commencement of this Act, become vested in, and exercisable by, the Commission."

- No. 6.—Page 4, clause 14, line 1, omit "A duly authenticated" and insert "Any".
- No. 7.—Page 4, clause 14, lines 1 and 2, omit "recognised or acknowledged by the Minister as being a body".
- No. 8.—Page 4, clause 14, line 8, omit "that list" and insert "any list so submitted".
- No. 9.—Page 4, clause 14, line 39, omit "State".
- No. 10.—Page 5, clause 17, line 20, after "any" insert "paid".
- No. 11.—Page 5, clause 17, sub-clause (2.), omit paragraph (c), insert the following paragraph:—
 "(c) he, in any way, otherwise than as a member, and in common with the other members, of an incorporated company consisting of more than twenty-five persons—
 (i) becomes concerned or interested in any contract or agreement made by or on behalf of the Commission; or
 (ii) participates, or claims to be entitled to participate, in the profit of any such contract or agreement or in any benefit or emolument arising therefrom."
- No. 12.—Page 5, clause 17, line 41, after "thereof," insert "or in any benefit or emolument arising therefrom,".
- No. 13.—Page 9, clause 23, lines 6–7, omit "termination of the appointment or".
- No. 14.—Page 10, clause 26, line 8, omit "active".
- No. 15.—Page 11, clause 32, line 6, omit "pensioner", insert "member of the Forces".
- No. 16.—Page 11, clause 32, lines 7–8, omit "in the case of any member of the Forces".
- No. 17.—Page 11, clause 32, line 8, after "Act", insert "to the member".
- No. 18.—Page 11, clause 32, line 13, omit "pensioner", insert "member".
- No. 19.—Page 12, clause 37, line 19, omit "Commission", insert "Board".
- No. 20.—Page 13, clause 45, lines 16–20, omit all the words after "this" in line 16 up to and including "Act" in line 20, and insert—
 "Part shall extend to—
 (a) any soldier of the Imperial Reserve Forces called up for active service during the present war; and
 (b) any person who is serving or has served during the present war in the Naval or Military Forces of any part of the King's Dominions, other than the Commonwealth, on active service outside that Dominion,
 on proof to the satisfaction of the Commission that he was, immediately before being called up or before his enlistment, as the case may be, domiciled in the Commonwealth."
- No. 21.—Page 13, clause 46, line 24, omit "this Part" insert "Parts IV. and V.".
- No. 22.—Page 13, clause 46, line 28, omit "this Part" insert "Parts IV. and V. of this Act".
- No. 23.—Page 14, clause 46, line 8, omit "this Part" insert "those Parts".
- No. 24.—Page 14, clause 47, line 11, omit "in the nature of", insert "payments or allowances in the nature of, or supplementary to,".
- No. 25.—Page 14, clause 47, line 35, after "mothers" insert "or step-mothers".
- No. 26.—Page 14, clause 47, lines 37–39, omit "widows and were, prior to the enlistment of those soldiers, dependent upon them", insert "either widowed, divorced or deserted".
- No. 27.—Page 14, clause 47, line 45, omit "and".
- No. 28.—Page 14, clause 47, line 46, omit "or step-mothers".
- No. 29.—Page 14, clause 47, after sub-paragraph (v) of paragraph (d), insert the following sub-paragraph:—
 "and
 (vi) any person who was, prior to the death of an Australian soldier, recognised as his wife although not legally married to him."
- No. 30.—Page 14, after clause 47, insert the following clause, 47A:—
 "47A.—The Commission shall, subject to the approval of the Minister, ^{Establishment of Industries.} have power to assist soldiers in establishing industries on a co-operative basis, such industries to include the manufacture of boots, woollen goods, and clothing, tanning, wool-scouring, fellmongering (and kindred industries), sawmilling, and other enterprises."
- No. 31.—Page 15, clause 48, lines 1–2, omit "Minister may, on the recommendation of the Commission," insert "Commission may".
- No. 32.—Page 15, clause 48, after sub-clause (4.), insert the following sub-clauses:—
 "(4A.) The Commission shall appoint, for each Local Committee, an executive consisting of seven members of the Committee.
 "(4B.) Five members of the executive of each Local Committee shall be nominated by the Committee, and two members shall be selected by the Commission."
- No. 33.—Page 15, clause 48, lines 16–17, omit "shall hold office during the pleasure of the Minister", insert "and of the executive of a Local Committee shall hold office during the pleasure of the Commission".

