

1940.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA,
CANBERRA.

VOTES AND PROCEEDINGS
OF THE
HOUSE OF REPRESENTATIVES.

No. 29.

TUESDAY, 20TH AUGUST, 1940.

1. The House met, at three o'clock p.m., pursuant to adjournment.—Mr. Speaker (the Honorable G. J. Bell) took the Chair, and read Prayers.
2. MINISTERIAL CHANGES—MINISTERIAL STATEMENT.—Mr. Menzies (Prime Minister) informed the House that, consequent on the deaths of Mr. Street, Sir Henry Gullett and Mr. Fairbairn, His Excellency the Governor-General had, on the 14th August, appointed Senator McBride to be Minister for the Army and Minister for Repatriation, Mr. Fadden to be Minister for Air and Minister for Civil Aviation, and Senator Collett to be Vice-President of the Executive Council. Mr. Menzies also announced that Senator McBride and Mr. Fadden would, by virtue of their office, be members of the War Cabinet; and that Senator Collett would be Minister in charge of Scientific and Industrial Research.
3. LEAVE OF ABSENCE TO MEMBER.—Mr. Scholfield moved, by leave, That leave of absence for the remainder of the Session be given to the honorable Member for Balaclava (Mr. White), on duty with the Royal Australian Air Force.
4. PAPERS.—The following Papers were presented, by command of His Excellency the Governor-General—
League of Nations—Twentieth Assembly, December, 1939—Report of the Australian Delegate
Nauru—Report to Council of League of Nations on Administration of Nauru during 1939.
New Guinea—Report to Council of League of Nations on Administration of Territory of New Guinea for year 1938-39.

Severally ordered to lie on the Table, and to be printed.

The following Papers were presented, pursuant to Statute—

Arbitration (Public Service) Act—Determinations by the Arbitrator, &c.—1940—
No. 19—Amalgamated Postal Workers' Union of Australia; Australian Postal Electricians' Union; Australian Third Division Telegraphists and Postal Clerks' Union; Commonwealth Telephone Officers' Association; Fourth Division Postmasters, Postal Clerks and Telegraphists' Union; Meat Inspectors' Association, Commonwealth Public Service; and Commonwealth Public Service Artisans' Association.

No. 20—Commonwealth Temporary Clerks' Association.

No. 21—Australian Postal Electricians' Union.

No. 22—Arms, Explosives and Munition Workers' Federation of Australia.

Commonwealth Conciliation and Arbitration Act—Regulations Amended—Statutory Rules 1940, No. 153.

Commonwealth Employees' Compensation Act—Regulations Amended—Statutory Rules 1940, No. 157.

Commonwealth Public Service Act—Appointments—Department—
Attorney-General—K. N. Rimington, H. A. Roberts, J. M. A. Stirling.
Civil Aviation—E. C. Johnston, H. A. Mann, A. R. McComb.
Interior—J. A. Campbell, H. V. Davies, F. J. Doolan.

Defence Act—
Regulations Amended—Statutory Rules 1940, No. 150.
Royal Military College—Report for 1939.

Iron and Steel Products Bounty Act—Return for year 1939-40.

Lands Acquisition Act—Land acquired—
For Defence purposes—
Bankstown, New South Wales.
Puckapunyal, Victoria.

For Postal purposes—
Carlton, Victoria.
Warren, New South Wales.

Motor Vehicle Engine Bounty Act—Return for year 1939-40.

National Security Act—Regulations Amended—Statutory Rules 1940, Nos. 151, 152, 158, 159, 160.

Post and Telegraph Act and Wireless Telegraphy Act—Regulations Amended—Statutory Rules 1940, No. 156.

Seat of Government Acceptance Act and Seat of Government (Administration) Act—
Ordinances of 1940—
No. 16—Real Property.
No. 17—Canberra Community Hospital (No. 3).

Regulations Amended—1940—No. 6 (Public Baths Ordinance).

Supply and Development Act—Regulations Amended—Statutory Rules 1940, No. 154.

Tractor Bounty Act—Return for year 1939-40.

20th August, 1940.

5. PUBLIC WORKS COMMITTEE—REPORT.—Mr. Francis (Chairman of the Parliamentary Standing Committee on Public Works) brought up the following Report from the Committee:—
Report relating to the proposed erection of a Repatriation Hospital at Randwick, New South Wales.

6. POSTPONEMENT OF BUSINESS.—Ordered—That the intervening Business be postponed until after the consideration of Notice of Motion No. 1, General Business.

