

1956-1957

PARLIAMENT OF NEW SOUTH WALES

PROGRESS REPORT

from the

JOINT COMMITTEE

of the

LEGISLATIVE COUNCIL and LEGISLATIVE ASSEMBLY

upon

THE AUSTRALIAN CONSTITUTION

Dealing with

THE UNIFORM TAX SCHEME

Ordered to be printed, 27 February, 1957

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1957

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

ENTRIES NOS. 2 AND 3, VOTES AND PROCEEDINGS No. 13, WEDNESDAY, 20 JUNE, 1956.

SUSPENSION OF STANDING ORDERS:—Mr. Cahill (*by consent*) moved,—That so much of the Standing Orders as require the Member proposing the appointment of a Select Committee to be a Member of such Committee and to serve thereon, be suspended in respect of a motion relating to the appointment of a Joint Committee of the Legislative Assembly and the Legislative Council to review the working of the Commonwealth of Australia Constitution.

Question put and passed.

THE AUSTRALIAN CONSTITUTION:—Mr. Cahill moved, pursuant to Notice,—

(1.) That a Joint Committee be appointed to review such aspects of the working of the Commonwealth of Australia Constitution as the Committee considers it can most profitably consider, and to make recommendations for such amendments of such Constitution as the Committee thinks necessary in the light of experience.

(2.) That such Committee shall consist of eight Members of the Legislative Assembly and four Members of the Legislative Council exclusive of the Chairman of such Committee.

(3.) That the Chairman of the Committee be the Attorney-General, Minister of Justice and Vice-President of the Executive Council.

(4.) That Mr. Sheahan, Mr. Connor, Mr. Maher, Mr. Murphy, Mr. Askin, Mr. McCaw, Lieut.-Col. Bruxner, and Mr. Hughes, be appointed to serve on such Committee as the Members of the Legislative Assembly.

(5.) That the Chairman of the Committee may, from time to time, appoint another member of the Committee to be the Deputy Chairman of the Committee, and that the member so appointed act as Chairman of the Committee, at any time when the Chairman is not present at a meeting of the Committee.

(6.) That, in the absence of both the Chairman and the Deputy Chairman from a meeting of the Committee, the members present may appoint one of their number to act as Chairman.

(7.) That the Committee have power to appoint sub-committees consisting of four or more of its members, and to refer to any such sub-committee any matter which the Committee is empowered to examine.

(8.) That the Committee or any sub-committee thereof have leave to send for persons, papers and records, to adjourn from place to place and to sit during any adjournment of the Parliament or of either House of the Parliament and during the sittings of either House of the Parliament.

(9.) That the Committee have leave to report from time to time, and that any member of the Committee have power to add a protest or dissent to any report.

(10.) That any six members of the Joint Committee shall constitute a quorum of the Committee and any two members of a sub-committee shall constitute a quorum of the sub-committee.

(11.) That, in matters of procedure, the Chairman, or member acting as Chairman, of the Committee, have a deliberative vote and, in the event of an equality of voting, have also a casting vote, and that, in other matters, the Chairman, or member acting as Chairman, of the Committee have a deliberative vote only.

(12.) That so much of the Standing Orders be suspended as are inconsistent with the foregoing provisions of this Resolution.

Debate ensued.

Question put and passed.

Ordered, That the following Message be carried to the Legislative Council:—

Mr. PRESIDENT,—

The Legislative Assembly has this day, on the motion of Mr. Cahill, agreed to the following Resolution:—

(1.) That a Joint Committee be appointed to review such aspects of the working of the Commonwealth of Australia Constitution as the Committee considers it can most profitably consider, and to make recommendations for such amendments of such Constitution as the Committee thinks necessary in the light of experience.

