

1944.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

VOTES AND PROCEEDINGS
OF THE
HOUSE OF REPRESENTATIVES.

No. 29.

WEDNESDAY, 29TH NOVEMBER, 1944.

1. The House met, at half-past ten o'clock a.m., pursuant to adjournment.—Mr. Speaker (the Honorable J. S. Rosevear) took the Chair, and read Prayers.
2. **SUSPENSION OF STANDING ORDERS—PRECEDENCE TO WANT OF CONFIDENCE MOTION.**—Mr. Forde (Acting Prime Minister) moved, by leave, That so much of the Standing Orders be suspended as would prevent the Notice of Motion (Want of Confidence in the Government) taking precedence of all other Business until disposed of.
Question—put and passed.
3. **POINT OF ORDER.**—Mr. Conelan raised a Point of Order that the matters included in the Want of Confidence motion proposed to be moved by Mr. Menzies (Leader of the Opposition) were not in order.
Speaker's Ruling.—Mr. Speaker said that he had examined the terms of the proposed motion, and ruled that the motion was in order.
4. **WANT OF CONFIDENCE IN THE GOVERNMENT.**—Mr. Menzies (Leader of the Opposition) moved, pursuant to notice, That this House places on record its belief that—
- (1) by its public attack (made through a Minister speaking from his place in the House) upon the integrity of Justices of the High Court ;
 - (2) by its attempt (made through Ministers who still retain office) to intimidate a public officer in respect of Court Proceedings to which the Minister for the Interior was a party ;
 - (3) by its attempt to put the Coal Tribunals beyond the control of the High Court ;
 - (4) by its interference with the discretion reposed in the Maritime Industries Commission presided over by a Judge ; and
 - (5) by its feeble failure to enforce the laws against wartime strikers ;
- the Government is undermining the authority of the Courts and of the Law and is thereby injuring the basic structure of Australian democracy, and is therefore deserving of the censure of this House.
Point of Order.—Mr. Burke raised a Point of Order that the matter referred to in paragraph (2) of the motion was *sub judice* and could not be discussed.
Speaker's Ruling.—Mr. Speaker ruled that the matter was not *sub judice* and that debate thereon would be in order.
Debate ensued.
Ordered—That Mr. Fadden be granted an extension of time.
Ordered—That Mr. Evatt (Attorney-General) be granted an extension of time.
Debate continued.
Several Members rising to address the House—
Closure.—Mr. Chifley (Treasurer) moved, That the question be now put.
Question—That the question be now put—put.
The House divided (The Speaker, Mr. Rosevear, in the Chair)—

Ayes, 40.

Mr. Barnard	Mr. Johnson
Mr. Breen	Mr. Langtry
Mr. Brennan	Mr. Lazzarini
Mr. Bryson	Mr. Lemmon
Mr. Burke	Mr. Makin
Mr. Calwell	Mr. McLeod
Mr. Chambers	Mr. Morgan
Mr. Chifley	Mr. Mulcahy
Mr. Clark	Mr. Riordan
Mr. Conelan	Mr. Russell
Mr. Daly	Mr. Scullin
Mr. Dedman	Mr. Scully
Mr. Evatt	Mr. Sheehy
Mr. Forde	Mr. Smith
Mr. Fraser	Mr. Ward
Mr. Frost	Mr. Watkins
Mr. Fuller	Mr. Williams
Mr. Gaha	
Mr. Hadley	<i>Tellers:</i>
Mr. Haylen	Mr. Martens
Mr. Holloway	Mr. Sheehan

Noes, 21.

Mr. Abbott	Mr. McDonald
Mr. Adermann	Mr. McEwen
Mr. Anthony	Mr. Menzies
Mr. Bowden	Mr. Rankin
Mr. Cameron	Mr. Ryan
Mr. Fadden	Mr. Spender
Mr. Francis	Mr. White
Mr. Harrison	
Mr. Holt	<i>Tellers:</i>
Mr. Hughes	
Mr. Hutchinson	Mr. Coles
Dame Enid Lyons	Mr. Guy.

And so it was resolved in the affirmative.

29th November, 1944.

And the question—That the motion be agreed to—being accordingly put—
The House divided (The Speaker, Mr. Rosevear, in the Chair)—

Ayes, 21.

Mr. Abbott	Dame Enid Lyons
Mr. Adermann	Mr. McDonald
Mr. Anthony	Mr. McEwen
Mr. Bowden	Mr. Rankin
Mr. Cameron	Mr. Ryan
Mr. Coles	Mr. Spender
Mr. Fadden	Mr. White
Mr. Francis	
Mr. Harrison	
Mr. Holt	
Mr. Hughes	
Mr. Hutchinson	

Tellers:

Mr. Corser
Mr. Guy

Noes, 40.

