

1951.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

VOTES AND PROCEEDINGS
OF THE
HOUSE OF REPRESENTATIVES.

No. 42.

FRIDAY, 16TH NOVEMBER, 1951.

1. The House met, at half-past ten o'clock a.m., pursuant to adjournment.—Mr. Speaker (the Honorable A. G. Cameron) took the Chair, and read Prayers.
2. SNOWY MOUNTAINS HYDRO-ELECTRIC AUTHORITY—GERMAN EMPLOYEES—MINISTERIAL STATEMENT.—Mr. Holt (Minister for Immigration), by leave, made a Ministerial Statement concerning recent allegations that Nazis were included among German workers introduced by the Snowy Mountains Hydro-electric Authority.
3. MESSAGES FROM THE SENATE.—Mr. Speaker announced the receipt of the following Messages from the Senate:—

[States Grants (Special Financial Assistance) Bill (No. 2) 1951]—

MR. SPEAKER,

Message No. 34.

The Senate returns to the House of Representatives the Bill for “*An Act to grant and apply out of the Consolidated Revenue Fund sums for the purposes of Financial Assistance to the States*”, and acquaints the House that the Senate has agreed to the Bill without amendment.

EDWARD MATTNER,
President.

The Senate,
Canberra, 15th November, 1951.

[States Grants Bill 1951]—

MR. SPEAKER,

Message No. 35.

The Senate returns to the House of Representatives the Bill for “*An Act to grant and apply out of the Consolidated Revenue Fund sums for the purposes of Financial Assistance to the States of South Australia, Western Australia and Tasmania*”, and acquaints the House that the Senate has agreed to the Bill without amendment.

EDWARD MATTNER,
President.

The Senate,
Canberra, 15th November, 1951.

[States Grants (Administration of Controls Reimbursement) Bill 1951]—

MR. SPEAKER,

Message No. 36.

The Senate returns to the House of Representatives the Bill for “*An Act to make provision for the grant of Financial Assistance to the States in connexion with the administration of the Control of Prices and Rents*”, and acquaints the House that the Senate has agreed to the Bill without amendment.

EDWARD MATTNER,
President.

The Senate,
Canberra, 15th November, 1951.

[Repatriation Bill 1951]—

MR. SPEAKER,

Message No. 37.

The Senate has agreed to the Amendment made by the House of Representatives in the Bill for “*An Act to amend the ‘Repatriation Act 1920–1950’, and for other purposes*”.

EDWARD MATTNER,
President.

The Senate,
Canberra, 15th November, 1951.

16th November, 1951.

4. ADJOURNMENT-MOTION FOR PURPOSE OF DISCUSSION.—Mr. Evatt (Leader of the Opposition) proposing to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely, “the threat to coal production caused by the recent decision of the Joint Coal Board (constituted under the Coal Industry Act of 1946) and the Commonwealth Government to sell the productive equipment owned by the Board and to terminate the established and successful policy of arranging in appropriate cases for the hiring of such equipment in order to expedite vital production of coal and the progressive development of the industry”—

Mr. Speaker called upon those Members who approved of the proposed discussion to rise in their places, and more than the necessary number of Members having risen accordingly—

Mr. Evatt moved, That the House do now adjourn.

Debate ensued.

Distinguished Visitor.—Mr. Speaker informed the House that His Grace The Lord Archbishop of York and Primate of England, The Most Reverend and Right Honorable Dr. C. F. Garbett, a Member of the House of Lords, was within the precincts. The distinguished visitor thereupon, with the concurrence of honorable Members, was provided with a seat on the floor of the House.

Debate continued.

The debate having been continued for two hours, it was terminated in accordance with Standing Order No. 92.