No. 34.—Page 15, clause 48, lines 19–20, omit “shall, subject to the approval of the Minister,” insert “and the executive of any such Local Committee shall”.

No. 35.—Page 15, clause 48, lines 21–22, omit “may exercise such of the powers of the Committee as are prescribed”, insert “shall have and may exercise—

(a) such of the powers of the Committee as are prescribed, and

(b) such other powers as are prescribed :

Provided that, in the exercise of any powers conferred in pursuance of paragraph (b) of this sub-section, the executive shall be responsible only to the Commission.”

No. 36.—Page 16, after clause 56, insert the following clauses, 56A and 56B :—

“56A. The Commission shall furnish to the Minister annually, for presentation to the Parliament, a report of the administration and operation of this Act. Report.

“56B. Where prior to the passing of this Act a local fund for the repatriation of Australian soldiers has been raised in any district, the control of that fund shall, subject to the regulations, be vested in the trustees for the time being of the fund.” Funds used prior to Act.

No. 37.—Page 17, clause 57, line 28, after “mothers”, insert “or step-mothers”.

No. 38.—Page 17, clause 57, lines 30–32, omit “widows and were, prior to the enlistment of those soldiers, dependent upon them”, insert “either widowed, divorced or deserted”.

No. 39.—Page 17, clause 57, line 39, omit “and”.

No. 40.—Page 17, clause 57, line 40, omit “or step-mothers”.

No. 41.—Page 17, clause 57, after sub-paragraph (v) of paragraph (d), insert the following sub-paragraph :—

“and
(vi) any person who was, prior to the death of an Australian soldier, recognised as his wife although not legally married to him.”.

No. 42.—Page 18, the First Schedule, line 3 of the Schedule, after “payable,” insert “subject to the provisions of the Third Schedule”.

No. 43.—Page 18, the Second Schedule, after the first paragraph, insert the following paragraph :—

“The Commission may grant a pension, not exceeding the Special Rate of Pension, to any member of the Forces who is suffering from tuberculosis, and who has been for at least six months an inmate of an establishment for persons so suffering, and has been discharged from that establishment : Provided that this paragraph shall not authorize the grant of a pension to such member of the Forces, unless upon his discharge from the establishment the medical officer in charge of that establishment has certified that such discharge is not a menace to public health.”

No. 44.—Page 19, the Third Schedule, after the item “Widowed mother of an unmarried member,” insert the following item :—

“Widowed or unmarried mother of an unmarried member who was born out of wedlock and who was brought up by her	The rate specified in column two of the First Schedule, provided that, in the case of a widow, she became a widow, either prior to, or within three years after, the death of the member.”
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No. 45.—Page 20, the Fourth Schedule, omit all the words after “disability” (second occurring), insert—

Description of Disability.								Rate of Permanent Pension payable. Percentage of rate in column 4 in First Schedule opposite Member's Rate of Pay.
								Per centum.
Loss of two or more limbs	..	..	..	..	..	..	..	100
Loss of both eyes	..	..	..	..	..	..	..	100
Loss of one eye, together with loss of leg, foot, hand or arm	..	..	..	..	..	..	..	100
Loss of both arms	..	..	..	..	..	..	..	100
Loss of both legs	..	..	..	..	..	..	..	100
Loss of both feet	..	..	..	..	..	..	..	100
Loss of both hands	..	..	..	..	..	..	..	100
Loss of hand and foot	..	..	..	..	..	..	..	100
Loss of all fingers and thumbs	..	..	..	..	..	..	..	100
Lunacy	..	..	..	..	..	..	..	100
Wounds, injuries, or disease, involving total permanent disabling effects	..	..	..	..	..	..	..	100
Very severe facial disfigurement	..	..	..	..	..	..	..	100
Amputation of leg at hip, or of right arm at shoulder joint (if right handed), or of left arm at shoulder joint (if left handed)	..	..	..	..	..	..	..	100 for first six months 80 thereafter
Severe facial disfigurement	..	..	..	..	..	..	..	80
Total loss of speech	..	..	..	..	..	..	..	80
Loss of leg or foot	..	..	..	..	..	..	..	100 for first six months 75 thereafter
Loss of arm or hand	..	..	..	..	..	..	..	100 for first six months 75 thereafter
Total deafness	..	..	..	..	..	..	..	70
Loss of vision in one eye	..	..	..	..	..	..	..	50

For the purposes of this Schedule a leg, foot, hand, arm or eye is deemed to be lost if it is rendered permanently and wholly useless.

