

1948.

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

## VOTES AND PROCEEDINGS

OF THE

## HOUSE OF REPRESENTATIVES.

No. 28.

WEDNESDAY, 20TH OCTOBER, 1948.

1. The House met, at half-past ten o'clock a.m., pursuant to adjournment.—The Deputy Speaker (Mr. Clark) took the Chair, and read Prayers.
2. MOTION FOR ADJOURNMENT OF HOUSE—APPLICATION OF CLOSURE—STATEMENT BY MEMBER.—Mr. Harrison (Acting Leader of the Opposition), by leave, made a Statement with reference to the application of the Closure to the motion made at the previous sitting for the adjournment of the House.
3. PAPER.—The following Paper was presented, pursuant to Statute—  
Commonwealth Public Service Act—Appointment—Department of Works and Housing—  
R. H. Thomas.
4. WOOL REALIZATION (DISTRIBUTION OF PROFITS) BILL 1948.—Mr. Pollard (Minister for Commerce and Agriculture) moved, pursuant to notice, That he have leave to bring in a Bill for an Act to provide for the Distribution of any ultimate Profit accruing to the Commonwealth under the Wool Disposals Plan, and for other purposes.  
Question—put and passed.
5. DEFENCE (TRANSITIONAL PROVISIONS) BILL 1948.—Mr. Dedman (Minister for Post-war Reconstruction), pursuant to leave given on the 15th October, brought up a Bill intituled “ *A Bill for an Act to amend the ‘ Defence (Transitional Provisions) Act 1946–1947’ and for other purposes* ”, and moved, That it be now read a first time.  
Question—put and passed.—Bill read a first time.  
Mr. Dedman moved, by leave, That the Bill be now read a second time.  
Mr. Harrison (Acting 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.
6. ALIENS DEPORTATION BILL 1948.—Mr. Calwell (Minister for Immigration), pursuant to leave given on the 15th October, brought up a Bill intituled “ *A Bill for an Act to provide for the Deportation of certain Aliens* ”, 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.
7. AUSTRALIAN SOLDIERS’ REPATRIATION BILL 1948.—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—*And on the Amendment moved thereto by Mr. White, viz. :—*“ That all words after “ That ” be omitted with a view to inserting the following words in place thereof :—“ the Bill be withdrawn and referred to a Parliamentary Select Committee of ex-servicemen appointed to inquire into and report upon the present repatriation pension rates with a view to better adjusting these rates to present living costs ”—  
Debate resumed.  
Ordered—That Mr. Barnard (Minister for Repatriation) be granted extensions of time (2).  
Question—That the words proposed to be omitted stand part of the question—put.

20th October, 1948.

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

Ayes, 33.

Mr. Barnard	Mr. Lang
Mrs. Blackburn	Mr. Langtry
Mr. Brennan	Mr. Lawson
Mr. Burke	Mr. Lazzarini
Mr. Calwell	Mr. Lemmon
Mr. Chambers	Mr. O'Connor
Mr. Conelan	Mr. Pollard
Mr. Daly	Mr. Riordan
Mr. Dedman	Mr. Scully
Mr. Drakeford	Mr. Thompson
Mr. Duthie	Mr. Ward
Mr. Edmonds	Mr. Watkins
Mr. Fraser	Mr. Williams
Mr. Gaha	
Mr. Hadley	
Mr. Haylen	
Mr. Holloway	
Mr. Johnson	

*Tellers:*Mr. Fuller  
Mr. Sheehan

Noes, 23.

Mr. Abbott	Dame Enid Lyons
Mr. Beale	Mr. McBride
Mr. Bowden	Mr. McEwen
Mr. Cameron	Sir Earle Page
Mr. Davidson	Mr. Rankin
Mr. Fadden	Mr. Ryan
Mr. Falkinder	Mr. Turnbull
Mr. Francis	Mr. White
Mr. Gullett	
Mr. Hamilton	
Mr. Harrison	
Mr. Hughes	
Mr. Hutchinson	

*Tellers:*Mr. Corser  
Mr. McDonald

And so it was resolved in the affirmative.

