

1946-47.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

No. 29.

FRIDAY, 14TH MARCH, 1947.

1. The House met, at half-past ten o'clock a.m., pursuant to adjournment.—Mr. Speaker (the Honorable J. S. Rosevear) took the Chair, and read Prayers.
2. PRISONERS OF WAR—SUBSISTENCE ALLOWANCE—MINISTERIAL STATEMENT.—Mr. Chambers (Minister for the Army), by leave, made a Ministerial Statement with respect to a proposal that a subsistence allowance should be paid to prisoners of war for the time they were held by the Japanese. Mr. Turnbull, by leave, also made a Statement with reference to the matter.
3. ADJOURNMENT-MOTION FOR PURPOSE OF DISCUSSION.—Mr. Anthony rose in his place, and said that he proposed to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely, "The urgent necessity for a substantial increase in the price of butter in order that justice may be accorded those engaged in butter production, and that production may be stimulated".
Mr. Speaker thereupon called upon those Members who approved of the proposed discussion to rise in their places, and more than the necessary number of Members having risen accordingly—
Mr. Anthony moved, That the House do now adjourn.
Ordered—That Mr. Anthony be granted an extension of time.
Ordered—That Mr. Pollard (Minister for Commerce and Agriculture) be granted an extension of time.
Debate continued.
Several Members rising to address the House—
Closure.—Mr. Scully (Vice-President of the Executive Council) moved, That the question be now put.
Question—That the question be now put—put.
The House divided (The Speaker, Mr. Rosevear, in the Chair)—

Ayes, 34.

Mr. Barnard	Mr. James
Mr. Beazley	Mr. Langtry
Mrs. Blackburn	Mr. Lazzarini
Mr. Brennan	Mr. McLeod
Mr. Burke	Mr. Mulcahy
Mr. Calwell	Mr. O'Connor
Mr. Chambers	Mr. Pollard
Mr. Chiffley	Mr. Riordan
Mr. Clark	Mr. Russell
Mr. Dedman	Mr. Scullin
Mr. Drakeford	Mr. Scully
Mr. Duthie	Mr. Sheehy
Mr. Edmonds	Mr. Ward
Mr. Evatt	Mr. Williams
Mr. Fraser	
Mr. Gaha	<i>Tellers:</i>
Mr. Hadley	Mr. Fuller
Mr. Haylen	Mr. Sheehan

Noes, 24.

Mr. Adermann	Dame Enid Lyons
Mr. Anthony	Mr. McBride
Mr. Beale	Mr. McEwen
Mr. Bowden	Sir Earle Page
Mr. Cameron	Mr. Rankin
Mr. Davidson	Mr. Ryan
Mr. Fadden	Mr. Spender
Mr. Falkinder	Mr. Turnbull
Mr. Francis	Mr. White
Mr. Harrison	
Mr. Howse	<i>Tellers:</i>
Mr. Hutchinson	Mr. Corser
Mr. Lang	Mr. McDonald

And so it was resolved in the affirmative.

14th March, 1947.

And the question—That the House do now adjourn—being accordingly put—
The House divided (The Speaker, Mr. Rosevear, in the Chair)—

Ayes, 22.

Mr. Adermann	Dame Enid Lyons
Mr. Anthony	Mr. McBride
Mr. Beale	Mr. McEwen
Mr. Bowden	Sir Earle Page
Mr. Cameron	Mr. Rankin
Mr. Davidson	Mr. Ryan
Mr. Fadden	Mr. Turnbull
Mr. Falkinder	Mr. White
Mr. Francis	
Mr. Harrison	<i>Tellers:</i>
Mr. Howse	Mr. Corser
Mr. Hutchinson	Mr. McDonald

Noes, 34.

