

1960.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

No. 29.

THURSDAY, 2ND JUNE, 1960.

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. PAPER.—The following Paper was presented, pursuant to Statute—
Public Service Act—Appointment—Department of National Development—I. P. Sargeant.
3. PUBLIC WORKS COMMITTEE—REPORT.—Mr. Fairhall (Chairman) brought up the following Report from the Parliamentary Standing Committee on Public Works:—
Report relating to the proposed construction of a new main hospital block at the Canberra Community Hospital, Australian Capital Territory.
Ordered, after debate, to be printed.
4. SUPPLY ["GRIEVANCE DAY"].—Pursuant to the provisions of Standing Order No. 291, the Order of the Day having been read for going into the Committee of Supply—
Question proposed—That the Speaker do now leave the Chair.
Debate ensued.
It being fifteen minutes to one o'clock p.m., the debate was interrupted in accordance with Standing Order No. 291.
Question—That the Speaker do now leave the Chair—put and negatived.
Ordered—That the House will, at a later hour this day, resolve itself into the said Committee.
5. MESSAGE FROM THE SENATE.—A Message from the Senate was reported returning the following Bill without amendment:—
2nd June, 1960, a.m.—*Message No. 36*—Parliamentary Proceedings Broadcasting 1960.
6. AIRPORTS (SURFACE TRAFFIC) BILL 1960.—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.)

Bill, by leave, taken as a whole.

On the motion of Mr. Townley (Minister representing the Minister for Civil Aviation), by leave, the following amendments were made together:—

Clause 6, page 4, line 16, after "entry to" insert "or exit from".

Clause 8—

Page 5, line 10, after "entry to" insert "or exit from".

Page 5, at the end of the clause add the following sub-clause:—

"(3.) In the case of a vehicle that is parked or kept standing in a parking area exit from which is controlled by meter-operated gates, a person shall be deemed not to have committed an offence under paragraph (b) of sub-section (1.) of this section if he has paid the parking fee before removing the vehicle from the area."

2nd June, 1960.

Clause 13, page 7, line 19, omit paragraph (b), insert the following paragraph:—

“(b) by securely affixing the notice to the vehicle in a conspicuous position; or”.

Bill, as amended, agreed to.

Bill to be reported with amendments.

The House resumed; Mr. Bowden reported accordingly.

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

7. PUBLIC WORKS COMMITTEE—REPORT.—Mr. Fairhall (Chairman) brought up the following Report from the Parliamentary Standing Committee on Public Works:—

Report relating to the proposed construction of a new nurses' home and training school at the Canberra Community Hospital, Australian Capital Territory.

Ordered to be printed.

8. PATENTS BILL 1960.—The Order of the Day having been read for the second reading—Sir Garfield Barwick (Attorney-General) moved, That the Bill be now read a second time. Debate adjourned (Mr. Whitlam), and the resumption of the debate made an Order of the Day for the next sitting.

9. MESSAGE FROM THE SENATE—BROADCASTING AND TELEVISION BILL 1960.—Mr. Speaker reported the receipt of the following Message from the Senate:—

MR. SPEAKER,

Message No. 35.

The Senate returns to the House of Representatives the Bill for “*An Act to amend the ‘Broadcasting and Television Act 1942–1956’*”, 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, 2nd June, 1960, a.m.

A. D. REID,

Deputy-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 2, clause 3, lines 8 to 13, leave out paragraph (a).

No. 2.—Page 11, clause 30, at the end of proposed section 91 add the following sub-section:—

“(4) For the purposes of this Division, a licence granted by way of renewal of a licence shall be deemed to be a continuation of the first-mentioned licence.”.

No. 3.—Page 12, clause 30, at the end of proposed section 92D add the following sub-section:—

“(2) Where, upon the commencement of this section, there arises a contravention of the condition specified in the last preceding sub-section by reason of facts or circumstances that would not have constituted a contravention of the condition specified in paragraph (a) of section ninety-two of the *Broadcasting and Television Act 1942–1956*, those facts and circumstances shall be deemed not to constitute a contravention of the condition specified in the last preceding sub-section unless they continue after the thirtieth day of June, One thousand nine hundred and sixty-one.”.

No. 4.—Page 13, clause 30, at the end of proposed section 92F add the following sub-section:—

“(3) The Minister shall not refuse his approval under this section except for the purpose of ensuring observance of, or compliance with, this Division or with a condition of the licence (including a condition applicable under a provision of this Division other than this section).”.

No. 5.—Page 16, at the end of clause 30 add the following sub-clauses:—

“(2.) Where—

(a) before the date of commencement of this section, the Minister referred applications for a licence to the Board but the Board had not, before that date, made its recommendation as to the granting of the licence;

(b) the circumstances in relation to a company that has applied for the licence, or the articles of association of such a company, are such that section ninety-two E or sub-section (3.) of section ninety-two G of the Principal Act, as amended by this Act, would prevent the granting of the licence to that company; and

(c) it appears to the Board that the company is able, within a reasonable time, to cause those circumstances to cease to exist or its articles of association to be altered to the necessary extent, and is willing, in order to obtain the licence, to do so,

then, notwithstanding the provisions referred to in paragraph (b) of this sub-section, the Board may recommend the grant of the licence to that company, and the Minister may grant the licence to that company.

