

1960.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

No. 72.

TUESDAY, 6TH DECEMBER, 1960.

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. PETITION.—Mr. Johnson presented a Petition from certain electors of New South Wales praying that the House will take action to have the *Telephonic Communications (Interception) Act 1960* repealed. Petition received and read.
3. FLAX CANVAS INDUSTRY—MINISTERIAL STATEMENT—PRINTING OF PAPER.—Mr. McEwen (Minister for Trade), by leave, made a Ministerial Statement concerning a report by a Deputy Chairman of the Tariff Board on the Flax Canvas Industry, and, by command of His Excellency the Governor-General, laid upon the Table the following Paper:—
Tariff Board—Report of Deputy Chairman—Flax Canvas Industry.
Ordered—That the Paper be printed.
4. INTERNATIONAL AFFAIRS—MINISTERIAL STATEMENT—MOTION FOR PRINTING PAPER.—Mr. Menzies (Minister for External Affairs), by leave, made a Ministerial Statement regarding International Affairs, and, by command of His Excellency the Governor-General, laid upon the Table the following Paper:—
International Affairs—Ministerial Statement, 6th December, 1960—
and moved, That the Paper be printed.
Suspension of Standing Orders—Extended time for speech.—Mr. Hasluck (Minister for Territories) moved, by leave, That so much of the Standing Orders be suspended as would prevent Mr. Calwell (Leader of the Opposition) making his speech without limitation of time.
Question—put and passed.
Debate ensued.
Debate adjourned (Mr. Pearce), and the resumption of the debate made an Order of the Day for the next sitting.
5. PAPERS.—The following Papers were presented, pursuant to Statute—
Norfolk Island Act—Regulations—1960—No. 2 (Post and Telegraph Ordinance).
Papua and New Guinea Act—Ordinances—1960—
No. 36—Appropriation 1960–61.
No. 37—Public Health (New Guinea).
No. 38—Loan (Works and Services).
No. 39—Currency Coinage and Tokens (New Guinea).
No. 40—Personal Tax (Rates) 1961.
No. 41—Stamp Duties (No. 2).
No. 42—Legislative Council.
No. 43—Administrator's Council.
No. 44—Ordinances Interpretation.
No. 45—Oaths (Papua).
No. 46—Oaths (New Guinea).
No. 47—Post and Telegraph (Papua).
No. 48—Health (Papua).
No. 49—Navigation (Papua) (No. 2).
No. 50—Companies (Papua).
No. 51—Companies (New Guinea).
Post and Telegraph Act—Regulations—Statutory Rules 1960, No. 95.

6th December, 1960.

Public Service Act—Appointments—Department—
 Attorney-General—B. M. Thomas.
 Health—J. P. Sullivan.
 National Development—E. M. Gallogly, W. D. Mackenzie.
 Repatriation—P. M. Pearce.

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

5th December, 1960—*Message*—

- No. 81—Nationality and Citizenship 1960.
 No. 82—National Capital Development Commission 1960.
 No. 83—Insurance 1960.
 No. 84—Indus Basin Development Fund Agreement 1960.

7. INCOME TAX AND SOCIAL SERVICES CONTRIBUTION ASSESSMENT BILL (No. 3) 1960.—Mr. Holt (Treasurer) moved, pursuant to notice, That he have leave to bring in a Bill for an Act relating to Income Tax. Question—put and passed.

Bill brought up, and read a first time.

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

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

8. PUBLIC SERVICE BILL 1960.—The House, according to Order, resolved itself into a Committee of the Whole for the further consideration of the Bill.

(*In the Committee.*)

Clauses 3 to 10, by leave, taken together, and agreed to.

Clause 11—

Mr. Calwell (Leader of the Opposition) moved the following amendment:—Page 5, at the end of proposed section thirty-four add the following sub-section:—

“(2.) Notwithstanding paragraph (b) of the last preceding sub-section, the Board may, if it considers that it is desirable to do so, appoint to the Commonwealth Service, as an officer of the Second, Third or Fourth Division, a person otherwise eligible for appointment who, because of some physical defect, is not able to satisfy the Board as to his health and physical fitness, whether the physical defect from which he is suffering is due to war service or not.”.

Debate ensued.

Amendment negatived.

