

1960.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

No. 44.

THURSDAY, 22ND SEPTEMBER, 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. PAPERS.—The following Paper was presented, by command of His Excellency the Governor-General—
Tasman Empire Airways Ltd.—Report and financial accounts, for year ended 31st March, 1960.
The following Papers were presented, pursuant to Statute—
Australian Imperial Force Canteens Funds Act—Fortieth and Final Report by the Trustees, for period 1st July to 7th December, 1959.
Canned Fruits Export Control Act—Australian Canned Fruits Board—Thirty-fourth Annual Report, for year 1959–60.
Export Payments Insurance Corporation Act—Export Payments Insurance Corporation—Fourth Annual Report and financial statements, together with the Auditor-General's Report, for year 1959–60.
Lands Acquisition Act—Land acquired for postal purposes—Hobart, Tasmania.
Public Service Act—Appointment—Department of the Interior—F. G. Whitby.
3. LEAVE OF ABSENCE TO MEMBERS.—Mr. Calwell (Leader of the Opposition) moved, That leave of absence for one month be given to the honorable Members for Watson (Mr. Cope) and Lang (Mr. Stewart) on the ground of Parliamentary business overseas, to the honorable Member for Banks (Mr. Costa) on the ground of public business overseas, and to the honorable Member for Brisbane (Mr. Lawson) on the ground of ill health.
Question—put and passed.
4. PAPUA AND NEW GUINEA BILL (No. 2) 1960.—Mr. Hasluck (Minister for Territories) moved, pursuant to notice, That he have leave to bring in a Bill for an Act relating to the Government of the Territories of Papua and New Guinea.
Question—put and passed.
5. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That Order of the Day No. 1, Government Business, be postponed until a later hour this day.
6. REPATRIATION 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.
Mr. Griffiths was granted leave to continue his speech when the debate is resumed.
Debate adjourned, and the resumption of the debate made an Order of the Day for a later hour this day.
7. PAPUA AND NEW GUINEA BILL (No. 2) 1960.—Mr. Hasluck (Minister for Territories), pursuant to leave given this day, brought up a Bill intituled "*A Bill for an Act relating to the Government of the Territories of Papua and New Guinea*".
Bill read a first time.
Mr. Hasluck moved, by leave, That the Bill be now read a second time.
Debate adjourned (Mr. Calwell—Leader of the Opposition), and the resumption of the debate made an Order of the Day for the next sitting.

22nd September, 1960.

8. REPATRIATION 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.

Closure.—Mr. Downer (Minister for Immigration) moved, That the question be now put.

Question—That the question be now put—put.

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

AYES, 53.

| | | | | |
|-------------------|--------------|--------------------|---------------|-----------------|
| Mr. Adermann | Mr. Chaney | Mr. Fairbairn | Mr. Killen | Mr. Wheeler |
| Mr. Allan | Mr. Chresby | Mr. Falkinder | Mr. King | Mr. Whittorn |
| Mr. Anderson | Mr. Cleaver | Mr. Forbes | Mr. Lucock | Mr. Wight |
| Mr. Anthony | Mr. Cramer | Mr. Fox | Mr. Mackinnon | |
| Mr. Aston | Mr. Davidson | Mr. J. M. Fraser | Mr. Murray | <i>Tellers:</i> |
| Mr. Bandidt | Mr. Davis | Mr. Freeth | Mr. Opperman | |
| Mr. Barnes | Mr. Dean | Mr. Halbert | Mr. Osborne | Mr. Hamilton |
| Mr. Brimblecombe | Mr. Downer | Mr. Hasluck | Mr. Robertson | Mr. Pearce |
| Mr. Browne | Mr. Drummond | Mr. Haworth | Mr. Stokes | |
| Mr. Buchanan | Mr. Drury | Mr. Jack | Mr. Swartz | |
| Mr. Bury | Mr. Erwin | Mr. Jess | Mr. Turnbull | |
| Mr. D. A. Cameron | Mr. Failes | Sir W. Kent Hughes | Mr. Turner | |

