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Senate,
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1932.



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THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

F. 1567

THE SENATE

FIRST REPORT

from the

STANDING COMMITTEE ON REGULATIONS AND ORDINANCES

Brought up and ordered to be printed,
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STANDING COMMITTEE ON REGULATIONS AND ORDINANCES

F I R S T R E P O R T

The Standing Committee on Regulations and Ordinances has the honor to report to the Senate as follows :-

1. Your Committee has considered ~~the~~^{certain} Regulations and Ordinances laid on the Table of the Senate since the adoption of Standing Order No. 36A (11th March, 1932).

2. Your Committee desires to report that amongst such Regulations are Regulations under the Customs Act relating to the censorship of cinematograph films (Statutory Rules 1932, No. 24).

3. Your Committee is of opinion that the matter of film censorship is of the highest public importance, and that it involves to a very large extent the rights and privileges of many individuals.

4. The main alteration made by the new regulations is the abolition of the Appeal Board, and the vesting of its powers in a single person. **Your Committee expresses no opinion as to the wisdom or otherwise of this departure,** but feels that the determination of public policy on a matter of such moment should not be accomplished by departmental regulation.

5. Your Committee would direct attention to the unanimous recommendation of the Royal Commission on the Constitution that the words "Cinematograph films" should be inserted as a new paragraph in Section 51 of the Constitution, in order to give to the Commonwealth Parliament power to pass laws in regard to films made in Australia, as well as those imported.

6. Your Committee would also recall the fact that at a conference of Commonwealth and State Ministers held in May, 1929, the suggestion was made that the States should refer the subject of legislation on cinematograph films to the Parliament of the Commonwealth under paragraph xxxvii

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of Section 51 of the Constitution.

7. Pending the taking of action to amend the Constitution, or the reference of the subject to the Commonwealth Parliament by the State Parliaments, your Committee would submit the following resolution for the consideration of the Senate :

"That in the opinion of this Senate the time has arrived when public policy in regard to the censorship of imported cinematograph films should be set out in substantive legislation."

8. Apart from the important principle involved in this recommendation, your Committee is of opinion that the passing of satisfactory legislation governing the censorship of imported cinematograph films would afford the strongest possible inducement to the State Parliaments to refer the subject of film censorship generally to the Commonwealth Parliament, thereby making it possible to achieve a highly desirable end without the delay that would be occasioned by an amendment of the Constitution.

Hal Colebatch.

Chairman.

Senate Committee Room,
18th May, 1932.