Mr. Calwell moved the following amendment:—Page 5, after proposed section thirty-four insert the following section:—

“(34A.—(1.) Where the Board decides that it is not satisfied that an applicant for appointment to the Commonwealth Service is a fit and proper person to be appointed to the Commonwealth Service, the Board shall inform the applicant, in writing, of that fact. Appeal by applicant where Board not satisfied that he is a fit and proper person.

“(2.) The applicant may, within such period as is prescribed, appeal against the decision of the Board to the Commonwealth Industrial Court.

“(3.) The Board shall be the respondent in the appeal.

“(4.) The Commonwealth Industrial Court has jurisdiction to hear and determine an appeal under this section, and shall, if it is satisfied that the applicant is a fit and proper person to be appointed to the Commonwealth Service, order that the applicant be treated by the Board as not ineligible for appointment to the Commonwealth Service by reason of paragraph (c) of the last preceding section.

“(5.) The jurisdiction of the Commonwealth Industrial Court under this section may be exercised by a single Judge.”.

Debate continued.

Question—That the section proposed to be inserted be so inserted—put.

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

AYES, 37.

Mr. Barnard	Mr. Clay	Mr. Galvin	Mr. Luchetti	Mr. Thompson
Mr. Beaton	Mr. Cope	Mr. Griffiths	Mr. Makin	Mr. Uren
Mr. Beazley	Mr. Courtney	Mr. Harrison	Mr. Minogue	Mr. Whitlam
Mr. Bryant	Mr. Crean	Mr. Haylen	Mr. O'Connor	
Mr. Cairns	Mr. Curtin	Mr. James	Mr. Peters	<i>Tellers:</i>
Mr. Calwell	Mr. Daly	Mr. Johnson	Mr. Pollard	
Mr. C. R. Cameron	Mr. Davies	Mr. Jones	Mr. Riordan	Mr. Duthie
Mr. Clark	Mr. A. D. Fraser	Mr. Kearney	Mr. Sexton	Mr. Stewart

NOES, 63.

Mr. Adermann	Mr. D. A. Cameron	Mr. Erwin	Mr. Jack	Mr. Robertson
Mr. Allan	Mr. Cash	Mr. Failes	Mr. Jess	Mr. Snedden
Mr. Anderson	Mr. Chaney	Mr. Fairhall	Mr. Kelly	Mr. Stokes
Mr. Anthony	Mr. Chresby	Mr. Falkinder	Sir W. Kent Hughes	Mr. Townley
Mr. Aston	Mr. Cleaver	Mr. Forbes	Mr. Killen	Mr. Turner
Mr. Bandidt	Mr. Cramer	Mr. J. M. Fraser	Mr. King	Mr. Wheeler
Mr. Barnes	Mr. Davidson	Mr. Freeth	Mr. Lindsay	Mr. Whittorn
Sir G. Barwick	Mr. Davis	Mr. Halbert	Mr. Mackinnon	Mr. Wight
Mr. Bate	Mr. Dean	Mr. Hasluck	Mr. McColm	Mr. Wilson
Mr. Brimblecombe	Mr. Downer	Mr. Haworth	Mr. McMahon	
Mr. Browne	Mr. Drummond	Mr. Holt	Mr. Menzies	<i>Tellers:</i>
Mr. Buchanan	Mr. Drury	Mr. Howson	Mr. Murray	Mr. Pearce
Mr. Bury	Mr. England	Mr. Hulme	Mr. Opperman	Mr. Turnbull

And so it was negatived.

Mr. Calwell, by leave, moved the following amendment:—Page 9, line 6, omit “ in the *Gazette* or otherwise”, insert “ in the *Gazette* and in such other manner as the Board considers advisable”.

Debate continued.

Amendment negatived.

Mr. Calwell, by leave, moved the following amendment:—Page 12, line 45, omit “ may”, insert “ shall”.

Debate continued.

Amendment negatived.

Mr. Calwell, by leave, moved the following amendment:—Page 13, proposed section forty-seven c, omit sub-section (3.), insert the following sub-section:—

“(3.) The re-appointment of a person under this section shall be without probation.”

Debate continued.

Amendment withdrawn, by leave.

Debate continued.

Mr. Calwell, by leave, moved the following amendment:—Page 13, after proposed section forty-seven c insert the following section:—

“ 47CA.—(1.) A person who has been an employee for a continuous period of not less than twenty years is, subject to this section, entitled to be appointed as an officer of the Commonwealth Service, in an office the duties and salary applicable to which are substantially the same as the duties and salary applicable to him as an employee.