Question—That the Bill be now read a second time—put and passed.—Bill read a second time.

Mr. Deputy 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. Burke reported accordingly.

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

8. DECLARATION OF AUSTRALIAN SOLDIERS' REPATRIATION BILL 1948 AS URGENT BILL—LIMITATION OF DEBATE. —Mr. Chifley (Prime Minister) declared that the Australian Soldiers' Repatriation Bill 1948 was an Urgent Bill.

Question—That the Bill be considered an Urgent Bill—put and passed.

Allotment of Time. —Mr. Chifley then moved, That the time allotted in connexion with the Bill be as follows:—

- For the Committee stage to the end of clause 8, until 5 p.m. this day.
- For the remainder of the Committee stage, until 8.45 p.m. this day.
- For the remaining stages, until 9 p.m. this day.

Question—put and passed.

9. AUSTRALIAN SOLDIERS' REPATRIATION BILL 1948.—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole House—

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

*(In the Committee.)*

Clauses 1 and 2 agreed to.

Clause 3 debated and agreed to.

Clause 4—

On the motion of Mr. Barnard (Minister for Repatriation), the following amendments were made:—

Page 2, lines 15–17, omit paragraph (b) of new section 86, insert the following paragraph:—

“(b) a widow who is in receipt of a war pension, as defined by section ninety-one A of this Act, in respect of her husband's death shall not be entitled to receive a service pension at the same time;”.

Page 2, line 30, after “pension” add “in any case where the wife of the member is not in receipt of a pension under Part III. of the *Social Services Consolidation Act 1947–1948*”.

Clause, as amended, agreed to.

Clause 5 agreed to.

Clause 6—

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

Page 3, lines 12–28, omit paragraphs (a) and (b), insert the following paragraph:—

“(a) by inserting after sub-section (1.) the following sub-sections:—

(1A.) Where a charge or encumbrance lawfully exists on property the value of which is disregarded under paragraph (b) of the last preceding sub-section and the same charge or encumbrance lawfully exists on other property of the pensioner or applicant or of his wife (whenever married to him), the amount to be deducted under paragraph (c) of that sub-section shall be the amount which bears to the amount of the charge or encumbrance the same proportion as the value (as determined by the Commission) of that other property bears to the value (as determined by the Commission) of all the property of the pensioner, applicant or wife on which the charge or encumbrance exists.

20th October, 1948.

'(1B.) Where, in the opinion of the Commission, a charge or encumbrance is a collateral security, that charge or encumbrance, and the charge or encumbrance to which it is collateral (in this sub-section referred to as "the principal security"), shall, for the purposes of this section, be deemed to be one charge or encumbrance lawfully existing on any property on which either the collateral security or the principal security lawfully exists.'; and".

Clause, as amended, agreed to.

Clause 7—

On the motion of Mr. Barnard, the following amendment was made, after debate :--

Page 3, line 38, after "pension" insert "and of any civil pension".

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

Page 3, line 43, after "pensioner" insert "or a civil pensioner".

Page 3, line 44, after "pensions" insert "and civil pensions".

Page 4, line 7, after "pensioner" insert "or a civil pensioner".

Page 4, before the definition of "married person" insert the following definitions :—

" 'civil pension' means an age pension, an invalid pension, a wife's allowance or a widow's pension payable under the *Social Services Consolidation Act 1947-1948* ;

" 'civil pensioner' means a person who is in receipt of a civil pension ;".

Clause, as amended, debated and agreed to.

Clause 8 agreed to.

Clause 9—

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

Pages 5 and 6, omit the first paragraph of the footnote of the new First Schedule, insert the following paragraph :—

"Where a member of the Forces is temporarily totally incapacitated to such an extent as to be precluded from earning other than a negligible percentage of a living wage while he is so incapacitated, and where the aggregate of the rate of pension payable to that member under column 4 of the scale in this Schedule and the amount (if any) payable to him under the Fifth Schedule to this Act is less than the Special Rate of Pension specified in the Second Schedule to this Act, the Commission may, subject to such conditions as are prescribed, grant an additional pension to the member at a rate not exceeding the amount of the difference between that aggregate sum and that Special Rate of Pension for such period, whether in excess of six months or not, as the Commission determines."

