

1945-46.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

VOTES AND PROCEEDINGS
OF THE
HOUSE OF REPRESENTATIVES.

No. 121.

THURSDAY, 11TH JULY, 1946.

1. The House met, at half-past two o'clock p.m., pursuant to adjournment.—Mr. Speaker (the Honorable J. S. Rosevear) took the Chair, and read Prayers.
2. PAPERS.—The following Papers were presented, pursuant to Statute—
Lands Acquisition Act—Land acquired for Commonwealth purposes—Surry Hills, New South Wales.
Science and Industry Research Act—Regulations—Statutory Rules 1946, No. 104.
3. IMMIGRATION (GUARDIANSHIP OF CHILDREN) BILL 1946.—Mr. Calwell (Minister for Immigration) moved, pursuant to notice, That he have leave to bring in a Bill for an Act to make provision for and in connexion with the Guardianship of certain Children from outside Australia.
Question—put and passed.
4. ALIENS BILL 1946.—Mr. Calwell (Minister for Immigration) moved, pursuant to notice, That he have leave to bring in a Bill for an Act relating to Aliens.
Question—put and passed.
5. TRADESMEN'S RIGHTS REGULATION BILL 1946.—Mr. Holloway (Minister for Labour and National Service), pursuant to leave given on the 4th July, brought up a Bill intitled "*A Bill for an Act to make provision in relation to the Regulation of Tradesmen's Rights of Employment in certain Trades, and Employment of Members of the Forces in those Trades, and for other purposes*", and moved, That it be now read a first time.
Question—put and passed.—Bill read a first time.
Mr. Holloway moved, by leave, That the Bill be now read a second time.
Mr. Holt 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.
6. OVERSEAS TELECOMMUNICATIONS BILL 1946.—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. Fadden moved, That the Bill be referred to a Select Committee.
Question—put.
The House divided (The Speaker, Mr. Rosevear, in the Chair)—

Ayes, 21.

Mr. Abbott	Mr. McDonald
Mr. Adermann	Mr. McEwen
Mr. Bowden	Mr. Menzies
Mr. Cameron	Mr. Rankin
Mr. Fadden	Mr. Spender
Mr. Francis	Mr. Turnbull
Mr. Gullett	Mr. White
Mr. Harrison	
Mr. Holt	<i>Tellers:</i>
Mr. Hughes	
Mr. Hutchinson	Mr. Corser
Dame Enid Lyons	Mr. Guy

Noes, 42.

Mr. Barnard	Mr. Johnson
Mr. K. E. Beazley	Mr. Langtry
Mr. Breen	Mr. Lazzarini
Mr. Bryson	Mr. Lemmon
Mr. Burke	Mr. Makin
Mr. Calwell	Mr. Martens
Mr. Chambers	Mr. McLeod
Mr. Chifley	Mr. Morgan
Mr. Clark	Mr. Mountjoy
Mr. Conelan	Mr. Pollard
Mr. Daly	Mr. Riordan
Mr. Dedman	Mr. Russell
Mr. Drakeford	Mr. Scullin
Mr. Falstein	Mr. Scully
Mr. Forde	Mr. Sheehy
Mr. Fraser	Mr. Smith
Mr. Frost	Mr. Ward
Mr. Gaha	Mr. Williams
Mr. Hadley	
Mr. Haylen	<i>Tellers:</i>
Mr. Holloway	Mr. Fuller
Mr. James	Mr. Sheehan

And so it was negatived.

11th July, 1946.

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

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

10. WHEAT EXPORT CHARGE BILL 1946.—Mr. Scully (Minister for Commerce and Agriculture), then brought up a Bill intituled “ *A Bill for an Act to impose a Charge upon the Export of Wheat and Wheat Products* ”, and moved, That it be now read a first time.
Question—put and passed.—Bill read a first time.
Mr. Scully moved, That the Bill be now read a second time.
Mr. Menzies (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.
11. WHEAT INDUSTRY STABILIZATION BILL 1946.—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.
Mr. Lemmon 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.
12. OVERSEAS TELECOMMUNICATIONS BILL 1946.—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 again resolved itself into a Committee of the Whole.

(*In the Committee.*)

Clause 23—

On the motion of Mr. Calwell (Minister representing the Postmaster-General), the following amendment was made, after debate :—

Page 9, at the end of the clause add the following sub-clauses :—

“ (4.) Pending the establishment of the Commission, the Minister may exercise any power conferred on the Commission by this Part.

“ (5.) Upon the establishment of the Commission, any property which has been acquired by the Minister under this section and is still held by him shall become the absolute property of, or be vested in, the Commission, as the case requires.”

Clause, as amended, agreed to.

Clauses 24 to 28 agreed to.

Clause 29 debated and agreed to.

