

1946-47-48.

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

## VOTES AND PROCEEDINGS

OF THE

## HOUSE OF REPRESENTATIVES.

No. 131.

THURSDAY, 29TH APRIL, 1948.

1. The House met, at half-past two o'clock p.m., pursuant to adjournment.—Mr. Speaker (the Honorable J. S. Rosevear) took the Chair, and read Prayers.
2. DISTINGUISHED VISITORS.—Mr. Speaker informed the House that Mr. E. de Valera, Leader of the Opposition in the Parliament of Eire, and Mr. F. Aiken, a Member of the Parliament of Eire, were within the precincts. The distinguished visitors thereupon, with the concurrence of honorable Members, were provided with seats on the floor of the House.
3. WITHDRAWAL OF NOTICE OF MOTION.—Mr. Menzies (Leader of the Opposition), by leave, withdrew Notice of Motion No. 3, General Business, standing in his name.
4. POST-WAR DEFENCE POLICY—MINISTERIAL STATEMENT—MOTION FOR PRINTING PAPERS.—Mr. Dedman (Minister for Defence), by leave, made a Ministerial Statement informing the House of the progress of Australia's five-year defence programme and of the organization of the higher defence machinery, and, by command of His Excellency the Governor-General, laid upon the Table the following Papers :—
  - (1) Post-war Defence Policy—Ministerial Statement, and
  - (2) Defence Department and Higher Defence Machinery—Functions and Organization—
 and moved, That the Papers be printed.  
 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.
5. PAPER.—The following Paper was presented, pursuant to Statute—  
 Commonwealth Public Service Act—Appointments—Department of Civil Aviation—R. S. Choate, F. R. Liebelt, A. J. Sutherland.
6. REPRESENTATION BILL 1948.—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 Sir Earle Page, viz. :—*That all the words after "That" be omitted with a view to inserting the following words in place thereof :—"the consideration of the Bill be postponed to permit the submission to the people by referendum of constitutional alteration—
  - (1) to section 24 of the Constitution eliminating the necessity of any relationship between the numbers of the Members of the Senate and the Members of the House of Representatives ;
  - (2) to provide for a double dissolution of the Senate and House of Representatives when any general increase or decrease of numbers of Senators is to be made ; and
  - (3) to enable the minimum representation of any original State to be increased if Parliament so desires in proportion to any general increase of membership of the House of Representatives"—

Debate resumed.

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

F.6632.

29th April, 1948.

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

Ayes, 32.		Noes, 25.	
Mr. Barnard	Mr. James	Mr. Abbott	Mr. Lang
Mr. Beazley	Mr. Johnson	Mr. Adermann	Dame Enid Lyons
Mr. Brennan	Mr. Lawson	Mr. Anthony	Mr. McBride
Mr. Burke	Mr. Lemmon	Mrs. Blackburn	Mr. McEwen
Mr. Chambers	Mr. Mulcahy	Mr. Bowden	Sir Earle Page
Mr. Clark	Mr. O'Connor	Mr. Cameron	Mr. Rankin
Mr. Conelan	Mr. Pollard	Mr. Falkinder	Mr. Ryan
Mr. Daly	Mr. Russell	Mr. Gullett	Mr. Turnbull
Mr. Dedman	Mr. Scully	Mr. Hamilton	Mr. White
Mr. Drakeford	Mr. Sheehy	Mr. Harrison	
Mr. Duthie	Mr. Thompson	Mr. Holt	<i>Tellers:</i>
Mr. Edmonds	Mr. Ward	Mr. Howse	Mr. Corser
Mr. Evatt	Mr. Williams	Mr. Hughes	Mr. McDonald
Mr. Falstein		Mr. Hutchinson	
Mr. Fraser	<i>Tellers:</i>		
Mr. Haylen	Mr. Fuller		
Mr. Holloway	Mr. Sheehan		

