

1937-38-39.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA,
CANBERRA.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

No. 101.

THURSDAY, 7TH SEPTEMBER, 1939.

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. ADDITIONS TO GENERAL POST OFFICE, SYDNEY—REPORT OF ROYAL COMMISSION—MINISTERIAL STATEMENT.—Mr. Menzies (Prime Minister), by command of His Excellency the Governor-General, laid upon the Table the following Paper :—
Additions to General Post Office, Sydney—Contract for Erection—Report of Royal Commission,
and, by leave, made a Ministerial Statement informing the House of the action taken as a result of the findings of the Royal Commission.
Paper ordered to lie on the Table.
3. CONTROL OF PRICES AND PREVENTION OF PROFITEERING DURING THE WAR—MINISTERIAL STATEMENT.—Mr. Menzies (Prime Minister), by leave, made a Ministerial Statement announcing that the Government proposed to prevent exploitation during the present state of war, and informed the House of certain steps taken and proposed with a view to controlling prices and preventing profiteering.
4. PREPARATIONS FOR THE DEFENCE OF AUSTRALIA—MINISTERIAL STATEMENT.—Mr. Street (Minister for Defence), by leave, made a Ministerial Statement regarding the measures taken by the Government to provide for the adequate defence of Australia.
Mr. Curtin (Leader of the Opposition), by leave, also made a Statement with reference to the matter.
5. PAPERS.—The following Papers were presented, pursuant to Statute—
Defence Act—Royal Military College—Report for 1938.
Lands Acquisition Act—Land acquired for Defence purposes—
Bairnsdale, Victoria.
Frankston, Victoria.
National Debt Sinking Fund Act—National Debt Commission—Sixteenth Annual Report, for year 1938-39.
6. PUBLIC WORKS COMMITTEE—REFERENCE OF WORK—ERECTION OF HOSTEL AT FORREST, AUSTRALIAN CAPITAL TERRITORY.—Mr. Perkins (Minister representing the Minister for the Interior) moved, pursuant to notice, That, in accordance with the provisions of the *Commonwealth Public Works Committee Act 1913-1936*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for investigation and report, viz. :—The erection of a Hostel at Forrest, Australian Capital Territory.
Mr. Perkins having laid on the Table plans, &c., in connexion with the proposed work—
Debate ensued.
Mr. Nairn 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 a later hour this day.
7. TRADING WITH THE ENEMY BILL 1939.—The Order of the Day having been read for the second reading—
Mr. Hughes (Attorney-General) moved, 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.)

Clauses 1 and 2 agreed to.
Clause 3 debated and agreed to.
Clauses 4 to 14 agreed to.

7th and 8th September, 1939.

Clause 15 debated—

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

Page 6, line 40, omit " or a Minister ".

Page 6, after sub-clause (1.) insert the following sub-clause :—

“(1A.) Every licence granted in pursuance of this section shall be published in the *Gazette*.”.

Mr. Blackburn moved, as a further amendment, That after sub-clause (1A.) the following sub-clause be inserted :—

“(1B.) No transaction shall be exempt pursuant to this section or to any proclamation made under this Act unless the Governor-General declares that he is satisfied that the effect of the completion of the transaction will not be directly or indirectly to supply an enemy country with goods, wares or merchandise.”.

Debate continued.

Question—That the sub-clause proposed to be inserted be so inserted—put.

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

Ayes, 30.		Noes, 39.	
Mr. Barnard	Mr. Martens	Mr. Anthony	Mr. McEwen
Mr. Beasley	Mr. McHugh	Mr. Badman	Mr. Menzies
Mr. Blackburn	Mr. Mulcahy	Mr. Cameron	Mr. Nairn
Mr. Clark	Mr. Pollard	Mr. Casey	Sir Earle Page
Mr. Conclan	Mr. Riordan	Mr. Collins	Mr. Paterson
Mr. Curtin	Mr. Rosevear	Mr. Corser	Mr. Perkins
Mr. Drakeford	Mr. Scully	Mr. Fadden	Mr. Price
Mr. Forde	Mr. Sheehan	Mr. Francis	Mr. Rankin
Mr. Frost	Mr. Spurr	Mr. Gregory	Mr. Scholfield
Mr. Green	Mr. Thompson	Sir Henry Gullett	Mr. Spender
Mr. Holloway	Mr. Ward	Mr. Harrison	Mr. Stacey
Mr. James	Mr. Watkins	Mr. Holt	Sir Frederick Stewart
Mr. Lazzarini		Mr. Hughes	Mr. Street
Mr. Mahoney	<i>Tellers:</i>	Mr. Hunter	Mr. Thorby
Mr. Makin	Mr. Gander	Mr. Hutchinson	Mr. White
Mr. Maloney	Mr. George Lawson	Mr. Jennings	Mr. Wilson
		Mr. Jolly	
		Mr. Lane	<i>Tellers:</i>
		Mr. John Lawson	Mr. Gardner
		Sir Charles Marr	Mr. Nock
		Mr. McCall	

And so it was negatived.

