

1962-63.

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

VOTES AND PROCEEDINGS  
OF THE  
HOUSE OF REPRESENTATIVES.

No. 85.

WEDNESDAY, 15TH MAY, 1963.

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. QUESTIONS.—Questions without notice were answered.
3. PAPERS.—The following Papers were presented, pursuant to Statute—  
Navigation Act—Navigation (Dangerous Goods) Regulations—Determination dated 10th May, 1963.  
Public Service Arbitration Act—Public Service Arbitrator—Determination—1963—No. 6—Association of Officers of Commonwealth Scientific and Industrial Research Organization and others.
4. PAPUA AND NEW GUINEA BILL 1963.—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, by leave, taken together, and agreed to.

Clause 3—

Mr. Ward moved the following amendment:—Page 2, line 13, omit " House of Assembly ", insert " House of Representatives ".

Debate ensued.

Question—That the words proposed to be omitted stand part of the clause—put.

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

AYES, 57.

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

NOES, 56.

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

And so it was resolved in the affirmative.

15th and 16th May, 1963.

Clause agreed to.

Clauses 4 and 5, by leave, taken together, and agreed to, after debate.

Clause 6—

Mr. Ward moved the following amendment:—Page 3, omit paragraph (a) of sub-section (1.), insert the following paragraphs:—

“(a) by omitting paragraphs (b) and (c) of sub-section (2.) and inserting in their stead the following paragraph:—

‘(b) ten members of the House of Assembly.’;

(aa) by omitting sub-section (3.) and inserting in its stead the following sub-section:—

‘(3.) Each member of the Administrator’s Council (other than the Administrator) shall be elected by the House of Assembly and shall, subject to this section hold office during the pleasure of the House.’; and ”.

Debate ensued.

Question—That the paragraph proposed to be omitted stand part of the clause—put.

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

**AYES, 57.**

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

**NOES, 56.**

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

And so it was resolved in the affirmative.

The Committee continuing to sit until after midnight—

**THURSDAY, 16TH MAY, 1963.**

Clause agreed to.

Clauses 7 and 8, by leave, taken together, and agreed to.

Clause 9—

Mr. Ward moved the following amendment:—Page 4, proposed section 36, omit sub-section (1.), insert the following sub-section:—

“(1.) The House of Assembly shall consist of—

(a) eighty-eight members elected by electors of the Territory; and

(b) until the House otherwise provides, ten members, not being indigenous inhabitants of the Territory, elected by electors of the Territory.”.

Debate ensued.

Question—That the sub-section proposed to be omitted stand part of the clause—put.

15th and 16th May, 1963.

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

AYES, 56.

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

NOES, 55.

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

And so it was resolved in the affirmative.

Mr. Ward, by leave, moved the following amendment:—Page 5, lines 17 and 18, omit “ to be elected or appointed, or ”.

Debate continued.

Amendment negatived.

Mr. Ward, by leave, moved the following amendment:—Page 5, lines 29–31, proposed section 37, subsection (4.), omit paragraph (a), insert the following paragraph:—

“(a) for two consecutive months of any session of the House he, without permission of the House, fails to attend the House; or ”.

Debate continued.

Amendment negatived.

Mr. Ward, by leave, moved the following amendment:—Page 6, after proposed section 38 insert the following section:—

“ 38A. Until the House of Assembly otherwise provides, each member shall <sup>Allowance to</sup> receive an allowance of One thousand five hundred pounds a year as from the day on which <sup>members.</sup> he is elected.”.

Debate continued.

Question—That the amendment be agreed to—put.

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

AYES, 55.

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

NOES, 56.

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

And so it was negatived.

15th and 16th May, 1963.

Mr. Ward, by leave, moved the following amendment:—Page 6, after proposed section 38 insert the following section:—

“ ‘ 38B. The powers, privileges and immunities of the House of Assembly and of the members and committees of the House shall be such as are declared by the House, and until declared shall be those of the House of Representatives of the Parliament of the Commonwealth at the date of commencement of this Act.’ ”

Privileges, &c.,  
of House of  
Assembly.

Debate continued.

Question—That the amendment be agreed to—put.

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

AYES, 55.

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

NOES, 56.

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

And so it was negatived.

On the motion of Mr. Ward, by leave, the following amendment was made, after debate:—

Page 7, at the end of proposed section 41 add the following sub-sections:—

“ ‘ (2.) After a general election, the House of Assembly shall be summoned to meet not later than six months after the polling day fixed for the purposes of the election.

“ ‘ (3.) There shall be a session of the House of Assembly once at least in every year, so that twelve months shall not intervene between the last sitting of the House in one session and its first sitting in the next session.’ ”

On the motion of Mr. Hasluck (Minister for Territories), the following further amendment was made:—

Page 8, after proposed section 47 insert the following section:—

“ ‘ 47A. The power of the House of Assembly to make Ordinances conferred by section fifty-one of this Act includes power to make Ordinances—

Powers,  
privileges and  
immunities  
of House of  
Assembly.

(a) declaring the powers (other than legislative powers), privileges and immunities of the House of Assembly, and of its members and committees, but so that the powers, privileges and immunities so declared do not exceed the powers, privileges and immunities of the House of Commons of the Parliament of the United Kingdom or of the members or committees of that House, respectively, at the establishment of the Commonwealth; and

(b) providing for the manner in which powers, privileges and immunities so declared may be exercised or upheld.’ ”

Mr. Ward, by leave, moved the following further amendment:—Page 9, proposed section 53, omit sub-section (2.), insert the following sub-section:—

“ ‘ (2.) Subject to the next succeeding sub-section, within six months after the day on which the Ordinance was presented to the Administrator for assent, he shall declare according to his discretion but subject to this Act—

(a) that he assents to the Ordinance;

(b) that he withholds assent; or

(c) that he reserves the Ordinance for the Governor-General's pleasure.’ ”

Debate continued.

Amendment negatived.

15th and 16th May, 1963.

On the motion of Mr. Ward, by leave, the following further amendment was made, after debate:—

Page 9, proposed section 54, omit paragraphs (f) and (g), insert the following paragraphs:—

“(f) that relates to the sale of, or other disposition of or dealing with, land;  
 (g) that relates to the employment of persons;”.

On the motion of Mr. Ward, by leave, the following further amendment was made, after debate:—

Page 11, omit proposed section 57, insert the following section:—

“ ‘ 57.—(1.) The Minister shall cause each Ordinance assented to by the Governor-General or the Administrator, or from which the Governor-General or the Administrator has withheld assent, 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 of assent, or after the date on which assent was withheld, as the case may be. Ordinances to be laid before the Parliament.

“(2.) Where the Governor-General or the Administrator withholds assent from an Ordinance, or the Governor-General disallows an Ordinance in whole or in part, the Minister shall 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.”.

Clause, as amended, agreed to.

Remainder of Bill, by leave, taken as a whole, and agreed to.

Bill to be reported with amendments.

The House resumed; Mr. Lucock reported accordingly.

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

Mr. Hasluck moved, by leave, That the Bill be now read a third time.

Debate ensued.

Question—put and passed.—Bill read a third time.

5. ADJOURNMENT.—Mr. Hasluck (Minister for Territories) moved, That the House do now adjourn.

Question—put and passed.

And then the House, at fourteen minutes past two o'clock in the morning, adjourned until this day at half-past ten o'clock a.m.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except Mr. Clark, Mr. Cramer, Mr. McEwen and Mr. Townley.

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