NOES, 32.

| | | | | |
|-------------------|---------------|-------------|--------------|-----------------|
| Mr. Barnard | Mr. Courtney | Mr. Haylen | Mr. Minogue | Mr. Ward |
| Mr. Beaton | Mr. Crean | Mr. James | Mr. O'Connor | Mr. Whitlam |
| Mr. Beazley | Mr. Curtin | Mr. Johnson | Mr. Peters | |
| Mr. Bird | Mr. Daly | Mr. Jones | Mr. Pollard | <i>Tellers:</i> |
| Mr. Bryant | Mr. Davies | Mr. Kearney | Mr. Reynolds | |
| Mr. C. R. Cameron | Mr. Griffiths | Mr. Makin | Mr. Thompson | Mr. Duthie |
| Mr. Clay | Mr. Harrison | Mr. McIvor | Mr. Uren | Mr. Luchetti |

And so it was resolved in the affirmative.

And the question—That the Bill be now read a second time—was put accordingly, and passed.—Bill read a second time.

The House resolved itself into a Committee of the Whole.

(In the Committee.)

Clauses 1 to 6 agreed to.

Clause 7 debated and agreed to.

Clause 8 debated and agreed to.

Clauses 9 and 10 agreed to.

Proposed new clauses—

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

“ 3A. Section thirty-seven of the Principal Act is amended—

(a) by inserting in sub-section (1.) after the words ‘ pulmonary tuberculosis ’, ^{Pension for pulmonary tuberculosis.} the words ‘ or cancer ’; and

(b) by omitting from paragraph (b) of sub-section (3.) the words ‘ pulmonary tuberculosis ’ and inserting in their stead the words ‘ pulmonary tuberculosis or cancer ’.”

Debate ensued.

Closure.—Mr. Downer moved, That the question be now put.

Question—That the question be now put—put.

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

AYES, 53.

| | | | | |
|------------------|-------------------|------------------|--------------------|-----------------|
| Mr. Adermann | Mr. D. A. Cameron | Mr. Failes | Mr. Howse | Mr. Stokes |
| Mr. Allan | Mr. Chaney | Mr. Fairbairn | Mr. Jack | Mr. Swartz |
| Mr. Anderson | Mr. Chresby | Mr. Falkinder | Mr. Jess | Mr. Townley |
| Mr. Anthony | Mr. Cleaver | Mr. Forbes | Sir W. Kent Hughes | Mr. Turner |
| Mr. Aston | Mr. Cramer | Mr. Fox | Mr. Killen | Mr. Wheeler |
| Mr. Bandidt | Mr. Davis | Mr. J. M. Fraser | Mr. King | Mr. Whittorn |
| Mr. Barnes | Mr. Dean | Mr. Freeth | Mr. Mackinnon | Mr. Wight |
| Mr. Brimblecombe | Mr. Downer | Mr. Halbert | Mr. Murray | |
| Mr. Browne | Mr. Drummond | Mr. Hasluck | Mr. Opperman | <i>Tellers:</i> |
| Mr. Buchanan | Mr. Drury | Mr. Haworth | Mr. Osborne | Mr. Hamilton |
| Mr. Bury | Mr. Erwin | Mr. Holten | Mr. Robertson | Mr. Pearce |

NOES, 31.

| | | | | |
|-------------------|---------------|-------------|--------------|-----------------|
| Mr. Barnard | Mr. Courtney | Mr. James | Mr. O'Connor | Mr. Whitlam |
| Mr. Beaton | Mr. Crean | Mr. Johnson | Mr. Peters | |
| Mr. Beazley | Mr. Curtin | Mr. Jones | Mr. Pollard | <i>Tellers:</i> |
| Mr. Bird | Mr. Daly | Mr. Kearney | Mr. Reynolds | |
| Mr. Bryant | Mr. Davies | Mr. Makin | Mr. Thompson | Mr. Duthie |
| Mr. C. R. Cameron | Mr. Griffiths | Mr. McIvor | Mr. Uren | Mr. Luchetti |
| Mr. Clay | Mr. Harrison | Mr. Minogue | Mr. Ward | |

And so it was resolved in the affirmative.

