

1934-35-36.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA,
CANBERRA.

VOTES AND PROCEEDINGS
OF THE
HOUSE OF REPRESENTATIVES.

No. 136.

WEDNESDAY, 18TH NOVEMBER, 1936.

1. The House met, at half-past two o'clock p.m., pursuant to adjournment.—Mr. Speaker (the Honorable G. J. Bell) took the Chair, and read Prayers.
2. DEATH OF THE HONORABLE J. A. JENSEN.—Mr. Lyons (Prime Minister) moved, by leave, That this House expresses its deep regret at the death of the Honorable Jens August Jensen, a former member of the Tasmanian and Commonwealth Parliaments, and Minister of State, places on record its appreciation of his public services, and tenders to his widow and family its deep sympathy in their bereavement.
And Mr. Curtin (Leader of the Opposition) having seconded the motion, and Mr. Barnard having addressed the House in support thereof, and all Members present having risen, in silence—
Question—passed.
Resolved—That Mr. Speaker be requested to transmit to the widow of the late Mr. Jensen the foregoing Resolution, together with a copy of the speeches delivered thereon.
3. PAPER. The following Paper was presented, by command of His Excellency the Governor-General—
Norfolk Island—Annual Report for year 1935-36.
Ordered to lie on the Table.
4. MINISTERIAL STATEMENT—AUSTRALIAN CONTINGENT FOR CORONATION.—Mr. Lyons (Prime Minister), by leave, made a Ministerial Statement informing the House of the composition of the Australian contingent of the Defence forces which will attend the Coronation ceremony in England next year.
5. DARLING DOWNS BY-ELECTION.—Mr. Speaker informed the House that he had this day issued the Writ in connexion with the By-election for the Darling Downs Division, and that the dates fixed were those announced to the House on the 12th instant.
6. PAPER.—The following Paper was presented, pursuant to Statute
Railways Act—By-laws Nos. 71, 72.
7. NORTHERN TERRITORY REPRESENTATION BILL (1936).—Mr. Thomas Paterson (Minister for the Interior) moved, pursuant to notice, That he have leave to bring in a Bill for an Act to amend section five of the *Northern Territory Representation Act 1922-1925*.
Question—put and passed.
Mr. Thomas Paterson 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.
Mr. Thomas Paterson moved, by leave, That the second reading be made an Order of the Day for a later hour this day.
Question—put and passed.
8. AUSTRALIAN SOLDIERS' REPATRIATION BILL (1936).—Mr. Hughes (Minister for Repatriation) moved, pursuant to notice, That he have leave to bring in a Bill for an Act to amend sections forty-five F, forty-five L, forty-five AC, forty-five AD, forty-five AE and forty-five AG of the *Australian Soldiers' Repatriation Act 1920-1935*, to repeal sections forty-five AF, forty-five AN and forty-five AO of that Act and to enact other sections in lieu thereof, and to insert in that Act a new section forty-five AGA.
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.
Mr. Hughes moved, by leave, That the second reading be made an Order of the Day for a later hour this day.
Question—put and passed.

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9. CUSTOMS TARIFF VALIDATION BILL (1936).—Sir Henry Gullett (Minister directing negotiations for Trade Treaties) moved, pursuant to notice, That he have leave to bring in a Bill for an Act to provide for the Validation of Collections of Duties of Customs under Customs Tariff Proposals.

Question—put and passed.

Sir Henry Gullett 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.

Sir Henry Gullett moved, by leave, That the Bill be now read a second time.

Debate ensued.

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.*)

Bill, by leave, taken as a whole, and agreed to, after debate.

Bill to be reported without amendment.

The House resumed ; Mr. Prowse reported accordingly.

On the motion of Sir Henry Gullett, the House adopted the Report, and, by leave, the Bill was read a third time.

10. CUSTOMS TARIFF (EXCHANGE ADJUSTMENT) VALIDATION BILL (1936).—Sir Henry Gullett (Minister directing negotiations for Trade Treaties) moved, pursuant to notice, That he have leave to bring in a Bill for an Act to provide for the Validation of Adjustments in Duties of Customs under Customs Tariff (Exchange Adjustment) Proposals.

Question—put and passed.

Sir Henry Gullett 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.

Sir Henry Gullett moved, by leave, That the Bill be now read a second time.

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.*)

Bill, by leave, taken as a whole, and agreed to, after debate.