Mr. Barnard	Mr. Johnson
Mr. Breen	Mr. Langtry
Mr. Brennan	Mr. Lazzarini
Mr. Bryson	Mr. Lemmon
Mr. Burke	Mr. Makin
Mr. Calwell	Mr. McLeod
Mr. Chambers	Mr. Morgan
Mr. Chifley	Mr. Mulcahy
Mr. Clark	Mr. Riordan
Mr. Conelan	Mr. Russell
Mr. Daly	Mr. Scullin
Mr. Dedman	Mr. Scully
Mr. Evatt	Mr. Sheehy
Mr. Forde	Mr. Smith
Mr. Fraser	Mr. Ward
Mr. Frost	Mr. Watkins
Mr. Fuller	Mr. Williams
Mr. Gaha	
Mr. Hadley	
Mr. Haylen	
Mr. Holloway	

Tellers:

Mr. Martens
Mr. Sheehan

And so it was negatived.

5. ALUMINIUM INDUSTRY 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. Fadden, viz.:*—That all words after “That” be omitted with a view to inserting the following words in place thereof:—“the Bill be withdrawn for the purpose of referring the matter to the Tariff Board for investigation and report”—

Debate resumed.

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

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

Ayes, 34.

Mr. Barnard	Mr. Johnson
Mr. Breen	Mr. Lazzarini
Mr. Bryson	Mr. Lemmon
Mr. Burke	Mr. Makin
Mr. Calwell	Mr. McLeod
Mr. Chambers	Mr. Morgan
Mr. Chifley	Mr. Mulcahy
Mr. Conelan	Mr. Riordan
Mr. Daly	Mr. Russell
Mr. Dedman	Mr. Scully
Mr. Evatt	Mr. Sheehy
Mr. Forde	Mr. Smith
Mr. Fraser	Mr. Ward
Mr. Frost	Mr. Williams
Mr. Fuller	
Mr. Hadley	
Mr. Haylen	
Mr. Holloway	

Tellers:

Mr. Martens
Mr. Sheehan

Noes, 20.

Mr. Abbott	Dame Enid Lyons
Mr. Adermann	Mr. McDonald
Mr. Anthony	Mr. McEwen
Mr. Bowden	Mr. Rankin
Mr. Cameron	Mr. Ryan
Mr. Fadden	Mr. Spender
Mr. Francis	Mr. White
Mr. Harrison	
Mr. Holt	
Mr. Hughes	
Mr. Hutchinson	

Tellers:

Mr. Corser
Mr. Guy

And so it was resolved in the affirmative.

Question—That the Bill be now read a second time—put.

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

Ayes, 38.

Mr. Adermann	Mr. Holloway
Mr. Barnard	Mr. Johnson
Mr. Bowden	Mr. Lazzarini
Mr. Breen	Mr. Lemmon
Mr. Bryson	Dame Enid Lyons
Mr. Burke	Mr. Makin
Mr. Calwell	Mr. McLeod
Mr. Chambers	Mr. Morgan
Mr. Chifley	Mr. Mulcahy
Mr. Conelan	Mr. Riordan
Mr. Daly	Mr. Russell
Mr. Dedman	Mr. Scully
Mr. Evatt	Mr. Sheehy
Mr. Forde	Mr. Smith
Mr. Fraser	Mr. Ward
Mr. Frost	Mr. Williams
Mr. Fuller	
Mr. Guy	
Mr. Hadley	
Mr. Haylen	

Tellers:

Mr. Martens
Mr. Sheehan

Noes, 16.

Mr. Abbott
Mr. Anthony
Mr. Cameron
Mr. Fadden
Mr. Harrison
Mr. Holt
Mr. Hughes
Mr. Hutchinson
Mr. McDonald
Mr. McEwen
Mr. Rankin
Mr. Ryan
Mr. Spender
Mr. White

Tellers:

Mr. Corser
Mr. Francis

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

29th November, 1944.

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

(*In the Committee.*)

Clause 1—

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

The House resumed ; Mr. Riordan reported accordingly.