22nd September, 1960.

And the question—That the clause proposed to be inserted be so inserted—being accordingly put—
The Committee divided (The Temporary Chairman, Mr. Lucock, in the Chair)—

Ayes, 32.

| | | | | |
|-------------------|---------------|-------------|--------------|-----------------|
| Mr. Barnard | Mr. Courtney | Mr. Haylen | Mr. Minogue | Mr. Ward |
| Mr. Beaton | Mr. Crean | Mr. James | Mr. O'Connor | Mr. Whitlam |
| Mr. Beazley | Mr. Curtin | Mr. Johnson | Mr. Peters | |
| Mr. Bird | Mr. Daly | Mr. Jones | Mr. Pollard | <i>Tellers:</i> |
| Mr. Bryant | Mr. Davies | Mr. Kearney | Mr. Reynolds | |
| Mr. C. R. Cameron | Mr. Griffiths | Mr. Makin | Mr. Thompson | Mr. Duthie |
| Mr. Clay | Mr. Harrison | Mr. McIvor | Mr. Uren | Mr. Luchetti |

Noes, 53.

| | | | | |
|------------------|-------------------|------------------|--------------------|-----------------|
| Mr. Adermann | Mr. D. A. Cameron | Mr. Failes | Mr. Howse | Mr. Stokes |
| Mr. Allan | Mr. Chaney | Mr. Fairbairn | Mr. Jack | Mr. Swartz |
| Mr. Anderson | Mr. Chresby | Mr. Falkinder | Mr. Jess | Mr. Townley |
| Mr. Anthony | Mr. Cleaver | Mr. Forbes | Sir W. Kent Hughes | Mr. Turner |
| Mr. Aston | Mr. Cramer | Mr. Fox | Mr. Killen | Mr. Wheeler |
| Mr. Bandidt | Mr. Davis | Mr. J. M. Fraser | Mr. King | Mr. Whittorn |
| Mr. Barnes | Mr. Dean | Mr. Freeth | Mr. Mackinnon | Mr. Wight |
| Mr. Brimblecombe | Mr. Downer | Mr. Halbert | Mr. Murray | |
| Mr. Browne | Mr. Drummond | Mr. Hasluck | Mr. Opperman | <i>Tellers:</i> |
| Mr. Buchanan | Mr. Drury | Mr. Haworth | Mr. Osborne | Mr. Hamilton |
| Mr. Bury | Mr. Erwin | Mr. Holten | Mr. Robertson | Mr. Pearce |

And so it was negatived.

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

“ 3B. After section forty-seven of the Principal Act the following section is inserted:—

‘ 47A.—(1.) Where a claimant, applicant or appellant under this Act ^{Appeal to High Court or Supreme Court.} considers—

(a) that, in hearing, determining or deciding his claim, application or appeal, the Commission, a Board, an Appeal Tribunal or an Assessment Appeal Tribunal did not give to him the benefit of any doubt in respect of a matter or question referred to, in paragraph (a) or (b) of sub-section (1.) of the last preceding section; or

(b) a person or authority who contended that his claim, application or appeal should not be granted or allowed to the full extent claimed did not discharge the onus of proof placed on that person or authority by sub-section (2.) of that section,

the claimant, applicant or appellant may appeal to the High Court, or to the Supreme Court of the State or Territory of the Commonwealth in which he resides, against the determination or decision of the Commission, Board, Appeal Tribunal or Assessment Appeal Tribunal, as the case may be, on the ground that he was not so given the benefit of a doubt or that the person or authority did not so discharge the onus of proof.

‘ (2.) Jurisdiction is conferred on the High Court, the several Supreme Courts of the States are invested with federal jurisdiction, and jurisdiction is conferred on the several Supreme Courts of the Territories of the Commonwealth, to hear and determine an appeal under this section.