7. DISALLOWANCE OF REGULATIONS.—Mr. Rosevear moved, pursuant to notice, That Regulations 1, 2, 3 and 4 of the National Security (Employment) Regulations (contained in Statutory Rules 1940, No. 128, made under the *National Security Act 1939–1940*) be disallowed.

Debate ensued.

The time arriving for the calling on of the Orders of the Day under Standing Order No. 119—
Suspension of Standing Order No. 119.—Mr. Menzies (Prime Minister) moved, by leave, That Standing Order No. 119 be suspended to enable the debate to be continued.

Question—put and passed.

Debate continued.

Question—That the motion be agreed to—put.

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

Ayes, 28.

Mr. Barnard
Mr. Beasley
Mr. Blackburn
Mr. Brennan
Mr. Conelan
Mr. Curtin
Mr. Dedman
Mr. Drakeford
Mr. Forde
Mr. Frost
Mr. Holloway
Mr. James
Mr. Mahoney
Mr. Makin
Mr. Maloney

Tellers:

Mr. Gander
Mr. George Lawson

Noes, 33.

Mr. Anthony
Mr. Badman
Mr. Cameron
Mr. Collins
Mr. Fadden
Mr. Francis
Mr. Gregory
Mr. Harrison
Mr. Hughes
Mr. Hutchinson
Mr. Jennings
Mr. Jolly
Mr. Lane
Mr. John Lawson
Sir Charles Marr
Mr. McEwen
Mr. Menzies
Mr. Nairn

Tellers:

Mr. Corser
Mr. Gardner

And so it was negatived.

8. MESSAGES FROM THE SENATE.—Mr. Speaker announced the receipt of the following Messages from the Senate:—

[*Gold Mining Encouragement Bill (No. 2) 1940.*—

MR. SPEAKER,

Message No. 39.

The Senate returns to the House of Representatives the Bill for “*An Act to amend the ‘Gold Mining Encouragement Act 1940’*”, and acquaints the House that the Senate has agreed to the Bill without amendment.

J. B. HAYES,
President.

The Senate,

Canberra, 20th August, 1940.

[*Papua Bill 1940.*—

MR. SPEAKER,

Message No. 40.

The Senate returns to the House of Representatives the Bill for “*An Act to amend the ‘Papua Act 1905–1934’*”, and acquaints the House that the Senate has agreed to the Bill without amendment.

J. B. HAYES,
President.

The Senate,

Canberra, 20th August, 1940.

9. MESSAGE FROM THE SENATE.—COMMONWEALTH ELECTORAL (WAR-TIME) BILL 1940.—Mr. Speaker announced the receipt of the following Message from the Senate:—

MR. SPEAKER,

Message No. 41.

The Senate has passed a Bill for “*An Act to make Provision, for the duration of the Present War and six months thereafter, relating to Elections and Referendums*”, and transmits the same to the House of Representatives for its concurrence.

J. B. HAYES,
President.

The Senate,

Canberra, 20th August, 1940.

Mr. Nock (Minister representing the Minister for the Interior) moved, That the Bill transmitted by the foregoing Message be now read a first time.

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

Ordered—That the second reading be made an Order of the Day for the next sitting.

10. GENERAL ELECTIONS—MINISTERIAL STATEMENT.—Mr. Menzies (Prime Minister) announced to the House the proposed dates in connexion with the General Elections.

20th August, 1940.

11. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered—That Order of the Day No. 1, Government Business, be postponed until a later hour this day.

12. **WAYS AND MEANS—CUSTOMS TARIFF AMENDMENT (No. 3), AND EXCISE TARIFF AMENDMENTS (Nos. 2 AND 3).**—The House, according to Order, resolved itself into the Committee of Ways and Means.

(In the Committee.)

Mr. Spender (Minister representing the Minister for Trade and Customs) moved—
CUSTOMS TARIFF AMENDMENT (No. 3).

That the Schedule to the *Customs Tariff* 1933-1939, as proposed to be amended by Customs Tariff Proposals, be further amended as hereinafter set out, and that on and after the twenty-first day of August, One thousand nine hundred and forty, at nine o'clock in the forenoon, reckoned according to standard time in the Australian Capital Territory, Duties of Customs be collected in pursuance of the *Customs Tariff* 1933-1939 as so amended.

That in this Resolution "Customs Tariff Proposals" mean the Customs Tariff Proposals introduced into the House of Representatives on the following dates, namely:—

2nd May, 1940; and
22nd May, 1940.

IMPORT DUTIES.

Tariff Items.	British Preferential Tariff.	Intermediate Tariff.	General Tariff.

DIVISION XVI.—MISCELLANEOUS.

371A. By omitting the whole item.

371B. By omitting the whole item.

