THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

VOTES AND PROCEEDINGS

OF THE

REPRESENTATIVES. HOUSE OF

No. 107.

TUESDAY, 9TH APRIL, 1946.

- 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. RETURN TO WRIT (HENTY DIVISION).-Mr. Speaker announced that he had received a Return to the Writ which he had issued on the 25th February last for the election of a Member to serve for the Electoral Division of Henty, in the State of Victoria, to fill the vacancy caused by the resignation of Mr. Arthur William Coles, and that by the endorsement on the Writ, it was certified that Henry Baynton Gullett had been elected in pursuance of the said Writ.
- 3. MEMBER SWORN.-Henry Baynton Gullett, Esquire, was introduced, and made and subscribed the Oath required by law.
- 4. ALTERATION OF HOUR OF NEXT MEETING .- Mr. Chifley (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.
- 5. Suspension of Standing Order No. 70 .-- Mr. Chifley (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.
- 6. PRIME MINISTER AND MINISTER FOR EXTERNAL AFFAIRS—PROPOSED VISIT OVERSEAS—MINISTERIAL STATEMENT.—Mr. Chifley (Prime Minister), by leave, made a Ministerial Statement informing the House of his proposed visit to London to participate in the consultations between British Commonwealth Prime Ministers. Mr. Chifley also announced that Mr. Evatt (Minister for External Affairs) would accompany him to London, and, later, would represent Australia at the conference to be held in Paris to decide the terms of the Peace Treaties with Italy and the satellite Axis Powers.
- 7. RETIREMENT OF SENIOR AIR FORCE OFFICERS-MINISTERIAL STATEMENT-MOTION FOR PRINTING PAPER.—Mr. Drakeford (Minister for Air), by leave, made a Ministerial Statement with reference to the retirement from the Royal Australian Air Force of certain senior officers and the scheme for compensating such officers. Mr. Drakeford then, by command of His Royal Highness the Governor-General, laid upon the Table the following Paper:—
 Retirement of Senior Air Force Officers—Ministerial Statement—

and moved, That the Paper be printed.

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.

- 8. WAR EXPENDITURE—JOINT COMMITTEE—EIGHTH PROGRESS REPORT.—Mr. McLeod (Chairman) brought up the Eighth Progress Report from the Joint Committee on War Expenditure.
- 9. SALES TAX (EXEMPTIONS AND CLASSIFICATIONS) BILL 1946.—Mr. Chifley (Treasurer) moved, by leave, That he have leave to bring in a Bill for an Act to amend the Sales Tax (Exemptions and Classifications) Act 1935-1945.

Question—put and passed.

Mr. Chifley 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. Chifley moved, by leave, That the Bill be now read a second time.

Mr. Menzies (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.

F.611,

10. Sales Tax Assessment Bill (No. 9) 1946.—Mr. Chifley (Treasurer) moved, by leave, That he have leave to bring in a Bill for an Act to amend the Sales Tax Assessment Act (No. 9) 1930-1936. Question—put and passed.

Mr. Chifley 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. Chifley moved, by leave, That the Bill be now read a second time.

Mr. Menzies (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.

11. Papers.—The following Papers were presented, by command of His Royal Highness the Governor-General-

Tariff Board—Reports (2) on Plastics Industry.

Severally ordered to lie on the Table, and to be printed.

The following Papers were presented, pursuant to Statute-

Contract Immigrants Act—Return for 1944.

Immigration Act—Return for 1944.

Lands Acquisition Act-Land acquired for-

Commonwealth purposes-

Hobart, Tasmania.
Townsville, Queensland (2).

Postal purposes-

Alexandria, New South Wales.

Moe, Victoria.

National Security Act-

National Security (Emergency Control) Regulations—Orders—

Military powers during emergency—Revocations (2).

Torres Strait area prohibition of lights—Revocation.

York area communications—Revocation.

National Security (Supplementary) Regulations—Order—Deferment of banking business. National Security (War Damage to Property) Regulations—War Damage Commission— Report for 1945.

12. Constitution Alteration (Social Services) Bill 1946.—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.

Ordered-That Mr. Riordan be granted an extension of time.

Debate continued.

Ordered-That Mr. McEwen be granted an extension of time.

