

1948.

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

## VOTES AND PROCEEDINGS

OF THE

## HOUSE OF REPRESENTATIVES.

No. 51.

WEDNESDAY, 1ST DECEMBER, 1948.

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. AUSTRALIAN NATIONAL AIRLINES COMMISSION—FINANCIAL ACCOUNTS—MINISTERIAL STATEMENT.—  
Mr. Barnard (Acting Minister for Civil Aviation), by leave, made a Ministerial Statement with reference to the form of the financial accounts of the Australian National Airlines Commission.  
Mr. White, by leave, also made a Statement in relation to the matter.
3. PAPER.—The following Paper was presented, pursuant to Statute—  
Commonwealth Public Service Act—Appointment—Department of Works and Housing—  
M. A. Nichols.
4. PARLIAMENTARY RETIRING ALLOWANCES BILL 1948.—Mr. Chifley (Prime Minister) moved, pursuant to notice, That he have leave to bring in a Bill for an Act to make Provision for Contributory Retiring Allowances for Persons who have served as Members of the Parliament.  
Question—put and passed.  
Mr. Chifley 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.  
Mr. Chifley 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.
5. COMMONWEALTH BANK BILL 1948.—The Order of the Day having been read for the third reading—  
Mr. Dedman (Minister for Defence) moved, That the Bill be now read a third time.  
Question—put and passed.—Bill read a third time.
6. TRADE MARKS BILL 1948.—The Order of the Day having been read for the second reading—  
Mr. Holloway (Minister representing the Acting Attorney-General) moved, 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.
7. NATIONALITY AND CITIZENSHIP BILL 1948.—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 debated and agreed to.

Clause 15—

On the motion of Mr. Calwell (Minister for Immigration), the following amendment was made, after debate :—

Page 7, line 12, after " that " insert " , in addition to the residence required under the last preceding paragraph,".

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

Page 8, lines 1-4, omit sub-clause (6.).

Clause, as amended, agreed to.

Clause 16—

1st December, 1948.

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

Page 8, lines 6 and 7, omit “ as from the date upon which the certificate is granted ”, insert—

“(a) in the case of a person who has attained the age of sixteen years—as from the date upon which he takes in the prescribed manner an oath of allegiance in accordance with the form contained in the Second Schedule to this Act ; or

(b) in the case of a person who has not attained that age—as from the date upon which the certificate is granted.”.

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

Page 8, line 11, after “ included ” add “ or the date upon which the grantee of the certificate of naturalization becomes an Australian citizen by naturalization, whichever is the later ”.

Clause, as amended, agreed to.

Clause 17 debated and agreed to.

Clause 18 debated and agreed to.

Clause 19 debated and agreed to.

Clause 20 agreed to.

Clause 21 debated and agreed to.

Clause 22 debated and agreed to.

Clauses 23 and 24 agreed to.

Clause 25 debated and agreed to.

Clause 26 agreed to.

Clause 27 debated and agreed to.

Clauses 28 to 40 agreed to.

Clause 41—

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

Page 16, line 39, omit “ judicial officer ”, insert “ Justice, Judge or Magistrate of the Commonwealth or of a State or Territory ”.

Clause, as amended, agreed to.

Clauses 42 to 52 agreed to.

Clause 53—

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

Page 19, after paragraph (g) insert the following paragraph :—

“(ga) the conditions upon which persons may render, for reward, services in respect of applications under this Act including the charges which may be made in respect of any such service ;”.

Page 19, line 21, omit “ prescribing ”, insert “ imposition ”.

Page 19, after paragraph (h) add the following paragraph :—

“(j) the investing of any court of a State with federal jurisdiction to order reparation for loss suffered by reason of any offence against this Act or the regulations.”.

Clause, as amended, agreed to.

Schedules agreed to.

Title agreed to.

Bill to be reported with amendments.

The House resumed ; Mr. Lazzarini 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.

8. ALIENS DEPORTATION 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. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

(In the Committee.)

Clauses 1 and 2 agreed to.

Clause 3—

On the motion of Mr. Calwell (Minister for Immigration), the following amendment was made :—

Page 1, lines 11 and 12, omit the definition of “ alien ”, insert the following definition :—

“ ‘ alien ’ means a person who is not a British subject, an Irish citizen or a person under the protection of the Government of any part of His Majesty’s dominions ;”.

Clause, as amended, agreed to.

Clause 4 agreed to.

Clause 5 debated and agreed to.

Clauses 6 to 12 agreed to.

Title agreed to.

Bill to be reported with an amendment.

The House resumed ; Mr. Clark 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.

9. INTERNATIONAL ORGANIZATIONS (PRIVILEGES AND IMMUNITIES) 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—

Question—put and passed.—Bill read a second time,

1st December, 1948.

Mr. 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. Clark 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.

10. WAR DAMAGE TO PROPERTY 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. 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. Clark 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. INTERNATIONAL TRADE ORGANIZATION 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 redrafted to provide that nothing in the proposed Act shall in any way restrict the Government of the Commonwealth of Australia from giving preferential tariff concessions to goods manufactured in the United Kingdom or in other countries of the British Empire and Commonwealth ”—

Debate resumed.

