

1958.

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

## VOTES AND PROCEEDINGS

OF THE

## HOUSE OF REPRESENTATIVES.

No. 47.

TUESDAY, 30TH SEPTEMBER, 1958.

1. The House met, at half-past two o'clock p.m., pursuant to adjournment.—Mr. Speaker (the Honorable J. McLeay) took the Chair, and read Prayers.
2. PAPERS.—The following Papers were presented, pursuant to Statute—
  - Apple and Pear Organization Act—Australian Apple and Pear Board—Twelfth Annual Report, for year 1957–58, together with Statement by Minister regarding the operation of the Act.
  - Australian Wool Testing Authority Act—Australian Wool Testing Authority—First Annual Report and financial statement, together with the Auditor-General's Report, for period 1st December, 1957 to 30th June, 1958.
  - Canned Fruits Export Control Act—Australian Canned Fruits Board—Thirty-second Annual Report, for year 1957–58, together with Statement by Minister regarding the operation of the Act.
  - Dairy Produce Export Control Act—Australian Dairy Produce Board—Thirty-third Annual Report, for year 1957–58, together with Statement by Minister regarding the operation of the Act.
  - Defence Act—Royal Military College—Report for 1957.
  - Dried Fruits Export Control Act—Dried Fruits Control Board—Thirty-fourth Annual Report, for year 1957–58, together with Statement by Minister regarding the operation of the Act.
  - Public Service Act—Appointments—Department—
    - Attorney-General—A. M. Fenwick.
    - Health—M. O. Hotham.
    - Postmaster-General—G. M. Adam, G. W. Brewer, P. A. Cantwell, M. K. Cole, J. G. Madigan, F. Spittell.
    - Works—J. D. Daniel.
  - Repatriation Act—War Pensions Entitlement Appeal Tribunals Nos. 1, 2 and 3—Reports for year 1957–58.
  - Seat of Government (Administration) Act—
    - Ordinances—1958—
      - No. 15—Motor Traffic (No. 2).
      - No. 16—Fire Brigades.
      - No. 17—Hire-purchase Agreements.
      - No. 18—Co-operative Societies.
      - No. 19—Holidays.
    - Variations of plan of lay-out of City of Canberra and its environs, dated 25th and 29th September, 1958.
  - Sugar Agreement Act—Fruit Industry Sugar Concession Committee—Twenty-seventh Annual Report, for year ended 31st August, 1958.
  - Wine Overseas Marketing Act—Australian Wine Board—Thirtieth Annual Report, for year 1957–58, together with Statement by Minister regarding the operation of the Act.
3. DISCUSSION OF MATTER OF URGENCY—EXPORT MARKETS.—Mr. Evatt (Leader of the Opposition) having proposed to Mr. Speaker that a definite matter of urgent public importance be submitted to the House for discussion, namely, "The injury to the nation's economy caused by the Government's failure to take the necessary steps to secure adequate markets and reasonable prices overseas for Australia's exported products; and the necessity for taking immediate positive steps for remedying the present position"—
  - 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 addressed the House.
  - Discussion ensued.
  - Discussion concluded.

30th September, 1958.

4. DAIRY PRODUCE RESEARCH AND SALES PROMOTION BILL 1958.—Mr. McMahon (Minister for Primary Industry), pursuant to leave given on the 18th September, brought up a Bill intituled “*A Bill for an Act to establish a Dairy Produce Research Trust Account and a Dairy Produce Sales Promotion Fund, and for purposes connected therewith*”, and moved, That it be now read a first time.  
Question—put and passed.—Bill read a first time.  
Mr. McMahon moved, by leave, That the Bill be now read a second time.  
Debate adjourned (Mr. Pollard), and the resumption of the debate made an Order of the Day for the next sitting.
5. DAIRY PRODUCE EXPORT CONTROL BILL 1958.—Mr. McMahon (Minister for Primary Industry), pursuant to leave given on the 18th September, brought up a Bill intituled “*A Bill for an Act to amend the ‘Dairy Produce Export Control Act 1924–1954’*”, and moved, That it be now read a first time.  
Question—put and passed.—Bill read a first time.  
Mr. McMahon moved, by leave, That the Bill be now read a second time.  
Debate adjourned (Mr. Pollard), and the resumption of the debate made an Order of the Day for the next sitting.
6. WAYS AND MEANS—DAIRY PRODUCE LEVY.—The House, according to Order, resolved itself into the Committee of Ways and Means.

