

1959.

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

VOTES AND PROCEEDINGS  
OF THE  
HOUSE OF REPRESENTATIVES.

No. 21.

THURSDAY, 23RD APRIL, 1959.

1. The House met, at half-past ten o'clock a.m., pursuant to adjournment.—Mr. Speaker (the Honorable J. McLeay) took the Chair, and read Prayers.
2. PETITIONS.—Mr. Evatt (Leader of the Opposition) presented a Petition from certain citizens of Australia praying that the House will (1) give immediate consideration to the matter of increasing the rate of age, invalid and widows' pensions to at least 50 per cent. of the basic wage, (2) amend the National Health Act to make the Pensioner Medical Service available to all pensioners irrespective of means, and (3) provide increased pharmaceutical benefits for pensioners.  
Petition received and read.  
Similar Petitions were presented by Mr. Minogue, Mr. Cope and Mr. Haylen, and were severally received.
3. MINISTERIAL ARRANGEMENTS.—Mr. McEwen (Minister for Trade) informed the House that, during the absence overseas of Mr. Menzies (Prime Minister), he would act in his stead and administer the Prime Minister's Department.
4. MESSAGE FROM THE SENATE.—A Message from the Senate was reported returning the following Bill without amendment:—  
22nd April, 1959—*Message No. 26*—Parliamentary Retiring Allowances 1959.
5. DISCUSSION OF MATTER OF URGENCY—UNEMPLOYMENT.—Mr. Speaker informed the House that Mr. Barnard had proposed that a definite matter of urgent public importance be submitted to the House for discussion, namely, "The continued failure of the Government to take effective action to reduce the high level of unemployment throughout Australia".  
The proposed discussion having received the necessary support—  
Mr. Barnard addressed the House.  
Discussion ensued.  
Discussion concluded.
6. ORDER OF THE DAY NO. 1—SUPPLY ["GRIEVANCE DAY"].—It being past fifteen minutes to one o'clock p.m., Order of the Day No. 1 ("Grievance Day"—pursuant to Standing Order No. 291) was not called on, and the Committee of Supply was set down for a later hour this day.
7. INTERNATIONAL AFFAIRS—MINISTERIAL STATEMENT—MOTION FOR PRINTING PAPER.—Mr. Casey (Minister for External Affairs), by leave, made a Ministerial Statement regarding International Affairs with particular reference to recent conferences of the Economic Commission for Asia and the Far East and the South-East Asia Treaty Organization and to his recent visit to Japan and Korea. Mr. Casey then, by command of His Excellency the Governor-General, laid upon the Table the following Paper:—  
International Affairs—Ministerial Statement, 23rd April, 1959—  
and moved, That the Paper be printed.  
Debate adjourned (Mr. Evatt—Leader of the Opposition), and the resumption of the debate made an Order of the Day for the next sitting.
8. AUSTRALIAN UNIVERSITIES COMMISSION BILL 1959.—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.  
The House resolved itself into a Committee of the Whole.

*(In the Committee.)*

Clauses 1 and 2 agreed to.  
Clause 3 debated and agreed to.

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

The House resumed; Mr. Bowden reported accordingly.  
On the motion of Mr. Downer (Minister for Immigration), the House adopted the Report, and, by leave, the Bill was read a third time.

9. EDUCATION BILL 1959.—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.  
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. Bowden reported accordingly.  
On the motion of Mr. Downer (Minister for Immigration), the House adopted the Report, and, by leave, the Bill was read a third time.

10. MESSAGE FROM THE SENATE—NORTHERN TERRITORY (ADMINISTRATION) BILL 1959.—Mr. Speaker reported the receipt of the following Message from the Senate:—

MR. SPEAKER,

Message No. 27.

The Senate returns to the House of Representatives the Bill for “ *An Act to amend the ‘ Northern Territory (Administration) Act 1910–1956’* ”, 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, 23rd April, 1959.

A. M. McMULLIN,  
President.

Ordered—That the Amendments be taken into consideration, in Committee of the whole House, forthwith.

(In the Committee.)

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE.

No. 1.—Page 3, clause 8, lines 9 to 15, leave out paragraphs (a), (b) and (c), insert—

“(a) shall be appointed by the Governor-General on the nomination of the Administrator; and (b) shall, unless re-appointed, cease to hold office on the date immediately preceding the date of the next general election of members of the Legislative Council.”

No. 2.—Page 5, clause 12, lines 25 to 34, leave out the clause, insert the following clause:—

“12. Section four KA of the Principal Act is repealed and the following section inserted in its stead:—

‘4KA.—(1.) A person is not qualified to be a candidate for election as a member of the Legislative Council if, at the date of nomination—

(a) he is employed in the Public Service of the Territory or of the Commonwealth; Disqualifications for membership of Legislative Council.

(b) he is an undischarged bankrupt; or

(c) he has been convicted and is under sentence, or subject to be sentenced, for an offence punishable under the law of the Commonwealth, or of a State or Territory of the Commonwealth, by imprisonment for one year or longer.

‘(2.) An elected member of the Legislative Council vacates his office if he ceases to be entitled, or qualified to become entitled, to vote at elections of members of the Legislative Council.