Clause 30 agreed to.

Clause 31 debated—

Mr. Spender moved, as an amendment, That the following words be added to the clause :—“ which estimates shall be laid before both Houses of the Parliament as soon as is reasonably possible after their receipt ”.

Debate continued.

Amendment negatived.

Clause agreed to.

Clauses 32 to 35 agreed to.

Clause 36 debated and agreed to.

Clauses 37 to 42 agreed to.

Clause 43—

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

Page 13, at the end of the clause add :—“ or, where an agreement is entered into under Part IV. of this Act as to the compensation payable in respect of the property acquired, on such date as is fixed in the agreement ”.

Clause, as amended, agreed to.

Clauses 44 to 47 agreed to

Clause 48 omitted.

Clauses 49 to 51 agreed to.

Clause 52—

On the motion of Mr. Calwell, the following amendments were made :—

Page 15, lines 43-45, omit “ entered into between the Commission and the person concerned and approved by the Minister ”.

Page 15, after sub-clause (1.) insert the following sub-clauses :—

“ (1A.) Prior to the establishment of the Commission, any such agreement shall be made between the Minister and the person concerned and after the establishment of the Commission any such agreement shall be made between the Commission and the person concerned and shall be subject to approval by the Minister.

“ (1B.) In the following provisions of this Part, any reference to the Commission shall, pending the establishment of the Commission, be deemed to be a reference to the Minister.”

Page 16, lines 28 and 29, omit “ judge of the Court, sitting as or for the Court ”, insert “ Justice of the Court, sitting in open court ”.

Clause, as amended, agreed to.

Clause 53 debated and agreed to.

Clauses 54 to 66 agreed to.

1945-46.

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Question—put and passed.—Bill read a first time.
Mr. Holloway moved, by leave, That the Bill be now read a second time.
Mr. Holt 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.
6. OVERSEAS TELECOMMUNICATIONS BILL 1946.—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. Fadden moved, That the Bill be referred to a Select Committee.
Question—put.
The House divided (The Speaker, Mr. Rosevear, in the Chair)—

Ayes, 21.	Tellers:	Noes, 42.	Tellers:
Mr. Abbott	Mr. McDonald	Mr. Barnard	Mr. Johnson
Mr. Adermann	Mr. McEwen	Mr. K. E. Beazley	Mr. Langtry
Mr. Bowden	Mr. Menzies	Mr. Breen	Mr. Lazzarini
Mr. Cameron	Mr. Rankin	Mr. Bryson	Mr. Lemmon
Mr. Fadden	Mr. Spender	Mr. Burke	Mr. Makin
Mr. Francis	Mr. Turnbull	Mr. Calwell	Mr. Martens
Mr. Gullett	Mr. White	Mr. Chambers	Mr. McLeod
Mr. Harrison		Mr. Chifley	Mr. Morgan
Mr. Holt		Mr. Clark	Mr. Mountjoy
Mr. Hughes		Mr. Conelan	Mr. Pollard
Mr. Hutchinson	Mr. Corser	Mr. Daly	Mr. Riordan
Dame Enid Lyons	Mr. Guy	Mr. Dedman	Mr. Russell
		Mr. Drakeford	Mr. Scullin
		Mr. Falstein	Mr. Scully
		Mr. Forde	Mr. Sheehy
		Mr. Fraser	Mr. Smith
		Mr. Frost	Mr. Ward
		Mr. Gaha	Mr. Williams
		Mr. Hadley	
		Mr. Haylen	
		Mr. Holloway	
		Mr. James	

And so it was negatived.

11th July, 1946.

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

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

7. MESSAGE FROM THE GOVERNOR-GENERAL.—OVERSEAS TELECOMMUNICATIONS BILL 1946.—The following Message from His Royal Highness the Governor-General was presented, and was read by Mr. Speaker:—

HENRY,

Governor-General.

Message No. 54.

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 and moneys be made for the purposes of a Bill for an Act to provide for the Establishment and Operation of Overseas Telegraphic, Telephonic and other like Services by the Commonwealth, and for other purposes.

Blackall, Queensland,
20th June, 1946.

Ordered—That the foregoing Message 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. Calwell (Minister representing the Postmaster-General) moved, That it is expedient that an appropriation of revenue and moneys be made for the purposes of a Bill for an Act to provide for the Establishment and Operation of Overseas Telegraphic, Telephonic and other like Services by the Commonwealth, and for other purposes.

Question—put and passed.

Resolution to be reported.

The House resumed; Mr. Riordan reported accordingly.

The said Resolution was read, and, on the motion of Mr. Calwell, by leave, was adopted by the House.

8. OVERSEAS TELECOMMUNICATIONS BILL 1946.—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 again resolved itself into a Committee of the Whole.

(In the Committee.)