- (2.) That such Committee shall consist of eight Members of the Legislative Assembly and four Members of the Legislative Council exclusive of the Chairman of such Committee.
- (3.) That the Chairman of the Committee be the Attorney-General, Minister of Justice and Vice-President of the Executive Council.
- (4.) That Mr. Sheahan, Mr. Connor, Mr. Maher, Mr. Murphy, Mr. Askin, Mr. McCaw, Lieut.-Col. Bruxner, and Mr. Hughes, be appointed to serve on such Committee as the Members of the Legislative Assembly.
- (5.) That the Chairman of the Committee may, from time to time, appoint another member of the Committee to be the Deputy Chairman of the Committee, and that the member so appointed act as Chairman of the Committee, at any time when the Chairman is not present at a meeting of the Committee.
- (6.) That, in the absence of both the Chairman and the Deputy Chairman from a meeting of the Committee, the members present may appoint one of their number to act as Chairman.
- (7.) That the Committee have power to appoint sub-committees consisting of four or more of its members, and to refer to any such sub-committee any matter which the Committee is empowered to examine.
- (8.) That the Committee or any sub-committee thereof have leave to send for persons, papers and records, to adjourn from place to place and to sit during any adjournment of the Parliament or of either House of the Parliament and during the sittings of either House of the Parliament.
- (9.) That the Committee have leave to report from time to time, and that any member of the Committee have power to add a protest or dissent to any report.
- (10.) That any six members of the Joint Committee shall constitute a quorum of the Committee and any two members of a sub-committee shall constitute a quorum of the sub-committee.
- (11.) That, in matters of procedure, the Chairman, or member acting as Chairman, of the Committee, have a deliberative vote and, in the event of an equality of voting, have also a casting vote, and that in other matters, the Chairman, or member acting as Chairman, of the Committee have a deliberative vote only.
- (12.) That so much of the Standing Orders be suspended as are inconsistent with the foregoing provisions of this Resolution, and the Assembly requests that the Legislative Council will appoint five of its Members, including the Attorney-General, Minister of Justice and Vice-President of the Executive Council, to serve with the Members of the Legislative Assembly upon such Joint Committee; and further requests that the Legislative Council appoint the Attorney-General, Minister of Justice and Vice-President of the Executive Council as Chairman of such Committee.

In proposing the appointment of this Committee the Legislative Assembly requests that, on this occasion, the Legislative Council waive its claim to equal representation on Joint Committees.

*Legislative Assembly Chamber,
Sydney, 20th June, 1956.*

EXTRACTS FROM THE MINUTES OF THE PROCEEDINGS OF THE LEGISLATIVE COUNCIL.

ENTRIES NOS. 4 AND 6, MINUTES OF PROCEEDINGS NO. 13, THURSDAY, 19 JULY, 1956.

COMMONWEALTH OF AUSTRALIA CONSTITUTION:—Mr. Downing moved, pursuant to Notice, That so much of the Standing Orders be suspended as are inconsistent with the appointment and procedure of a Joint Committee as proposed by the provisions of the Resolution embodied in the Legislative Assembly's Message of 20th June, 1956.

Question put and passed.

COMMONWEALTH OF AUSTRALIA CONSTITUTION (*Assembly's Message proposing Joint Committee*):—Upon the Order of the Day being read,—

- (1.) Mr. Downing moved, That this House agrees to the Resolution embodied in the Legislative Assembly's Message, dated 20th June, 1956, relating to the appointment of a Joint Committee to review aspects of the working of the Commonwealth of Australia Constitution.

Debate ensued.

Question put and passed.

(2.) Mr. Downing then moved, That the representatives of the Legislative Council be the Honourable E. G. Wright, Colonel the Honourable H. J. R. Clayton, the Honourable T. P. Gleeson, the Honourable Sir Henry Manning, and the Mover, and that the first meeting be held in the Public Works Committee Room on Friday, 27th instant, at 11 o'clock, a.m.

Debate ensued.

Question put and passed.

(3.) Mr. Downing then moved, That the Honourable R. R. Downing, Attorney-General, Minister of Justice and Vice-President of the Executive Council, be Chairman of the Committee.

Question put and passed.

(4.) Mr. Downing then moved, That this House agrees on this occasion to waive its claim to equal representation on the Joint Committee and that its action in so doing should not be drawn into a precedent.

Question put and passed.

(5.) Mr. Downing then moved, That the following Message be forwarded to the Legislative Assembly:—

Mr. SPEAKER,—

The Legislative Council having had under consideration the Legislative Assembly's Message, dated 20th June, 1956, agrees to the Resolution embodied therein with reference to the appointment of a Joint Committee to review aspects of the working of the Commonwealth of Australia Constitution.