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

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

Ayes, 32.

Mr. Barnard	Mr. Johnson
Mr. Beazley	Mr. Lang
Mrs. Blackburn	Mr. Langtry
Mr. Brennan	Mr. Lawson
Mr. Burke	Mr. Lazzarini
Mr. Calwell	Mr. Lemmon
Mr. Chambers	Mr. McLeod
Mr. Clark	Mr. Mulcahy
Mr. Conelan	Mr. Pollard
Mr. Daly	Mr. Riordan
Mr. Dedman	Mr. Russell
Mr. Duthie	Mr. Scully
Mr. Edmonds	Mr. Thompson
Mr. Fraser	
Mr. Gaha	<i>Tellers:</i>
Mr. Haylen	Mr. Fuller
Mr. Holloway	Mr. Sheehan

Noes, 21.

Mr. Adermann	Mr. McBride
Mr. Anthony	Mr. McEwen
Mr. Beale	Mr. Rankin
Mr. Bowden	Mr. Ryan
Mr. Fadden	Mr. Spender
Mr. Falkinder	Mr. Turnbull
Mr. Francis	Mr. White
Mr. Gullett	
Mr. Harrison	<i>Tellers:</i>
Mr. Holt	Mr. Davidson
Mr. Hutchinson	Mr. McDonald
Dame Enid Lyons	

And so it was resolved in the affirmative.

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

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

Ayes, 32.

Mr. Barnard	Mr. Johnson
Mr. Beazley	Mr. Lang
Mrs. Blackburn	Mr. Langtry
Mr. Brennan	Mr. Lawson
Mr. Burke	Mr. Lazzarini
Mr. Calwell	Mr. Lemmon
Mr. Chambers	Mr. McLeod
Mr. Clark	Mr. Mulcahy
Mr. Conelan	Mr. Pollard
Mr. Daly	Mr. Riordan
Mr. Dedman	Mr. Russell
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Mr. Adermann	Mr. McBride
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Mr. Bowden	Mr. Ryan
Mr. Fadden	Mr. Spender
Mr. Falkinder	Mr. Turnbull
Mr. Francis	Mr. White
Mr. Gullett	
Mr. Harrison	<i>Tellers:</i>
Mr. Holt	Mr. Davidson
Mr. Hutchinson	Mr. McDonald
Dame Enid Lyons	

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

1st December, 1948.

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. Fadden moved, as an amendment, That the following sub-clause be added to the clause :—

“(3.) Nothing in this Act shall in any way restrict the Government of the Commonwealth of Australia from making reciprocal preferential trade and tariff arrangements with the United Kingdom and other countries, territories, or dependencies within the British Empire and Commonwealth of Nations with respect to products of primary industries, including the following—

- (a) sugar,
- (b) butter and cheese,
- (c) bacon and ham,
- (d) fresh and canned fruit and dried fruits,
- (e) eggs,
- (f) condensed milk and other milk products,
- (g) honey,
- (h) wines,
- (i) leather,
- (j) tallow,
- (k) copra,
- (l) flour,
- (m) canned and fresh meats,
- (n) base metals.”.

Debate ensued.

Question—That the sub-clause proposed to be added be so added—put.

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

Ayes, 21.

Mr. Adermann	Mr. McBride
Mr. Anthony	Mr. McEwen
Mr. Beale	Mr. Rankin
Mr. Bowden	Mr. Ryan
Mr. Fadden	Mr. Spender
Mr. Falkinder	Mr. Turnbull
Mr. Francis	Mr. White
Mr. Gullett	
Mr. Harrison	<i>Tellers:</i>
Mr. Holt	
Mr. Hutchinson	Mr. Davidson
Dame Enid Lyons	Mr. McDonald

Noes, 31.

Mr. Barnard	Mr. Johnson
Mr. Beazley	Mr. Lang
Mrs. Blackburn	Mr. Langtry
Mr. Brennan	Mr. Lawson
Mr. Burke	Mr. Lemmon
Mr. Calwell	Mr. McLeod
Mr. Chambers	Mr. Mulcahy
Mr. Clark	Mr. Pollard
Mr. Conelan	Mr. Riordan
Mr. Daly	Mr. Russell
Mr. Dedman	Mr. Scully
Mr. Duthie	Mr. Thompson
Mr. Edmonds	
Mr. Fraser	
Mr. Gaha	<i>Tellers:</i>
Mr. Haylen	Mr. Fuller
Mr. Holloway	Mr. Sheehan

And so it was negatived.

Clause agreed to.

Clauses 5 to 7 agreed to.