Amendment No. 1 agreed to.

Amendment No. 2 debated and agreed to.

Amendment No. 3 agreed to.

Amendment No. 4 debated and disagreed to.
 Amendments Nos. 5–29 agreed to.
 Amendment No. 30 debated and disagreed to.
 Amendments Nos. 31–45 agreed to.
 Resolutions to be reported.

The President resumed the Chair; and Senator Shannon, from the Committee, reported that the Committee had considered Message No. 4 of the House of Representatives, and had disagreed to Amendments Nos. 4 and 30 of the House of Representatives, and had agreed to the remaining amendments.

Whereupon the Senate adopted such Report.

Ordered—That a Committee, consisting of the Minister for Repatriation (Senator Millen), and Senators Earle and Newland, be appointed to prepare and bring up reasons for disagreeing to certain of the amendments of the House of Representatives.

8. IMMIGRATION BILL.—Order of the Day read for the consideration of the Bill, as reported.
 The Vice-President of the Executive Council (Senator Russell) moved—That the Report be adopted.
 Question—put and passed.
 Ordered—That the third reading of the Bill be an Order of the Day for the next day of sitting.
9. PASSPORTS BILL.—Order of the Day read for the adjourned debate on the Question—That the Bill be now read a second time.
 Debate resumed.
 Question—put and passed.
 Bill read a second time.
 The Senate, according to Order, resolved itself into a Committee for the consideration of the Bill.

In the Committee.

Clauses 1 and 2 agreed to.
 Clause 3 debated and agreed to.
 Clauses 4 and 5 agreed to.
 Clause 6 debated and agreed to.
 Clauses 7–10 agreed to.
 Title agreed to.
 Bill to be reported without amendment.

The President resumed the Chair; and Senator Shannon, from the Committee, reported accordingly.
 Whereupon the Senate adopted such Report.
 Ordered—That the third reading of the Bill be an Order of the Day for the next day of sitting.

10. AUSTRALIAN SOLDIERS' REPATRIATION BILL.—The Minister for Repatriation (Senator Millen), on the part of the Committee appointed this day to prepare and bring up reasons for disagreeing to certain amendments of the House of Representatives in the Australian Soldiers' Repatriation Bill, brought up the Report of the Committee.

Reasons read and adopted as follows, after debate :—

REASONS OF THE SENATE FOR DISAGREEING TO AMENDMENTS NOS. 4 AND 30 OF THE
 HOUSE OF REPRESENTATIVES.

As to Amendment No. 4 :—

Because the term of three years is calculated to restrict the Government's choice in the matter of appointments to the Commission and that, furthermore, it is not sufficiently long to secure continuity in administration and a desirable independence of action on the part of the Commissioners.

As to Amendment No. 30 :—

Because it is not considered equitable to extend to collective bodies of soldiers benefits for which individual soldiers might not be eligible.

Because the effect of the granting of the benefits contemplated by the amendment would result in the unsettlement of the large majority of men whose re-establishment in civil life has been already accomplished.

Because grave financial loss to the Government and disappointment to bodies of men may result from the starting of enterprises which may not prove successful.

Because if it is desirable to promote enterprises by means of Government advances, the proposals should be the subject of special legislation, in which provision would be made for the creation of the proper machinery to give effect to such policy.

11. ADJOURNMENT.—The Senate adjourned at fifteen minutes past six p.m. till to-morrow at eleven a.m.
12. ATTENDANCE.—Present, all the Members except Senators Bakhap, Bolton, Ferricks (on leave), Grant, Guy (on leave), Lynch, Maughan, McDougall (on leave), Mulcahy (on leave), Needham, O'Keefe, Pratten, and Thomas.

C. GAVAN DUFFY,
Clerk of the Senate.