And the Council appoints the Honourable E. G. Wright, Colonel the Honourable H. J. R. Clayton, the Honourable T. P. Gleeson, the Honourable Sir Henry Manning, and the Honourable R. R. Downing as its Representatives on the said Joint Committee, and fixes Friday, 27th instant, at 11 o'clock, a.m., in the Public Works Committee Room, as the time and place for the first meeting.

And the Council appoints the Honourable R. R. Downing, Attorney-General, Minister of Justice and Vice-President of the Executive Council, to be Chairman of the Committee.

At the same time, the Council agrees on this occasion to waive its claim to equal representation on the Joint Committee and that its action in so doing should not be drawn into a precedent.

*Legislative Council Chamber,
Sydney, 19th July, 1956.*

Question put and passed.

EXTRACT FROM THE VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

ENTRY NO. 7, VOTES AND PROCEEDINGS No. 24, TUESDAY, 24 JULY, 1956.

THE AUSTRALIAN CONSTITUTION:—Mr. Deputy-Speaker reported the following Message from the Legislative Council:—

Mr. SPEAKER,—

The Legislative Council having had under consideration the Legislative Assembly's Message, dated 20th June, 1956, agrees to the Resolution embodied therein with reference to the appointment of a Joint Committee to review aspects of the working of the Commonwealth of Australia Constitution.

And the Council appoints the Honourable E. G. Wright, Colonel the Honourable H. J. R. Clayton, the Honourable T. P. Gleeson, the Honourable Sir Henry Manning, and the Honourable R. R. Downing as its Representatives on the said Joint Committee, and fixes Friday, 27th instant, at 11 o'clock, a.m., in the Public Works Committee Room, as the time and place for the first meeting.

And the Council appoints the Honourable R. R. Downing, Attorney-General, Minister of Justice and Vice-President of the Executive Council, to be Chairman of the Committee.

At the same time, the Council agrees on this occasion to waive its claim to equal representation on the Joint Committee and that its action in so doing should not be drawn into a precedent.

*Legislative Council Chamber,
Sydney, 19th July, 1956.*

E. G. WRIGHT
Acting President.

Ordered, That the following Message be carried to the Legislative Council:—

Mr. PRESIDENT,—

The Legislative Assembly agrees to the time and place appointed by the Legislative Council in its Message, dated 19th July, 1956, for the first meeting of the Joint Committee on The Australian Constitution.

*Legislative Assembly Chamber,
Sydney, 24th July, 1956.*

EXTRACT FROM THE MINUTES OF THE PROCEEDINGS OF THE LEGISLATIVE COUNCIL.

ENTRY NO. 9, MINUTES OF PROCEEDINGS NO. 14, TUESDAY, 24 JULY, 1956.

COMMONWEALTH OF AUSTRALIA CONSTITUTION:—The Acting President reported and read the following Message from the Legislative Assembly:—

Mr. PRESIDENT,—

The Legislative Assembly agrees to the time and place appointed by the Legislative Council in its Message, dated 19th July, 1956, for the first meeting of the Joint Committee on The Australian Constitution.

*Legislative Assembly Chamber,
Sydney, 24th July, 1956.*

**G. BOOTH,
Deputy-Speaker.**

The Australian Constitution.

(The Uniform Tax Scheme.)

PROGRESS REPORT.

THE JOINT COMMITTEE of the Legislative Council and Legislative Assembly (a Resolution for the appointment of which was agreed to by the Legislative Assembly on 20th June, 1956, and concurred in by the Legislative Council on 19th July, 1956), which was "appointed to review such aspects of the working of the Commonwealth of Australia Constitution as the Committee considers it can most profitably consider, and to make recommendations for such amendments of such Constitution as the Committee thinks necessary in the light of experience", presents to your Honourable House the following Progress Report:

1. Your Committee has carefully examined the working of what is generally known as the "Uniform Tax Scheme" and, being of opinion that the Scheme constitutes a threat to the fundamental structure of the Federal System and, if continued in operation, will ultimately destroy it, believes that it should immediately report to your Honourable House upon this vitally important and urgent matter.

