

1940-41-42.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.
CANBERRA.

VOTES AND PROCEEDINGS
OF THE
HOUSE OF REPRESENTATIVES.

No. 80.

TUESDAY, 19TH MAY, 1942.

1. The House met, at three o'clock p.m., pursuant to adjournment.—Mr. Speaker (the Honorable W. M. Nairn) took the Chair, and read Prayers.
2. AUSTRALIAN MILITARY FORCES—MINISTERIAL STATEMENT.—Mr. Forde (Minister for the Army), by leave, made a Ministerial Statement with respect to the disposition of certain members of the Australian Military Forces, and referred to a case brought to his notice by the honorable Member for Dalley (Mr. Rosevear).
Mr. Rosevear, by leave, also made a Statement in connexion with the matter.
3. MESSAGES FROM THE GOVERNOR-GENERAL.—ASSENT TO BILLS.—The following Messages from His Excellency the Governor-General were received, and were read by Mr. Speaker :—

GOWRIE,

*Governor-General.**Message No. 62.*

Proposed Laws intituled :—

- “ *Invalid and Old-age Pensions Act 1942* ”
- “ *Maternity Allowance Act 1942* ”
- “ *Child Endowment Act 1942* ”
- “ *Sales Tax (Exemptions and Classifications) Act 1942* ”
- “ *Sales Tax Act (No. 1) 1942* ”
- “ *Sales Tax Act (No. 2) 1942* ”
- “ *Sales Tax Act (No. 3) 1942* ”
- “ *Sales Tax Act (No. 4) 1942* ”
- “ *Sales Tax Act (No. 5) 1942* ”
- “ *Sales Tax Act (No. 6) 1942* ”
- “ *Sales Tax Act (No. 7) 1942* ”
- “ *Sales Tax Act (No. 8) 1942* ”
- “ *Sales Tax Act (No. 9) 1942* ”

as finally passed by the Senate and the House of Representatives of the Commonwealth, having been presented to the Governor-General for the Royal Assent, His Excellency has, in the name and on behalf of His Majesty, assented to the said Laws.

Government House,

Canberra, 18th May, 1942.

GOWRIE,

*Governor-General.**Message No. 63.*

A Proposed Law intituled “ *Excise Act 1942* ” as finally passed by the Senate and the House of Representatives of the Commonwealth, having been presented to the Governor-General for the Royal Assent, His Excellency has, in the name and on behalf of His Majesty, assented to the said Law.

Government House,

Canberra, 18th May, 1942.

4. PAPERS.—The following Papers were presented, pursuant to Statute—
 - Apple and Pear Organization Act—Regulations—Statutory Rules 1942, No. 190.
 - Canned Fruits Export Control Act—Regulations—Statutory Rules 1942, No. 194.
 - Commonwealth Inscribed Stock Act—Regulations—Statutory Rules 1942, No. 227.
 - Dairy Produce Export Control Act—Regulations—Statutory Rules 1942, No. 192.
 - Lands Acquisition Act—Land acquired—
 - For Administrative purposes—Alice Springs, Northern Territory.
 - For Defence purposes—
 - Murchison (near), Victoria.
 - Sunshine, Victoria.
 - York, Western Australia.
 - For Postal purposes—Sydenham, New South Wales.

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Meat Export Control Act—Regulations—Statutory Rules 1942, No. 193.

National Security Act—

National Security (General) Regulations—Orders—

Evacuation of area.

Prohibited places (2).

Protected area.

Taking possession of land, &c. (52).

Use of land (24).

National Security (Shipping Requisition) Regulations—Resolutions by Shipping Control Board (2).

National Security (War Damage to Property) Regulations—Orders—Public authorities (2).
Regulations—Statutory Rules 1942, Nos. 216, 218, 219, 220, 221, 222, 223, 224, 228, 229, 230, 233, 234.

Navigation Act—Regulations—Statutory Rules 1942, Nos. 209, 210.

Wine Overseas Marketing Act—Regulations—Statutory Rules 1942, No. 191.

5. COMMERCIAL BROADCASTING STATIONS LICENCE FEES BILL 1942.—Mr. Beasley (Minister for Supply and Development) moved, pursuant to notice, That he have leave to bring in a Bill for an Act to provide for Fees for Licences for Commercial Broadcasting Stations.

Question—put and passed.

Mr. Beasley 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.

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

6. MESSAGES FROM THE GOVERNOR-GENERAL.—WIDOWS' PENSIONS BILL 1942.—The following Messages from His Excellency the Governor-General were presented, and were read by Mr. Speaker:—

GOWRIE,

*Governor-General.**Message No. 64.*

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 provide for the Payment of Widows' Pensions, and for other purposes.