*Proposed new clause—*

Mr. Fadden moved, That the following new clause be added to the Bill :—

“8.—(1.) Before entering into negotiations concerning any proposed foreign trade agreement pursuant to the provisions of the General Agreement on Tariffs and Trade or <sup>Reference to Tariff Board.</sup> the Charter, the Minister for Trade and Customs shall furnish the Tariff Board with a list of all articles imported into the Commonwealth of Australia to be considered for possible modification of duties and other import restrictions, imposition of additional import restrictions, or continuance of existing customs or excise treatment. Upon receipt of such list the Board shall make a public investigation and report to the Minister the findings of the Board with respect to each such article as to (1) the limit to which such modification, imposition, or continuance may be extended without causing or threatening serious injury to the domestic industry producing like or similar articles; and (2) if increases in duties or additional import restrictions are required to avoid serious injury to the domestic industry producing like or similar articles the minimum increases in duties or additional import restrictions required. Such report shall be made by the Board to the Minister not later than three months after the receipt of such list by the Board. No such foreign trade agreement shall be entered into until the Board has made its report to the Minister or until the expiration of the three months period.

“(2.) In the course of any investigation pursuant to this section the Board shall hold public hearings and give reasonable public notice thereof, and shall afford reasonable opportunity for parties interested to be present, to produce evidence, and to be heard at such hearings.”.

Debate ensued.

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

1st December, 1948.

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

Ayes, 21.		Noes, 31.	
Mr. Adermann	Mr. McBride	Mr. Barnard	Mr. Johnson
Mr. Anthony	Mr. McEwen	Mr. Beazley	Mr. Lang
Mr. Beale	Mr. Rankin	Mrs. Blackburn	Mr. Langtry
Mr. Bowden	Mr. Ryan	Mr. Brennan	Mr. Lawson
Mr. Fadden	Mr. Spender	Mr. Burke	Mr. Lemmon
Mr. Falkinder	Mr. Turnbull	Mr. Calwell	Mr. McLeod
Mr. Francis	Mr. White	Mr. Chambers	Mr. Mulcahy
Mr. Gullett		Mr. Clark	Mr. Pollard
Mr. Harrison		Mr. Conelan	Mr. Riordan
Mr. Holt	<i>Tellers:</i>	Mr. Daly	Mr. Russell
Mr. Hutchinson	Mr. Davidson	Mr. Dedman	Mr. Scully
Dame Enid Lyons	Mr. McDonald	Mr. Duthie	Mr. Thompson
		Mr. Edmonds	
		Mr. Fraser	<i>Tellers:</i>
		Mr. Gaha	Mr. Fuller
		Mr. Haylen	Mr. Sheehan
		Mr. Holloway	

And so it was negatived.

Title agreed to.

Bill to be reported without amendment.

The House resumed ; Mr. Lazzarini reported accordingly.

On the motion of Mr. Dedman (Minister for Post-war Reconstruction), the House adopted the Report, and, by leave, the Bill was read a third time, after debate.

12. MESSAGES FROM THE SENATE.—Mr. Speaker announced the receipt of the following Messages from the Senate :—

[*Judges' Pensions Bill 1948*]

MR. SPEAKER,

*Message No. 31.*

The Senate returns to the House of Representatives the Bill for "*An Act to make provision for Pensions for Judges of Courts established under laws of the Commonwealth and to make provision for the families of such Judges, and for other purposes*", and acquaints the House that the Senate has agreed to the Bill without amendment.

The Senate,  
Canberra, 1st December, 1948.

GORDON BROWN,  
President.

[*Whaling Bill 1948*]

MR. SPEAKER,

*Message No. 33.*

The Senate returns to the House of Representatives the Bill for "*An Act to amend the 'Whaling Act 1935'*", and acquaints the House that the Senate has agreed to the Bill without amendment.

The Senate,  
Canberra, 1st December, 1948.

GORDON BROWN,  
President.

[*War Service Homes Bill 1948*]

MR. SPEAKER,

*Message No. 34.*

The Senate returns to the House of Representatives the Bill for "*An Act to amend the 'War Service Homes Act 1918-1947'*", and acquaints the House that the Senate has agreed to the Bill without amendment.

The Senate,  
Canberra, 1st December, 1948.

GORDON BROWN,  
President.

13. MESSAGE FROM THE SENATE.—MENTAL INSTITUTION BENEFITS BILL 1948.—Mr. Speaker announced the receipt of the following Message from the Senate :—

MR. SPEAKER,

*Message No. 32.*

The Senate has passed a Bill for "*An Act relating to Mental Institution Benefits*", and transmits the same to the House of Representatives for its concurrence.

The Senate,  
Canberra, 1st December, 1948.

GORDON BROWN,  
President.

Mr. Holloway (Minister representing the Minister for Health) moved, That the Bill transmitted by the foregoing Message 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.

*1st and 2nd December, 1948.*

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

Debate ensued.

The House continuing to sit until after midnight—

**THURSDAY, 2ND DECEMBER, 1948.**

Debate continued.

Question—put and passed.

And then the House, at seventeen minutes past twelve o'clock midnight, adjourned until this day at half-past two o'clock p.m.

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MEMBERS PRESENT.—All Members were present (at some time during the sitting) except Mr. Abbott, Mr. Cameron, Mr. Drakeford, Mr. Evatt, Mr. Falstein, Mr. Hadley, Mr. Hamilton, Mr. Howse, Mr. James, Mr. Menzies, Mr. O'Connor, Mr. Scullin, Mr. Sheehy, Mr. Ward, Mr. Watkins and Mr. Williams.

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F. C. GREEN,

*Clerk of the House of Representatives.*