2. Your Committee is unanimously of opinion that—

the Uniform Tax Scheme presently in operation under which the Commonwealth imposes and collects all taxation upon incomes and, to compensate the States for the loss of the revenue that the States could themselves raise but for the Scheme, makes grants to the States of amounts determined solely by the Commonwealth

is unsatisfactory because—

- (a) the Scheme in practice effectively prevents the States from exercising their legal right to raise revenue by the most important form of taxation, namely, taxation of incomes;
- (b) the Scheme in practice places the disposal of all revenues derived from taxation of incomes in the discretion of the Commonwealth, revenues being granted to the States in the exercise of that discretion;
- (c) the Scheme, by reason of the system of discretionary grants made thereunder by the Commonwealth to the States, impairs the fundamental rights of the States by making it difficult, and in some cases impossible, for the States to formulate and give effect to their legislative and executive policies;
- (d) the Scheme places the States in a position of financial dependence on the Commonwealth and in a position where the Commonwealth, if it so desires, could by conditional grants control the legislative and executive policies of the States;

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(e) the Scheme, for the reasons given above, is inconsistent with the federal system under which the Commonwealth and States are co-ordinate governments exercising in respect of different subject-matters governmental powers of the same order;

(f) the Scheme, so far as the States are concerned, conflicts with the principle that a government should be solely responsible for raising moneys necessary to give effect to its legislative and executive policies.

3. Your Committee is also unanimously of opinion that—

(a) amendments to the Commonwealth of Australia Constitution to achieve a particular result should be proposed or made only where the amendments are essential to achieve that result; and

(b) as the provisions of the Uniform Tax Scheme are contained, not directly in the Constitution itself, but in legislation passed by the Commonwealth Parliament, the remedy for the evils associated with the Scheme is the repeal of that legislation by the Commonwealth Parliament.

4. Your Committee is convinced that any administrative difficulties that flow from dual Federal and State taxation can be overcome by a sincere effort on the part of the Commonwealth and the States.

RECOMMENDATION.

Your Committee therefore unanimously makes the following recommendation:—

That the Commonwealth Government be approached and asked, in the light of the above considerations, and as a matter of urgency, to introduce legislation for the repeal of the legislation upon which the Uniform Tax Scheme depends for its continued operation.

R. R. DOWNING,
Chairman.

Committee Room,
26th February, 1957.

Progress Report to Parliament:

The Chairman brought up a draft Report, which was distributed to the Committee.

The Committee proceeded to consider the draft Report.

Introductory remarks, including Clauses 1, 2 and 3 (a) were read and agreed to.

Clause 3 (b) read and amended. Clause, as amended, agreed to.

Clause 4 read and amended. Clause, as amended, agreed to.

Recommendation read and amended. Recommendation, as amended, agreed to.

Question,—That the Progress Report, as amended and agreed to, be the Progress Report of the Committee,—put and passed.

Section 92 of the Constitution:

Debate resumed on the motion of Mr. Hughes:—

“That further review of the financial relations between the Commonwealth and the States be deferred, and that the Committee proceed with consideration of Section 92 of the Constitution.”

Agreed to.

The Committee proceeded with the consideration of Section 92.

Debate adjourned.

The Committee adjourned at Five o'clock, p.m., until Tuesday, 26th February, 1957, at Half past Three o'clock, p.m.

- (d) the Scheme places the States in a position of financial dependence on the Commonwealth and in a position where the Commonwealth, if it so desires, could by conditional grants control the legislative and executive policies of the States;
- (e) the Scheme, for the reasons given above, is inconsistent with the federal system under which the Commonwealth and States are co-ordinate governments exercising in respect of different subject-matters governmental powers of the same order;
- (f) the Scheme, so far as the States are concerned, conflicts with the principle that a government should be solely responsible for raising moneys necessary to give effect to its legislative and executive policies.

Unanimously agreed to.

Commonwealth Joint Committee of Review: The Clerk reported that, with the approval of the Presiding Officers, the Commonwealth Joint Committee of Review had held meetings at Parliament House, Sydney, during the period 14th to 18th January.

The Chairman stated that Mr. Askin and Mr. McCaw had attended a meeting of the Commonwealth Committee, and he invited them to report upon their appearance at that meeting.

Thereupon, Mr. Askin and Mr. McCaw addressed the Committee and said that their attendance at that meeting was unofficial.

Consideration of Section 92 of the Constitution:

Mr. Hughes moved, and Mr. Gleeson seconded the motion:—

“That further review of the financial relationships between the Commonwealth and the States be deferred, and that the Committee proceed with consideration of Section 92 of the Constitution.”

The Committee deliberated.

Debate adjourned until next meeting of the Committee.