Bill to be reported without amendment.

The House resumed ; Mr. Prowse reported accordingly.

On the motion of Sir Henry Gullett, the House adopted the Report, and, by leave, the Bill was read a third time.

11. CUSTOMS TARIFF (CANADIAN PREFERENCE) VALIDATION BILL (1936).—Sir Henry Gullett (Minister directing negotiations for Trade Treaties) moved, pursuant to notice, That he have leave to bring in a Bill for an Act to provide for the Validation of Collections of Duties of Customs under Customs Tariff (Canadian Preference) Proposals.

Question—put and passed.

Sir Henry Gullett 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.

Sir Henry Gullett moved, by leave, That the Bill be now read a second time.

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.*)

Bill, by leave, taken as a whole, and agreed to.

Bill to be reported without amendment.

The House resumed ; Mr. Prowse reported accordingly.

On the motion of Sir Henry Gullett, the House adopted the Report, and, by leave, the Bill was read a third time.

12. SALES TAX AMENDMENT BILL.—Mr. Casey (Treasurer) moved, pursuant to notice, That he have leave to bring in a Bill for an Act to amend the Law relating to the Imposition, Assessment, Collection, and Recovery of a Tax upon the sale value of goods.

Question—put and passed.

13. AUSTRALIAN SOLDIERS' REPATRIATION BILL (1936).—The Order of the Day having been read for the second reading—Mr. Hughes (Minister for Repatriation) moved, That the Bill be now read a second time.

Mr. Curtin (Leader of the Opposition) 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 the next sitting.

14. NORTHERN TERRITORY REPRESENTATION BILL (1936).—The Order of the Day having been read for the second reading—Mr. Thomas Paterson (Minister for the Interior) moved, That the Bill be now read a second time.

Mr. Curtin (Leader of the Opposition) 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 the next sitting.

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15. CONSTITUTION ALTERATION (AVIATION) 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.*)

Bill, by leave, taken as a whole, and agreed to, after debate.

Bill to be reported without amendment.

The House resumed; Mr. Prowse reported accordingly.

On the motion of Mr. Menzies (Attorney-General), the House adopted the Report.

Mr. Menzies moved, by leave, That the Bill be now read a third time.

Question—put.

The House divided (The Speaker, Mr. Bell, in the Chair)—

Ayes, 50.

Noes, 7.

Mr. Aubrey Abbott	Mr. George Lawson
Mr. Barnard	Mr. John Lawson
Mr. Blackburn	Mr. Lyons
Mr. Brennan	Mr. G. W. Mahoney
Mr. A. G. Cameron	Mr. Makin
Sir Donald Cameron	Sir Charles Marr
Mr. Casey	Mr. Martens
Mr. Thomas Collins	Mr. McCall
Mr. Bernard Corser	Mr. McClelland
Mr. Curtin	Mr. McEwen
Mr. Drakeford	Mr. Menzies
Mr. J. V. Fairbairn	Mr. Nock
Mr. Fisker	Sir Archdale Parkhill
Mr. Forde	Mr. Thomas Paterson
Mr. Josiah Francis	Mr. Perkins
Mr. Roland Green	Mr. Price
Mr. Gregory	Mr. Prowse
Sir Henry Gullett	Mr. Scholfield
Mr. E. J. Harrison	Mr. Scullin
Mr. Holloway	Mr. Stacey
Mr. Holt	Mr. Street
Mr. Hughes	Mr. Thorby
Mr. Hunter	
Mr. Hutchinson	<i>Tellers:</i>
Mr. Jennings	Mr. Nairn
Mr. Lane	Mr. Thompson

Mr. Clark
Mr. James
Mr. Mulcahy
Mr. Rosevear
Mr. Ward

Tellers:

Mr. Gander
Mr. Garden

And so the question That the Bill be now read a third time—was resolved in the affirmative by an absolute majority of the Members of the House.

Bill accordingly read a third time.

16. REFERENDUM (CONSTITUTION ALTERATION) BILL (1936).—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—

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

The House resumed; Mr. Prowse reported accordingly.

Resolved—That the House will, at a later hour this day, again resolve itself into the said Committee.

17. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That Orders of the Day Nos. 3 to 11 be postponed until after Order of the Day No. 12, Government Business.

18. PUBLIC SERVICE BILL [No. 2] (1936).—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—

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

The House resumed; Mr. Prowse reported accordingly.