Mr. McEwen moved, as an amendment, That all words after "Bill" be omitted with a view to inserting the following words in place thereof:--" be withdrawn and redrafted as two Bills, the first dealing with the provision of maternity allowances, widows' pensions, child endowment, unemployment benefits, benefits to students and family allowances, and the second dealing with sickness and hospital benefits and medical and dental services".

Mr. Bowden

Mr. Cameron

Debate continued.

Ordered—That Mr. Evatt (Attorney-General) be granted extensions of time (2).

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,	, 43.
Mr. Barnard	Mr. James
Mr. K. E. Beazley	Mr. Johnson
Mr. Breen	Mr. Lazzarini
Mr. Brennan	Mr. Lemmon
Mr. Bryson	Mr. Makin
Mr. Burke	Mr. Martens
Mr. Calwell	Mr. McLeod
Mr. Chambers	Mr. Morgan
Mr. Chifley	Mr. Mountjoy
Mr. Conelan	Mr. Mulcahy
Mr. Daly	Mr. Pollard
Mr. Dedman	Mr. Riordan
Mr. Drakeford	Mr. Russell
Mr. Evatt	Mr. Scully
Mr. Falstein	Mr. Sheehy
Mr. Forde	Mr. Smith
Mr. Fraser	Mr. Ward
Mr. Frost	Mr. Williams
Mr. Fuller	
Mr. Gaha	Tellers:
Mr. Hadley	
Mr. Haylen	Mr. Sheehan
Mr. Holloway	Mr. Watkins

Mr. Fadden Mr. Turnbull Mr. Gullett Mr. White Mr. Harrison Mr. Hutchinson Tellers: Mr. McDonald Mr. Corser Mr. McEwen Mr. Menzies Mr. Guy

Noes, 15.

Sir Earle Page

Mr. Rankin

And so it was resolved in the affirmative.

Mr. Cameron

Question—That the Bill be now read a second time—put. The House divided (The Speaker, Mr. Rosevear, in the Chair)-

	Ayes, 57.			
Mr.	Barnard	Mr. Johnson		
Mr.	K. E. Beazley	Mr. Lazzarini		
	Bowden	Mr. Lemmon		
Mr.	Breen	Mr. Makin		
Mr.	Brennan	Mr. Martens		
Mr.	Bryson	Mr. McDonald		
	Burke	Mr. McEwen		
Mr.	Calwell	Mr. McLeod		
Mr.	Chambers	Mr. Menzies		
Mr.	Chifley	Mr. Morgan		
Mr.	Conelan	Mr. Mountjoy		
Mr.	Corser	Mr. Mulcahy		
Mr.	Daly	Sir Earle Page		
Mr.		Mr. Pollard		
Mr.	Drakeford	Mr. Rankin		
	Evatt	Mr. Riordan		
Mr.	Fadden	Mr. Russell		
Mr.	Falstein	Mr. Scully		
	Forde	Mr. Sheehy		
	Fraser	Mr. Smith		
	Frost	Mr. Turnbull		
	Fuller	Mr. Ward		
	Gaha	Mr. Watkins		
	Gullett	Mr. White		
	Hadley	Mr. Williams		
	Harrison	m 11		
Mr.	Haylen	Tellers:		
Mr.	Holloway	~		
	Hutchinson	Mr. Guy		
Mr.	${f James}$	Mr. Sheehan		

Noes, 1.

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

Bill accordingly 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-

On the motion of Mr. Evatt, the following amendment was made, after debate:—Page 1, line 10, after "unemployment," insert "pharmaceutical,".

Sir Earle Page moved, as a further amendment, That the words "sickness and hospital benefits, medical and dental services" (page 1, lines 10 and 11) be omitted. Amendment negatived.

The Committee continuing to sit until after midnight--

WEDNESDAY, 10TH APRIL, 1946.

On the motion of Mr. Menzies (Leader of the Opposition), the following further amendment was made,

Page 1, line 11, after "services" insert "(but not so as to authorize any form of civil conscription)". Clause, as amended, agreed to.

Preamble agreed to.

Title-

On the motion of Mr. Evatt, the Title was amended by inserting after "Unemployment," the word "Pharmaceutical,".

Title, as amended, agreed to.

Bill to be reported with amendments, and with an amended Title.

The House resumed; Mr. Riordan reported accordingly.