Progress Report to Parliament:

Resolved,—

That a Progress Report on the question of Uniform Taxation be submitted to Parliament and that at its next meeting the Committee consider the Chairman's Draft Report.

The Committee adjourned at Fifteen minutes before One o'clock, p.m. until Thursday, 7th February, 1957, at Half-past Three o'clock, p.m.

THURSDAY, 7 FEBRUARY, 1957.

At 3 p.m. at Parliament House.

MEMBERS PRESENT:

The Hon. R. R. Downing, M.L.C. (In the Chair).

Legislative Council.

Colonel The Hon. H. J. R. Clayton.	The Hon. T. P. Gleeson.
The Hon. Sir Henry Manning.	The Hon. E. G. Wright.

Legislative Assembly.

Mr. R. W. Askin.	Mr. R. S. Maher.
Mr. R. F. X. Connor.	Mr. T. P. Murphy.
Mr. K. M. McCaw.	The Hon. W. F. Sheahan.

Apologies were received from Lieut.-Col. The Hon. M. F. Bruxner, M.L.A. and Mr. Davis Hughes, M.L.A.

The Committee agreed to defer consideration of Minutes of previous meeting.

- (b) the Scheme in practice places the disposal of all revenues derived from taxation of incomes in the discretion of the Commonwealth, only a relatively small part of those revenues being granted to the States in the exercise of that discretion;
- (c) the Scheme, by reason of the relative smallness of the grants made thereunder by the Commonwealth to the States—
 - (i) makes it difficult for the States to give full effect to their existing legislative and executive policies; and
 - (ii) makes it difficult, and in some cases impossible, for the States to formulate and give effect to new legislative and executive policies;
- (d) the Scheme places the States in a position of financial dependence on the Commonwealth and in a position where the Commonwealth, if it so desires, could by conditional grants control the legislative and executive policies of the States;
- (e) the Scheme, for the reasons given above, is inconsistent with the federal system under which the Commonwealth and States are co-ordinate governments exercising in respect of different subject-matters governmental powers of the same order;
- (f) the Scheme, so far as the States are concerned, conflicts with the principle that a government should be solely responsible for raising moneys necessary to give effect to its legislative and executive policies.”

Debate ensued.

First paragraph read and agreed to.

Sub-paragraph (a) read and agreed to.

Sub-paragraph (b) amendment to omit the words “only a relatively small part of those”. Agreed to.

Sub-paragraph (c) amendment to omit the words “relative smallness of the” and insert the words “system of discretionary” in lieu thereof. Agreed to.

Sub-paragraph (c) (i) amendment to omit this sub-paragraph. Agreed to.

Sub-paragraph (c) amendment to insert after the word “States” the words “impairs the fundamental rights of the States”. Agreed to.

Sub-paragraph (c) (ii) amendment to omit the word “makes” and insert the words “by making”. Agreed to.

Sub-paragraph (c) (ii) amendment to omit the word “new” and insert word “their”. Agreed to.

Sub-paragraphs (d), (e) and (f) read and agreed to.

Motion as amended, viz.—

That this Committee is of opinion that—

the Uniform Tax Scheme presently in operation under which the Commonwealth imposes and collects all taxation upon incomes and, to compensate the States for the loss of the revenue that the States could themselves raise but for the Scheme, makes grants to the States of amounts determined solely by the Commonwealth

is unsatisfactory because—

- (a) the Scheme in practice effectively prevents the States from exercising their legal right to raise revenue by the most important form of taxation, namely, taxation of incomes;
- (b) the Scheme in practice places the disposal of all revenues derived from taxation of incomes in the discretion of the Commonwealth, revenues being granted to the States in the exercise of that discretion;
- (c) the Scheme, by reason of the system of discretionary grants made thereunder by the Commonwealth to the States, impairs the fundamental rights of the States by making it difficult, and in some cases impossible, for the States to formulate and give effect to their legislative and executive policies;

TUESDAY, 5 FEBRUARY, 1957.

AT 10 a.m. AT PARLIAMENT HOUSE.

MEMBERS PRESENT:

The Hon. R. R. Downing, M.L.C. (In the Chair).

Legislative Council.

Colonel The Hon. H. J. R. Clayton. The Hon. T. P. Gleeson.
The Hon. Sir Henry Manning. The Hon. E. G. Wright.