5. PAPERS.—The following Papers were presented, pursuant to Statute—
Lands Acquisition Act—Land acquired for Defence purposes—Albion, Victoria.
Public Service Act—Appointments—Department of Works and Housing—J. S. Cahill, A. E. Drake.
6. PUBLIC SERVICE BILL (No. 2) 1951.—Mr. Eric J. Harrison (Vice-President of the Executive Council), for Mr. Menzies (Prime Minister), moved, pursuant to notice, That he have leave to bring in a Bill for an Act to amend the *Public Service Act 1922–1950*.
Question—put and passed.
Mr. Eric J. Harrison 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. Eric J. Harrison moved, by leave, That the Bill be now read a second time.
Mr. Calwell 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.
7. COMMONWEALTH EMPLOYEES' FURLOUGH BILL 1951.—Mr. Eric J. Harrison (Vice-President of the Executive Council), for Mr. Menzies (Prime Minister), moved, pursuant to notice, That he have leave to bring in a Bill for an Act to amend the *Commonwealth Employees' Furlough Act 1943–1944*.
Question—put and passed.
Mr. Eric J. Harrison 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. Eric J. Harrison moved, by leave, That the Bill be now read a second time.
Mr. Calwell 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. TEA IMPORTATION BILL 1951.—Mr. Eric J. Harrison (Minister representing the Minister for Trade and Customs) moved, pursuant to notice, That he have leave to bring in a Bill for an Act to make Provision with respect to the Importation of Tea into the Commonwealth.
Question—put and passed.
Mr. Eric J. Harrison 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. Eric J. Harrison moved, by leave, That the Bill be now read a second time.
Mr. Calwell 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.
9. BEER EXCISE BILL 1951.—Mr. Eric J. Harrison (Minister representing the Minister for Trade and Customs) moved, pursuant to notice, That he have leave to bring in a Bill for an Act to amend the *Beer Excise Act 1901–1950*.
Question—put and passed.
Mr. Eric J. Harrison 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. Eric J. Harrison moved, by leave, That the Bill be now read a second time.
Mr. Calwell 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.
10. DEFENCE (TRANSITIONAL PROVISIONS) BILL 1951.—Mr. Francis (Minister for the Army), for Mr. McBride (Minister for Defence), moved, pursuant to notice, That he have leave to bring in a Bill for an Act to amend the *Defence (Transitional Provisions) Act 1946–1950* and the *Defence (Transitional Provisions) Act 1950*.
Question—put and passed.
Mr. Francis then brought up the Bill accordingly, and moved, That it be now read a first time.

16th November, 1951.

Question—put and passed.—Bill read a first time.

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

Mr. Calwell 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. COMMONWEALTH GRANTS COMMISSION BILL 1951.—Mr. Townley (Minister for Social Services) moved, pursuant to notice, That he have leave to bring in a Bill for an Act to amend the *Commonwealth Grants Commission Act 1933-1950*.

Question—put and passed.

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

Mr. Calwell 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.

12. WAYS AND MEANS—CUSTOMS TARIFF (EXPORT DUTIES) AMENDMENT (No. 1).—The House, according to Order, resolved itself into the Committee of Ways and Means.

(In the Committee.)

Mr. Eric J. Harrison (Minister representing the Minister for Trade and Customs) moved—

1. That, on and after a date to be fixed by Proclamation, at nine o'clock in the forenoon, reckoned according to standard time in the Australian Capital Territory, an export duty of Customs be collected on tea exported from Australia by a person other than the Board, being tea which was imported into Australia by the Board or by the former Board and sold in Australia by the Board or by the former Board.

2. That the rate of the duty be an amount per pound of tea prescribed by the regulations under the Act passed to give effect to these Proposals, being the amount which the Governor-General considers necessary to be prescribed for the purpose of recovering, in respect of tea to which the duty applies, the excess of the cost of that tea to the Board or the former Board over the amounts received by the Board or the former Board upon the sale of that tea.

3. That, for the purposes of the Act passed to give effect to these Proposals, tea exported from Australia be deemed, unless the contrary is proved, to be tea specified in paragraph 1 of these Proposals.

4. That these Proposals apply to tea exported as ship's stores or aircraft's stores notwithstanding the provisions of section one hundred and twenty-nine of the *Customs Act 1901-1950*.

5. That, in these Proposals—

“Collector” have the same meaning as that expression has in the *Customs Act 1901-1950*;

“the Board” mean the Tea Importation Board proposed to be established under the *Tea Importation Bill 1951*;

“the former Board” mean the Tea Control Board established under the National Security (Tea Control) Regulations.

Question—put and passed.

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

The House resumed; Mr. Adermann reported accordingly.

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

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

Question—put and passed.

On the motion of Mr. Eric J. Harrison, the Resolution reported from the Committee was adopted by the House.

Ordered—That Mr. Eric J. Harrison and Mr. Francis do prepare and bring in a Bill to carry out the foregoing Resolution.