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

6. ALTERATION OF HOUR OF NEXT MEETING.—Mr. Forde (Acting Prime Minister) moved, That the House, at its rising, adjourn until to-morrow at half-past ten o'clock a.m.
Question—put and passed.
7. SUSPENSION OF STANDING ORDER No. 70.—Mr. Forde (Acting Prime Minister) moved, by leave, That Standing Order No. 70 (eleven o'clock rule) be suspended for the remainder of this week.
Question—put and passed.
8. POSTPONEMENT OF BUSINESS.—Ordered—That the intervening business be postponed until after Notice of Motion No. 1, Government Business.
9. PRECEDENCE TO GOVERNMENT BUSINESS.—Mr. Forde (Acting Prime Minister) moved, pursuant to notice, That Government Business shall take precedence over General Business to-morrow.
Question—put and passed.
10. RELEASE OF INTERNEES—MINISTERIAL STATEMENT.—Mr. Forde (Acting Prime Minister), by leave, made a Ministerial Statement informing the House of the conditions regulating the release of alien internees.
11. MESSAGE FROM THE ADMINISTRATOR.—ALUMINIUM INDUSTRY BILL 1944.—The following Message from His Excellency the Administrator of the Government of the Commonwealth was presented, and was read by Mr. Speaker :—

W. DUGAN,

Administrator.

Message No. 15.

In accordance with the requirements of section fifty-six of the Constitution of the Commonwealth of Australia, the Administrator of the Government of the Commonwealth of Australia recommends to the House of Representatives that an appropriation of revenue be made for the purposes of a Bill for an Act to approve and give effect to an Agreement made between the Commonwealth and the State of Tasmania with respect to the Production, for the purposes of Defence, of Ingot Aluminium, and for other purposes.

Canberra, 26th September, 1944.

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. Evatt (Attorney-General) moved, That it is expedient that an appropriation of revenue be made for the purposes of a Bill for an Act to approve and give effect to an Agreement made between the Commonwealth and the State of Tasmania with respect to the Production, for the purposes of Defence, of Ingot Aluminium, and for other purposes.

Debate ensued.

Question—put and passed.

Mr. Evatt moved, That the Resolution be reported.

Debate ensued.

Question—put and passed.

The House resumed ; Mr. Riordan reported accordingly.

The said Resolution was read, and, on the motion of Mr. Evatt, by leave, was adopted by the House.

12. ALUMINIUM INDUSTRY BILL 1944.—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 resolved itself into a Committee of the Whole.

(*In the Committee.*)

Clauses 1 to 3 agreed to.

Clause 4—

Mr. Abbott moved, as an amendment, That the following words be added to the clause :—“ subject to the Commonwealth representation on the Commission being increased to three, one of whom shall be a representative of the Treasury ”.

Debate ensued.

Amendment negatived.

Clause agreed to.

Clauses 5 to 8 agreed to.

29th and 30th November, 1944.

Clause 9—

Dame Enid Lyons moved, as an amendment, That the following words be added to the clause :—
“ and by both Houses of the Tasmanian Parliament ”.

Debate ensued.

Further consideration of clause and amendment postponed until after the Schedule.

Clause 10 postponed until after the Schedule.

Clauses 11 to 15 agreed to.

Schedule debated and agreed to.

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

The House resumed ; Mr. Riordan reported accordingly.

Resolved—That the House will, at the next sitting, again resolve itself into the said Committee.

13. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That Order of the Day No. 2 be postponed until after Order of the Day No. 3, Government Business.
14. WINE EXPORT BOUNTY BILL 1944.—The Order of the Day having been read for the second reading—
Mr. Forde (Acting Minister for Trade and Customs) moved, That the Bill be now read a second time.
Mr. White 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.
15. MESSAGE FROM THE SENATE.—STATES GRANTS (DROUGHT RELIEF) BILL 1944.—Mr. Speaker announced the receipt of the following Message from the Senate :—

MR. SPEAKER,

Message No. 22.

The Senate returns to the House of Representatives the Bill for “ *An Act to grant and apply out of the Consolidated Revenue Fund a Sum for the purpose of making Grants to certain States for the purpose of Drought Relief* ”, and acquaints the House that the Senate has agreed to the Bill without amendment.

GORDON BROWN,
President.

The Senate,

Canberra, 29th November, 1944.

16. PAPERS.—The following Papers were presented, pursuant to Statute—
Lands Acquisition Act—Land acquired for Commonwealth purposes—Pearce, Western Australia.
Seat of Government Acceptance Act and Seat of Government (Administration) Act—
Regulation—1944—No. 5 (Education Ordinance).
17. ADJOURNMENT.—Mr. Forde (Acting Prime Minister) moved, That the House do now adjourn.
Debate ensued.

The House continuing to sit until after midnight—

THURSDAY, 30TH NOVEMBER, 1944.

Debate continued.

Question—put and passed.

And then the House, at nineteen minutes to one o'clock in the morning, adjourned until this day at half-past ten o'clock a.m.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except Mr. Beasley, Mr. Blain*, Mr. Curtin, Mr. Drakeford, Mr. Falstein, Mr. James, Mr. Lawson, Mr. Mountjoy, Sir Earle Page, Mr. Pollard, Sir Frederick Stewart, and Mr. Wilson.

* On leave.

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