‘ (3.) The jurisdiction conferred on, or invested in, the High Court or a Supreme Court by this section shall be exercised by a single Justice or Judge, as the case may be, of the Court.

‘ (4.) The Court hearing an appeal under this section may make such order with respect to the appeal as it thinks fit and that order shall be final and conclusive.

‘ (5.) An order as to the costs of an appeal under this section shall not be made.

‘ (6.) The regulations may make provision for the furnishing to a Court to which an appeal is made under this section of any records in the possession of the Commission which relate to the appellant.’”.

Debate ensued.

Closure.—Mr. Downer moved, That the question be now put.

Question—That the question be now put—put.

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

Ayes, 50.

| | | | | |
|-------------------|--------------|------------------|---------------|-----------------|
| Mr. Adermann | Mr. Chaney | Mr. Fairbairn | Mr. Jess | Mr. Turner |
| Mr. Allan | Mr. Chresby | Mr. Forbes | Mr. Killen | Mr. Wheeler |
| Mr. Anderson | Mr. Cleaver | Mr. Fo | Mr. King | Mr. Whittorn |
| Mr. Anthony | Mr. Cramer | Mr. J. A. Fraser | Mr. Mackinnon | Mr. Wight |
| Mr. Aston | Mr. Davis | Mr. Freeth | Mr. Murray | |
| Mr. Bandidt | Mr. Dean | Mr. Halbert | Mr. Opperman | <i>Tellers:</i> |
| Mr. Barnes | Mr. Downer | Mr. Hasluck | Mr. Osborne | |
| Mr. Brimblecombe | Mr. Drummond | Mr. Haworth | Mr. Robertson | Mr. Hamilton |
| Mr. Buchanan | Mr. Drury | Mr. Holten | Mr. Stokes | Mr. Pearce |
| Mr. Bury | Mr. Erwin | Mr. Howse | Mr. Swartz | |
| Mr. D. A. Cameron | Mr. Failes | Mr. Jack | Mr. Townley | |

Noes, 32.

| | | | | |
|-------------------|---------------|-------------|--------------|-----------------|
| Mr. Barnard | Mr. Courtney | Mr. Haylen | Mr. Minogue | Mr. Ward |
| Mr. Beaton | Mr. Crean | Mr. James | Mr. O'Connor | Mr. Whitlam |
| Mr. Beazley | Mr. Curtin | Mr. Johnson | Mr. Peters | |
| Mr. Bird | Mr. Daly | Mr. Jones | Mr. Pollard | <i>Tellers:</i> |
| Mr. Bryant | Mr. Davies | Mr. Kearney | Mr. Reynolds | |
| Mr. C. R. Cameron | Mr. Griffiths | Mr. Makin | Mr. Thompson | Mr. Duthie |
| Mr. Clay | Mr. Harrison | Mr. McIvor | Mr. Uren | Mr. Luchetti |

And so it was resolved in the affirmative,

22nd and 23rd September, 1960.

And the question—That the clause proposed to be inserted be so inserted—being accordingly put—
The Committee divided (The Temporary Chairman, Mr. Lucock, in the Chair)—

AYES, 32.

| | | | | |
|-------------------|---------------|-------------|--------------|-----------------|
| Mr. Barnard | Mr. Courtney | Mr. Haylen | Mr. Minogue | Mr. Ward |
| Mr. Beaton | Mr. Crean | Mr. James | Mr. O'Connor | Mr. Whitlam |
| Mr. Beazley | Mr. Curtin | Mr. Johnson | Mr. Peters | |
| Mr. Bird | Mr. Daly | Mr. Jones | Mr. Pollard | <i>Tellers:</i> |
| Mr. Bryant | Mr. Davies | Mr. Kearney | Mr. Reynolds | |
| Mr. C. R. Cameron | Mr. Griffiths | Mr. Makin | Mr. Thompson | Mr. Duthie |
| Mr. Clay | Mr. Harrison | Mr. McIvor | Mr. Uren | Mr. Luchetti |