Canberra, 14th May, 1942.

GOWRIE,

*Governor-General.**Message No. 65.*

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 amendments to be moved by the Minister for Social Services in a Bill for an Act to provide for the Payment of Widows' Pensions, and for other purposes.

Canberra, 15th May, 1942.

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

Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

(In the Committee.)

Mr. Holloway (Minister for Social Services) moved the following motions—

(1) That it is expedient that an appropriation of revenue be made for the purposes of a Bill for an Act to provide for the Payment of Widows' Pensions, and for other purposes.

(2) That it is expedient that an appropriation of revenue be made for the purposes of amendments to be moved by the Minister for Social Services in a Bill for an Act to provide for the Payment of Widows' Pensions, and for other purposes.

Question—That the motions be agreed to—put and passed.

Resolutions to be reported.

The House resumed; Mr. Prowse reported accordingly.

The said Resolutions were read, and, on the motion of Mr. Holloway, by leave, were adopted by the House.

7. WIDOWS' PENSIONS BILL 1942.—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole House—

Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

(In the Committee.)

Clauses 1 to 3 agreed to.

Clause 4—

Mr. Holloway (Minister for Social Services) moved, as an amendment:—Page 3, lines 1 and 2, omit paragraph (c), insert—

“(c) a woman whose marriage has been dissolved and who has not remarried; and”.

Debate ensued.

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Amendment temporarily withdrawn, by leave.

Mr. Rosevear moved, as an amendment, That after " months " (page 2, line 25) the words " provided that the applicant can show that legal proceedings for maintenance had been taken against the husband " be inserted.

Debate continued.

Amendment withdrawn, by leave.

Mr. Calwell proposing to move, as an amendment, That after " months " (page 2, line 25) the words " or whose husband has been sentenced to a term of imprisonment of not less than three months " be inserted—

Chairman's Ruling.—The Chairman (Mr. Prowse) ruled that such an amendment would not be in order as it would increase the amount of the appropriation.

Dissent from Chairman's Ruling.—Mr. Cameron having handed in, in writing, an objection to the Ruling of the Chairman, moved, That the Ruling be dissented from.

Debate ensued.

Question—put and negatived.

Amendment previously moved by Mr. Holloway and temporarily withdrawn, viz. :—Page 3, lines 1 and 2, omit paragraph (c), insert—

" (c) a woman whose marriage has been dissolved and who has not remarried ; and ",

was again moved and agreed to, after debate.

Mr. Calwell moved, That the further consideration of the clause be postponed.

Chairman's Ruling.—The Chairman ruled that the motion was not in order, as the clause, having been amended, could not be postponed.

Clause, as amended, agreed to.

Clauses 5 to 10 agreed to.

Clause 11—

On the motion of Mr. Calwell, the following amendment was made, after debate :—

Page 4, line 5, omit " Fifty ", insert " Twenty ".

Clause, as amended, agreed to.

Clause 12 agreed to.

Clause 13 debated and agreed to.

Clause 14 debated—

Mr. Jolly moved, as an amendment, That the following paragraph be added to sub-clause (1.) :—

" (h) if she is paid a widow's pension under a Widows' Pension Act of a State."

Debate continued.

Question—That the words proposed to be added be so added—put.

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

Ayes, 19.

Noes, 37.

Mr. Abbott	Mr. McEwen
Mr. Badman	Mr. Paterson
Mr. Cameron	Mr. Price
Mr. Collins	Mr. Ryan
Mr. Duncan-Hughes	Mr. Spender
Mr. Fadden	Sir Frederick Stewart
Mr. Holt	
Mr. Hutchinson	<i>Tellers:</i>
Mr. Jolly	Mr. Corser
Mr. Marwick	Mr. Stacey
Mr. McDonald	

Mr. Baker	Mr. Makin
Mr. Barnard	Sir Charles Marr
Mr. Beasley	Mr. Martens
Mr. Blackburn	Mr. Morgan
Mr. Breen	Mr. Mulcahy
Mr. Chifley	Mr. Perkins
Mr. Clark	Mr. Pollard
Mr. Curtin	Mr. Rankin
Mr. Dedman	Mr. Riordan
Mr. Drakeford	Mr. Rosevear
Mr. Falstein	Mr. Scully
Mr. Forde	Mr. Sheehan
Mr. Francis	Mr. Spooner
Mr. Frost	Mr. Ward
Mr. Harrison	Mr. Wilson
Mr. Holloway	
Mr. James	<i>Tellers:</i>
Mr. Johnson	Mr. Conelan
Mr. Lawson	Mr. Guy
Mr. Lazzarini	

And so it was negatived.