Clause, as amended, agreed to.

Clause 16 agreed to.

Title agreed to.

Bill to be reported with amendments.

The House resumed ; Mr. Prowse reported accordingly.

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

8. JUDICIARY BILL 1939.—The Order of the Day having been read for the second reading—Mr. Hughes (Attorney-General) moved, 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.

Bill to be reported without amendment.

The House resumed ; Mr. Nairn reported accordingly.

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

9. NATIONAL SECURITY BILL 1939.—The Order of the Day having been read for the second reading—Mr. Menzies (Prime Minister) moved, That the Bill be now read a second time.

Debate ensued.

The House continuing to sit until after midnight—

FRIDAY, 8TH SEPTEMBER, 1939.

Debate continued.

Question—put.

7th and 8th September, 1939.

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

Ayes, 34.		Noes, 26.	
Mr. Anthony	Mr. Nairn	Mr. Barnard	Mr. Martens
Mr. Cameron	Mr. Paterson	Mr. Beasley	Mr. Mulcahy
Mr. Casey	Mr. Perkins	Mr. Blackburn	Mr. Pollard
Mr. Collins	Mr. Price	Mr. Brennan	Mr. Riordan
Mr. Corser	Mr. Prowse	Mr. Clark	Mr. Rosevear
Mr. Fadden	Mr. Rankin	Mr. Conelan	Mr. Scully
Mr. Francis	Mr. Scholfield	Mr. Drakeford	Mr. Sheehan
Sir Henry Gullett	Mr. Spender	Mr. Forde	Mr. Spurr
Mr. Harrison	Sir Frederick Stewart	Mr. Frost	Mr. Ward
Mr. Holt	Mr. Street	Mr. Holloway	Mr. Watkins
Mr. Hunter	Mr. Thompson	Mr. James	
Mr. Hutchinson	Mr. Thorby	Mr. Lazzarini	<i>Tellers:</i>
Mr. Jennings	Mr. White	Mr. Mahoney	Mr. Gander
Mr. Jolly	Mr. Wilson	Mr. Makin	Mr. George Lawson
Mr. John Lawson			
Sir Charles Marr	<i>Tellers:</i>		
Mr. McCall	Mr. Gardner		
Mr. McEwen	Mr. Nock		

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

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

(In the Committee.)

Clauses 1 to 4 agreed to.

Clause 5—

Mr. Blackburn moved, as an amendment, That the words “and for prescribing all matters which, by this Act, are required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for the more effectual prosecution of the present war, or for carrying out or giving effect to this Act” (page 3, lines 9–12) be omitted.

Debate ensued.

Question—That the words proposed to be omitted stand part of the clause—put.

The Committee divided (The Temporary Chairman, Mr. Collins, in the Chair).

Ayes, 31.		Noes, 26.	
Mr. Anthony	Mr. Paterson	Mr. Barnard	Mr. Mulcahy
Mr. Cameron	Mr. Perkins	Mr. Beasley	Mr. Pollard
Mr. Casey	Mr. Price	Mr. Blackburn	Mr. Riordan
Mr. Corser	Mr. Prowse	Mr. Brennan	Mr. Rosevear
Mr. Fadden	Mr. Rankin	Mr. Clark	Mr. Scully
Mr. Francis	Mr. Scholfield	Mr. Conelan	Mr. Sheehan
Sir Henry Gullett	Mr. Spender	Mr. Drakeford	Mr. Spurr
Mr. Harrison	Sir Frederick Stewart	Mr. Forde	Mr. Ward
Mr. Holt	Mr. Street	Mr. Frost	Mr. Watkins
Mr. Hunter	Mr. Thompson	Mr. Holloway	Mr. Wilson
Mr. Hutchinson	Mr. Thorby	Mr. James	
Mr. Jennings	Mr. White	Mr. Lazzarini	<i>Tellers:</i>
Mr. Jolly		Mr. Makin	Mr. Gander
Mr. John Lawson	<i>Tellers:</i>	Mr. Martens	Mr. George Lawson
Sir Charles Marr	Mr. Gardner		
Mr. McCall	Mr. Nock		
Mr. McEwen			

And so it was resolved in the affirmative.

