

1950.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

VOTES AND PROCEEDINGS
OF THE
HOUSE OF REPRESENTATIVES.

No. 52.

TUESDAY, 3RD OCTOBER, 1950.

1. The House met, at half-past two o'clock p.m., pursuant to adjournment.—Mr. Speaker (the Honorable A. G. Cameron) took the Chair, and read Prayers.
2. PETITION.—Mr. Peters presented a Petition from 543 citizens of Victoria praying that action be taken to increase pensions to £2 17s. per week, approximately forty per centum of the basic wage. Petition received and read.
3. PAPERS.—The following Papers were presented, pursuant to Statute—
 - Commonwealth Public Service Act—Appointment—Department of Civil Aviation—R. D. Firms.
 - Defence (Transitional Provisions) Act—National Security (Industrial Property) Regulations—Order—Inventions and designs.
 - Lands Acquisition Act—Land acquired for—
 - Department of Supply and Development purposes—Hobart, Tasmania.
 - Postal purposes—
 - Deloraine, Tasmania.
 - Port Pirie, South Australia.
 - Stradbroke Park, South Australia.
 - Northern Territory (Administration) Act—
 - Ordinances—1950—
 - No. 2—Crown Law Officer Reference.
 - No. 3—Darwin Town Management.
 - No. 4—Fisheries.
 - No. 5—Police Arbitral Tribunal.
 - No. 6—Marriage.
 - No. 7—Housing Loans.
 - No. 8—Health.
 - No. 9—Apprentices.
 - No. 10—Adoption of Children.
 - No. 11—Licensing Court Annual Sittings Validating.
 - No. 12—Prisons.
 - Regulations—1950—No. 6 (Control of Waters Ordinance).
4. COMMUNIST PARTY DISSOLUTION BILL 1950 [No. 2].—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.
 - Ordered—That Mr. Clarey be granted an extension of time.
 - Debate continued.
 - Limitation of debate.*—At half-past four o'clock p.m., Mr. Speaker having called the attention of the House to the fact that the time allotted for the second reading had expired—
 - 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.)

Clause 1 debated and agreed to.
 Clause 2 agreed to.
 Clause 3 postponed.
 Clause 4 agreed to.

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Clause 5—

Mr. Evatt moved the following amendment :—Page 5, lines 43 and 44 omit “, on the ground that the body is not a body to which this section applies”.

Debate ensued.

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

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

AYES, 54.

Mr. C. G. W. Anderson	Mr. Dean	Mr. Handby	Mr. McMahon	Mr. Treloar
Mr. Bate	Mr. Downer	Mr. Haworth	Mr. Menzies	Mr. Turnbull
Mr. Beale	Mr. Eggin	Mr. Holt	Mr. Opperman	Mr. Wentworth
Mr. Berry	Mr. Fadden	Mr. Howse	Mr. Osborne	Mr. Wheeler
Mr. Bostock	Mr. Failes	Mr. Jack	Sir E. Page	Mr. Wilson
Mr. Bowden	Mr. Fairbairn	Mr. Kekwick	Mr. Pearce	
Mr. Brown	Mr. Fairhall	Mr. Lawrence	Mr. Pittard	
Mr. Casey	Mr. Freeth	Mr. Leslie	Mr. Robertson	<i>Tellers :</i>
Mr. Corser	Mr. Gilmore	Mr. Mackinnon	Mr. Ryan	
Mr. Cramer	Mr. Graham	Mr. McBride	Mr. Swartz	Mr. Davidson
Mr. Davis	Mr. Grayden	Mr. McDonald	Mr. Timson	Mr. Gullett
	Mr. Hamilton	Mr. McLeay	Mr. Townley	

NOES, 42.