Mr. Barnard	Mr. Lang
Mr. Beazley	Mr. Langtry
Mrs. Blackburn	Mr. Lazzarini
Mr. Brennan	Mr. McLeod
Mr. Burke	Mr. Mulcahy
Mr. Calwell	Mr. O'Connor
Mr. Chambers	Mr. Pollard
Mr. Clark	Mr. Riordan
Mr. Dedman	Mr. Russell
Mr. Drakeford	Mr. Scullin
Mr. Duthie	Mr. Scully
Mr. Edmonds	Mr. Sheehy
Mr. Evatt	Mr. Ward
Mr. Fraser	Mr. Williams
Mr. Gaha	
Mr. Hadley	<i>Tellers:</i>
Mr. Haylen	Mr. Fuller
Mr. James	Mr. Sheehan

And so it was negatived.

4. PAPERS.—The following Papers were presented, pursuant to Statute—

Air Force Act—Regulations—Statutory Rules 1947, No. 22.

Commonwealth Public Service Act—Appointment—Department of Civil Aviation—J. H. Harper.

Defence Act—Regulations—Statutory Rules 1947, No. 25.

Navigation Act—Regulations—Statutory Rules 1947, No. 30.

Re-establishment and Employment Act—Regulations—Statutory Rules 1946, No. 181.

5. SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED.—Dame Enid Lyons moved, That so much of the Standing and Sessional Orders be suspended as would prevent Notice of Motion No. 2, General Business, being considered forthwith.

Debate ensued.

Several Members rising to address the House—

Closure.—Mr. Chifley (Prime Minister) moved, That the question be now put.

Question—That the question be now put—put.

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

Ayes, 35.

Mr. Barnard	Mr. James
Mr. Beazley	Mr. Langtry
Mrs. Blackburn	Mr. Lazzarini
Mr. Brennan	Mr. McLeod
Mr. Burke	Mr. Mulcahy
Mr. Calwell	Mr. O'Connor
Mr. Chambers	Mr. Pollard
Mr. Chifley	Mr. Riordan
Mr. Clark	Mr. Russell
Mr. Daly	Mr. Scullin
Mr. Dedman	Mr. Scully
Mr. Drakeford	Mr. Sheehy
Mr. Duthie	Mr. Ward
Mr. Edmonds	Mr. Williams
Mr. Evatt	
Mr. Fraser	<i>Tellers:</i>
Mr. Gaha	Mr. Fuller
Mr. Hadley	Mr. Sheehan
Mr. Haylen	

Noes, 24.

Mr. Adermann	Dame Enid Lyons
Mr. Anthony	Mr. McBride
Mr. Beale	Mr. McEwen
Mr. Bowden	Sir Earle Page
Mr. Cameron	Mr. Rankin
Mr. Davidson	Mr. Ryan
Mr. Fadden	Mr. Spender
Mr. Falkinder	Mr. Turnbull
Mr. Francis	Mr. White
Mr. Harrison	
Mr. Howse	<i>Tellers:</i>
Mr. Hutchinson	Mr. Corser
Mr. Lang	Mr. McDonald

And so it was resolved in the affirmative.

14th March, 1947.

And the question—That the motion be agreed to—being accordingly put—
The House divided (The Speaker, Mr. Rosevear, in the Chair)—

Ayes, 23.

Mr. Adermann	Mr. McBride
Mr. Anthony	Mr. McEwen
Mr. Beale	Sir Earle Page
Mr. Bowden	Mr. Rankin
Mr. Cameron	Mr. Ryan
Mr. Davidson	Mr. Spender
Mr. Fadden	Mr. Turnbull
Mr. Falkinder	Mr. White
Mr. Francis	
Mr. Harrison	
Mr. Howse	
Mr. Hutchinson	
Dame Enid Lyons	

Tellers:

Mr. Corser
Mr. McDonald

Noes, 35.