Clause, as amended, agreed to.

Clause 10 debated --

On the motion of Mr. Barnard, the following amendment was made, after debate : - -

Page 6, line 12, omit "Schedule", insert "paragraph".

Clause, as amended, agreed to.

Clause 11 debated and agreed to.

Clause 12 agreed to.

Clause 13--

On the motion of Mr. Barnard, the following amendment was made :--

Page 7, line 9, after "by" insert "section four or the amendment effected by".

Clause, as amended, agreed to.

Clause 14 agreed to.

*New clause*---

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

"7A. Section ninety-nine of the Principal Act is amended by omitting from clause (2) of sub-paragraph (iii) of paragraph (b) of sub-section (2.) the words '(not being, in the case of an adopted child, an ex-nuptial child of the member)'."

*Extension of application of Act to certain male members of the Forces.*

Title agreed to.

Bill to be reported with amendments.

The House resumed ; Mr. Watkins reported accordingly.

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

10. SALES TAX (EXEMPTIONS AND CLASSIFICATIONS) BILL 1948.—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 by Mr. Harrison (Acting Leader of the Opposition) who moved, as an amendment, That all words after "That" be omitted with a view to inserting the following words in place thereof :—"the Bill be withdrawn and redrafted for the purpose of correcting grave anomalies in the present and proposed incidence of sales tax in order to provide adequate relief to persons with family responsibilities and to protect the healthy and economic conditions of family groups".

Debate continued.

Question—That the words proposed to be omitted stand part of the question—put.

20th October, 1948.

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

Ayes, 34.		Noes, 20.	
Mr. Barnard	Mr. Lang	Mr. Abbott	Mr. McBride
Mrs. Blackburn	Mr. Langtry	Mr. Bowden	Mr. McEwen
Mr. Brennan	Mr. Lawson	Mr. Cameron	Mr. Rankin
Mr. Burke	Mr. Lazzarini	Mr. Davidson	Mr. Ryan
Mr. Calwell	Mr. Lemmon	Mr. Fadden	Mr. Spender
Mr. Chambers	Mr. O'Connor	Mr. Falkinder	Mr. Turnbull
Mr. Conelan	Mr. Pollard	Mr. Francis	Mr. White
Mr. Daly	Mr. Riordan	Mr. Gullett	<i>Tellers:</i>
Mr. Dedman	Mr. Russell	Mr. Hamilton	Mr. Corser
Mr. Drakeford	Mr. Scully	Mr. Harrison	Mr. McDonald
Mr. Duthie	Mr. Thompson	Mr. Hutchinson	
Mr. Edmonds	Mr. Ward		
Mr. Fraser	Mr. Watkins		
Mr. Gaha	Mr. Williams		
Mr. Hadley	<i>Tellers:</i>		
Mr. Haylen	Mr. Fuller		
Mr. Holloway	Mr. Sheehan		
Mr. Johnson			

And so it was resolved in the affirmative.

Question—That the Bill be now read a second time—put and passed.—Bill read a second time.  
Mr. Deputy 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. Burke reported accordingly.

On the motion of Mr. Dedman (Minister for Defence), the House adopted the Report, and, by leave, the Bill was read a third time.

11. STATES GRANTS (TAX REIMBURSEMENT) BILL 1948.—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. Deputy 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. Burke reported accordingly.

On the motion of Mr. Dedman (Minister for Defence), the House adopted the Report, and, by leave, the Bill was read a third time.

12. ADJOURNMENT.—Mr. Dedman (Minister for Defence) moved, That the House do now adjourn.

Question—put and passed.

And then the House, at twenty-seven minutes past ten 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. Adermann, Mr. Anthony, Mr. Beazley, Mr. Evatt, Mr. Falstein, Mr. Holt, Mr. Howse, Mr. James, Mr. McLeod, Mr. Menzies, Mr. Mulcahy, Mr. Rosevear, Mr. Scullin and Mr. Sheehy.

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