Clauses 1 to 17 agreed to.

Clause 18—

On the motion of Mr. Calwell (Minister representing the Postmaster-General), the following amendment was made, after debate:—

Page 7, after sub-clause (8.) insert the following sub-clause:—

“(8A.) Nothing in the last preceding sub-section shall affect the operation of—

(a) any award made by the Commonwealth Court of Conciliation and Arbitration prior to the commencement of this section in its application to such employees of the Company or of Cable and Wireless Limited as are appointed to positions in the service of the Commission under sub-section (10.) or (11.) of this section; or

(b) any agreement filed prior to the commencement of this section under section twenty-four of the *Commonwealth Conciliation and Arbitration Act 1904–1946* in its application to the employees referred to in the last preceding paragraph.”

On the motion of Mr. Calwell, the following further amendments were made:—

Page 7, line 36, after “exclusively” insert “or mainly”.

Page 7, lines 39–41, omit “with such advancement in status and salary, beyond those held and received by him in the service of the Commonwealth immediately prior to his being taken over by the Company”, insert “of such status and salary, having regard to the period of service of that employee”.

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

Page 8, line 1, after “exclusively” insert “or mainly”.

On the motion of Mr. Calwell, the following further amendments were made:—

Page 8, line 3, after “exclusively” insert “or mainly”.

Page 8, line 6, omit “determines”, insert “thinks just”.

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

Page 8, line 9, omit “or other like”, insert “, superannuation, retiring allowance or furlough”.

11th July, 1946.

Mr. White moved, as a further amendment, That the following sub-clause be added to the clause :—

“(12.) In the matter of employment, the provisions of section twenty-seven of the *Re-establishment and Employment Act 1945*, relating to servicemen, will have application.”.

Debate continued.

Amendment withdrawn, by leave.

Clause, as amended, agreed to.

Clauses 19 to 22 agreed to.

Clause 23—

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

The House resumed ; Mr. Riordan reported accordingly.

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

9. WAYS AND MEANS—WHEAT EXPORT CHARGE.—The House, according to Order, resolved itself into the Committee of Ways and Means.

(In the Committee.)

Mr. Scully (Minister for Commerce and Agriculture) moved—

1. That a charge be imposed—

(a) on all wheat harvested on or after the first day of October, One thousand nine hundred and forty-five, and exported from the Commonwealth, whether by the Board or by any other person, on or after the first day of December, One thousand nine hundred and forty-five ; and

(b) on all wheat products manufactured from wheat so harvested which are exported from the Commonwealth, whether by the Board or by any other person, on or after the first day of December, One thousand nine hundred and forty-five.

2. That, subject to a lower rate being prescribed by the regulations, the rate of the charge per bushel of wheat exported by any person, other than the Board, be fifty per centum of the amount by which the price per bushel for export of fair average quality bagged wheat free on rail at the port of export, as declared from time to time by the Board, or such lower price as may be prescribed by the regulations, exceeds Five shillings and two pence.

3. That, subject to a lower rate being prescribed by the regulations, the rate of the charge per bushel on wheat of any season exported by the Board be fifty per centum of the amount by which the average price per bushel free on rail at the ports of export for fair average quality bagged wheat of all the wheat of that season exported by the Board, or such lower price as may be prescribed by the regulations, exceeds Five shillings and two pence.

4. That, where wheat products are exported, the charge be imposed on the wheat equivalent of those products.

5. That all moneys payable by any person, other than the Board, in respect of any wheat or wheat products, be paid, on or before the entry of the wheat or wheat products for export, to such officers in the respective States, or in the Northern Territory, as may be prescribed by the regulations.

6. That the amount of the charge payable by the Board be paid in instalments due on the first days of January, April, July and October.

7. That, for the purpose of determining the amount of any instalment, the wheat of any season exported by the Board up to the end of the period of three months immediately preceding the due date of the instalment, be deemed to be all the wheat of that season exported by the Board.

8. That, when the rate of the charge on wheat of that season is ascertained in accordance with the provisions of paragraph 3 of this Resolution, the necessary adjustment be made.

9. That for the purposes of this resolution—

(a) where wheat is sold by the Board for export or for manufacture into wheat products for export, the Board be deemed to be the exporter of the wheat ; and

(b) the wheat equivalent of any wheat products be ascertained in such manner as the Board may determine.

10. That for the purposes of this resolution—

(a) the expression “the Board” mean the Australian Wheat Board proposed to be constituted under the *Wheat Industry Stabilization Bill 1946* ; and

(b) the expression “the regulations” mean the regulations made under the Act passed to give effect to this Resolution ; and

(c) the expression “wheat products” mean any substance produced by the gristing, crushing, grinding, milling, or otherwise processing of wheat, and include semolina, sharps, wheatmeal, self-raising flour, rice substitutes made from wheat, breakfast foods containing wheat, and any other commodity produced mainly from wheat, but do not include bran, pollard, bread, cake or biscuits.