On the motion of Mr. Evatt, by leave, the House adopted the Report. Mr. Evatt moved, by leave, That the Bill be now read a third time.

Point of Order.—Mr. Menzies raised a Point of Order that section 128 of the Constitution called for a proposed law for the alteration of the Constitution to be passed by an absolute majority of the Members of the House, and that, as a Bill passes when it is read a third time, the third reading stage is the only stage at which it becomes necessary to determine whether an absolute majority of the Members of the House had voted for the Bill.

9th and 10th April, 1946.

Speaker's Ruling.—Mr. Speaker stated that his view coincided with the view of the Leader of the Opposition that a Bill passes the House at the third reading. On a previous occasion, however, a doubt had been expressed that the legal requirements called for an absolute majority of the Members of the House to vote in favour of the second reading. In view of the uncertainty of the position, and as the Chair was the custodian of the rights and privileges of the House and its legislation should be protected, he had taken such action as would enable him to affirm that the second and the third readings of the Bill were agreed to by an absolute majority.

Debate ensued on motion.

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

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

Aves. 54. Mr. James Mr Cameron Mr. Barnard Mr. K. E. Beazley Mr. Johnson Mr. Bowden Mr. Lazzarini Mr. Lemmon Mr. Breen Mr. Makin Mr. Bryson Mr. McDonald Mr. Burke Mr. Calwell Mr. Chambers Mr. McEwen Mr. McLeod Mr. Menzies Mr. Chifley Mr. Conelan Mr. Morgan Mr. Mountjoy Mr. Corser Mr. Mulcahy Mr. Daly Mr. Pollard Mr. Dedman Mr. Drakeford Mr. Evatt Mr. Rankin Mr. Riordan Mr. Russell Mr. Fadden Mr. Scully Mr. Falstein Mr. Sheehy Mr. Forde Mr. Fraser Mr. Smith Mr. Turnbull Mr. Frost Mr. Ward Mr. Fuller Mr. Watkins Mr. Gaha Mr. White Mr. Gullett Mr. Williams Mr. Hadley Mr. Harrison Tellers: Mr. Haylen Mr. Holloway Mr. Guy Mr. Sheehan Mr. Hutchinson

Noes, 1.

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.

13. Constitution Alteration (Organized Marketing of Primary Products) Bill 1946.—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—

Question—put.

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

Ay	ves, 54.		Noes, 1.
Mr. Barnard	Mr. James	Mr. Cameron	
Mr. K. E. Beazley	Mr. Johnson		
Mr. Bowden	Mr. Lazzarini	<u></u>	
Mr. Breen	Mr. Lemmon		
Mr. Bryson	Mr. Makin		
Mr. Burke	Mr. McDonald		
Mr. Calwell	Mr. McEwen	1	
Mr. Chambers	Mr. McLeod		
Mr. Chifley	Mr. Menzies		
Mr. Conelan	Mr. Morgan		
Mr. Corser	Mr. Mountjoy		
Mr. Daly	Mr. Mulcahy		
Mr. Dedman	Mr. Pollard	-	
Mr. Drakeford	Mr. Rankin		
Mr. Evatt	Mr. Riordan		
Mr. Fadden	Mr. Russell		
Mr. Falstein.	Mr. Scully	1	
Mr. Forde	Mr. Sheehy	Ì	
Mr. Fraser	Mr. Smith	1	
Mr. Frost	Mr. Turnbull	1	•
Mr. Fuller	Mr. Ward		
Mr. Gaha	Mr. Watkins	1	
Mr. Gullett	Mr. White		
Mr. Hadley	Mr. Williams	1:	
Mr. Harrison			
Mr. Haylen	Tellers:	1	
Mr. Holloway	Mr. Guy		
Mr. Hutchinson	Mr. Sheehan		
mir Tranchilliann	тит. Опеснан	1	

-- 9th and 10th April, 1946.

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

Bill accordingly 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-

Mr. Fadden proposing to move, That the clause be omitted, and the following clause be inserted in

"2. The Constitution is altered by inserting after section one hundred and five A the following

section:—
'105B.—(1.) The Commonwealth may at the wish of the relevant producers to be ascertained in such manner as the Parliament prescribes make agreements with the States with respect to the production and marketing of agricultural, pastoral, horticultural, viticultural and dairying products.