Appointment of persons who have been temporary employees for twenty years.

“(2.) The appointment of a person to the Commonwealth Service in pursuance of the last preceding sub-section shall be without probation.

“(3.) A person to whom sub-section (1.) of this section applies shall not be required to undergo any medical examination before appointment and shall be appointed in accordance with that sub-section whether or not he is within the appropriate age limits for appointment determined under this Division or possesses the prescribed educational qualification.”

Debate continued.

Amendment negatived.

Clause agreed to.

Clauses 12 to 15, by leave, taken together, and agreed to.

Clause 16 debated and agreed to.

Clause 17 agreed to.

Clause 18 debated and agreed to.

Clauses 19 to 35, by leave, taken together, and agreed to.

Proposed new clauses—

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

“ 9A. Section thirty of the Principal Act is amended by adding at the end thereof the following sub-section:—

Salaries of officers.

“(4.) Notwithstanding anything contained in this Act, the rates, or scales of rates, of salary payable to female officers shall not be less than the rates, or scales of rates, of salary payable to male officers performing equivalent duties.”

Debate ensued.

Question—put.

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

AYES, 36.

Mr. Barnard	Mr. Clay	Mr. Griffiths	Mr. Makin	Mr. Uren
Mr. Beaton	Mr. Cope	Mr. Harrison	Mr. Minogue	Mr. Whitlam
Mr. Beazley	Mr. Courtney	Mr. Haylen	Mr. O'Connor	
Mr. Bryant	Mr. Crean	Mr. James	Mr. Peters	<i>Tellers:</i>
Mr. Cairns	Mr. Curtin	Mr. Johnson	Mr. Pollard	
Mr. Calwell	Mr. Daly	Mr. Jones	Mr. Riordan	Mr. Duthie
Mr. C. R. Cameron	Mr. Davies	Mr. Kearney	Mr. Sexton	Mr. Stewart
Mr. Clark	Mr. Galvin	Mr. Luchetti	Mr. Thompson	

NOES, 60.

Mr. Adermann	Mr. Cash	Mr. Failes	Mr. Jess	Mr. Townley
Mr. Allan	Mr. Chaney	Mr. Fairbairn	Mr. Kelly	Mr. Turner
Mr. Anderson	Mr. Chresby	Mr. Fairhall	Mr. Killen	Mr. Wheeler
Mr. Anthony	Mr. Cleaver	Mr. Falkinder	Mr. Lindsay	Mr. Whittorn
Mr. Bandidt	Mr. Cramer	Mr. Forbes	Mr. Mackinnon	Mr. Wight
Mr. Barnes	Mr. Davidson	Mr. J. M. Fraser	Mr. McColm	Mr. Wilson
Sir G. Barwick	Mr. Davis	Mr. Freeth	Mr. McMahan	
Mr. Bate	Mr. Dean	Mr. Halbert	Mr. Menzies	<i>Tellers:</i>
Mr. Brimblecombe	Mr. Downer	Mr. Hasluck	Mr. Murray	
Mr. Browne	Mr. Drummond	Mr. Haworth	Mr. Opperman	Mr. Pearce
Mr. Buchanan	Mr. Drury	Mr. Holt	Mr. Robertson	Mr. Turnbull
Mr. Bury	Mr. England	Mr. Howson	Mr. Snedden	
Mr. D. A. Cameron	Mr. Erwin	Mr. Hulme	Mr. Stokes	

And so it was negatived.

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

“ 28A. Section eighty-two B of the Principal Act is amended by omitting from sub-section (1.) the words ‘ the Board may ’ and inserting in their stead the words ‘ the Board shall ’.”

Temporary employment of persons who have resigned to become candidates at elections.

Proposed new clause negatived.

Title agreed to.

Bill to be reported without amendment.

6th and 7th December, 1960.

The House resumed; Mr. Lucock reported accordingly.
 On the motion of Mr. Menzies (Prime Minister), the House adopted the Report.
 Mr. Menzies moved, by leave, That the Bill be now read a third time.
 Debate ensued.
 Question—put and passed.—Bill read a third time.

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

6th December, 1960—*Message*—

No. 85—National Library 1960.

No. 86—Audit 1960.