“(3.) Where the Minister grants a licence in accordance with the last preceding sub-section—

(a) he shall do so upon such conditions as are, in his opinion, necessary to ensure observance of, and compliance with, Division 3 of Part IV. of the Principal Act, as amended by this Act, and the conditions applicable under that Division, at the commencement of a television service in pursuance of the licence or at the expiration of six months from the commencement of the licence, whichever is the earlier; and

2nd June, 1960.

(b) the circumstances referred to in paragraph (b) of the last preceding sub-section, or the failure of the articles of association of the company to contain provisions referred to in section ninety-two G of the Principal Act, as amended by this Act, shall be deemed not to give rise, by reason of the grant of the licence, to a contravention of, or failure to comply with, the Division referred to in the last preceding paragraph, or the conditions applicable under that Division, before the commencement of a television service in pursuance of the licence or the expiration of six months from the commencement of the licence, whichever is the earlier.”

No. 6.—Page 16, clause 31, line 37, after “ the Board ”, insert “, or the Commonwealth Industrial Court upon an appeal.”

No. 7.—Page 17, clause 31, after sub-section (4.) of proposed section 105A insert the following sub-section:—

“ (4A.) Without limiting the generality of sub-section (3.) of this section or the operation of the of the last preceding sub-section, the person against whom the order is sought shall be taken to have a reasonable ground of objection to the making of the order if he satisfies the Board, or the Commonwealth Industrial Court upon an appeal, that his failure to comply with the request of the licensee was not, or the terms or conditions that he required the licensee to accept were not, in any wise related to an intention or attempt to obtain, for himself, either alone or in association with any other person or persons, or for some other person or persons, control, either in whole or in part, of, or of the management of, or of the selection of the programmes of, any television station or stations (whether already established or not).”

No. 8.—Page 19, clause 31, at the end of proposed section 105A add the following sub-section:—

“ (16.) For the purposes of this section, the area served by a television station is the area or areas within which consistently reliable reception of the programmes televised by that station can be obtained.”

On the motions of Mr. Davidson (Postmaster-General)—

- Amendment No. 1 agreed to, after debate.
- Amendment No. 2 agreed to, after debate.
- Amendment No. 3 agreed to, after debate.
- Amendment No. 4 agreed to, after debate.
- Amendment No. 5 agreed to, after debate.
- Amendment No. 6 agreed to, after debate.
- Amendment No. 7 agreed to, after debate.
- Amendment No. 8 agreed to.

Resolution to be reported.

The House resumed; Mr. Bowden reported accordingly.

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

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

Papua and New Guinea Act—Ordinances—1960—

- No. 12—Excise (Beer).
- No. 13—Public Service.
- No. 14—Superannuation (Papua and New Guinea).
- No. 15—Land (Papua).
- No. 17—Liquor.
- No. 19—Salaries Adjustment.

Public Service Act—Appointment—Department of the Interior—P. Herbert.

11. INTER-PARLIAMENTARY UNION—WARSAW CONFERENCE, 1959—REPORT OF AUSTRALIAN DELEGATION—PRINTING OF PAPER.—Mr. Haworth moved, by leave, That the following Paper, laid on the Table of the House on the 25th November, 1959, be printed:—

Inter-Parliamentary Union—48th Conference held at Warsaw, August–September, 1959—Report of Australian Delegation.

Debate ensued.

Question—put and passed.

12. ARMY TRAINING ACCIDENT AT THE RIP, PORT PHILLIP BAY—MINISTERIAL STATEMENT.—Mr. McEwen (Acting Prime Minister), by leave, made a Ministerial Statement with reference to the accident involving loss of life of Army personnel which occurred earlier in the year at The Rip, Port Phillip Bay. Mr. Calwell (Leader of the Opposition), by leave, also made a Statement with reference to the matter.

13. SPECIAL ADJOURNMENT.—Mr. Holt (Treasurer) moved, That the House, at its rising, adjourn until a date and hour to be fixed by Mr. Speaker, which time of meeting shall be notified by Mr. Speaker to each Member by telegram or letter.

Question—put and passed.

14. LEAVE OF ABSENCE TO ALL MEMBERS.—Mr. Holt (Treasurer) moved, That leave of absence be given to every Member of the House of Representatives from the determination of this sitting of the House to the date of its next sitting.

Question—put and passed.

2nd June, 1960.

15. ADJOURNMENT.—Mr. Holt (Treasurer) moved, That the House do now adjourn.
Debate ensued.
Question—put and passed.

And then the House, at ten minutes past six o'clock p.m., adjourned until a date and hour to be fixed by Mr. Speaker, and to be notified by him to each Member by telegram or letter as determined by Resolution of the House at this sitting.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except Mr. Aston, Mr. Beazley, Mr. Bland, Mr. D. A. Cameron, Mr. Clark, Mr. Cramer, Mr. Dean, Mr. Duthie, Mr. Fulton, Mr. Halbert, Mr. Hamilton, Mr. Harrison, Mr. Hasluck, Mr. Haylen, Mr. Johnson, Mr. Joske, Mr. Kelly, Mr. Lawson*, Mr. McIvor, Mr. McMahon, Mr. Menzies, Mr. Murray, Mr. Opperman, Mr. Sexton, Mr. Snedden, Mr. Stokes and Mr. Wight.

* On leave.

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