

1946-47.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

No. 44.

WEDNESDAY, 30TH APRIL, 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. MINISTERIAL ARRANGEMENTS.—Mr. Chifley (Prime Minister) informed the House that Mr. Barnard (Minister for Repatriation) would act as Minister for Air and Minister for Civil Aviation during the absence abroad of Mr. Drakeford.
3. PAPER.—The following Paper was presented, pursuant to Statute—
Meat Export Control Act—Regulations—Statutory Rules 1947, No. 40.
4. COMMONWEALTH CONCILIATION AND ARBITRATION 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 8—

Debate resumed on new section 43HA moved by Mr. Menzies (Leader of the Opposition) (*see page 167*).
Mr. Evatt (Attorney-General) addressing the Committee—*Closure of Member moved.*—Mr. Holt moved, That the honorable Member be not further heard.

Question—put.

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

Ayes, 21.

Mr. Anthony	Mr. McBride
Mr. Beale	Mr. McEwen
Mr. Bowden	Mr. Menzies
Mr. Cameron	Mr. Rankin
Mr. Falkinder	Mr. Ryan
Mr. Francis	Mr. Turnbull
Mr. Gullett	Mr. White
Mr. Hamilton	
Mr. Harrison	
Mr. Holt	
Mr. Hutchinson	Mr. Corser
Dame Enid Lyons	Mr. McDonald

Tellers:

Noes, 34.

Mr. Barnard	Mr. Lawson
Mr. Beazley	Mr. Lazzarini
Mrs. Blackburn	Mr. Lemmon
Mr. Brennan	Mr. McLeod
Mr. Burke	Mr. Mulcahy
Mr. Calwell	Mr. O'Connor
Mr. Chambers	Mr. Pollard
Mr. Chifley	Mr. Russell
Mr. Dedman	Mr. Scully
Mr. Duthie	Mr. Sheehy
Mr. Evatt	Mr. Thompson
Mr. Falstein	Mr. Ward
Mr. Fraser	Mr. Watkins
Mr. Gaha	Mr. Williams
Mr. Haylen	
Mr. James	
Mr. Johnson	
Mr. Langtry	

Tellers:

Mr. Fuller
Mr. Sheehan

And so it was negatived.

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Limitation of Debate.—At fifteen minutes to eleven o'clock p.m., the Chairman having called the attention of the Committee to the fact that the time allotted for the Committee stage had expired—

Question—That the amendment be agreed to—put.

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

Ayes, 21.		Noes, 34.	
Mr. Anthony	Mr. McBride	Mr. Barnard	Mr. Lawson
Mr. Beale	Mr. McEwen	Mr. Beazley	Mr. Lazzarini
Mr. Bowden	Mr. Menzies	Mrs. Blackburn	Mr. Lemmon
Mr. Cameron	Mr. Rankin	Mr. Brennan	Mr. McLeod
Mr. Falkinder	Mr. Ryan	Mr. Burke	Mr. Mulcahy
Mr. Francis	Mr. Turnbull	Mr. Calwell	Mr. O'Connor
Mr. Gullett	Mr. White	Mr. Chambers	Mr. Pollard
Mr. Hamilton		Mr. Chifley	Mr. Russell
Mr. Harrison		Mr. Dedman	Mr. Scully
Mr. Holt	<i>Tellers:</i>	Mr. Duthie	Mr. Sheehy
Mr. Hutchinson	Mr. Corser	Mr. Evatt	Mr. Thompson
Dame Enid Lyons	Mr. McDonald	Mr. Falstein	Mr. Ward
		Mr. Fraser	Mr. Watkins
		Mr. Gaha	Mr. Williams
		Mr. Haylen	<i>Tellers:</i>
		Mr. James	Mr. Fuller
		Mr. Johnson	Mr. Sheehan
		Mr. Langtry	

And so it was negatived.

Further question—That clause 8 as amended, the remainder of the Bill, and the circulated amendments of the Government be agreed to, and that the Bill be reported with amendments—put.

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

Ayes, 34.		Noes, 21.	
Mr. Barnard	Mr. Lawson	Mr. Anthony	Mr. McBride
Mr. Beazley	Mr. Lazzarini	Mr. Beale	Mr. McEwen
Mrs. Blackburn	Mr. Lemmon	Mr. Bowden	Mr. Menzies
Mr. Brennan	Mr. McLeod	Mr. Cameron	Mr. Rankin
Mr. Burke	Mr. Mulcahy	Mr. Falkinder	Mr. Ryan
Mr. Calwell	Mr. O'Connor	Mr. Francis	Mr. Turnbull
Mr. Chambers	Mr. Pollard	Mr. Gullett	Mr. White
Mr. Chifley	Mr. Russell	Mr. Hamilton	
Mr. Dedman	Mr. Scully	Mr. Harrison	<i>Tellers:</i>
Mr. Duthie	Mr. Sheehy	Mr. Holt	Mr. Corser
Mr. Evatt	Mr. Thompson	Mr. Hutchinson	Mr. McDonald
Mr. Falstein	Mr. Ward	Dame Enid Lyons	
Mr. Fraser	Mr. Watkins		
Mr. Gaha	Mr. Williams		
Mr. Haylen	<i>Tellers:</i>		
Mr. James	Mr. Fuller		
Mr. Johnson	Mr. Sheehan		
Mr. Langtry			

And so it was resolved in the affirmative.