(In the Committee.)

Mr. McMahon (Minister for Primary Industry) moved—

1. That, in this Resolution—
  - (a) “dairy produce” mean butter and cheese;
  - (b) “levy” mean levy imposed by the Act;
  - (c) “notional weight”, in relation to cheese, mean a weight equal to the weight of the butter fat in the milk used in the manufacture of the cheese multiplied by two and eleven-twentieths;
  - (d) “the Act” mean the Act passed to give effect to this Resolution;
  - (e) “the Board” mean the Australian Dairy Produce Board constituted under the *Dairy Produce Export Control Act 1924–1954* as proposed to be amended by the *Dairy Produce Export Control Bill 1958*; and
  - (f) “the Minister” mean the Minister of State administering the Act.
2. That the Act bind the Crown in right of a State.
3. That a levy be imposed on all dairy produce manufactured in Australia on or after a date to be fixed by the Minister, upon the recommendation of the Board, by notice published in the *Commonwealth of Australia Gazette*.
- 4.—(1.) That, subject to the next succeeding sub-paragraph, the amount of levy in respect of any butter consist of the sum of—
  - (a) such amount for each pound of the butter as is from time to time prescribed by regulations for the purposes of the provision of the Act which gives effect to this clause; and
  - (b) such amount for each pound of the butter as is from time to time prescribed by regulations for the purposes of the provision of the Act which gives effect to this clause.
 (2.) That the amounts referred to in the last preceding sub-paragraph be such that the sum of those amounts does not exceed three-sixteenths of a penny.
- 5.—(1.) That, subject to the next succeeding sub-paragraph, the amount of levy in respect of any cheese consist of the sum of—
  - (a) such amount for each pound of the notional weight of the cheese as is from time to time prescribed by regulations for the purposes of the provision of the Act which gives effect to this clause; and
  - (b) such amount for each pound of the notional weight of the cheese as is from time to time prescribed by regulations for the purposes of the provision of the Act which gives effect to this clause.
 (2.) That the amounts referred to in the last preceding sub-paragraph be such that the sum of those amounts does not exceed three-thirty-seconds of a penny.
6. That the amount of levy in respect of any dairy produce be payable by the manufacturer of the dairy produce.
- 7.—(1.) That the Minister be empowered, from time to time, by notice published in the *Commonwealth of Australia Gazette*, after report to the Minister by the Board, to exempt any dairy produce from the levy.  
(2.) That an exemption referred to in the last preceding sub-paragraph may be unconditional or subject to such conditions as are specified in the notice.
8. That the amount of levy in respect of any dairy produce manufactured during a month of the year be due and payable upon the expiration of twenty-eight days after the last day of that month.
- 9.—(1.) That an amount of levy be deemed, when it becomes due and payable, to be a debt due to the Commonwealth and payable to the Secretary to the Department of Primary Industry in the manner and at the place prescribed by regulations.  
(2.) That, in proceedings for the recovery of an amount of levy, a statement or averment in the complaint, claim or declaration of the plaintiff be evidence of the matter so stated or averred.

30th September, 1958.

10.—(1.) That the Governor-General be empowered to make regulations, not inconsistent with the Act, prescribing all matters which by the Act are required or permitted to be prescribed, or which are necessary or convenient to be prescribed for carrying out or giving effect to the Act, and, in particular—

(a) requiring persons to furnish returns for the purposes of the Act; and

(b) prescribing penalties not exceeding Fifty pounds for offences against the regulations.

(2.) That, before making regulations prescribing an amount referred to in paragraph four or five of this Resolution, the Governor-General be required to take into consideration any recommendations with respect to the amount made to the Minister by the Board.

(3.) That, before making a recommendation to the Minister with respect to an amount referred to in clause (a) of sub-paragraph (1.) of paragraph four, or clause (a) of sub-paragraph (1.) of paragraph five, of this Resolution, the Board be required to take into consideration any recommendation with respect to the amount submitted to the Board by the Dairy Produce Research Committee proposed to be established by the *Dairy Produce Research and Sales Promotion Bill 1958*.

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. McMahon 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. McMahon, the Resolution reported from the Committee was adopted by the House.

Ordered—That Mr. McMahon and Mr. H. E. Holt do prepare and bring in a Bill to carry out the foregoing Resolution.

