

1962.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

VOTES AND PROCEEDINGS
OF THE
HOUSE OF REPRESENTATIVES.

No. 64.

TUESDAY, 4TH DECEMBER, 1962.

1. The House met, at half-past two o'clock p.m., pursuant to adjournment.—Mr. Speaker (the Honorable Sir John McLeay) took the Chair, and read Prayers.
2. PETITION.—Mr. Bryant presented a Petition from certain citizens of the Commonwealth praying that the Government remove Section 127, and the words discriminating against aborigines in Section 51, of the Commonwealth Constitution, by the holding of a referendum at an early date.
Petition received and read.
3. QUESTIONS.—Questions without notice were answered.
4. PAPERS.—The following Papers were presented, pursuant to Statute—
 - Lands Acquisition Act—Land acquired for—
 - Defence purposes—Coniston, New South Wales.
 - Postal purposes—Brawboy, New South Wales.
 - Northern Territory (Administration) Act—Ordinances—1962—
 - No. 43—Housing (No. 2).
 - No. 44—Mines Regulation.
 - No. 45—Motor Vehicles (No. 2).
 - No. 46—Traffic.
 - No. 47—Ports.
 - No. 48—Apprentices (No. 2).
 - Public Service Act—Appointments—Department—
 - Civil Aviation—R. J. Larder, D. W. Pinkstone.
 - Prime Minister—T. M. Knight.
 - Services Trust Funds Act—Australian Military Forces Relief Trust Fund—Fifteenth Annual Report by the Trustees, together with the Auditor-General's Report, for year 1961–62.
5. DERBY JETTY AGREEMENT BILL 1962.—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.)

Clause 1—
Progress to be reported, and leave asked to sit again.

The House resumed; Mr. Lucock reported accordingly.
Ordered—That the House will, at a later hour this day, again resolve itself into the said Committee.

4th December, 1962.

6. MESSAGE FROM THE ADMINISTRATOR—DERBY JETTY AGREEMENT BILL 1962.—Mr. Speaker announced the receipt of the following Message from His Excellency the Administrator of the Government of the Commonwealth:—

DALLAS BROOKS,
Administrator.

Message No. 52.

In accordance with the requirements of section fifty-six of the Constitution of the Commonwealth of Australia, the Administrator of the Government of the Commonwealth recommends to the House of Representatives that an appropriation of revenue be made for the purposes of a Bill for an Act relating to an Agreement between the Commonwealth and the State of Western Australia with respect to Jetty Works at Derby.

Canberra, 27th November, 1962.

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

(In the Committee.)

Mr. Swartz (Minister for Repatriation) moved, That it is expedient that an appropriation of revenue be made for the purposes of a Bill for an Act relating to an Agreement between the Commonwealth and the State of Western Australia with respect to Jetty Works at Derby.

Question—put and passed.

Resolution to be reported.

The House resumed; Mr. Lucock reported accordingly.

On the motion of Mr. Swartz, the Resolution reported from the Committee was adopted by the House.

7. DERBY JETTY AGREEMENT BILL 1962.—The House, according to Order, again resolved itself into a Committee of the Whole for the further consideration of the Bill.

(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. Swartz (Minister for Repatriation), the House adopted the Report, and, by leave, the Bill was read a third time.

8. WESTERN AUSTRALIA GRANT (BEEF CATTLE ROADS) BILL 1962.—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.

9. SUSPENSION OF STANDING ORDERS—EXTENDED TIME FOR SPEECHES.—Mr. Holt (Treasurer) moved, by leave, That so much of the Standing Orders be suspended as would prevent Mr. Menzies (Prime Minister), Mr. McEwen (Minister for Trade), Mr. Calwell (Leader of the Opposition) and Mr. Whitlam each speaking for a period not exceeding 45 minutes, on the motion to approve of the distribution of the State of New South Wales into Electoral Divisions.

Question—put and passed.