Mr. G. Anderson	Mr. Chifley	Mr. Evatt	Mr. Johnson	Mr. Pollard
Mr. Andrews	Mr. Clarey	Mr. Fitzgerald	Mr. Keon	Mr. Rosevear
Mr. Beazley	Mr. Costa	Mr. Fraser	Mr. Lawson	Mr. Thompson
Mr. Bird	Mr. Cremean	Mr. Griffiths	Mr. Lazzarini	Mr. Ward
Mr. W. M. Bourke	Mr. Curtin	Mr. E. James	Mr. Minogue	Mr. Watkins
Mr. Bryson	Mr. Davies	Harrison	Mr. Morgan	
Mr. Calwell	Mr. Drakeford	Mr. Haylen	Mr. Mulcahy	<i>Tellers :</i>
Mr. C. R. Cameron	Mr. Duthie	Mr. Holloway	Mr. Mullens	Mr. Daly
Mr. Chambers	Mr. Edmonds	Mr. James	Mr. Peters	Mr. Sheehan

And so it was resolved in the affirmative.

Mr. Evatt moved the following amendment :—Omit sub-clauses (5.) and (6.), insert the following sub-clauses :—

“(5.) If, upon the hearing, the Commonwealth satisfies the court—

(a) that the applicant is a body to which this section applies ; and

(b) that the continued existence of the body would be prejudicial to the security and defence of the Commonwealth or to the execution or maintenance of the Constitution or of the laws of the Commonwealth,

the court shall dismiss the application, and the declaration shall, subject to this section, remain in force.

“(6.) If the Commonwealth does not so satisfy the court, the court shall set aside the declaration.

“(7.) The applicant or the Commonwealth, as the case may be, may, within twenty-one days after the decision of a court under sub-section (5.) or (6.) of this section, appeal against the decision—

(a) where the application was made to the Supreme Court of a State—to the Full Court of that Supreme Court ; or

(b) where the application was made to the High Court or to the Supreme Court of a Territory of the Commonwealth—to the Full Court of the High Court,

and the decision of the court on the appeal shall be final and conclusive.”

Question—That the sub-clauses proposed to be omitted stand part of the clause—put.

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

AYES, 58.

Mr. C. G. W. Anderson	Mr. Dean	Mr. Handby	Mr. McMahon	Mr. Turnbull
Mr. Anthony	Mr. Downer	Mr. Haworth	Mr. Menzies	Mr. Wentworth
Mr. Bate	Mr. Drummond	Mr. Holt	Mr. Opperman	Mr. Wheeler
Mr. Beale	Mr. Eggin	Mr. Howse	Mr. Osborne	Mr. T. W. White
Mr. Berry	Mr. Fadden	Mr. Hughes	Sir E. Page	Mr. Wilson
Mr. Bostock	Mr. Failes	Mr. Jack	Mr. Pearce	
Mr. Bowden	Mr. Fairbairn	Mr. Kekwick	Mr. Pittard	
Mr. Brown	Mr. Fairhall	Mr. Lawrence	Mr. Robertson	<i>Tellers :</i>
Mr. Casey	Mr. Freeth	Mr. Leslie	Mr. Ryan	
Mr. Corser	Mr. Gilmore	Mr. Mackinnon	Mr. Swartz	Mr. Davidson
Mr. Cramer	Mr. Graham	Mr. McBride	Mr. Timson	Mr. Gullett
Mr. Davis	Mr. Grayden	Mr. McDonald	Mr. Townley	
	Mr. Hamilton	Mr. McLeay	Mr. Treloar	

NOES, 42.

Mr. G. Anderson	Mr. Clarey	Mr. Fraser	Mr. Lazzarini	Mr. Watkins
Mr. Andrews	Mr. Costa	Mr. Griffiths	Mr. Minogue	
Mr. Beazley	Mr. Cremean	Mr. E. James	Mr. Morgan	<i>Tellers :</i>
Mr. Bird	Mr. Curtin	Harrison	Mr. Mulcahy	
Mr. W. M. Bourke	Mr. Davies	Mr. Haylen	Mr. Mullens	
Mr. Bryson	Mr. Drakeford	Mr. Holloway	Mr. Peters	Mr. Daly
Mr. Calwell	Mr. Duthie	Mr. James	Mr. Pollard	Mr. Sheehan
Mr. C. R. Cameron	Mr. Edmonds	Mr. Johnson	Mr. Rosevear	
Mr. Chambers	Mr. Evatt	Mr. Keon	Mr. Thompson	
Mr. Chifley	Mr. Fitzgerald	Mr. Lawson	Mr. Ward	

And so it was resolved in the affirmative.