13. CUSTOMS TARIFF (EXPORT DUTIES) BILL 1951.—Mr. Eric J. Harrison (Minister representing the Minister for Trade and Customs) then brought up a Bill intituled “*A Bill for an Act to impose an Export Duty of Customs*”, and moved, That it be now read a first time.

Question—put and passed.—Bill read a first time.

Mr. Eric J. Harrison moved, That the Bill be now read a second time.

Mr. Calwell 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.

14. SUPERANNUATION BILL 1951.—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. Calwell who moved, as an amendment, That all words after “That” be omitted with a view to inserting the following words in place thereof:—“the Bill be withdrawn and redrafted to provide that all persons in receipt of eight units or less shall be included within the scope of the measure and in order that further consideration be given to representations by public service organizations”.

16th November, 1951.

Debate continued.

Question—That the words proposed to be omitted stand part of the question—put.
The House divided (The Speaker, Mr. A. G. Cameron, in the Chair)—

AYES, 43.

Mr. Adermann	Mr. Downer	Mr. Grayden	Mr. Lawrence	Mr. Townley
Mr. Bate	Mr. Drury	Mr. Eric J. Harrison	Mr. McColm	Mr. Treloar
Mr. Berry	Mr. Eggins	Mr. Hasluck	Mr. McDonald	Mr. Turnbull
Mr. Bland	Mr. Failes	Mr. Haworth	Mr. McLeay	Mr. Wentworth
Mr. Brown	Mr. Fairbairn	Mr. Holt	Mr. Opperman	Mr. Wheeler
Mr. Corser	Mr. Fairhall	Mr. Hughes	Mr. Pearce	Mr. Wilson
Mr. Cramer	Mr. Falkinder	Mr. Hulme	Mr. Robertson	<i>Tellers:</i>
Mr. Davis	Mr. Francis	Mr. Jack	Mr. Swartz	Mr. Davidson
Mr. Dean	Mr. Graham		Mr. Timson	Mr. Gullett

NOES, 25.

Mr. Anderson	Mr. Clarey	Mr. Galvin	Mr. O'Connor	Mr. Watkins
Mr. Beazley	Mr. Costa	Mr. Griffiths	Mr. Rosevear	
Mr. Bruce	Mr. Duthie	Mr. E. James	Mr. Russell	<i>Tellers:</i>
Mr. Bryson	Mr. Edmonds	Harrison	Mr. Thompson	Mr. W. M. Bourke
Mr. T. P. Burke	Mr. A. D. Fraser	Mr. Haylen	Mr. Ward	Mr. Daly
Mr. Calwell	Mr. Fuller	Mr. Mulcahy		

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.

(In the Committee.)

Clause 1—

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

The House resumed ; Mr. Adermann reported accordingly.

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

15. MESSAGES FROM THE ADMINISTRATOR.—SUPERANNUATION BILL 1951.—The following Messages from His Excellency the Administrator of the Government of the Commonwealth were presented, and were read by Mr. Speaker :—

J. NORTHCOTT,
Administrator.

Message No. 30.

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 recommends to the House of Representatives that an appropriation of revenue be made for the purposes of a Bill for an Act to amend the *Superannuation Act 1922-1950*, and for other purposes.

Canberra, 3rd October, 1951.

J. NORTHCOTT,
Administrator.

Message No. 31.

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 recommends to the House of Representatives that an appropriation of revenue be made for the purposes of amendments to be made to, and new clauses to be inserted in, a Bill for an Act to amend the *Superannuation Act 1922-1950*, and for other purposes.

Canberra, 15th November, 1951.

Ordered—That the foregoing Messages 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. Eric J. Harrison (Vice-President of the Executive Council) moved the following motions :—

(1) That it is expedient that an appropriation of revenue be made for the purposes of a Bill for an Act to amend the *Superannuation Act 1922-1950*, and for other purposes.

(2) That it is expedient that an appropriation of revenue be made for the purposes of amendments to be made to, and new clauses to be inserted in, a Bill for an Act to amend the *Superannuation Act 1922-1950*, and for other purposes.

Question—That the motions be agreed to—put and passed.

Resolutions to be reported.

The House resumed ; Mr. Adermann reported accordingly.

On the motion of Mr. Eric J. Harrison, the Resolutions reported from the Committee were adopted by the House.

16. SUPERANNUATION BILL 1951.—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.

16th November, 1951.