Legislative Assembly.

Mr. R. W. Askin. Mr. K. M. McCaw.
Mr. R. F. X. Connor. Mr. R. S. Maher.
Mr. Davis Hughes. Mr. T. P. Murphy.
The Hon. W. F. Sheahan.

An apology was received from Lieut.-Col. The Hon. M. F. Bruxner, M.L.A.

The Minutes of the previous Meeting were confirmed.

Attendance at Meetings by Mr. R. J. McKay:

Resolved,—On the motion of Mr. Murphy, seconded by Mr. Maher:—

That Mr. R. J. McKay, Assistant Parliamentary Draftsman, be requested to attend future meetings of the Committee.

Correspondence: Letter from the Federal Council of the Australian Natives' Association, submitting its policy in reference to suggested amendments to the Commonwealth Constitution.

Resolved,—On the motion of Mr. Sheahan, seconded by Mr. Murphy:—

That the letter be received.

Letters from Mr. N. L. Hertslet, Brackendale, expressing his opposition to the formation of new States.

Decided that letters be made available for perusal by any member of the Committee.

Memoranda by Sir Henry Manning: The Clerk reported that Sir Henry Manning had prepared the following memoranda which had been distributed to members of the Committee:—

- (a) The Financial Relationships between the Commonwealth and the States.
- (b) Federalism v. Unification.

Resolved,—On the motion of Mr. Gleeson, seconded by Mr. Sheahan:—

That the thanks of the Committee be accorded Sir Henry Manning for work in preparing the memoranda.

Financial Relationships between the Commonwealth and the States. (Uniform Taxation): The Chairman reported that in pursuance of the Resolution adopted on 14th November, 1956, Mr. Maher, Mr. McCaw and the Chairman had drafted a motion for the consideration of the Committee. Whereupon—

Mr. Maher moved, seconded by Mr. McCaw, that the following motion be agreed to:—

“That this Committee is of opinion that—

the Uniform Tax Scheme presently in operation under which the Commonwealth imposes and collects all taxation upon incomes and, to compensate the States for the loss of the revenue that the States could themselves raise but for the Scheme, makes grants to the States of amounts determined solely by the Commonwealth

is unsatisfactory because—

- (a) the Scheme in practice effectively prevents the States from exercising their legal right to raise revenue by the most important form of taxation, namely, taxation of incomes;

TUESDAY, 26th FEBRUARY, 1957.

At 3.45 p.m. at Parliament House.

MEMBERS PRESENT:

The Hon. R. R. Downing, M.L.C. (In the Chair).

Legislative Council.

Colonel The Hon. H. J. R. Clayton. The Hon. T. P. Gleeson.
The Hon. Sir Henry Manning.

Legislative Assembly.

Mr. R. W. Askin. Mr. K. M. McCaw.
Lieut.-Col. The Hon. M. F. Bruxner. Mr. R. S. Maher.
Mr. R. F. X. Connor. Mr. T. P. Murphy.
Mr. Davis Hughes. The Hon. W. F. Sheahan.

An apology was received from the Hon. E. G. Wright, M.L.C.

The Minutes of the meetings held on 5th and 7th February, 1957, were confirmed.

Appointment of Deputy Chairman.—In accordance with the provisions of paragraph five of the Resolution setting up the Committee, the Hon. W. F. Sheahan, M.L.A., was appointed to act as Chairman during the absence of the Hon. R. R. Downing, M.L.C., from any meeting of the Committee.

Progress Report to Parliament.—The Chairman signed the Committee's Progress Report in the presence of the members of the Committee.

Resolved,—On the motion of Mr. Murphy, seconded by Mr. McCaw:—

That the Chairman present the Progress Report to the Legislative Council at its next meeting, and that the Hon. W. F. Sheahan present the Progress Report to the Legislative Assembly on Wednesday, 27th February, 1957.

Memoranda on Section 92.—The Clerk reported that Sir Henry Manning and Mr. R. J. McKay had each prepared a memorandum dealing with certain aspects of Section 92 of the Constitution, and that these had been distributed to all the members of the Committee.

Section 92 of the Constitution.—The Committee proceeded with the consideration of Section 92.

Debate adjourned.

The Committee adjourned at Half-past Four o'clock, p.m., until Thursday, 7th March, 1957, at Fifteen minutes before Three o'clock, p.m.