373. By omitting the whole item and inserting in its stead the following item:—

" 373. (a) Articles imported or cleared from bond for the personal or official use of the diplomatic representative in Australia of any foreign country or for the use of his family and members of his staff, provided such members are citizens of the country represented

Free Free Free

(b) Articles imported or cleared from bond for the official use of a consular representative in Australia of any foreign country and declared as being for such official use, provided the consular representative is a citizen of the country he represents and is not engaged in any other trade or profession; articles owned and imported by such consular representative or by members of his staff, provided the articles are imported within six months of the arrival of the official concerned or within such further time as the Minister may allow

Free Free Free

(c) Articles imported or cleared from bond for the official use of the High Commissioner in the Commonwealth of Australia of the United Kingdom, the High Commissioner in the Commonwealth of Australia of a British Dominion, or the official representative in the Commonwealth of Australia of any British possession (provided the official representative is a citizen of the country he represents) and declared as being for such official use; articles owned and imported by such High Commissioners or official representatives or by members of their staffs, provided the articles are imported within six months of the arrival of the official concerned or within such further time as the Minister may allow

Free Free Free

(d) Articles imported or cleared from bond for the official use of a trade commissioner of any British or foreign country and declared as being for such official use, provided the trade commissioner is a citizen of the country he represents and is not engaged in any other trade or profession; articles owned and imported by such trade commissioner or by members of his staff, provided the articles are imported within six months of the arrival of the official concerned or within such further time as the Minister may allow

Free Free Free

(e) Articles imported or cleared from bond for the official use of representatives in Australia of British possessions or foreign countries who are not citizens of the country they represent, and declared as being for such official use, subject to the approval of the Minister

Free Free Free".

EXCISE TARIFF AMENDMENT (No. 2).

That the Schedule to the *Excise Tariff* 1921-1939, as proposed to be amended by the Excise Tariff Proposals introduced into the House of Representatives on the second day of May, One thousand nine hundred and forty, be further amended as hereinafter set out, and that on and after the twenty-first day of August, One thousand nine hundred and forty, at nine o'clock in the forenoon, reckoned according to standard time in the Australian Capital Territory, Duties of Excise be collected in pursuance of the *Excise Tariff* 1921-1939 as so amended.

EXCISE DUTIES.

Articles.	Rate of Duty.
11. By omitting the whole of paragraph (3) of sub-item (a) (third time occurring) and inserting in its stead the following paragraph :— “ (3) Produced from shale mined in Australia - - - per gallon And on and after 21st August, 1942	4d.
(3) Produced from shale mined in Australia in a plant which was in production of spirit from such shale on or before 21st August, 1942— For each gallon (not exceeding in any period of twelve months commencing on 21st August, 1942, or on any anniversary of that date, the amount of spirit which that plant was capable of producing at 21st August, 1942, in a period of twelve months) - - - And on and after 21st August, 1955	4d.
(3) Produced by National Oil Proprietary Limited from shale mined on the land described in the First Part of the Fourth Schedule to the Agreement (a copy of which is set forth in the Schedule to the <i>National Oil Proprietary Limited Agreement Act</i> 1937) as read and construed in the manner provided by the Agreement made on the 25th October, 1939, between the parties to the first-mentioned Agreement— (a) For each gallon not exceeding 10,000,000 gallons in each year commencing on the first day of January - - - (b) For each gallon exceeding 10,000,000 gallons in each year commencing on the first day of January - - - By omitting the whole of paragraph (2) of sub-item (c) (third time occurring) and inserting in its stead the following paragraph :—	4d. 9½d.”
“ (2) Produced directly or indirectly from coal mined in Australia - - - per gallon And on and after 21st August, 1942	4d.
(2) Produced directly or indirectly from coal mined in Australia in a plant which was in production of distillates suitable for use as petrol substitutes from such coal on or before 21st August, 1942— For each gallon (not exceeding in any period of twelve months commencing on 21st August, 1942, or on any anniversary of that date, the amount of distillates suitable for use as petrol substitutes which that plant was capable of producing at 21st August, 1942, in a period of twelve months) - - - And on and after 21st August, 1955	4d.
(2) Produced directly or indirectly from coal mined in Australia - - - per gallon By omitting the whole of paragraph (3) of sub-item (c) (third time occurring) and inserting in its stead the following paragraph :— “ (3) N.E.I. - - - per gallon	5½d.” 5½d.”

EXCISE TARIFF AMENDMENT (No. 3).