(In the Committee.)

Clauses 1 to 13, by leave, taken together—

On the motion of Mr. Eric J. Harrison (Vice-President of the Executive Council), the following amendments were made:—

Clause 3, page 2, lines 44 and 45, omit "a State employee as defined by section sixty AN of this Act," insert "a contributor to a State Fund as defined by section sixty AN, or a Public Service Superannuation Fund as defined by section sixty AV, of this Act,".

Clause 4, page 3, line 35, omit "or such" (first occurring).

Clause 5, page 4, line 21, after "shall" insert "be deemed to have".

Clause 5, page 5, lines 1 to 25, omit sub-clauses (3.) and (4.), insert the following sub-clauses:—

"(3.) Where the number of units of pension (not including reserve units of pension) for which a contributor was, immediately before the first day of November, One thousand nine hundred and fifty-one, contributing exceeds the number of units specified in column two of the scale contained in sub-section (1.) of section thirteen of the *Superannuation Act 1922-1951*, opposite to the salary-group within which the salary of the contributor fell on that date, the contributor shall, subject to section fifteen of that Act, contribute for that first-mentioned number of units as from that date to the date upon which his salary falls within a salary-group which requires him to contribute for a number of units greater than the first-mentioned number of units.

"(4.) Where, immediately before the first day of November, One thousand nine hundred and fifty-one, the time within which a contributor who had a right to elect under paragraph (a), (b) or (c) of sub-section (4.) of section thirteen of the Principal Act had not expired, the right of that contributor to make the election shall, notwithstanding the amendment effected by paragraph (a) of sub-section (1.) of this section, be deemed to have continued, or to continue, until the expiration of that time and, if, before the expiration of that time, the contributor has made or makes an election under any of those paragraphs, the number of units for which he contributes as from the date of his election shall, for the purpose of the last preceding sub-section, be deemed to be the number of units for which he was contributing immediately before the first day of November, One thousand nine hundred and fifty-one."

Clause 6, page 5, line 46, and page 6, line 1, omit "comes into existence after the date of commencement of the *Superannuation Act 1951*," insert "came or comes into existence on or after the first day of November, One thousand nine hundred and fifty-one,".

Clauses, as amended, agreed to.

Clause 14—

On the motion of Mr. Eric J. Harrison, the following amendments were made:—

Page 7, line 41, omit "Four hundred and nine pounds ten shillings", insert "Four hundred and twenty-nine pounds".

Page 7, line 46, omit "Four hundred and nine pounds ten shillings", insert "Four hundred and twenty-nine pounds".

Clause, as amended, agreed to.

Clauses 15 to 20, by leave, taken together and agreed to.

Clause 21—

On the motion of Mr. Eric J. Harrison, the clause was omitted, and the following clause inserted in place thereof:—

"21. Section sixty AN of the Principal Act is amended by omitting the definition *Definitions* of 'State employee' and inserting in its stead the following definition:—

"'State employee' means a person who became an employee before the first day of November, One thousand nine hundred and fifty-one, and was, immediately before becoming an employee, a contributor to a State Fund;".

Clause 22—

On the motion of Mr. Eric J. Harrison, the following amendments were made:—

Page 11, Schedule V., column three, omit "or Comes".

Page 11, Schedule V., column four, after "that Unit" insert "Came or".

Page 12, Schedule VI., column two, omit "or Comes".

Page 12, Schedule VI., column three, after "that Unit" insert "came or".

Page 14, Schedule VII., column three, omit "or comes".

Page 14, Schedule VII., column four, after "that Unit" insert "came or".

Page 15, Schedule VIII., column two, omit "or comes".

Page 15, Schedule VIII., column three, after "that Unit" insert "came or".

Clause, as amended, agreed to.

Clauses 23 and 24 agreed to.

Clause 25—

On the motion of Mr. Eric J. Harrison, the following amendment was made:—Page 17, at the end of the clause, add the following sub-clauses:—

"(5.) Where a person whose name is specified in the Schedule to this Act is employed by the Commonwealth, or by an approved authority as defined by section four of the *Superannuation Act 1922-1951*, and that person is in receipt of a pension at a rate exceeding Four hundred and twenty-nine pounds per annum, the pension payable to that person during any period for which he is paid salary or wages in respect of that employment shall be reduced to a pension at the rate of Four hundred and twenty-nine pounds per annum.