Mr. Barnard	Mr. Lang
Mr. Beazley	Mr. Langtry
Mrs. Blackburn	Mr. Lazzarini
Mr. Brennan	Mr. McLeod
Mr. Burke	Mr. Mulcahy
Mr. Calwell	Mr. O'Connor
Mr. Chambers	Mr. Pollard
Mr. Clark	Mr. Riordan
Mr. Daly	Mr. Russell
Mr. Dedman	Mr. Scullin
Mr. Drakeford	Mr. Scully
Mr. Duthie	Mr. Sheehy
Mr. Edmonds	Mr. Ward
Mr. Evatt	Mr. Williams
Mr. Fraser	
Mr. Gaha	
Mr. Hadley	
Mr. Haylen	
Mr. James	

Tellers:

Mr. Fuller
Mr. Sheehan

And so it was negatived.

6. STEVEDORING INDUSTRY BILL 1947.—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.)

Clause 14, as amended, debated—

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

“(4.) Any contravention of or failure to comply with any provision of an award or order made by the Commission shall be an offence against the law of the Commonwealth.”.

Debate continued.

Amendment negatived.

Clause, as amended, agreed to.

Clause 15—

Mr. Evatt (Attorney-General) moved, as an amendment, That after sub-clause (2.) the following sub-clause be inserted :—

“(2A.) Where a direction is given orally, the Commission shall, within twenty-four hours thereafter, record the direction in writing.”.

Amendment amended by Mr. Evatt, by leave, by adding the words “and shall immediately confirm it, in writing, to the person to whom the oral direction was given”.

Amendment, as amended, agreed to.

Clause, as amended, agreed to.

Clause 16 agreed to.

Clause 17 debated and agreed to.

Clauses 18 and 19 agreed to.

Clause 20 debated and agreed to.

Clause 21 agreed to.

Clause 22—

Dame Enid Lyons moved, as an amendment, That after “port” (page 9, line 20) the words “for purposes of information only” be added.

Debate ensued.

Amendment negatived.

Clause agreed to.

Clause 23 agreed to.

Clause 24—

Mr. Harrison moved, as an amendment, That after “sub-section” (page 9, line 29) the words “and to the provisions of the *Re-establishment and Employment Act 1945*” be inserted.

Debate ensued.

Amendment negatived.

14th March, 1947.

Question—That the clause be agreed to—put.

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

Ayes, 31.		Noes, 21.	
Mr. Barnard	Mr. Langtry	Mr. Adermann	Dame Enid Lyons
Mr. Beazley	Mr. Lazzarini	Mr. Anthony	Mr. McBride
Mrs. Blackburn	Mr. McLeod	Mr. Beale	Mr. McEwen
Mr. Brennan	Mr. Mulcahy	Mr. Bowden	Sir Earle Page
Mr. Burke	Mr. O'Connor	Mr. Cameron	Mr. Spender
Mr. Calwell	Mr. Pollard	Mr. Davidson	Mr. Turnbull
Mr. Chambers	Mr. Riordan	Mr. Fadden	Mr. White
Mr. Daly	Mr. Russell	Mr. Falkinder	
Mr. Dedman	Mr. Scullin	Mr. Francis	<i>Tellers:</i>
Mr. Drakeford	Mr. Scully	Mr. Harrison	Mr. Corser
Mr. Duthie	Mr. Ward	Mr. Howse	Mr. McDonald
Mr. Edmonds	Mr. Williams	Mr. Hutchinson	
Mr. Evatt			
Mr. Gaha	<i>Tellers:</i>		
Mr. Hadley	Mr. Fuller		
Mr. Haylen	Mr. Sheehan		
Mr. James			

And so it was resolved in the affirmative.

Clause 25 debated—

Question—That the clause be agreed to—put.