Question—That the clause be agreed to—put.

3rd October, 1950.

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

AYES, 58.

Mr. C. G. W. Anderson	Mr. Dean	Mr. Handby	Mr. McMahon	Mr. Turnbull
Mr. Anthony	Mr. Downer	Mr. Haworth	Mr. Menzies	Mr. Wentworth
Mr. Bate	Mr. Drummond	Mr. Holt	Mr. Opperman	Mr. Wheeler
Mr. Beale	Mr. Eggins	Mr. Howse	Mr. Osborne	Mr. T. W. White
Mr. Berry	Mr. Fadden	Mr. Hughes	Sir E. Page	Mr. Wilson
Mr. Bostock	Mr. Failes	Mr. Jack	Mr. Pearce	
Mr. Bowden	Mr. Fairbairn	Mr. Kekwick	Mr. Pittard	<i>Tellers:</i>
Mr. Brown	Mr. Fairhall	Mr. Lawrence	Mr. Robertson	
Mr. Casey	Mr. Freeth	Mr. Leslie	Mr. Ryan	Mr. Davidson
Mr. Corser	Mr. Gilmore	Mr. Mackinnon	Mr. Swartz	Mr. Gullett
Mr. Cramer	Mr. Graham	Mr. McBride	Mr. Timson	
Mr. Davis	Mr. Grayden	Mr. McDonald	Mr. Townley	
	Mr. Hamilton	Mr. McLeay	Mr. Treloar	

NOES, 43.

Mr. G. Anderson	Mr. Chifley	Mr. Evatt	Mr. Johnson	Mr. Pollard
Mr. Andrews	Mr. Clarey	Mr. Fitzgerald	Mr. Keon	Mr. Riordan
Mr. Beazley	Mr. Costa	Mr. Fraser	Mr. Lawson	Mr. Rosevear
Mr. Bird	Mr. Cremean	Mr. Griffiths	Mr. Lazzarini	Mr. Thompson
Mr. W. M. Bourke	Mr. Curtin	Mr. E. James	Mr. Minogue	Mr. Ward
Mr. Bryson	Mr. Davies	Harrison	Mr. Morgan	Mr. Watkins
Mr. Calwell	Mr. Drakeford	Mr. Haylen	Mr. Mulcahy	<i>Tellers:</i>
Mr. C. R. Cameron	Mr. Duthie	Mr. Holloway	Mr. Mullens	Mr. Daly
Mr. Chambers	Mr. Edmonds	Mr. James	Mr. Peters	Mr. Sheehan

And so it was resolved in the affirmative.

Clauses 6 to 8 postponed.

Clause 9—

Mr. Evatt moved the following amendment:—Page 7, lines 44 and 45, omit “ on the ground that he is not a person to whom this section applies ”.

Debate ensued.

Limitation of Debate.—At half-past ten 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 words proposed to be omitted stand part of the clause—put.

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

AYES, 63.