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, 35.		Noes, 24.	
Mr. Barnard	Mr. Johnson	Mr. Abbott	Mr. Hutchinson
Mr. Beazley	Mr. Lang	Mr. Adermann	Dame Enid Lyons
Mr. Brennan	Mr. Lawson	Mr. Anthony	Mr. McBride
Mr. Burke	Mr. Lemmon	Mrs. Blackburn	Mr. McEwen
Mr. Chambers	Mr. Mulcahy	Mr. Bowden	Sir Earle Page
Mr. Clark	Mr. O'Connor	Mr. Cameron	Mr. Rankin
Mr. Conelan	Mr. Pollard	Mr. Falkinder	Mr. Ryan
Mr. Daly	Mr. Russell	Mr. Gullett	Mr. Turnbull
Mr. Dedman	Mr. Scully	Mr. Hamilton	Mr. White
Mr. Drakeford	Mr. Sheehy	Mr. Harrison	
Mr. Duthie	Mr. Thompson	Mr. Holt	<i>Tellers:</i>
Mr. Edmonds	Mr. Ward	Mr. Howse	Mr. Corser
Mr. Evatt	Mr. Williams	Mr. Hughes	Mr. McDonald
Mr. Falstein			
Mr. Fraser	<i>Tellers.</i>		
Mr. Haylen	Mr. Fuller		
Mr. Holloway	Mr. Sheehan		
Mr. James			

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.)*

Clause 1—

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

The House resumed: Mr. Clark reported accordingly.

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

7. MESSAGE FROM THE GOVERNOR-GENERAL.—REPRESENTATION BILL 1948.—The following Message from His Excellency the Governor-General was presented, and was read by Mr. Speaker:—

W. J. MCKELL  
Governor-General.

*Message No. 70.*

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 increase the Number of Senators and for other purposes.

Canberra, 21st April, 1948.

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 increase the Number of Senators and for other purposes.

Debate ensued.

Question—put and passed.

Resolution to be reported.

29th April, 1948.

The House resumed ; Mr. Clark reported accordingly.

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

8. REPRESENTATION BILL 1948.—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.)

Clauses 1 and 2 agreed to.

Clause 3 debated and agreed to.

Clause 4—

Sir Earle Page proposing to move, as an amendment, That the word " ten " (page 2, line 25) be omitted with a view to inserting the word " six " in place thereof—

*Point of Order.*—Mr. Evatt (Attorney-General) raised a Point of Order that the Bill was one to increase the number of Senators, and that an amendment which would leave the number of Senators at the present number was not within the scope of the Bill.

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

Debate ensued.

Clause agreed to.

Clause 5 debated and agreed to.

Clauses 6 and 7 agreed to.

Clause 8—

Mr. Falkinder proposing to move, as an amendment, That after the word " States " (page 3, line 46) the following words be inserted :—" but so that, notwithstanding anything contained in that or any other Act, the number of members to be chosen in the State of Tasmania shall be not less than eight "—

*Point of Order.*—Mr. Evatt raised a Point of Order that the proposed amendment was in conflict with the Constitution and, therefore, was not in order.

*Temporary Chairman's Ruling.*—The Temporary Chairman (Mr. Sheehy) upheld the Point of Order.

Debate ensued.

Clause agreed to.

Preamble agreed to.

Title agreed to.

Bill to be reported without amendment.

The House resumed ; Mr. Clark reported accordingly.

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

9. COMMONWEALTH ELECTORAL BILL 1948.—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 by Mr. Lang who moved, as an amendment, That all words after " That " be omitted with a view to inserting the following words in place thereof :—" before proceeding with the proposed legislation, the question of the method of allocating preferences in a system of proportional representation for the Senate be referred for inquiry and immediate report to an Electoral Commission consisting of the Chief Justice of the High Court, the Chief Electoral Officer of the Commonwealth, and the Chief Electoral Officers of the respective States ".

Debate continued.

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, 35.

Noes, 23.