THURSDAY, 7th MARCH, 1957.

At 2.45 p.m. at Parliament House.

MEMBERS PRESENT:

The Hon. R. R. Downing, M.L.C. (in the Chair).

Legislative Council.

Colonel The Hon. H. J. R. Clayton. The Hon. T. P. Gleeson.
The Hon. Sir Henry Manning.

Legislative Assembly.

Mr. R. W. Askin. Mr. R. S. Maher.
Lieut.-Col. The Hon. M. F. Bruxner. Mr. T. P. Murphy.
Mr. K. M. McCaw. The Hon. W. F. Sheahan

Apologies were received from The Hon. E. G. Wright, M.L.C., Mr. R. F. X. Connor, M.L.A. and Mr. Davis Hughes, M.L.A.

The Minutes of the previous meeting were confirmed.

Correspondence: Letter from The New England New State Movement requesting permission to present written and oral submissions relating to the creation of new States.

Resolved,—On the motion of Mr. McCaw, seconded by Mr. Gleeson:—
That the letter be received.

Resolved,—On the motion of Lieut.-Col. Bruxner, seconded by Mr. McCaw:—
That the Committee agrees to the request of The New England New State Movement that it be permitted to forward written submissions on how the Constitution could be amended to facilitate the creation of new States; and that the question of hearing oral submissions be determined by the Committee when the sections dealing with new States are being considered.

Progress report to Parliament:

Resolved,—On the motion of Mr. McCaw, seconded by Mr. Murphy:—
That this Committee ratify the actions of the Chairman and the Hon. W. F. Sheahan in the Legislative Council and Legislative Assembly respectively, in moving that the Progress Report be printed.

Section 92 of the Constitution: The Committee resumed consideration of Section 92.

The Committee adjourned at Twenty-four minutes after 4 o'clock, p.m., until Tuesday, 12th March, 1957, at Twenty minutes after 3 o'clock, p.m.

TUESDAY, 12TH MARCH, 1957.

At 3.20 p.m. at Parliament House.

MEMBERS PRESENT:

The Hon. R. R. Downing, M.L.C. (in the Chair).

Legislative Council.

Colonel The Hon. H. J. R. Clayton. The Hon. T. P. Gleeson.
The Hon. Sir Henry Manning. The Hon. E. G. Wright.

Legislative Assembly.

Mr. R. W. Askin. Mr. T. P. Murphy.
Mr. Davis Hughes.

Apologies were received from Lieut.-Col. The Hon. M. F. Bruxner, M.L.A., Mr. R. F. X. Connor, M.L.A., Mr. R. S. Maher, M.L.A., The Hon. W. F. Sheahan, M.L.A., and Mr. K. M. McCaw, M.L.A.

The Minutes of the previous meeting were confirmed.

Section 92 of the Constitution:—The Committee resumed consideration of Section 92.

Resolved,—On the motion of Mr. Gleeson, seconded by Mr. Wright:—

That Section 92 of the Constitution be considered in relation to specific subject matters.

Resolved,—On the motion of Mr. Murphy, seconded by Colonel Clayton:—

That Section 92 of the Constitution be first considered in relation to its effect upon transport.

Memorandum on Section 92:—The Clerk reported that Sir Henry Manning had prepared a paper setting out extracts from the debate in the House of Representatives in 1936 upon the Constitution Alteration (Marketing) Bill, 1936.

The Committee adjourned at Four o'clock, p.m., until Tuesday, 16th April, 1957, at Fifteen minutes after Two o'clock, p.m.

Note.—Meeting set down for 16th April, 1957, postponed (by agreement) until Wednesday, 1st May, 1957, at 2.15 p.m.

WEDNESDAY, 1st MAY, 1957.

At 2.15 p.m. at Parliament House.

MEMBERS PRESENT:

Legislative Council.

The Hon. Sir Henry E. Manning. The Hon. E. G. Wright.

Legislative Assembly.

Mr. R. S. Maher. Mr. T. P. Murphy.
Mr. K. M. McCaw.

The prescribed period of fifteen minutes having expired, and there being no quorum present at the end of that time, the meeting called for this day lapsed.

By direction of the Chairman, next meeting called for Thursday, 27th June, 1957, at Thirty minutes after Ten o'clock, a.m.