Resolved—That the House will, at a later hour this day, again resolve itself into the said Committee.

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19. REFERENDUM (CONSTITUTION ALTERATION) BILL (1936).—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 again resolved itself into a Committee of the Whole.

(In the Committee.)

Clause 2 agreed to.

Clause 3—

On the motion of Mr. Menzies (Attorney-General), the following amendments were made, after debate :—

Page 1, line 14, after “ amended ” insert—

“(a) by inserting in paragraph (a) of sub-section (1.), after the word ‘ law ’ (second occurring), the words ‘ and desire to forward such an argument ’ ;

(b) by inserting in paragraph (b) of sub-section (1.), after the word ‘ law ’ (second occurring), the words ‘ and desire to forward such an argument ’ ; and

(c) ”.

Page 1, line 16, omit “ three ”, insert “ four ”.

Clause, as amended, agreed to.

Clause 4 agreed to.

Title agreed to.

Bill to be reported with amendments.

The House resumed ; Mr. Prowse reported accordingly.

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

20. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the intervening Orders of the Day be postponed until after Orders of the Day Nos. 10, 11, and 13, Government Business.
21. ACTS INTERPRETATION BILL (1936).—The Order of the Day having been read for the second reading—Mr. Menzies (Attorney-General) moved, That the Bill be now read a second time. Mr. Curtin (Leader of the Opposition) 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 the next sitting.
22. BILLS OF EXCHANGE BILL (1936).—The Order of the Day having been read for the second reading—Mr. Menzies (Attorney-General) moved, That the Bill be now read a second time. Mr. Curtin (Leader of the Opposition) 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 the next sitting.
23. TRADE MARKS BILL (1935).—The Order of the Day having been read for the second reading—Mr. Menzies (Attorney-General) moved, That the Bill be now read a second time. Mr. Curtin (Leader of the Opposition) 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 the next sitting.
24. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That Orders of the Day Nos. 3 and 4 be postponed until after Order of the Day No. 5, Government Business.
25. FEDERAL AID ROADS BILL (1936).—The Order of the Day having been read for the further consideration in Committee of the whole House of His Excellency the Governor-General’s Message No. 118—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

(In the Committee.)

Debate resumed on the motion previously moved by Mr. Casey (Treasurer) (*see page 739*).

Question—That the motion be agreed to—put and passed.

Resolution to be reported.

The House resumed ; Mr. Prowse reported accordingly.

Mr. Casey 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.

The Resolution reported from the Committee was read, and, on the motion of Mr. Casey, was adopted by the House.

Ordered—That Mr. Casey and Mr. Menzies do prepare and bring in a Bill to carry out the foregoing Resolution.

Mr. Casey 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.

Mr. Casey moved, That the Bill be now read a second time.

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.)

Bill, by leave, taken as a whole, and agreed to.

Bill to be reported without amendment.

The House resumed ; Mr. Prowse reported accordingly.

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

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26. SUSPENSION OF STANDING ORDER No. 70.—Mr. Menzies (Attorney-General) moved, by leave, That Standing Order No. 70 (eleven o'clock rule) be suspended for the remainder of this sitting.
Question—put and passed.

27. MESSAGE FROM THE GOVERNOR-GENERAL.—COMMONWEALTH RAILWAYS BILL [No. 2] (1936).—The following Message from His Excellency the Governor-General was presented, and was read by Mr. Speaker :—

GOWRIE,

Governor-General.

Message No. 119.

In accordance with the requirements of section fifty-six of the Constitution of the Commonwealth of Australia, the Governor-General recommends to the House of Representatives that an appropriation of revenue be made for the purposes of a Bill for an Act to amend the *Commonwealth Railways Act 1917-1925*.

2nd March, 1936.

Ordered—That the foregoing Message be taken into consideration, in Committee of the whole House, forthwith.

Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

(In the Committee.)

Mr. Thomas Paterson (Minister for the Interior) moved, That it is expedient that an appropriation of revenue be made for the purposes of a Bill for an Act to amend the *Commonwealth Railways Act 1917-1925*.

Question—put and passed.

Resolution to be reported.

The House resumed ; Mr. Prowse reported accordingly.

Mr. Thomas Paterson 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.

The Resolution reported from the Committee was read, and, on the motion of Mr. Thomas Paterson, was adopted by the House.