NOES, 50.

| | | | | |
|-------------------|--------------|------------------|---------------|-----------------|
| Mr. Adermann | Mr. Chaney | Mr. Fairbairn | Mr. Jess | Mr. Turner |
| Mr. Allan | Mr. Chresby | Mr. Forbes | Mr. Killen | Mr. Wheeler |
| Mr. Anderson | Mr. Cleaver | Mr. Fox | Mr. King | Mr. Whittorn |
| Mr. Anthony | Mr. Cramer | Mr. J. M. Fraser | Mr. Mackinnon | Mr. Wight |
| Mr. Aston | Mr. Davis | Mr. Freeth | Mr. Murray | |
| Mr. Bandidt | Mr. Dean | Mr. Halbert | Mr. Opperman | <i>Tellers:</i> |
| Mr. Barnes | Mr. Downer | Mr. Hasluck | Mr. Osborne | |
| Mr. Brimblecombe | Mr. Drummond | Mr. Haworth | Mr. Robertson | Mr. Hamilton |
| Mr. Buchanan | Mr. Drury | Mr. Holten | Mr. Stokes | Mr. Pearce |
| Mr. Bury | Mr. Erwin | Mr. Howse | Mr. Swartz | |
| Mr. D. A. Cameron | Mr. Failes | Mr. Jack | Mr. Townley | |

And so it was negatived.

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

“ 6A. After section one hundred and twenty-three of the Principal Act the following section is inserted:—

‘ 123A. The Commission may, subject to such conditions as it from time to time determines, provide medical and hospital treatment for a member of the Forces as defined in section twenty-three of this Act and for a person to whom section one hundred and twenty of this Act applies.’”

Medical treatment—
members of the Forces
1914–18 War
and South
African War.

Question—put.

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

AYES, 32.

| | | | | |
|-------------------|---------------|-------------|--------------|-----------------|
| Mr. Barnard | Mr. Courtney | Mr. Haylen | Mr. Minogue | Mr. Ward |
| Mr. Beaton | Mr. Crean | Mr. James | Mr. O'Connor | Mr. Whitlam |
| Mr. Beazley | Mr. Curtin | Mr. Johnson | Mr. Peters | |
| Mr. Bird | Mr. Daly | Mr. Jones | Mr. Pollard | <i>Tellers:</i> |
| Mr. Bryant | Mr. Davies | Mr. Kearney | Mr. Reynolds | |
| Mr. C. R. Cameron | Mr. Griffiths | Mr. Makin | Mr. Thompson | Mr. Duthie |
| Mr. Clay | Mr. Harrison | Mr. McIvor | Mr. Uren | Mr. Luchetti |

NOES, 48.

| | | | | |
|-------------------|--------------|------------------|--------------------|-----------------|
| Mr. Adermann | Mr. Chaney | Mr. Fairbairn | Mr. Jess | Mr. Swartz |
| Mr. Allan | Mr. Chresby | Mr. Forbes | Sir W. Kent Hughes | Mr. Townley |
| Mr. Anderson | Mr. Cleaver | Mr. Fox | Mr. Killen | Mr. Turner |
| Mr. Anthony | Mr. Cramer | Mr. J. M. Fraser | Mr. King | Mr. Wheeler |
| Mr. Aston | Mr. Davis | Mr. Freeth | Mr. Mackinnon | Mr. Whittorn |
| Mr. Bandidt | Mr. Dean | Mr. Halbert | Mr. Murray | Mr. Wight |
| Mr. Barnes | Mr. Downer | Mr. Hasluck | Mr. Opperman | |
| Mr. Buchanan | Mr. Drummond | Mr. Haworth | Mr. Osborne | <i>Tellers:</i> |
| Mr. Bury | Mr. Drury | Mr. Holten | Mr. Robertson | Mr. Hamilton |
| Mr. D. A. Cameron | Mr. Erwin | Mr. Jack | Mr. Stokes | Mr. Pearce |

And so it was negatived.