On the motion of Mr. Holloway, the following amendment was made :—

Page 6, at the end of the clause add the following sub-clause :—

" (6.) A pension shall not be granted to a widow, being a deserted wife, unless the widow has taken such action as the Commissioner or Deputy Commissioner considers reasonable to obtain maintenance from her husband."

Clause, as amended, agreed to.

Clause 15 debated and agreed to.

Clauses 16 and 17 agreed to.

Clause 18—

On the motion of Mr. Rosevear, the following amendment was made, after debate :—

Page 7, line 24, after " date " insert " or later than the pay day next succeeding the date ".

Clause, as amended, agreed to.

Clause 19 debated and agreed to.

Clause 20 agreed to.

Clause 21 debated and agreed to.

Clauses 22 and 23 agreed to.

Clause 24 debated and agreed to.

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Clause 25 debated and agreed to.

Clauses 26 to 31 agreed to.

Clause 32 debated and agreed to.

Clauses 33 to 35 agreed to.

Clause 36 debated and agreed to.

Clause 37 debated and agreed to.

Clauses 38 to 43 agreed to.

Clause 44 debated and agreed to.

Clause 45 agreed to.

Clause 46 debated—

On the motion of Mr. Blackburn, the following amendment was made, after debate :—

Page 12, omit sub-clause (3.).

Clause, as amended, agreed to.

Clauses 47 to 50 agreed to.

New clause—

On the motion of Mr. Holloway, the following new clause was inserted in the Bill :—

“ 33A.—(1.) The maximum rate of pension per annum and the rate of allowance per week shall be reviewed in each quarter (commencing with the quarter ending on the thirtieth day of September, One thousand nine hundred and forty-two) by the Commissioner, who shall then determine the maximum rate of pension and the rate of allowance which shall apply from and including the due date of the first instalment of pension or allowance in the next succeeding quarter, in accordance with the following provisions of this section.

Variation of pensions and allowances in accordance with price index numbers.

“(2.) If the price index number exceeds 1053 the maximum rate of pension per annum specified in paragraph (a) or (b) of sub-section (1.) of section fifteen of this Act shall be increased by One pound six shillings, and the rate of allowance per week specified in section twenty-five of this Act shall be increased by Sixpence, for every twenty-one units by which the price index number exceeds 1053.

“(3.) If at any time the price index number exceeds 1053 by not less than twenty-one units and subsequently falls, the maximum rate of pension per annum, and the rate of allowance per week, shall, where necessary, be reduced to accord with the maximum rate of pension per annum and the rate of allowance per week determined in accordance with the last preceding sub-section.

“(4.) The maximum rate of pension per annum shall not in any event be reduced to less than the rate specified in paragraph (a) or (b) of sub-section (1.) of section fifteen of this Act, and the rate of allowance per week shall not in any event be reduced to less than the rate specified in section twenty-five of this Act.

“(5.) For the purposes of this section—

(a) the expression ‘ price index number ’ means the weighted average retail price index number for all items of household expenditure (‘ C ’ Series) for the six capital cities of the States as ascertained by the Commonwealth Statistician for the quarter immediately preceding the quarter in which the maximum rate of pension per annum, or the rate of allowance per week, is reviewed, based upon the average price index number for the calendar years One thousand nine hundred and twenty-three to One thousand nine hundred and twenty-seven, inclusive, being expressed as one thousand units ; and

(b) the expression ‘ quarter ’ means the period of three months ending on the thirty-first day of March, the thirtieth day of June, the thirtieth day of September or the thirty-first day of December.”.

Title agreed to.

Bill to be reported with amendments.

The House resumed ; Mr. Guy reported accordingly.

On the motion of Mr. Holloway, by leave, the House adopted the Report, and, by leave, the Bill was read a third time.

8. ADJOURNMENT.—Mr. Chifley (Treasurer) moved, That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at twenty-five minutes to twelve o'clock midnight, adjourned until to-morrow at half-past two o'clock p.m.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except Mr. Anthony, Mr. Beck, Sir George Bell, Mr. Blain*, Mr. Brennan, Mr. Coles, Mr. Evatt*, Mr. Langtry, Mr. McCall, Mr. McLeod, Sir Earle Page*, and Mr. White*.

* On leave.

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