The circulated amendments of the Government were accordingly made in the Bill, and are as follows:—

Clause 8, page 19, lines 26-35, omit sub-sections (3.) and (4.), insert the following sub-section:—

“(3.) Where the Court or a Conciliation Commissioner, by an order or award, prescribes a minimum rate of wages, the Court or Conciliation Commissioner may provide for the payment of a lower rate for an employee who is unable to earn the minimum wage so prescribed, in which case the Court or Conciliation Commissioner shall provide that the lower rate shall not be paid unless a person or authority specified by the Court or Conciliation Commissioner has certified that the employee is unable to earn the minimum wage.”

Clause 8, page 20, line 13, after “therein” add “and may interview any employee engaged therein”.

Clause 8, page 20, line 16, after “sub-section” insert “or make to a Judge, a Conciliation Commissioner or any other person so authorized, in exercising any power conferred by that sub-section, a statement, whether orally or in writing, which is false or misleading in any particular”.

Clause 13, page 20, line 45, after “Judge” insert “or a Conciliation Commissioner”.

Clause 16, page 21, line 11, omit “conclusive”, insert “*prima facie*”.

Clause 17, page 21, at the end of proposed section 81AA add the following sub-section:—

“(3.) Information collected and compiled, and the results of research carried out, under this section shall be furnished, as prescribed, to any person or organization desiring to obtain that information or those results.”

Clause 17, page 22, line 2, omit “six”, insert “four”.

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Clause 17, page 22, line 6, omit " shall, once in each year ", insert " and the Chief Conciliation Commissioner shall, once in each year, each ".

Clause 20, page 22, line 33, omit " variation ", insert " order varying an award or affecting the operation ".

Clause 22, page 23, at the end of proposed section 92 add the following sub-section :—

" (2.) The power conferred by the last preceding sub-section to make regulations with respect to the practice and procedure of the Court shall include power to make regulations with respect to any jurisdiction conferred upon the Court by any other Act, whether passed before or after this Act."

New Clause.

" 14A. Section fifty-eight D of the Principal Act is amended by adding at the end thereof the following sub-section :—

" (3.) The Court may, in its discretion, instead of disallowing the rule, direct the organization concerned to alter that rule, within a specified time, so as to bring it into conformity with the requirements of this Act and, if, at the expiration of that time, the rule has not been so altered, the Court may then disallow the rule and the rule shall be void."

The House resumed ; Mr. Clark reported accordingly.

Limitation of Debate.—The time allotted for the remaining stages of the Bill having expired—

Question—That the Report be adopted and that the Bill be now read a third time—put.

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

Ayes, 35.

Mr. Barnard	Mr. Lawson
Mr. Beazley	Mr. Lazzarini
Mrs. Blackburn	Mr. Lemmon
Mr. Brennan	Mr. McLeod
Mr. Burke	Mr. Muleahy
Mr. Calwell	Mr. O'Connor
Mr. Chambers	Mr. Pollard
Mr. Chifley	Mr. Russell
Mr. Clark	Mr. Scully
Mr. Dedman	Mr. Sheehy
Mr. Duthie	Mr. Thompson
Mr. Evatt	Mr. Ward
Mr. Falstein	Mr. Watkins
Mr. Fraser	Mr. Williams
Mr. Gaha	
Mr. Haylen	
Mr. James	
Mr. Johnson	
Mr. Langtry	

Tellers:

Mr. Fuller
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Noes, 21.

Mr. Anthony	Mr. McBride
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Mr. Francis	Mr. Turnbull
Mr. Gullett	Mr. White
Mr. Hamilton	
Mr. Harrison	
Mr. Holt	
Mr. Hutchinson	
Dame Enid Lyons	

Tellers:

Mr. Corser
Mr. McDonald

And so it was resolved in the affirmative.—Bill read a third time.

5. ADJOURNMENT.—Mr. Evatt (Attorney-General) moved, That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at twenty minutes past eleven o'clock p.m., 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. Abbott, Mr. Adermann, Mr. Conelan, Mr. Daly, Mr. Davidson, Mr. Drakeford, Mr. Edmonds, Mr. Fadden, Mr. Hadley, Mr. Holloway, Mr. Howse, Mr. Lang, Sir Earle Page, Mr. Riordan and Mr. Spender.

F. C. GREEN,

Clerk of the House of Representatives.