Debate continued.

Further consideration of clause postponed.

Clauses 6 and 7 agreed to.

Clause 8 debated—

On the motion of Mr. Spender (Minister assisting the Treasurer), the following amendments were made:—

Page 4, line 34, after “court” insert “(not being a court of summary jurisdiction)”.

Page 4, line 35, omit “expedient”, insert “necessary”.

Clause, as amended, agreed to.

Postponed clause 5 further considered, by leave.

On the motion of Mr. Spender, the following amendment was made:—

Page 3, omit sub-clause (4.), insert the following sub-clause:—

“(4.) Section forty-eight (except paragraphs (a) and (b) of sub-section (1.) and sub-section (2.)) and section forty-nine of the *Acts Interpretation Act 1901–1937* shall apply to orders, rules and by-laws, which are of a legislative and not an executive character, in like manner as they apply to regulations.”

On the motion of Mr. Blackburn, the following further amendment was made:—

Page 3, line 40, after “conscription” insert “, or the extension of any existing obligation to render compulsory naval, military or air-force service”.

7th and 8th September, 1939.

Clause, as amended, agreed to.

Clauses 9 to 12 agreed to.

Clause 13 debated—

On the motion of Mr. Spender, the following amendment was made :—

Page 6, lines 19–20, omit “ a reasonable time ”, insert “ ten days from the date of his arrest ”.

Clause, as amended, agreed to.

Clauses 14 to 17 agreed to.

Clause 18 debated—

Question—That the clause be agreed to—put.

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

Ayes, 30.

Mr. Anthony	Mr. Paterson
Mr. Cameron	Mr. Perkins
Mr. Casey	Mr. Price
Mr. Collins	Mr. Prowse
Mr. Corser	Mr. Rankin
Mr. Francis	Mr. Scholfield
Sir Henry Gullett	Mr. Spender
Mr. Harrison	Sir Frederick Stewart
Mr. Holt	Mr. Street
Mr. Hunter	Mr. Thompson
Mr. Jennings	Mr. Thorby
Mr. Jolly	Mr. White
Mr. John Lawson	
Sir Charles Marr	<i>Tellers:</i>
Mr. McCall	Mr. Gardner
Mr. McEwen	Mr. Nock

Noes, 26.

Mr. Barnard	Mr. Mulcahy
Mr. Beasley	Mr. Pollard
Mr. Blackburn	Mr. Riordan
Mr. Brennan	Mr. Rosevear
Mr. Clark	Mr. Scully
Mr. Conclan	Mr. Sheehan
Mr. Drakeford	Mr. Spurr
Mr. Forde	Mr. Ward
Mr. Frost	Mr. Watkins
Mr. Holloway	Mr. Wilson
Mr. James	
Mr. Lazzarini	<i>Tellers:</i>
Mr. Makin	Mr. Gander
Mr. Martens	Mr. George Lawson

And so it was resolved in the affirmative.

Clause 19—

Mr. Forde moved, as an amendment, That the words “ during the present state of war and for a period of six months thereafter ” (page 7, lines 21–22) be omitted with a view to the insertion of the words “ for a period of twelve months ” in place thereof.

Question—That the words proposed to be omitted stand part of the clause—put.

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

Ayes, 29.

Mr. Anthony	Mr. Paterson
Mr. Cameron	Mr. Perkins
Mr. Casey	Mr. Price
Mr. Collins	Mr. Prowse
Mr. Corser	Mr. Rankin
Mr. Francis	Mr. Scholfield
Sir Henry Gullett	Mr. Spender
Mr. Harrison	Sir Frederick Stewart
Mr. Holt	Mr. Street
Mr. Hunter	Mr. Thorby
Mr. Jennings	Mr. White
Mr. Jolly	
Mr. John Lawson	
Sir Charles Marr	<i>Tellers:</i>
Mr. McCall	Mr. Gardner
Mr. McEwen	Mr. Nock

Noes, 27.