Mr. Barnard	Mr. Holloway
Mr. Beazley	Mr. James
Mrs. Blackburn	Mr. Johnson
Mr. Brennan	Mr. Lawson
Mr. Burke	Mr. Lemmon
Mr. Calwell	Mr. Mulcahy
Mr. Chambers	Mr. O'Connor
Mr. Chifley	Mr. Pollard
Mr. Clark	Mr. Russell
Mr. Conelan	Mr. Scully
Mr. Daly	Mr. Sheehy
Mr. Dedman	Mr. Thompson
Mr. Drakeford	Mr. Ward
Mr. Duthie	Mr. Williams
Mr. Edmonds	
Mr. Evatt	
Mr. Falstein	<i>Tellers:</i>
Mr. Fraser	Mr. Fuller
Mr. Haylen	Mr. Sheehan

Mr. Abbott	Dame Enid Lyons
Mr. Adermann	Mr. McBride
Mr. Anthony	Mr. McEwen
Mr. Bowden	Mr. Menzies
Mr. Cameron	Mr. Rankin
Mr. Falkinder	Mr. Ryan
Mr. Gullett	Mr. Turnbull
Mr. Hamilton	Mr. White
Mr. Harrison	
Mr. Holt	<i>Tellers:</i>
Mr. Howse	
Mr. Hutchinson	Mr. Corser
Mr. Lang	Mr. McDonald

And so it was resolved in the affirmative.

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

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

29th and 30th April, 1948.

*(In the Committee.)*

Clauses 1 and 2 agreed to.

Clause 3—

Mr. Cameron moved, as an amendment, That the words "forthwith take at random" (page 3, lines 22 and 23) be omitted.

Debate ensued.

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

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

Ayes, 34.		Noes, 23.	
Mr. Barnard	Mr. Holloway	Mr. Abbott	Dame Enid Lyons
Mr. Beazley	Mr. James	Mr. Adermann	Mr. McBride
Mrs. Blackburn	Mr. Johnson	Mr. Anthony	Mr. McEwen
Mr. Brennan	Mr. Lawson	Mr. Bowden	Mr. Menzies
Mr. Burke	Mr. Lemmon	Mr. Cameron	Mr. Rankin
Mr. Calwell	Mr. Mulcahy	Mr. Falkinder	Mr. Ryan
Mr. Chambers	Mr. O'Connor	Mr. Gullett	Mr. Turnbull
Mr. Chifley	Mr. Pollard	Mr. Hamilton	Mr. White
Mr. Conelan	Mr. Russell	Mr. Harrison	
Mr. Daly	Mr. Scully	Mr. Holt	<i>Tellers:</i>
Mr. Dedman	Mr. Sheehy	Mr. Howse	
Mr. Drakeford	Mr. Thompson	Mr. Hutchinson	Mr. Corser
Mr. Duthie	Mr. Ward	Mr. Lang	Mr. McDonald
Mr. Edmonds	Mr. Williams		
Mr. Evatt			
Mr. Falstein	<i>Tellers:</i>		
Mr. Fraser	Mr. Fuller		
Mr. Haylen	Mr. Sheehan		

And so it was resolved in the affirmative.

Clause agreed to.

Clause 4 agreed to.

*Proposed new clause—*

Mr. Cameron moved, That the following new clause be inserted in the Bill:—

"2A. Section one hundred and twenty-three of the *Commonwealth Electoral Act* 1918-1946 is amended by omitting from paragraph (a) of sub-section (1.) the words 'all the remaining candidates' and inserting in their stead the words 'as many candidates as there are Senate vacancies to be filled'."

Debate ensued.

The Committee continuing to sit until after midnight—

**FRIDAY, 30TH APRIL, 1948.**

Debate continued.

Proposed new clause negatived.

Title agreed to.

Bill to be reported without amendment.

The House resumed; Mr. Clark reported accordingly.

On the motion of Mr. Evatt (Attorney-General), the House adopted the Report, and, by leave, the Bill was read a third time.

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

Question—put and passed.

And then the House, at ten minutes past twelve o'clock midnight, 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. Beale, Mr. Davidson, Mr. Fadden, Mr. Francis, Mr. Gaha, Mr. Hadley, Mr. Langtry, Mr. McLeod, Mr. Riordan, Mr. Scullin, Mr. Spender and Mr. Watkins\*.

\* On leave.

F. C. GREEN,

*Clerk of the House of Representatives.*