

1943-44.

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

## VOTES AND PROCEEDINGS

OF THE

## HOUSE OF REPRESENTATIVES.

No. 23.

TUESDAY, 7TH MARCH, 1944.

1. The House met, at three o'clock p.m., pursuant to adjournment.—Mr. Speaker (the Honorable J. S. Rosevear) took the Chair, and read Prayers.
2. DEATH OF THE HONORABLE SIR GEORGE BELL.—Mr. Curtin (Prime Minister) informed the House of the death on the 5th March of the Honorable Sir George Bell, and moved, That this House records its sincere regret at the death of the Honorable Sir George John Bell, K.C.M.G., D.S.O., V.D., a former Member of the House of Representatives for the Division of Darwin and Speaker of the House, places on record its appreciation of his meritorious public service, and tenders its deep sympathy to his widow and the members of his family in their bereavement.  
And Mr. Menzies (Leader of the Opposition) having seconded the motion, and other honorable Members having addressed the House in support thereof, and all Members present having risen, in silence—  
Question—passed.
3. SUSPENSION OF SITTING AS MARK OF RESPECT.—Mr. Curtin (Prime Minister) then moved, as a mark of respect to the memory of the late Sir George Bell, That the sitting of the House be suspended until five o'clock p.m. this day.  
Question—put and passed.
4. RESUMPTION OF SITTING.—At five o'clock p.m., Mr. Speaker resumed the Chair.
5. PAPERS.—The following Papers were presented, pursuant to Statute—
  - Lands Acquisition Act and National Security (Supplementary) Regulations—Orders—Land acquired for Commonwealth purposes—
    - Bendigo, Victoria.
    - Maribyrnong, Victoria.
  - National Security Act—
    - National Security (Agricultural Aids) Regulations—Orders—
      - Bran and pollard (Restriction of sales).
      - Rotenone materials.
    - National Security (Egg Industry) Regulations—Order—Egg industry (No. 9).
    - National Security (Food Control) Regulations—Order—No. 6.
    - National Security (General) Regulations—
      - Orders—
        - Control of cleaning agents (No. 2).
        - Prohibited place.
        - Taking possession of land, &c. (49).
        - Use of land (6).
      - Orders by State Premiers—
        - New South Wales (No. 44).
        - Victoria (No. 55).
    - National Security (Supplementary) Regulations—Orders by State Premier—Queensland (2—dated 1st December, 1943, and 10th February, 1944).
  - Women's Employment Act—Regulations—Statutory Rules 1944, No. 42.

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6. MESSAGE FROM THE SENATE.—PHARMACEUTICAL BENEFITS BILL 1944.—Mr. Speaker announced the receipt of the following Message from the Senate :—

MR. SPEAKER,

Message No. 18.

The Senate has passed a Bill for “ *An Act to make provision for the Supply of Pharmaceutical Benefits* ”, and transmits the same to the House of Representatives for its concurrence.

GORDON BROWN,  
President.

The Senate,  
Canberra, 2nd March, 1944.

Mr. Holloway (Minister representing the Minister for Health) moved, That the Bill transmitted by the foregoing Message 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.

7. MESSAGE FROM THE SENATE.—COAL PRODUCTION (WAR-TIME) BILL 1944.—Mr. Speaker announced the receipt of the following Message from the Senate :—

MR. SPEAKER,

Message No. 19.

The Senate returns to the House of Representatives the Bill for “ *An Act to secure increased Production of Coal, and to provide for Distribution of Coal, in the interests of the Defence of the Commonwealth and the effectual Prosecution of the present War, and for other purposes* ”, and acquaints the House that the Senate has agreed to the Bill with the Amendment indicated by the annexed Schedule, in which Amendment the Senate requests the concurrence of the House of Representatives.

GORDON BROWN,  
President.

The Senate,  
Canberra, 3rd March, 1944.

Mr. Evatt (Attorney-General) moved, That the foregoing Message be taken into consideration, in Committee of the whole House, forthwith.

Debate ensued.

Question—put and passed.

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

(In the Committee.)

The Committee proceeded to consider the Amendment which is as follows :—

SCHEDULE OF THE AMENDMENT MADE BY THE SENATE.

Page 13, clause 34, lines 1 to 3, leave out “ and any industrial dispute or matter referred to the Local Industrial Authority by a Production Committee ”.

On the motion of Mr. Evatt, the Amendment was agreed to, after debate.

Resolution to be reported.

The House resumed ; Mr. Riordan reported accordingly.

On the motion of Mr. Evatt, the House adopted the Report, after debate.

8. MESSAGE FROM THE SENATE.—COAL MINES PROFITS (WAR-TIME) BILL 1944.—Mr. Speaker announced the receipt of the following Message from the Senate :—

MR. SPEAKER,

Message No. 20.