Mr. Barnard	Mr. Pollard
Mr. Beasley	Mr. Riordan
Mr. Blackburn	Mr. Rosevear
Mr. Brennan	Mr. Scully
Mr. Clark	Mr. Sheehan
Mr. Conclan	Mr. Spurr
Mr. Drakeford	Mr. Thompson
Mr. Forde	Mr. Ward
Mr. Frost	Mr. Watkins
Mr. Holloway	Mr. Wilson
Mr. James	
Mr. Lazzarini	<i>Tellers:</i>
Mr. Makin	Mr. Gander
Mr. Martens	Mr. George Lawson
Mr. Mulcahy	

And so it was resolved in the affirmative.

Clause agreed to.

Title agreed to.

Bill to be reported with amendments.

The House resumed ; Mr. Fadden reported accordingly.

Mr. Spender asked leave to move, That the Report be adopted.

Objection being raised, leave not granted.

Mr. Spender moved, pursuant to contingent notice, That so much of the Standing Orders be suspended as would prevent the remaining stages being passed without delay.

7th and 8th September, 1939.

Question—put.

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

Ayes, 32.		Noes, 26.	
Mr. Anthony	Mr. McEwen	Mr. Barnard	Mr. Mulcahy
Mr. Cameron	Mr. Paterson	Mr. Beasley	Mr. Pollard
Mr. Casey	Mr. Perkins	Mr. Blackburn	Mr. Riordan
Mr. Collins	Mr. Price	Mr. Brennan	Mr. Rosevear
Mr. Corser	Mr. Prowse	Mr. Clark	Mr. Scully
Mr. Fadden	Mr. Rankin	Mr. Conelan	Mr. Sheehan
Mr. Francis	Mr. Scholfield	Mr. Drakeford	Mr. Spurr
Sir Henry Gullett	Mr. Spender	Mr. Forde	Mr. Ward
Mr. Harrison	Sir Frederick Stewart	Mr. Frost	Mr. Watkins
Mr. Holt	Mr. Street	Mr. Holloway	Mr. Wilson
Mr. Hunter	Mr. Thompson	Mr. James	
Mr. Hutchinson	Mr. Thorby	Mr. Lazzarini	<i>Tellers:</i>
Mr. Jennings	Mr. White	Mr. Makin	Mr. Gander
Mr. Jolly		Mr. Martens	Mr. George Lawson
Mr. John Lawson	<i>Tellers:</i>		
Sir Charles Marr	Mr. Gardner		
Mr. McCall	Mr. Nock		

And so it was resolved in the affirmative.

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

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

Question—put.

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

Ayes, 32.		Noes, 26.	
Mr. Anthony	Mr. McEwen	Mr. Barnard	Mr. Mulcahy
Mr. Cameron	Mr. Paterson	Mr. Beasley	Mr. Pollard
Mr. Casey	Mr. Perkins	Mr. Blackburn	Mr. Riordan
Mr. Collins	Mr. Price	Mr. Brennan	Mr. Rosevear
Mr. Corser	Mr. Prowse	Mr. Clark	Mr. Scully
Mr. Fadden	Mr. Rankin	Mr. Conelan	Mr. Sheehan
Mr. Francis	Mr. Scholfield	Mr. Drakeford	Mr. Spurr
Sir Henry Gullett	Mr. Spender	Mr. Forde	Mr. Ward
Mr. Harrison	Sir Frederick Stewart	Mr. Frost	Mr. Watkins
Mr. Holt	Mr. Street	Mr. Holloway	Mr. Wilson
Mr. Hunter	Mr. Thompson	Mr. James	
Mr. Hutchinson	Mr. Thorby	Mr. Lazzarini	<i>Tellers:</i>
Mr. Jennings	Mr. White	Mr. Makin	Mr. Gander
Mr. Jolly		Mr. Martens	Mr. George Lawson
Mr. John Lawson	<i>Tellers:</i>		
Sir Charles Marr	Mr. Gardner		
Mr. McCall	Mr. Nock		

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

10. ALTERATION OF HOUR OF NEXT MEETING.—Mr. Spender (Minister assisting the Treasurer) moved, That the House, at its rising, adjourn until this day at half-past three o'clock p.m.

Question—put and passed.

11. ADJOURNMENT.—Mr. Spender (Minister assisting the Treasurer) moved, That the House do now adjourn.

Question—put and passed.

And then the House, at half-past eight o'clock in the morning, adjourned until this day at half-past three o'clock p.m.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except Mr. Fairbairn.

F. C. GREEN,
Clerk of the House of Representatives.