10. ELECTORAL DIVISIONS OF NEW SOUTH WALES—PROPOSED REDISTRIBUTION.—The Order of the Day having been read for the resumption of the debate on the following motion of Mr. Freeth (Minister for the Interior), That the House of Representatives approves of the distribution of the State of New South Wales into Electoral Divisions as proposed by Messrs. F. L. Ley, C. E. Elphinstone and R. F. Mallon, the Commissioners appointed for the purpose of distributing the said State into Divisions, in their Report laid before the House of Representatives on the 4th day of October, 1962, and that the names of the Divisions suggested in the Report, and indicated in the map referred to therein, be adopted,

except that the name "Cook" be substituted for "Stewart" and the name "Kurnell" be substituted for "Cronulla"—

Debate resumed by Mr. Calwell (Leader of the Opposition), who moved, as an amendment, That all words after "Representatives" be omitted with a view to inserting the following words in place thereof:—

"(1) disapproves of the distribution of the State of New South Wales as proposed by the Commissioners, and requests the Minister to return the same to the Commission with a view to a fresh distribution being made of the State;

"(2) The House points out that the Commissioners were not authorized by Section nineteen of the Commonwealth Electoral Act to give consideration to possible movements in population;

"(3) The House is of opinion that the number of seats should not be reduced, and requests the Government to hold a referendum to amend the Constitution with respect to Commonwealth legislative machinery as recommended by the Joint Committee on Constitutional Review, and

"(4) The House expresses the view that a fresh distribution should not be made until the Representation Act has been amended so as to restore at least the seat lost in each instance to the States of New South Wales, Queensland, and Western Australia under the present distribution, and to provide an additional seat to the State of South Australia."

Debate continued.

Mr. Menzies (Prime Minister) 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 the next sitting.

11. BRIGALOW LANDS AGREEMENT BILL 1962.—Mr. Holt (Treasurer) moved, by leave, That he have leave to bring in a Bill for an Act relating to an Agreement between the Commonwealth and the State of Queensland with respect to the Development of Brigalow Lands in the Fitzroy River Basin.

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. Riordan), and the resumption of the debate made an Order of the Day for the next sitting.

12. QUEENSLAND BEEF CATTLE ROADS AGREEMENT BILL 1962.—Mr. Holt (Treasurer) moved, by leave, That he have leave to bring in a Bill for an Act relating to an Agreement between the Commonwealth and the State of Queensland with respect to Works in connexion with certain Roads to be used for the transport of Beef Cattle.

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. Riordan), and the resumption of the debate made an Order of the Day for the next sitting.

13. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That Orders of the Day Nos. 4 to 11 be postponed until after Order of the Day No. 12, Government Business.

14. NATIONAL HEALTH BILL 1962.—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.)

Clause 1—

Progress to be reported, and leave asked to sit again.

The House resumed; Mr. Lucock reported accordingly.

Ordered—That the House will, at a later hour this day, again resolve itself into the said Committee.

15. MESSAGE FROM THE ADMINISTRATOR—NATIONAL HEALTH BILL 1962.—Mr. Speaker announced the receipt of the following Message from His Excellency the Administrator of the Government of the Commonwealth:—

DALLAS BROOKS,
Administrator.

Message No. 53.

In accordance with the requirements of section fifty-six of the Constitution of the Commonwealth of Australia, the Administrator of the Government of the Commonwealth recommends to the House of Representatives that an appropriation of revenue be made for the purposes of a Bill for an Act to amend the *National Health Act 1953-1961*.

Canberra, 28th November, 1962.

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

(In the Committee.)

Mr. Swartz (Minister representing the Minister for Health) moved, That it is expedient that an appropriation of revenue be made for the purposes of a Bill for an Act to amend the *National Health Act 1953–1961*.

Question—put and passed.

Resolution to be reported.

The House resumed; Mr. Lucock reported accordingly.

On the motion of Mr. Swartz, the Resolution reported from the Committee was adopted by the House.

16. NATIONAL HEALTH BILL 1962.—The House, according to Order, again resolved itself into a Committee of the Whole for the further consideration of the Bill.

(In the Committee.)

Clause 1 agreed to.

Clause 2 debated and agreed to.

Clause 3 agreed to.

Clause 4—

Mr. Barnard moved the following amendment:—Page 4, after paragraph (b) insert the following paragraph:—

“(b) by omitting from the definition of ‘pensioner’ in that sub-section all the words after the words and figures ‘Tuberculosis Act 1948’ to the end of the definition.”

Point of Order.—Mr. Swartz (Minister representing the Minister for Health) raised a Point of Order that the amendment was out of order as its effect would be to increase the amount of the appropriation.