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

Ayes, 30.		Noes, 21.	
Mr. Barnard	Mr. Langtry	Mr. Adermann	Dame Enid Lyons
Mr. Beazley	Mr. Lazzarini	Mr. Anthony	Mr. McBride
Mrs. Blackburn	Mr. McLeod	Mr. Beale	Mr. McEwen
Mr. Brennan	Mr. Mulcahy	Mr. Bowden	Sir Earle Page
Mr. Burke	Mr. O'Connor	Mr. Cameron	Mr. Spender
Mr. Calwell	Mr. Pollard	Mr. Davidson	Mr. Turnbull
Mr. Chambers	Mr. Riordan	Mr. Fadden	Mr. White
Mr. Daly	Mr. Russell	Mr. Falkinder	
Mr. Dedman	Mr. Scullin	Mr. Francis	<i>Tellers:</i>
Mr. Drakeford	Mr. Scully	Mr. Harrison	Mr. Corser
Mr. Duthie	Mr. Williams	Mr. Howse	Mr. McDonald
Mr. Edmonds		Mr. Hutchinson	
Mr. Evatt			
Mr. Gaha	<i>Tellers:</i>		
Mr. Hadley	Mr. Fuller		
Mr. Haylen	Mr. Sheehan		
Mr. James			

And so it was resolved in the affirmative.

Clause 26 debated and agreed to.

Clause 27—

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

Page 10, line 22, omit " Where the Commission has reason to believe ", insert " Upon a written complaint being made to the Commission ".

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

Page 10, after sub-clause (I.) insert the following sub-clause :—

" (1A.) The onus of proving any allegation contained in a complaint made to the Commission under the last preceding sub-section shall lie on the person by whom the complaint was made."

Clause, as amended, agreed to.

Clauses 28 to 33 agreed to.

Clause 34 debated and agreed to.

Clause 35—

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

Page 13, line 36, after " Committee " insert " may convene a meeting of the Committee at any time and ".

Clause, as amended, agreed to.

Clauses 36 and 37 agreed to.

Clause 38—

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

Page 15, line 31, omit " shall not be bound to receive evidence, but ", insert " shall receive such evidence as in its opinion is necessary for the determination of the appeal, and ".

Clause, as amended, agreed to.

Clause 39 debated and agreed to.

Clauses 40 to 50 agreed to.

14th March, 1947.

New clauses—

On the motion of Mr. Evatt, the following new clauses were inserted in the Bill :—

“ 2A. This Act shall bind the Crown in right of the Commonwealth or a State, Crown to be bound. including any authority of the Commonwealth or a State.”.

“ 13A. Nothing in this Act shall authorize the Commission to determine or Limitation on powers of Commission. regulate the salaries, wages, rates of pay or other terms or conditions of service or employment of persons who are not waterside workers.”.

“ 20A.—(1.) The jurisdiction of the Court under any of the last three preceding Exercise of Court's jurisdiction. sections shall be exercised by not less than three Judges, unless the Chairman of the Commission or the deputy of the Chairman of the Commission is a Judge of the Court, in which case that jurisdiction shall be exercised by the Judge of the Court who is the Chairman of the Commission or the deputy of the Chairman of the Commission.

“ (2.) Where the jurisdiction of the Court under any of the last three preceding sections is exercised by a Judge of the Court, that Judge may, if he thinks fit, refer any question of law arising in proceedings before him for the opinion of the Court constituted by not less than three Judges.

“ (3.) The Court so constituted shall hear and determine any question referred to it under the last preceding sub-section.”.

Title agreed to.

Bill to be reported with amendments.

The House resumed ; Mr. Clark reported accordingly.

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

7. ADJOURNMENT.—Mr. Chifley (Prime Minister) moved, That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at four minutes past five o'clock p.m., adjourned until Tuesday next at three o'clock p.m.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except Mr. Abbott, Mr. Blain, Mr. Conelan, Mr. Falstein, Mr. Gullett, Mr. Hamilton, Mr. Holloway, Mr. Holt, Mr. Hughes, Mr. Johnson, Mr. Lawson, Mr. Lemmon, Mr. Menzies, Mr. Thompson and Mr. Watkins.

F. C. GREEN,

Clerk of the House of Representatives.