The Senate returns to the House of Representatives the Bill for “ *An Act to provide for the payment by the Owners of Controlled Coal Mines of Additional Profits which have accrued as a result of the exercise of Control by the Commonwealth Coal Commissioner* ”, and acquaints the House that the Senate has agreed to the Bill without amendment.

GORDON BROWN,  
President.

The Senate,  
Canberra, 3rd March, 1944.

9. NEW STANDING ORDER—COMMITTEE OF PRIVILEGES.—Mr. Curtin (Prime Minister) moved, pursuant to notice, That the following new Standing Order be adopted by the House :—

“ 322A. A Committee of Privileges, to consist of seven Members, shall be appointed at the commencement of each Parliament, or as soon thereafter as is practicable, to enquire into and report upon complaints of breach of Privilege which may be referred to it by the House.”.

Question—put and passed.

10. COMMITTEE OF PRIVILEGES.—Mr. Curtin (Prime Minister) moved, by leave, That Mr. Clark, Mr. Evatt, Mr. Forde, Mr. Harrison, Mr. Hutchinson, Mr. McEwen and Mr. Pollard be Members of the Committee of Privileges ; five to form a quorum.

Question—put and passed.

11. COMMITTEE OF PRIVILEGES—CENSORSHIP OF MEMBERS' CORRESPONDENCE.—Mr. Curtin (Prime Minister) moved, by leave, That the matter of Privilege, brought before this House on the 25th February by the honorable Member for Barker, regarding the opening by censors of letters addressed to Members of this House, be referred to the Committee of Privileges for enquiry and report.

Question—put and passed.

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12. CONSTITUTION ALTERATION (POST-WAR RECONSTRUCTION) BILL 1944.—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—*And on the Amendment moved thereto by Mr. Menzies, viz. :—*That all words after “ That ” be omitted with a view to inserting the following in place thereof :—

- “ (1) the reinstatement and advancement of those who have been members of the Fighting Services of the Commonwealth in any war and the advancement of the dependants of those members who have died or been disabled as the consequence of such war, the reinstatement and rehabilitation of those other persons, who by reason of war conditions have been displaced from their normal peace-time occupations, the reconstruction of primary and secondary industry are the first obligations of government in the immediate period after the war ;
- (2) that the existing powers of the Commonwealth are not shown to be inadequate for such purposes ;
- (3) that it is, however, proper that any doubt on these points should be resolved by appropriate Constitutional amendment ;
- (4) that no amendment should be approved which would authorize the socialization of industry, the undue centralization of administration, or the maintenance of such laws as unnecessarily interfere with the liberty of citizens to choose their own means of living and to exercise their rights as free people ;
- (5) further, that the House is concerned at the extent of the surrender of legislative powers to administrative officials ;
- (6) that, to afford adequate power to the Government and sufficient protection to the citizen, the Bill should be withdrawn and redrafted so as to declare or provide, over a period of five years from the termination of actual hostilities, that the Commonwealth Parliament has, or should have (as the case may be) power to make laws for the peace, order and good government of the Commonwealth with respect to the fullest repatriation powers ; the use of grants, loans, insurance, training and public works for the provision of employment and the prevention or correction of unemployment ; the organized marketing of primary products of which there is normally an export surplus ; and, notwithstanding anything contained in section 92, the prevention of unreasonable restraint of trade ; the prevention of inflation ; the use of economic regulations only to the extent necessary to deal with the problem of transition from war to peace ; air transport ; national health ; family endowment ; and the people of the aboriginal race ; but should not have power to enable the Executive to engage in any civil production, industry, or commercial process, not authorized by its now existing powers ;
- (7) that provision should be made that during such period the exercise of such additional powers, when it possesses a legislative nature, should be by Parliament or, if performed by virtue of some delegation by Parliament, should be in terms which when Parliament is sitting have been first laid before and not disapproved by Parliament, and when Parliament is not sitting have been circulated to members at least 14 days before becoming operative ;
- (8) that provision should be made for the setting up, within a period of two years after the termination of actual hostilities, of an elective popular convention for the review of the structure and working of the Constitution ”—

Debate resumed.

Ordered—That Mr. Hughes be granted an extension of time.

Debate continued.

Sir Earle Page 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.

13. ADJOURNMENT.—Mr. Evatt (Attorney-General) moved, That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at twenty-one minutes past eleven o'clock p.m., adjourned until to-morrow at half-past two o'clock p.m.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except Mr. Abbott, Mr. Anthony, Mr. Blain\*, Mr. Brennan, Mr. Francis, Mr. Frost, Mr. Langtry, Mr. Lawson, Mr. Rankin, and Mr. Watkins.

\* On leave.

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