‘(3.) An elected member or non-official member of the Legislative Council vacates his office if—

(a) he becomes a person to whom any of the paragraphs of sub-section (1.) of this section applies;

(b) he ceases to be a British subject;

(c) he is absent from three consecutive meetings of the Legislative Council otherwise than on leave of absence granted by the Administrator; or

(d) he takes or agrees to take, directly or indirectly, a fee or honorarium, other than a fee, an allowance or travelling expenses under the next succeeding section, for services rendered in the Legislative Council.

‘(4.) Any question concerning the application of the last preceding sub-section in relation to a non-official member of the Legislative Council shall be decided by the Legislative Council, unless the Legislative Council refers the question to the Supreme Court of the Northern Territory, in which case the question shall be determined by that Court.

‘(5.) An elected member or non-official member of the Legislative Council who is a party to, or has a direct or indirect interest in, a contract made by or on behalf of the Commonwealth under which goods or services are to be supplied to the Commonwealth shall not take part in a discussion of a matter, or vote on a question, in the Legislative Council where the matter or question relates directly or indirectly to that contract,

23rd April, 1959.

'(6.) Any question concerning the application of the last preceding sub-section shall be decided by the Legislative Council and a contravention of that sub-section does not affect the validity of anything done by the Legislative Council.'".

No. 3.—Page 5, after clause 15, insert the following new clause:—

" 15A. Section four QA of the Principal Act is repealed and the following section inserted in its stead:—

' 4QA. Where a person who has, whether before or after the commencement of this section, purported to sit or vote as a member of the Legislative Council at a meeting of the Legislative Council or of a Committee of the Legislative Council—

Validation  
of acts of  
Legislative  
Council.

- (a) was not, in the case of an elected member, a duly elected member by reason of his not having been qualified for election or of any other defect in his election; or  
(b) had vacated his office as a member,

all things done or purporting to have been done by the Legislative Council or that Committee shall be deemed to be as validly done as if that person had, when so sitting or voting, been a duly elected member of the Legislative Council, or had not vacated his office, as the case may be.'".

No. 4.—Page 7, clause 16, line 37, after " possible ", insert " , but in any case within fifteen sitting days of that House, ".

No. 5.—Page 7, clause 16, lines 42 to 45, leave out all words after the word " shall ", insert " cause a statement of the reasons for withholding assent, or for disallowance, as the case may be, to be laid before each House of the Parliament as soon as possible, but in any case within fifteen sitting days of that House, after the date on which assent was withheld or the Ordinance was disallowed, as the case may be.'".

No. 6.—Page 11, the Schedule, leave out—

" 4KA | Before ' Council ' (wherever occurring), insert ' Legislative ' ".

No. 7.—Page 11, the Schedule, leave out—

" 4QA | Before ' Council ' (wherever occurring), insert ' Legislative ' ".

On the motions of Mr. Hasluck (Minister for Territories)—

- Amendment No. 1 agreed to, after debate.
- Amendment No. 2 agreed to, after debate.
- Amendment No. 3 agreed to.
- Amendment No. 4 agreed to, after debate.
- Amendment No. 5 agreed to, after debate.
- Amendments Nos. 6 and 7 agreed to.

Resolution to be reported.

The House resumed; Mr. Bowden reported accordingly.

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

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

23rd April, 1959—*Message*—

- No. 28—Northern Territory Representation 1959.
- No. 29—Customs Tariff 1959 (*without requests*).
- No. 30—Customs Tariff (No. 2) 1959 (*without requests*).
- No. 31—Customs Tariff (Canadian Preference) 1959 (*without requests*).
- No. 32—Customs Tariff (New Zealand Preference) 1959 (*without requests*).
- No. 33—Customs Tariff (Papua and New Guinea Preference) 1959 (*without requests*).
- No. 34—Excise Tariff 1959 (*without requests*).

12. MESSAGE FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS.—A Message from His Excellency the Governor-General was announced informing the House that His Excellency, in the name and on behalf of Her Majesty, had assented to the following Bills:—

21st April, 1959—*Message No. 9*—

- Civil Aviation (Carriers' Liability) 1959.
- Australian National Airlines 1959.

13. PAPERS.—The following Papers were presented, pursuant to Statute—

- Income Tax and Social Services Contribution Assessment Act—Regulations—Statutory Rules 1959, No. 25.
- Lands Acquisition Act—Land acquired for postal purposes—Struan, South Australia.
- Post and Telegraph Act—Regulations—Statutory Rules 1959, No. 26.

14. ADJOURNMENT.—Mr. McMahon (Minister for Labour and National Service) moved, That the House do now adjourn.

Question—put and passed.

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

23rd April, 1959.

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MEMBERS PRESENT.—All Members were present (at some time during the sitting) except Mr. Brimblecombe, Mr. Cairns, Mr. Chaney, Mr. Clark, Mr. Courtney, Mr. Curtin, Mr. Duthie, Mr. Fulton, Mr. Haworth, Mr. Howse, Mr. Kearney, Mr. Menzies, Mr. Peters, Mr. Riordan\* and Mr. Wight.

\* On leave.

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A. G. TURNER,  
*Clerk of the House of Representatives.*