7. DAIRY PRODUCE LEVY BILL 1958.—Mr. McMahon (Minister for Primary Industry) then brought up a Bill intituled “ *A Bill for an Act to impose a Levy upon Dairy Produce manufactured in Australia* ”, and moved, That it be now read a first time.

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

Mr. McMahon moved, That the Bill be now read a second time.

Debate adjourned (Mr. Pollard), and the resumption of the debate made an Order of the Day for the next sitting.

8. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That Orders of the Day Nos. 2 to 5, Government Business, be postponed until a later hour this day.

9. STATISTICS (ARRANGEMENTS WITH STATES) BILL 1958.—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.

Question—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.)

Bill, by leave, taken as a whole, and agreed to.

Bill to be reported without amendment.

The House resumed; Mr. Adermann reported accordingly.

On the motion of Mr. McMahon (Minister for Primary Industry), the House adopted the Report, and, by leave, the Bill was read a third time.

10. CHRISTMAS ISLAND AGREEMENT BILL 1958.—Mr. Hasluck (Minister for Territories) moved, by leave, That he have leave to bring in a Bill for an Act to approve an Agreement relating to Christmas Island entered into between the Government of Australia and the Government of New Zealand, and for other purposes.

Question—put and passed.

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

Debate adjourned (Mr. Calwell), and the resumption of the debate made an Order of the Day for the next sitting.

11. COAL INDUSTRY BILL 1958.—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.

Debate adjourned (Mr. Opperman), and the resumption of the debate made an Order of the Day for a later hour this day.

12. AIRLINES EQUIPMENT BILL 1958.—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.

Question—put.

30th September, 1958.

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

## AYES, 59.

Mr. Adermann	Mr. Chaney	Mr. Fox	Sir W. Kent Hughes	Mr. Snedden
Mr. Allan	Mr. Cleaver	Mr. Freeth	Mr. Killen	Mr. Stokes
Mr. Anderson	Mr. Cramer	Mr. Graham	Mr. Leslie	Mr. Swartz
Mr. J. D. Anthony	Mr. Davidson	Mr. Hamilton	Mr. Lindsay	Mr. Timson
Mr. Aston	Mr. Davis	Mr. Hasluck	Mr. Luck	Mr. Townley
Sir G. Barwick	Mr. Dean	Mr. Haworth	Mr. Lucock	Mr. Turner
Mr. Bate	Mr. Downer	Mr. H. E. Holt	Mr. Mackinnon	Mr. Wentworth
Mr. Bostock	Mr. Erwin	Mr. Howse	Sir P. McBride	Mr. Wight
Mr. Bowden	Mr. Failes	Mr. Howson	Mr. McColm	Mr. Wilson
Mr. Brimblecombe	Mr. Fairhall	Mr. Hulme	Mr. McMahon	<i>Tellers:</i>
Mr. Bury	Mr. Falkinder	Mr. Jack	Mr. Pearce	Mr. Opperman
Mr. D. A. Cameron	Mr. Forbes	Mr. Joske	Mr. Robertson	Mr. Turnbull

## NOES, 30.

Mr. Beazley	Mr. Costa	Mr. Griffiths	Mr. Peters	<i>Tellers:</i>
Mr. Bryant	Mr. Coutts	Mr. L. R. Johnson	Mr. Pollard	
Mr. Calwell	Mr. Crean	Mr. Kearney	Mr. Riordan	Mr. Duthie
Mr. C. R. Cameron	Mr. Curtin	Mr. Luchetti	Mr. Russell	Mr. Stewart
Mr. Clarey	Mr. Daly	Mr. Makin	Mr. Thompson	
Mr. Clark	Mr. A. D. Fraser	Mr. McIvor	Mr. Ward	
Mr. Cope	Mr. Galvin	Mr. O'Connor	Mr. Whitlam	

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

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

*(In the Committee.)*

Bill, by leave, taken as a whole.

Question—That the Bill be agreed to—put.