11. That the Act passed to give effect to this Resolution continue in operation until a date (not being earlier than the thirtieth day of September, One thousand nine hundred and fifty) fixed by Proclamation as the date upon which the Act shall cease to be in operation.

Question—put and passed.

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

The House resumed ; Mr. Riordan reported accordingly.

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

Mr. Scully 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.

11th July, 1946.

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

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

10. WHEAT EXPORT CHARGE BILL 1946.—Mr. Scully (Minister for Commerce and Agriculture), then brought up a Bill intituled “*A Bill for an Act to impose a Charge upon the Export of Wheat and Wheat Products*”, and moved, That it be now read a first time.
Question—put and passed.—Bill read a first time.
Mr. Scully moved, That the Bill be now read a second time.
Mr. Menzies (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.
11. WHEAT INDUSTRY STABILIZATION BILL 1946.—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.
Mr. Lemmon 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.
12. OVERSEAS TELECOMMUNICATIONS BILL 1946.—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 again resolved itself into a Committee of the Whole.

(*In the Committee.*)

Clause 23—

On the motion of Mr. Calwell (Minister representing the Postmaster-General), the following amendment was made, after debate :—

Page 9, at the end of the clause add the following sub-clauses :—

“(4.) Pending the establishment of the Commission, the Minister may exercise any power conferred on the Commission by this Part.

“(5.) Upon the establishment of the Commission, any property which has been acquired by the Minister under this section and is still held by him shall become the absolute property of, or be vested in, the Commission, as the case requires.”

Clause, as amended, agreed to.

Clauses 24 to 28 agreed to.

Clause 29 debated and agreed to.

Clause 30 agreed to.

Clause 31 debated—

Mr. Spender moved, as an amendment, That the following words be added to the clause :—“which estimates shall be laid before both Houses of the Parliament as soon as is reasonably possible after their receipt”.

Debate continued.

Amendment negatived.

Clause agreed to.

Clauses 32 to 35 agreed to.

Clause 36 debated and agreed to.

Clauses 37 to 42 agreed to.

Clause 43—

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

Page 13, at the end of the clause add :—“or, where an agreement is entered into under Part IV. of this Act as to the compensation payable in respect of the property acquired, on such date as is fixed in the agreement”.

Clause, as amended, agreed to.

Clauses 44 to 47 agreed to

Clause 48 omitted.

Clauses 49 to 51 agreed to.

Clause 52—

On the motion of Mr. Calwell, the following amendments were made :—

Page 15, lines 43–45, omit “entered into between the Commission and the person concerned and approved by the Minister”.

Page 15, after sub-clause (1.) insert the following sub-clauses :—

“(1A.) Prior to the establishment of the Commission, any such agreement shall be made between the Minister and the person concerned and after the establishment of the Commission any such agreement shall be made between the Commission and the person concerned and shall be subject to approval by the Minister.

“(1B.) In the following provisions of this Part, any reference to the Commission shall, pending the establishment of the Commission, be deemed to be a reference to the Minister.”

Page 16, lines 28 and 29, omit “judge of the Court, sitting as or for the Court”, insert “Justice of the Court, sitting in open court”.

Clause, as amended, agreed to.

Clause 53 debated and agreed to.

Clauses 54 to 66 agreed to.

11th July, 1946.

New clause—

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

“49A.—(1.) Pending the establishment of the Commission, the Minister may exercise any power conferred on the Commission by this Part. Exercise of Commission's powers by Minister pending establishment of Commission.

“(2.) Where the Minister, in the exercise of any such power, acquires any property, the provisions of section forty-two of this Act shall have effect as if the references therein to the Commission were references to the Minister.

“(3.) Upon the establishment of the Commission, any property which has been acquired by the Minister under this Part and is still held by him shall become the absolute property of, or be vested in, the Commission, as the case requires.”.

Schedules agreed to.

Preamble agreed to.

Title agreed to.

Bill to be reported with amendments.

The House resumed ; Mr. Riordan reported accordingly.

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

13. ADJOURNMENT.—Mr. Forde (Minister for the Army) moved, That the House do now adjourn.

Question—put and passed.

And then the House, at eleven minutes past eleven o'clock p.m., adjourned until to-morrow at half-past ten o'clock a.m.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except Mr. Anthony, Mr. J. A. Beasley, Mr. Brennan, Mr. Evatt, Mr. Lawson, Mr. Mulcahy, Sir Earle Page, Mr. Ryan, Sir Frederick Stewart, and Mr. Watkins.

F. C. GREEN,

Clerk of the House of Representatives.