"(6.) Where a pension payable to a person whose name is specified in the Schedule to this Act is reduced to the rate specified in the last preceding sub-section, the Commonwealth shall pay to the Fund during the period for which pension at the reduced rate is payable, in lieu of the amount payable under paragraph (a) of sub-section (4.) of this section, an amount at a rate ascertained by deducting, from the amount specified in the third column of that Schedule opposite to the name of that person, the amount by which the pension payable to that person is so reduced."

Clause, as amended, agreed to.

16th November, 1951.

Clause 26 agreed to.

Clause 27—

On the motion of Mr. Eric J. Harrison, the following amendment was made :—Page 17, at the end of the clause, add the following sub-clause :—

“(2.) The Commonwealth shall pay the amount payable under this section and the Consolidated Revenue Fund is, to the necessary extent, hereby appropriated accordingly.”.

Clause, as amended, agreed to.

Schedule agreed to.

New clauses—

On the motion of Mr. Eric J. Harrison, the following new clauses were inserted in the Bill :—

“2A. Section three of the Principal Act is amended by inserting after the words— Parts.

‘PART IV D.—Special Provisions in Relation to Certain Former State Employees.’

the words—

‘Part IV E.—Special Provisions in Relation to Certain Former Contributors to Public Service Superannuation Funds.’”.

“21A. Section sixty A of the Principal Act is amended by omitting sub-sections (1A.) and (1B.)”.

Superannuation rights and obligations of persons formerly employed by States.

“21B. After Part IV D. of the Principal Act the following Part is inserted :—

‘PART IV E.—SPECIAL PROVISIONS IN RELATION TO CERTAIN FORMER CONTRIBUTORS TO PUBLIC SERVICE SUPERANNUATION FUNDS.

‘60AU. In this Part, “Public Service Superannuation Fund” means a fund or account established under the law of a State to provide superannuation or other similar benefits for persons employed in the Public Service of that State and includes such other funds or accounts as are specified by the regulations to be Public Service Superannuation Funds for the purposes of this Act.

‘60AV.—(1.) An employee who became or becomes a contributor on or after the first day of November, One thousand nine hundred and fifty-one, and, immediately before becoming an employee, was a contributor to a Public Service Superannuation Fund may, within three months after the date of his becoming an employee, elect to pay to the Board the amount refunded to him from the Public Service Superannuation Fund upon his ceasing to be a contributor to that Fund.

Provisions relating to former contributors to Public Service Superannuation Funds.

‘(2.) The amount refunded to a contributor from the Public Service Superannuation Fund shall not, for the purposes of the last preceding sub-section, include the amount (if any) refunded to him in respect of contributions paid by him to that Fund for reserve units of pension.

‘(3.) Upon payment to the Board of an amount referred to in sub-section (1.) of this section, the actuarial member of the Board shall certify the number of units (including, where necessary, a fraction of a unit) the present value of which is, in his opinion, equal to three times that amount and the contributor shall be deemed to be a contributor for that number of units, but is not required to make contributions in respect of those units.

‘(4.) An amount paid to the Board under this section—

(a) shall be paid into and form part of the Fund ; and

(b) shall, for the purposes of this Act, be deemed to be contributions made by the employee to the Fund.”.

Title agreed to.

Bill to be reported with amendments.

The House resumed ; Mr. Adermann reported accordingly.

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

17. ADJOURNMENT.—Mr. Eric J. Harrison (Vice-President of the Executive Council) moved, That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at four minutes past five o'clock p.m., adjourned until Tuesday next at half-past two o'clock p.m.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except Mr. Anthony, Mr. Bostock, Mr. Bowden, Mr. Brimblecombe, Mr. C. R. Cameron, Mr. D. A. Cameron, Mr. Casey, Mr. Chambers, Mr. Davies, Mr. Drakeford, Mr. Drummond, Sir Arthur Fadden, Mr. Hamilton, Mr. Johnson, Mr. Joske, Mr. Kent Hughes, Mr. Lawson, Mr. Lazzarini, Mr. Leslie, Mr. Luck, Mr. McEwen, Mr. McLeod, Mr. Mullens, Mr. Osborne, Mr. Peters, Mr. Pollard, Mr. Riordan, Mr. Ryan and Mr. Wight.

F. C. GREEN,

Clerk of the House of Representatives.