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

## AYES, 59.

Mr. Allan	Mr. Cleaver	Mr. Freeth	Mr. Killen	Mr. Stokes
Mr. Anderson	Mr. Cramer	Mr. Graham	Mr. Leslie	Mr. Swartz
Mr. J. D. Anthony	Mr. Davidson	Mr. Hamilton	Mr. Lindsay	Mr. Timson
Mr. Aston	Mr. Davis	Mr. Hasluck	Mr. Luck	Mr. Townley
Sir G. Barwick	Mr. Dean	Mr. Haworth	Mr. Lucock	Mr. Turner
Mr. Bate	Mr. Downer	Mr. H. E. Holt	Mr. Mackinnon	Mr. Wentworth
Mr. Bostock	Mr. Erwin	Mr. Howse	Sir P. McBride	Mr. Wheeler
Mr. Bowden	Mr. Failes	Mr. Howson	Mr. McColm	Mr. Wight
Mr. Brimblecombe	Mr. Fairhall	Mr. Hulme	Mr. McMahon	Mr. Wilson
Mr. Bury	Mr. Falkinder	Mr. Jack	Mr. Pearce	<i>Tellers:</i>
Mr. D. A. Cameron	Mr. Forbes	Mr. Joske	Mr. Robertson	Mr. Opperman
Mr. Chaney	Mr. Fox	Sir W. Kent Hughes	Mr. Snedden	Mr. Turnbull

## NOES, 30.

Mr. Beazley	Mr. Costa	Mr. Griffiths	Mr. O'Connor	Mr. Ward
Mr. Bryant	Mr. Coutts	Mr. L. R. Johnson	Mr. Peters	Mr. Whitlam
Mr. Calwell	Mr. Crean	Mr. Kearney	Mr. Pollard	<i>Tellers:</i>
Mr. C. R. Cameron	Mr. Curtin	Mr. Luchetti	Mr. Riordan	Mr. Duthie
Mr. Clarey	Mr. Daly	Mr. Makin	Mr. Russell	Mr. Stewart
Mr. Clark	Mr. A. D. Fraser	Mr. McIvor	Mr. Thompson	
Mr. Cope	Mr. Galvin			

And so it was resolved in the affirmative.

Bill to be reported without amendment.

The House resumed; Mr. Adermann reported accordingly.

On the motion of Mr. Townley (Minister representing the Minister for Civil Aviation), the House adopted the Report.

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

Question—put.

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

## AYES, 60.

Mr. Adermann	Mr. Cleaver	Mr. Graham	Mr. Lindsay	Mr. Townley
Mr. Allan	Mr. Cramer	Mr. Hamilton	Mr. Luck	Mr. Turner
Mr. Anderson	Mr. Davidson	Mr. Hasluck	Mr. Lucock	Mr. Wentworth
Mr. J. D. Anthony	Mr. Davis	Mr. Haworth	Mr. Mackinnon	Mr. Wheeler
Mr. Aston	Mr. Dean	Mr. H. E. Holt	Sir P. McBride	Mr. Wight
Sir G. Barwick	Mr. Downer	Mr. Howse	Mr. McColm	Mr. Wilson
Mr. Bate	Mr. Erwin	Mr. Howson	Mr. McMahon	<i>Tellers:</i>
Mr. Bostock	Mr. Failes	Mr. Hulme	Mr. Pearce	
Mr. Bowden	Mr. Fairhall	Mr. Jack	Mr. Robertson	
Mr. Brimblecombe	Mr. Falkinder	Mr. Joske	Mr. Snedden	
Mr. Bury	Mr. Forbes	Sir W. Kent Hughes	Mr. Stokes	Mr. Opperman
Mr. D. A. Cameron	Mr. Fox	Mr. Killen	Mr. Swartz	Mr. Turnbull
Mr. Chaney	Mr. Freeth	Mr. Leslie	Mr. Timson	

30th September and 1st October, 1958.

		NOES, 30.		
Mr. Beazley	Mr. Costa	Mr. Griffiths	Mr. Peters	
Mr. Bryant	Mr. Coutts	Mr. L. R. Johnson	Mr. Pollard	
Mr. Calwell	Mr. Crean	Mr. Kearney	Mr. Riordan	<i>Tellers:</i>
Mr. C. R. Cameron	Mr. Curtin	Mr. Luchetti	Mr. Russell	
Mr. Clarey	Mr. Daly	Mr. Makin	Mr. Thompson	Mr. Duthie
Mr. Clark	Mr. A. D. Fraser	Mr. McIvor	Mr. Ward	Mr. Stewart
Mr. Cope	Mr. Galvin	Mr. O'Connor	Mr. Whitlam	

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

13. LOAN (QANTAS EMPIRE AIRWAYS LIMITED) BILL 1958.—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.  
Question—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.*)

Bill, by leave, taken as a whole, and agreed to.  
Bill to be reported without amendment.

The House resumed; Mr. Adermann reported accordingly.  
On the motion of Mr. Townley (Minister for Supply), the House adopted the Report, and the Bill was read a third time.