(2.) The Parliament may make laws for validating any such agreement made before the

commencement of this section.

(3.) The Parliament may make laws for the carrying out by the parties thereto of any such agreement.

(4.) Any such agreement may be varied or rescinded by the parties thereto.

(5.) Every such agreement and any such variation thereof shall be binding upon the Commonwealth and the States parties thereto notwithstanding anything contained in this Constitution or the Constitution of the several States or in any law of the Parliament of the Commonwealth or of any State.

(6.) The exercise of the powers conferred by this section shall not be affected or limited by the provisions of section ninety-two of this Constitution "-

Point of Order.-Mr. Evatt (Attorney-General) raised a Point of Order that the proposed amendment was not within the order of leave for the introduction of the Bill.

Chairman's Ruling.—The Chairman (Mr. Riordan) upheld the Point of Order.

Debate ensued on clause.

Sir Earle Page moved, as an amendment, That the word "primary" (page 1, line 9) be omitted with a view to inserting the words "agricultural, pastoral, horticultural, viticultural and dairying" in place thereof.

Debate continued.

Amendment negatived.

Mr. Corser moved, as an amendment, That after "products" (page 1, line 9) the words "but not so as to authorize any form of socialization of the means of production thereof" be inserted. Debate continued.

Question—That the words proposed to be inserted be so inserted—put. The Committee divided (The Chairman, Mr. Riordan, in the Chair)

Ayes, 15.		No	Noes, 40.	
Mr. Bowden Mr. Cameron Mr. Fadden Mr. Gullett Mr. Harrison Mr. Hutchinson Mr. McDonald Mr. McEwen Mr. Menzies	Sir Earle Page Mr. Rankin Mr. Turnbull Mr. White Tellers: Mr. Corser Mr. Guy	Mr. Barnard Mr. K. E. Beazley Mr. Breen Mr. Bryson Mr. Burke Mr. Calwell Mr. Chambers Mr. Chifley Mr. Conelan Mr. Daly Mr. Dedman Mr. Drakeford Mr. Evatt Mr. Falstein Mr. Forde Mr. Fraser Mr. Frost Mr. Fuller Mr. Gaha Mr. Hadley Mr. Haylen	Mr. Holloway Mr. James Mr. Johnson Mr. Lazzarini Mr. Lemmon Mr. McLeod Mr. Morgan Mr. Mountjoy Mr. Mulcahy Mr. Pollard Mr. Russell Mr. Scully Mr. Sheehy Mr. Smith Mr. Ward Mr. Williams Tellers: Mr. Sheehan Mr. Watkins	

And so it was negatived.

On the motion of Mr. Evatt, the following amendment was made:-

Page 1, after line 12 insert the following sub-section:-

"(1A.) Without in any way limiting the generality of the expression 'primary products' in paragraph (i.A.) of sub-section (1.) of this section, that expression shall be deemed to include flour and other wheat products, butter, cheese and other milk products, dried fruit and other fruit products, meat and meat products, and sugar.".

Clause, as amended, agreed to.

Preamble agreed to.

Title agreed to.

Bill to be reported with an amendment.

9th and 10th April, 1946.

The House resumed; Mr. Riordan reported accordingly.

On the motion of Mr. Evatt, by leave, the House adopted the Report.

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

Debate ensued.

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

Ayes,	l 8.	Noes	s , 8.
Mr. Barnard	Mr. James	Mr. Cameron	Mr. White
Mr. K. E. Beazley	Mr. Johnson	Mr. Gullett	(I) 11
Mr. Bowden	Mr. Lazzarini	Mr. Harrison	Tellers:
Mr. Breen	Mr. Lemmon	Mr. Hutchinson	Mr. Guy
Mr. Bryson	Mr. Makin	Mr. Menzies	Mr. McDonald
Mr. Burke	Mr. McEwen		
Mr. Calwell	Mr. McLeod		•
Mr. Chambers	Mr. Morgan		
Mr. Chifley	Mr. Mountjoy		
Mr. Conelan	Mr. Mulcahy		
Mr. Corser	Sir Earle Page		
Mr. Daly	Mr. Pollard		
Mr. Dedman	Mr. Rankin	1	
Mr. Drakeford	Mr. Riordan		
Mr. Evatt	Mr. Russell		
Mr. Fadden	Mr. Scully		
Mr. Falstein	Mr. Sheehy	· ·	
Mr. Forde	Mr. Smith		
Mr. Fraser	Mr. Turnbull	1	
Mr. Frost	Mr. Ward		
Mr. Fuller	Mr. Williams		
Mr. Gaha	Tellers:	1	
Mr. Hadley	Mr. Sheehan	J	
Mr. Haylen			•
Mr. Holloway	Mr. Watkins	1	

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.

