

1929-30-31.

THE PARLIAMENT OF THE COMMONWEALTH.

HOUSE OF REPRESENTATIVES.

FINANCIAL EMERGENCY BILL 1931.

*(Amendments to be proposed by the Treasurer, the Hon. E. G. Theodore.)*

Page 2, clause 5, line 25, after "Australia," insert "the Commonwealth Savings Bank of Australia".

Page 5, clause 11, line 32, after "Commonwealth" insert "or by an Industrial Agreement or by a determination of the Public Service Arbitrator which provides for adjustment of salary or wages quarterly based on the index-numbers".

Page 5, clause 11, line 39, after "(if any)" insert "and from such date,".

Page 6, clause 12, lines 5-9, omit sub-clause (4.) insert the following sub-clause :—

"(4.) The Minister shall refer to the Committee—

(a) the cases of any classes of officers and employees and of other persons rendering service to the Commonwealth; and

(b) any other matter,

in relation to which he has power under this Part to give a direction upon the receipt of a recommendation of the Committee."

Page 7, clause 15, line 6, before "as" insert "and from such date,".

Page 7, clause 15, line 17, after "(if any)" insert "and from such date,".

Page 7, clause 15, line 23, omit "twenty" insert "twenty-five".

Page 7, clause 17, line 40, omit "thirty-one" insert "thirty".

Page 7, clause 17, at the end of the clause insert the following sub-clause :—

"(4.) The Governor-General may arrange with the Governor-in-Council of any State that the taxation, under the law of that State, of the salaries and allowances of any persons whose salaries and allowances are reduced under this Part, to the extent to which such

taxation is permitted by or under this section, shall be deducted from the periodical payments of the salary and allowances of those persons and shall be paid to the State in such manner and at such times as are provided by the arrangement."

Page 8, clause 18, at the end of the clause insert the following sub-clause :—

"(2.) All payments of pensions payable by the Commonwealth under section eighty-four of the Constitution to any person who, having been transferred from the public service of a State to the public service of the Commonwealth, is entitled to retire, or has retired, from office on the pension permitted by the law of the State as if his service with the Commonwealth were a continuation of his service with the State, shall be reduced by such percentages or amounts as are provided, from time to time, by or under any law of the State from the public service of which he was transferred to the public service of the Commonwealth, which would have been applicable to him if his service with the Commonwealth had been a continuation of his service with the State."

Page 8, clause 23, at the end of the clause add the following sub-clause :—

"(2.) The amendment made by this section shall apply in relation to any claim made after the commencement of this section."

Page 11, clause 37, line 12, omit "payable under Part III." insert "as defined in section twenty-two".

Page 11, clause 37, lines 13-17 omit "and under regulations 89A to 89R (inclusive) of the Australian Soldiers' Repatriation Regulations as in force at the date of the commencement of this section and any regulations amending or in substitution for those regulations".

Pages 11 and 12, omit clause 38 insert the following clauses :—

Reduction of  
war pensions.

"38.—(1.) Notwithstanding anything contained in the Principal Act, pensions payable under that Act to persons included in the following classes shall subject to this section be reduced by twenty-two and one half per centum :—

- Parents of members of the Forces ;
- Children of members of the Forces in receipt of pensions under the Principal Act ;
- Wives of members of the Forces in receipt of such pensions ;
- Brother and sisters of deceased members of the Forces or members who are in receipt of such pensions ;
- Other persons who are dependants within the meaning of the Principal Act and who are not elsewhere referred to in this sub-section.

"(2.) The last preceding sub-section shall not apply—

- (a) to the widowed mother of any deceased unmarried member of the Forces ; or

(b) to the widow or children of any deceased member of the Forces,

where the death of the member resulted from an occurrence happening during the period he was such member.

“ (3.) Notwithstanding anything contained in the Principal Act—

(a) the Commission may cancel any pension payable under that Act to any person whose pension is reduced in accordance with the provisions of sub-section (1.) of this section and whose circumstances, in the opinion of the Commission, do not justify the continuance of the pension ; and

(b) such reductions, additional to those made in accordance with the provisions of sub-section (1.) of this section, in any pensions payable under that Act, shall be made, as are prescribed.”

“ 38A.—(1.) The Regulations may provide for the constitution of a committee which shall have power to inquire into the pensions payable under the Principal Act to any classes of persons and to make recommendations to the Minister as to the reductions, additional to any reduction effected by this Part, which should be made in those pensions.

Committee to inquire into classes of cases.

“ (2.) The conditions of appointment of any member of a committee constituted for the purposes of this section and the duration of any such committee shall be as prescribed.”

Page 12, clause 39, line 34, after “ thirty-one ” insert the following proviso :—

“ Provided that any such child born after that date whose father dies from the results of an occurrence happening during the period he was a member of the Forces shall be deemed to be a dependant.”

Page 13, clause 41, insert at the end of proposed new section 27B the following sub-section :—

“ (2.) Where a pension has been voluntarily relinquished either wholly or in part and the pensioner applies for the restoration of the pension or part thereof so relinquished, the pension or part thereof shall, subject to this Act, be restored, but the restoration shall not operate in respect of any period prior to the date of the application.”

Page 13, clause 47, lines 31-33, omit sub-clause (1.).

#### *New Clauses.*

(To be inserted in Part I.)