Ordered—That Mr. Thomas Paterson and Mr. Menzies do prepare and bring in a Bill to carry out the foregoing Resolution.

Mr. Thomas Paterson 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 the next sitting.

28. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That Order of the Day No. 3 be postponed until after Order of the Day No. 4, Government Business.

29. TRADE COMMISSIONERS BILL (1936).—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.)

Bill, by leave, taken as a whole, and agreed to.

Bill to be reported without amendment.

The House resumed ; Mr. Prowse reported accordingly.

On the motion of Mr. Thorby (Assistant Minister for Commerce), the House adopted the Report, and, by leave, the Bill was read a third time.

30. PUBLIC SERVICE BILL [No. 2] (1936).—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 again resolved itself into a Committee of the Whole.

(In the Committee.)

Clause 2 agreed to.

Clause 3 debated and agreed to.

Clauses 4 to 6 agreed to.

Clause 7—

Mr. Blackburn moved, as an amendment, That after paragraph (a) the following new paragraph be inserted :—

“(aa) by inserting in sub-section (1.) after the word ‘punishable’ the words ‘by imprisonment’; and”.

Debate ensued.

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Question—That the amendment be agreed to—put.

The Committee divided (The Chairman, Mr. Prowse, in the Chair)—

Ayes, 17.

Mr. Barnard	Mr. Mulcahy
Mr. Blackburn	Mr. Perkins
Mr. Brennan	Mr. Price
Mr. Clark	Mr. Rosevear
Mr. Curtin	Mr. Ward
Mr. Forde	
Mr. Gardan	
Mr. Holloway	<i>Tellers:</i>
Mr. James	Mr. Gander
Mr. Makin	Mr. Martens

Noes, 29.

Mr. Aubrey Abbott	Mr. Lyons
Mr. A. G. Cameron	Sir Charles Marr
Sir Donald Cameron	Mr. McClelland
Mr. Casey	Mr. McEwen
Mr. Thomas Collins	Mr. Menzies
Mr. Bernard Corser	Mr. Nock
Mr. J. V. Fairbairn	Sir Archdale Parkhill
Mr. Fiskin	Mr. Thomas Paterson
Mr. Josiah Francis	Mr. Scholfield
Mr. E. J. Harrison	Mr. Street
Mr. Holt	Mr. Thorby
Mr. Hunter	
Mr. Hutchinson	
Mr. Jennings	<i>Tellers:</i>
Mr. Lane	Mr. Nairn
Mr. John Lawson	Mr. Thompson

And so it was negatived.

Clause agreed to.

Clauses 8 to 10 agreed to.

Clause 11 debated and agreed to.

New clauses—

On the motion of Mr. Hunter (Assistant Minister), the following new clauses were inserted:—

“ 12. Section ninety-seven of the Principal Act is amended by omitting from sub-section (2.) all the words from and including the words ‘ both Houses of the Parliament ’ and inserting in their stead the words ‘ each House of the Parliament within fifteen sitting days of that House after the approval of the regulations by the Governor-General ’.

“ 13. Section one hundred and eight of the Principal Act is amended by omitting from sub-section (2.) all the words from and including the words ‘ both Houses of the Parliament ’ and inserting in their stead the words ‘ each House of the Parliament within fifteen sitting days of that House after the approval of the regulations by the Governor-General ’.”

Title agreed to.

Bill to be reported with amendments.

The House resumed ; Mr. Prowse reported accordingly.

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

31. ALTERATION OF HOUR OF NEXT MEETING.—Mr. Menzies (Attorney-General) moved, That the House, at its rising, adjourn until eleven o'clock a.m. to-morrow.
Question—put and passed.

32. ADJOURNMENT.—Mr. Menzies (Attorney-General) moved, That the House do now adjourn.
Debate ensued.
Question—put and passed.

And then the House, at eleven minutes to twelve o'clock midnight, adjourned until to-morrow at eleven o'clock a.m.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except—Mr. Baker, Mr. Beasley, Mr. Frost, Mr. Gardner, Mr. Albert Green, Mr. E. F. Harrison, Mr. Hawker, Mr. Lazzarini, Mr. W. Maloney, Mr. McBride, Mr. Earle Page, Sir Frederick Stewart, Mr. D. O. Watkins, and Mr. White.

E. W. PARKES,
Clerk of the House of Representatives.