That the Schedule to the *Excise Tariff* 1921-1939, as proposed to be amended by Excise Tariff Proposals, be further amended as hereinafter set out, and that on and after the twenty-first day of August, One thousand nine hundred and forty, at nine o'clock in the forenoon, reckoned according to standard time in the Australian Capital Territory, Duties of Excise be collected in pursuance of the *Excise Tariff* 1921-1939 as so amended.

That in this Resolution “Excise Tariff Proposals” mean the Excise Tariff Proposals introduced into the House of Representatives on the following dates, namely :—

2nd May, 1940; and
20th August, 1940 (other than these Proposals).

EXCISE DUTIES.

Articles.	Rate of Duty.
10. By adding a new sub-item (p) as follows :— “ (p) Articles for the personal or official use of the diplomatic representative in Australia of any foreign country, provided the articles are owned by such representative prior to clearance for home consumption . . .	Free”.

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

The House resumed; Mr. Prowse reported accordingly.

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

13. HIGH COMMISSIONER BILL 1940.—Mr. Nock (Assistant Minister) moved, by leave, That he have leave to bring in a Bill for an Act to amend section nine of the *High Commissioner Act* 1909–1937. Question—put and passed.

Mr. Nock then brought up the Bill accordingly, and moved, That it be now read a first time. Question—put and passed.—Bill read a first time.

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

Mr. Curtin (Leader of the Opposition) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and passed.

Ordered—That the resumption of the debate be made an Order of the Day for the next sitting.

14. RAW COTTON BOUNTY BILL 1940.—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.

Mr. Speaker left the Chair, and 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. Prowse reported accordingly.

On the motion of Mr. Spender (Minister representing the Minister for Trade and Customs), the House adopted the Report, and (the Standing Orders having previously been suspended, *see* page 112) the Bill was read a third time.

15. MESSAGE FROM THE GOVERNOR-GENERAL.—SUPPLY BILL (No. 2) 1940–41.—The following Message from His Excellency the Governor-General was presented, and was read by Mr. Speaker :—

GOWRIE,

Governor-General.

Message No. 24.

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 to grant and apply a sum out of the Consolidated Revenue Fund for the service of the year ending the thirtieth day of June, One thousand nine hundred and forty-one, and for other purposes.

Canberra, 15th August, 1940.

Mr. Spender (Treasurer) moved, That the foregoing Message be referred to the Committee of Supply forthwith.

Question—put and passed.

16. SUPPLY—SUPPLY BILL (No. 2) 1940–41.—The House, according to Order, resolved itself into the Committee of Supply.

(*In the Committee.*)

Mr. Spender (Treasurer) moved, That there be granted to His Majesty for or towards defraying the services of the year 1940–41 a sum not exceeding £6,732,000.

Question—put and passed.

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

The House resumed ; Mr. Prowse reported accordingly.

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

17. SUSPENSION OF STANDING ORDERS.—Mr. Spender (Treasurer) 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.

18. SUPPLY RESOLUTION.—The Resolution reported from the Committee of Supply was read, and, on the motion of Mr. Spender (Treasurer), was adopted by the House.

19. WAYS AND MEANS—SUPPLY BILL (No. 2) 1940–41.—The House, according to Order, again resolved itself into the Committee of Ways and Means.

(*In the Committee.*)

Mr. Spender (Treasurer) moved, That, towards making good the Supply granted to His Majesty for the services of the year 1940–41, there be granted out of the Consolidated Revenue Fund a sum not exceeding £6,732,000.

Question—put and passed.

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

The House resumed ; Mr. Prowse reported accordingly.

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

The Resolution reported from the Committee was read, and, on the motion of Mr. Spender, was adopted by the House.

Ordered—That Mr. Spender and Mr. Nock do prepare and bring in a Bill to carry out the foregoing Resolution.

20th August, 1940.

20. SUPPLY BILL (No. 2) 1940-41.—Mr. Spender (Treasurer) then brought up a Bill intituled “*A Bill for an Act to grant and apply a sum out of the Consolidated Revenue Fund for the service of the year ending the thirtieth day of June One thousand nine hundred and forty-one and for other purposes*”, and moved, That it be now read a first time.

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

Mr. Spender moved, That the Bill be now read a second time.

Mr. Makin moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and passed.

Ordered—That the resumption of the debate be made an Order of the Day for the next sitting.

21. ADJOURNMENT.—Mr. Spender (Treasurer) moved, That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at five minutes to eleven o'clock p.m., adjourned until to-morrow at three o'clock p.m.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except—Mr. Clark, Mr. Green, Mr. Holt*, Mr. Lazzarini, Mr. McCall, Mr. McHugh, Mr. White*, and Mr. Wilson.

* On leave.

F. C. GREEN,
Clerk of the House of Representatives.