14. LOAN (AUSTRALIAN NATIONAL AIRLINES COMMISSION) BILL 1958.—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 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.*)

Bill, by leave, taken as a whole, and agreed to.  
Bill to be reported without amendment.

The House resumed; Mr. Adermann reported accordingly.  
On the motion of Mr. Townley (Minister for Supply), the House adopted the Report, and the Bill was read a third time.

15. COAL INDUSTRY BILL 1958.—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.

The House continuing to sit until after midnight—

### WEDNESDAY, 1ST OCTOBER, 1958.

Debate continued.  
Question—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.*)

Bill, by leave, taken as a whole, and agreed to.  
Bill to be reported without amendment.

The House resumed; Mr. Adermann reported accordingly.  
On the motion of Mr. H. E. Holt (Minister for Labour and National Service), the House adopted the Report, and, by leave, the Bill was read a third time.

16. MESSAGE FROM THE SENATE—COCOS (KEELING) ISLANDS BILL 1958.—Mr. Speaker reported the receipt of the following Message from the Senate:—

MR. SPEAKER,

*Message No. 72.*

The Senate returns to the House of Representatives the Bill for “*An Act to amend the ‘Cocos (Keeling) Islands Act 1955-1956’*”, and acquaints the House that the Senate has agreed to the Bill with the Amendments indicated by the annexed Schedule, in which Amendments the Senate requests the concurrence of the House of Representatives.

The Senate,  
Canberra, 30th September, 1958.

A. M. McMULLIN,  
President.

Ordered—That the Amendments 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.

30th September and 1st October, 1958.

*(In the Committee.)*

The Committee proceeded to consider the Amendments, which are as follows:—

## SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE.

No. 1.—Page 1, clause 2, lines 10 to 15, leave out the clause, insert the following clause:—

“ 2. This Act shall come into operation on the day on which it receives the Royal Commencement Assent.”.

No. 2.—Page 2, clause 4, lines 6 to 11, leave out the clause.

On the motion of Mr. H. E. Holt (Minister for Labour and National Service), the Amendments were agreed to, after debate.

Resolution to be reported.

The House resumed; Mr. Adermann reported accordingly.

On the motion of Mr. Holt, the House adopted the Report.

17. LOAN BILL 1958.—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.

Question—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.)*

Bill, by leave, taken as a whole, and agreed to.

Bill to be reported without amendment.

The House resumed; Mr. Adermann reported accordingly.

On the motion of Mr. H. E. Holt (Minister for Labour and National Service), the House adopted the Report, and the Bill was read a third time.

18. MESSAGE FROM THE SENATE—MARRIAGE (OVERSEAS) BILL 1958.—Mr. Speaker reported the receipt of the following Message from the Senate:—

MR. SPEAKER,

*Message No. 73.*The Senate has passed a Bill for “ *An Act to amend the ‘ Marriage (Overseas) Act 1955’ , and for other purposes* ”, and transmits the same to the House of Representatives for its concurrence.A. M. McMULLIN,  
President.The Senate,  
Canberra, 30th September, 1958.

Mr. H. E. Holt (Minister for Labour and National Service) moved, That the Bill 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.

19. MESSAGES FROM THE SENATE.—Messages from the Senate were reported returning the following Bills without amendment:—

30th September, 1958—*Message—**No. 70—Migration 1958.**No. 71—Nationality and Citizenship 1958.**No. 74—National Health 1958.**No. 75—Cellulose Acetate Flake Bounty 1958.**No. 76—Tractor Bounty 1958.**No. 77—States Grants 1958.*

20. ADJOURNMENT.—Mr. H. E. Holt (Minister for Labour and National Service) moved, That the House do now adjourn.

Question—put and passed.

And then the House, at six minutes past one o'clock in the morning, adjourned until this day at half-past two o'clock p.m.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except Mr. Barnard, Mr. Bird, Mr. Buchanan, Mr. Cairns, Mr. Casey, Mr. Chambers, Mr. Drury, Sir Arthur Fadden, Mr. Fairbairn, Mr. J. M. Fraser, Mr. R. W. Holt, Mr. James\*, Mr. H. V. Johnson, Mr. Lawson, Mr. McEwen, Mr. Minogue\*, Mr. Morgan and Mr. Osborne.

\*On leave.

A. A. TREGEAR,  
*Clerk of the House of Representatives.*