No. 87—Apple and Pear Organization 1960.

No. 88—Apple and Pear Export Charges 1960 (*without requests*).

10. STATES GRANTS (UNIVERSITIES) 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.

The House continuing to sit until after midnight—

WEDNESDAY, 7TH DECEMBER, 1960.

Debate continued.

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. Lucock reported accordingly.

On the motion of Mr. Hasluck (Minister for Territories), the House adopted the Report, and the Bill was read a third time.

11. MESSAGE FROM THE GOVERNOR-GENERAL—JUDICIARY BILL (No. 2) 1960.—Mr. Speaker announced the receipt of the following Message from His Excellency the Governor-General:—

DUNROSSIL,

Governor-General.

Message No. 54.

In accordance with the requirements of section fifty-six of the Constitution of the Commonwealth of Australia, the Governor-General recommends to the House of Representatives that an appropriation of revenue be made for the purposes of a Bill for an Act relating to the Remuneration of the Justices of the High Court.

Canberra, 6th December, 1960.

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

(*In the Committee.*)

Sir Garfield Barwick (Attorney-General) moved, That it is expedient that an appropriation of revenue be made for the purposes of a Bill for an Act relating to the Remuneration of the Justices of the High Court.

Question—put and passed.

Resolution to be reported.

The House resumed; Mr. Lucock reported accordingly.

Sir Garfield Barwick 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 Sir Garfield Barwick, the Resolution reported from the Committee was adopted by the House.

Ordered—That Sir Garfield Barwick and Mr. Hasluck do prepare and bring in a Bill to carry out the foregoing Resolution.

Bill brought up by Sir Garfield Barwick, and read a first time.

Sir Garfield Barwick 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.

6th and 7th December, 1960.

12. MESSAGE FROM THE GOVERNOR-GENERAL—JUDGES' REMUNERATION BILL 1960.—Mr. Speaker announced the receipt of the following Message from His Excellency the Governor-General:—

DUNROSSIL,

*Governor-General.**Message No. 55.*

In accordance with the requirements of section fifty-six of the Constitution of the Commonwealth of Australia, the Governor-General recommends to the House of Representatives that an appropriation of revenue be made for the purposes of a Bill for an Act relating to the Remuneration of the Judges of certain Courts created by the Parliament and of the Presidential Members of the Commonwealth Conciliation and Arbitration Commission.

Canberra, 6th December, 1960.

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

(In the Committee.)

Sir Garfield Barwick (Attorney-General) moved, That it is expedient that an appropriation of revenue be made for the purposes of a Bill for an Act relating to the Remuneration of the Judges of certain Courts created by the Parliament and of the Presidential Members of the Commonwealth Conciliation and Arbitration Commission.

Question—put and passed.

Resolution to be reported.

The House resumed; Mr. Lucock reported accordingly.

Sir Garfield Barwick 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 Sir Garfield Barwick, the Resolution reported from the Committee was adopted by the House.

Ordered—That Sir Garfield Barwick and Mr. Hasluck do prepare and bring in a Bill to carry out the foregoing Resolution.

Bill brought up by Sir Garfield Barwick, and read a first time.

Sir Garfield Barwick 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.

13. LOAN (QANTAS EMPIRE AIRWAYS LIMITED) 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, and agreed to.

Bill to be reported without amendment.

The House resumed; Mr. Lucock reported accordingly.

On the motion of Mr. Holt (Treasurer), the House adopted the Report, and the Bill was read a third time.

14. LOAN (AUSTRALIAN NATIONAL AIRLINES COMMISSION) 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, and agreed to, after debate.

Bill to be reported without amendment.

The House resumed; Mr. Lucock reported accordingly.

On the motion of Mr. Holt (Treasurer), the House adopted the Report, and the Bill was read a third time.

15. ADJOURNMENT.—Mr. Holt (Treasurer) moved, That the House do now adjourn.

Question—put and passed.

And then the House, at twenty-five minutes to four 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. Bird, Mr. Bland, Mr. Bowden, Mr. Costa, Mr. Fox, Mr. Fulton, Mr. Hamilton, Mr. Holten, Mr. Lawson, Mr. McIvor, Sir Earle Page, Mr. Reynolds, Mr. Russell, Mr. Swartz, Mr. Ward and Mr. Wentworth.

A. G. TURNER,

Clerk of the House of Representatives.