14. Constitution Alteration (Industrial Employment) Bill 1946.—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—Ouestion—put.

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

Ayes	, 41.	. N .	10es, 15.
Mr. Barnard Mr. K. E. Beazley Mr. Breen Mr. Bryson Mr. Burke Mr. Calwell Mr. Chambers Mr. Chifley Mr. Conelan Mr. Daly Mr. Dedman Mr. Dedman Mr. Falstein Mr. Fraser Mr. Frost Mr. Fuller Mr. Gaha Mr. Hadley Mr. Haylen	Mr. Holloway Mr. James Mr. Johnson Mr. Lazzarini Mr. Lemmon Mr. Makin Mr. McLeod Mr. Morgan Mr. Mountjoy Mr. Mulcahy Mr. Pollard Mr. Riordan Mr. Riordan Mr. Scully Mr. Sheehy. Mr. Smith Mr. Ward Mr. Williams Tellers: Mr. Sheehan Mr. Watkins	Mr. Bowden Mr. Cameron Mr. Fadden Mr. Gullett Mr. Harrison Mr. Hutchinson Mr. McDonald Mr. McEwen Mr. Menzies	Sir Earle Page Mr. Rankin Mr. Turnbull Mr. White Tellers: Mr. Corser Mr. Guy

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

Bill accordingly 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. Preamble agreed to. Title agreed to. Bill to be reported without amendment.

The House resumed; Mr. Riordan reported accordingly.

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

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

Question-put.

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

Ayes, 41.		Noes, 15.		
Mr. Barnard	Mr. James	Mr. Bowden	Sir Earle Page	
Mr. K. E. Beazley	Mr. Johnson	Mr. Cameron	Mr. Rankin	
Mr. Breen	Mr. Lazzarini	Mr. Fadden	Mr. Turnbull	
Mr. Bryson	Mr. Lemmon	Mr. Gullett	Mr. White	
Mr. Burke	Mr. Makin	Mr. Harrison		
Mr. Calwell	Mr. McLeod	Mr. Hutchinson	Tellers:	
Mr. Chambers	Mr. Morgan	Mr. McDonald		
Mr. Chifley	Mr. Mountjoy	Mr. McEwen	Mr. Corser	
Mr. Conelan	Mr. Mulcahy	Mr. Menzies	Mr. Guy	
Mr. Daly	Mr. Pollard	,		
Mr. Dedman	Mr. Riordan			
Mr. Drakeford	Mr. Russell			
Mr. Evatt	Mr. Scully			
Mr. Falstein	Mr. Sheehy			
Mr. Forde	Mr. Smith			
Mr. Fraser	Mr. Ward			
Mr. Frost	Mr. Williams			
Mr. Fuller				
Mr. Gaha	Tellers:			
Mr. Hadley				
Mr. Haylen	Mr. Sheehan		·	
Mr. Holloway	Mr. Watkins			

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.

- 15. ALTERATION OF HOUR OF NEXT MEETING.—Mr. Chifley (Prime Minister) moved, That the House, at its rising, adjourn until this day at half-past eleven o'clock a.m., instead of half-past ten o'clock a.m., as previously ordered.

 Question—put and passed.
- 16. Adjournment.—Mr. Chifley (Prime Minister) moved, That the House do now adjourn. Question—put and passed.

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

Members Present.—All Members were present (at some time during the sitting) except Mr. Abbott, Mr. Adermann, Mr. Anthony, Mr. J. A. Beasley, Mr. Clark, Mr. Francis, Mr. Holt, Mr. Hughes, Mr. Langtry, Mr. Lawson, Dame Enid Lyons, Mr. Ryan, Mr. Spender, and Sir Frederick Stewart.

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

And the second of the second o