3A. The several Parts and sections of this Act shall be administered by such Ministers as are respectively specified by the Governor-General by order published in the *Gazette* or by such other Ministers or members of the Executive Council as are, for the time being, acting for or on behalf of any Ministers so specified.

Administration.

(To be inserted in Part II.)

Exemption  
from taxation  
on salary  
voluntarily  
relinquished

17A. Where—

- (a) a taxpayer holds any office under the Commonwealth or a State the salary of which—
- (i) is fixed by law and payable out of the General Revenue of the Commonwealth or the State ; and
  - (ii) is not reduced by the law of the Commonwealth or of the State relating to the financial emergency ; and
- (b) the taxpayer has agreed with the Treasurer of the Commonwealth or of the State as the case may be that the taxpayer will, in any year, for the purpose of assisting to relieve the financial stringency of the Commonwealth or the State, as the case may be, and to reduce the expenditure of the Government thereof, accept, instead of the salary so fixed, some smaller sum, and allow the Treasurer to retain the balance in aid of the General Revenue of the Commonwealth or the State,

the following provisions shall apply :—

- (1) In the case of any such taxpayer holding office under the Commonwealth, the sum actually paid to the taxpayer in pursuance of any such agreement shall, for the purposes of any Act of the Commonwealth or a State relating to taxation based on income, be deemed to be the salary of the taxpayer derived from that office, and the sum retained by the Treasurer of the Commonwealth shall not be taken into account for the purpose of calculating the taxable income of the taxpayer under any law of the Commonwealth or a State ; and
- (2) In the case of any such taxpayer holding office under a State, the sum actually paid to the taxpayer in pursuance of any such agreement shall, for the purposes of any Act of the Commonwealth relating to taxation based on income, be deemed to be the salary of the taxpayer derived from that office, and the sum retained by the Treasurer of the State shall not be taken into account for the purpose of calculating the taxable income of the taxpayer under any law of the Commonwealth.

(To be inserted in Part VIII.)

Bounty under  
Gold Bounty  
Act 1930.

47A. (1.) Notwithstanding anything contained in the Act, the amount of bounty which shall be paid and distributed in accordance with the Act in respect of fine gold produced during any period shall be calculated in accordance with this section.

(2.) The amount of bounty which shall be paid and distributed in accordance with the Act in respect of the year ending on the thirty-first day of December One thousand nine hundred and thirty-one shall be calculated as follows :—

- (a) In respect of fine gold produced during the half-year ending on the thirtieth day of June One thousand nine hundred and thirty-one, bounty shall be calculated on the basis of One pound Australian currency for each ounce of fine gold produced during that period in excess of half of the average number of ounces ; and
  - (b) In respect of fine gold produced during the half-year ending on the thirty-first day of December One thousand nine hundred and thirty-one, bounty shall, subject to this section, be calculated on the basis of Ten shillings Australian currency for each ounce of fine gold produced during that period in excess of half of the average number of ounces.
- (3.) In respect of fine gold produced during the year commencing on the first day of January One thousand nine hundred and thirty-two and during any subsequent calendar year, the bounty which shall be paid and distributed in accordance with the Act shall, subject to this section, be calculated on the basis of Ten shillings Australian currency for each ounce of fine gold produced during that year in excess of the average number of ounces.

(4.) The bounty calculated under paragraph (b) of sub-section (2.) of this section and under the last preceding sub-section in respect of fine gold produced during any period to which those provisions apply, shall be increased by One shilling Australian currency per ounce of that gold in respect of each decrease of three per centum in the average rate of exchange per centum during that period below the rate of exchange as on the first day of July One thousand nine hundred and thirty-one but such bounty shall not, in any event, exceed One pound Australian currency for each ounce of fine gold upon which bounty is calculated under this section.

(5.) For the purposes of this section—

- (a) “ average number of ounces ” means the average number, ascertained in accordance with the Act, of ounces of fine gold produced annually during the years One thousand nine hundred and twenty-eight, One thousand nine hundred and twenty-nine and One thousand nine hundred and thirty ;
- (b) “ rate of exchange ” means the rate of exchange for telegraphic transfers from Australia to London ;
- (c) “ the Act ” means the *Gold Bounty Act 1930* ;
- (d) the provisions of the Act shall apply for the purposes of ascertaining the number of ounces of fine gold produced during any period ;

- (e) the rate of exchange as on the first day of July One thousand nine hundred and thirty-one and the average rate of exchange during any period shall be such as are certified in writing to the Treasurer by the Governor of the Commonwealth Bank of Australia.

(To be inserted in Part IX.)

Date from  
which various  
reductions  
operate.

47B.—(1.) Where any payment, the reduction of which is authorized by any section contained in Part II., III., V. or VI. of this Act, is of a periodical nature (not being—

- (a) a payment in respect of a period the whole of which had accrued prior to the commencement of that section; or  
(b) a payment the reduction of which is authorized to be made from such date as the Minister directs),

and is made after the date fixed for the commencement of that section, it shall be subject to reduction to the extent to which it would have been so subject if the whole of the period in respect of which it is made had accrued after the commencement of that section.

(2.) Where any payment, the reduction of which is authorized by any section contained in Part II. or III. of this Act, is not of a periodical nature, (not being a payment the reduction of which is authorized to be made from such date as the Minister directs), and is made after the date fixed for the commencement of that section, it shall be subject to reduction in accordance with that section.