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

“ 6B. After section one hundred and twenty-three of the Principal Act the following section is inserted:—

‘ 123B. The Commission may, subject to such conditions as it from time to time determines, provide for the wife of a person in receipt of the Special Rate of pension under the Second Schedule to this Act such medical benefits as she would receive if she were the wife of a person eligible for medical benefits under the Pensioner Medical Service.’”

Medical benefits for
wives of
Special Rate
pensioners.

Debate ensued.

The Committee continuing to sit until after midnight—

FRIDAY, 23RD SEPTEMBER, 1960.

Debate continued.

Question—put.

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

| | | AYES, 32. | | |
|-------------------|-------------------|------------------|--------------------|-----------------|
| Mr. Barnard | Mr. Courtnay | Mr. Haylen | Mr. Minogue | Mr. Ward |
| Mr. Beaton | Mr. Crean | Mr. James | Mr. O'Connor | Mr. Whitlam |
| Mr. Beazley | Mr. Curtin | Mr. Johnson | Mr. Peters | |
| Mr. Bird | Mr. Daly | Mr. Jones | Mr. Pollard | <i>Tellers:</i> |
| Mr. Bryant | Mr. Davies | Mr. Kearney | Mr. Reynolds | |
| Mr. C. R. Cameron | Mr. Griffiths | Mr. Makin | Mr. Thompson | Mr. Duthie |
| Mr. Clay | Mr. Harrison | Mr. McIvor | Mr. Uren | Mr. Luchetti |
| | | NOES, 51. | | |
| Mr. Adermann | Mr. D. A. Cameron | Mr. Fairbairn | Mr. Jess | Mr. Townley |
| Mr. Allan | Mr. Chaney | Mr. Falkinder | Sir W. Kent Hughes | Mr. Turner |
| Mr. Anderson | Mr. Chresby | Mr. Forbes | Mr. Killen | Mr. Wheeler |
| Mr. Anthony | Mr. Cleaver | Mr. Fox | Mr. King | Mr. Whittorn |
| Mr. Aston | Mr. Cramer | Mr. J. M. Fraser | Mr. Mackinnon | Mr. Wight |
| Mr. Bandidt | Mr. Davis | Mr. Freeth | Mr. Murray | |
| Mr. Barnes | Mr. Dean | Mr. Halbert | Mr. Opperman | <i>Tellers:</i> |
| Mr. Brimblecombe | Mr. Downer | Mr. Hasluck | Mr. Osborne | |
| Mr. Browne | Mr. Drummond | Mr. Haworth | Mr. Robertson | Mr. Hamilton |
| Mr. Buchanan | Mr. Drury | Mr. Howse | Mr. Stokes | Mr. Pearce |
| Mr. Bury | Mr. Erwin | Mr. Jack | Mr. Swartz | |

And so it was negatived.

Title agreed to.

Bill to be reported without amendment.

The House resumed; Mr. Failes reported accordingly.

On the motion of Mr. D. A. Cameron (Minister representing the Minister for Repatriation), the House adopted the Report, and, by leave, the Bill was read a third time.

9. MESSAGE FROM THE SENATE.—A Message from the Senate was reported returning the following Bill without amendment:—

22nd September, 1960—*Message No. 48*—Social Services 1960.

10. ADJOURNMENT.—Mr. Downer (Minister for Immigration) moved, That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at twenty-eight minutes past twelve o'clock midnight, 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 Sir Garfield Barwick, Mr. Bowden, Mr. Cope*, Mr. Costa* .Mr. A. D. Fraser*, Mr. Fulton, Mr. Holt*, Mr. Howson*, Mr. Hulme, Mr. Kelly, Mr. Lawson*, Mr. Lindsay, Mr. McColm, Mr. Russell*, Mr. Stewart*, Mr. Timson, Mr. Wentworth and Mr. Wilson.

* On leave.

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