Chairman’s Ruling.—The Chairman (Mr. Lucock) upheld the Point of Order for the reason stated.

Mr. Barnard moved, That the clause be postponed.

Debate ensued.

The Committee continuing to sit until after midnight—

WEDNESDAY, 5TH DECEMBER, 1962.

Debate continued.

Question—That the clause be postponed—put.

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

AYES, 58.

Mr. Armitage	Mr. Cope	Mr. Galvin	Mr. Luchetti	Mr. Russell
Mr. Barnard	Mr. Costa	Mr. Gray	Mr. Makin	Mr. Sexton
Mr. Beaton	Mr. Courtney	Mr. Griffiths	Mr. McGuren	Mr. Stewart
Mr. Beazley	Mr. Crean	Mr. Hansen	Mr. McLvor	Mr. Thompson
Mr. Benson	Mr. Cross	Mr. Harding	Mr. Minogue	Mr. Uren
Mr. Bryant	Mr. Curtin	Mr. Harrison	Mr. Monaghan	Mr. Ward
Mr. Cairns	Mr. Daly	Mr. Hayden	Mr. O’Brien	Mr. Webb
Mr. C. R. Cameron	Mr. Davies	Mr. Haylen	Mr. O’Connor	Mr. Whitlam
Mr. Clark	Mr. Einfeld	Mr. James	Mr. Peters	
Mr. Clay	Mr. A. D. Fraser	Mr. Johnson	Mr. Pollard	<i>Tellers:</i>
Mr. Collard	Mr. Fuller	Mr. Jones	Mr. Reynolds	Mr. Coutts
Mr. Comber	Mr. Fulton	Mr. Kearney	Mr. Riordan	Mr. Duthie

NOES, 59.

Mr. Adermann	Mr. Davidson	Mr. Forbes	Sir W. Kent Hughes	Mr. Robertson
Mr. Allan	Mr. Davis	Mr. Fox	Mr. Killen	Mr. Snedden
Mr. Anthony	Mr. Dean	Mr. J. M. Fraser	Mr. King	Mr. Stokes
Mr. Barnes	Mr. Downer	Mr. Freeth	Mr. Leslie	Mr. Swartz
Mr. Bate	Mr. Drummond	Mr. Hasluck	Mr. Lindsay	Mr. Townley
Mr. Brimblecombe	Mr. Drury	Mr. Haworth	Mr. Mackinnon	Mr. Turner
Mr. Buchanan	Mr. England	Mr. Holt	Mr. McEwen	Mr. Wentworth
Mr. Bury	Mr. Erwin	Mr. Holten	Sir J. McLeay	Mr. Whittorn
Mr. Chipp	Mr. Failes	Mr. Howson	Mr. McMahan	Mr. Wilson
Mr. Cleaver	Mr. Fairbairn	Mr. Jack	Mr. McNeill	<i>Tellers:</i>
Mr. Cockle	Mr. Fairhall	Mr. Jess	Mr. Nixon	Mr. Chaney
Mr. Cramer	Mr. Falkinder	Mr. Kelly	Mr. Opperman	Mr. Turnbull

And so it was negatived.

Clause agreed to.

Clauses 5 to 11, by leave, taken together and agreed to.

Clause 12 debated—

Ordered—That the clause be considered by divisions.

Clause to the end of Division 1 debated and agreed to.

Division 2 debated and agreed to.

Division 3 agreed to.

Division 4 debated and agreed to.

Division 5 debated and agreed to.

Division 6 debated and agreed to.

4th and 5th December, 1962.

Clauses 13 to 27, by leave, taken together, and agreed to.
Clause 28 debated and agreed to.
Clause 29 agreed to.
Title agreed to.
Bill to be reported without amendment.

The House resumed; Mr. Lucock reported accordingly.
On the motion of Mr. Swartz, the House adopted the Report, and, by leave, the Bill was read a third time.

17. MESSAGE FROM THE SENATE.—A Message from the Senate was reported returning the following Bill without amendment:—
4th December, 1962—*Message No. 86*—Tariff Board (No. 2) 1962.

18. ADJOURNMENT.—Mr. Swartz (Minister for Repatriation) 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 Sir Garfield Barwick and Mr. D. J. Cameron.*

* On leave.

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