Mr. C. G. W. Anderson	Mr. Dean	Mr. Handby	Mr. McLeay	Mr. Treloar
Mr. Anthony	Mr. Downer	Mr. Haworth	Mr. McMahon	Mr. Turnbull
Mr. Bate	Mr. Drummond	Mr. Holt	Mr. Menzies	Mr. Wentworth
Mr. Beale	Mr. Drury	Mr. Howse	Mr. Opperman	Mr. Wheeler
Mr. Berry	Mr. Eggins	Mr. Hughes	Mr. Osborne	Mr. T. W. White
Mr. Bostock	Mr. Fadden	Mr. Hulme	Sir E. Page	Mr. Wilson
Mr. Bowden	Mr. Failes	Mr. Jack	Mr. Pearce	
Mr. Brown	Mr. Fairbairn	Mr. Kekwick	Mr. Pittard	<i>Tellers:</i>
Mr. D. A. Cameron	Mr. Fairhall	Mr. Lawrence	Mr. Robertson	
Mr. Casey	Mr. Freeth	Mr. Leslie	Mr. C. W. Russell	Mr. Davidson
Mr. Corser	Mr. Gilmore	Mr. Mackinnon	Mr. Ryan	Mr. Gullett
Mr. Cramer	Mr. Graham	Mr. McBride	Mr. Swartz	
Mr. Davis	Mr. Grayden	Mr. McColm	Mr. Timson	
	Mr. Hamilton	Mr. McDonald	Mr. Townley	

NOES, 43.

Mr. G. Anderson	Mr. Clarey	Mr. Fraser	Mr. Lazzarini	Mr. Ward
Mr. Andrews	Mr. Costa	Mr. Griffiths	Mr. Minogue	Mr. Watkins
Mr. Beazley	Mr. Cremean	Mr. E. James	Mr. Morgan	
Mr. Bird	Mr. Curtin	Harrison	Mr. Mulcahy	<i>Tellers:</i>
Mr. W. M. Bourke	Mr. Davies	Mr. Haylen	Mr. Mullens	
Mr. Bryson	Mr. Drakeford	Mr. Holloway	Mr. Peters	
Mr. Calwell	Mr. Duthie	Mr. James	Mr. Pollard	Mr. Daly
Mr. C. R. Cameron	Mr. Edmonds	Mr. Johnson	Mr. Riordan	Mr. Sheehan
Mr. Chambers	Mr. Evatt	Mr. Keon	Mr. Rosevear	
Mr. Chifley	Mr. Fitzgerald	Mr. Lawson	Mr. Thompson	

And so it was resolved in the affirmative.

Further question—That the clause be agreed to—put.

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

AYES, 63.

Mr. C. G. W. Anderson	Mr. Dean	Mr. Hamilton	Mr. McLeay	Mr. Treloar
Mr. Anthony	Mr. Downer	Mr. Handby	Mr. McMahon	Mr. Turnbull
Mr. Bate	Mr. Drummond	Mr. Haworth	Mr. Menzies	Mr. Wentworth
Mr. Beale	Mr. Drury	Mr. Holt	Mr. Opperman	Mr. Wheeler
Mr. Berry	Mr. Eggins	Mr. Howse	Mr. Osborne	Mr. T. W. White
Mr. Bostock	Mr. Fadden	Mr. Hughes	Sir E. Page	Mr. Wilson
Mr. Bowden	Mr. Failes	Mr. Hulme	Mr. Pearce	
Mr. Brown	Mr. Fairbairn	Mr. Jack	Mr. Pittard	<i>Tellers:</i>
Mr. D. A. Cameron	Mr. Fairhall	Mr. Kekwick	Mr. Robertson	
Mr. Casey	Mr. Freeth	Mr. Lawrence	Mr. C. W. Russell	Mr. Davidson
Mr. Corser	Mr. Gilmore	Mr. Leslie	Mr. Ryan	Mr. McDonald
Mr. Cramer	Mr. Graham	Mr. Mackinnon	Mr. Swartz	
Mr. Davis	Mr. Grayden	Mr. McBride	Mr. Timson	
	Mr. Gullett	Mr. McColm	Mr. Townley	

3rd October, 1950.

NOES, 43.				
Mr. G. Anderson	Mr. Clarey	Mr. Fraser	Mr. Lazzarini	Mr. Ward
Mr. Andrews	Mr. Costa	Mr. Griffiths	Mr. Minogue	Mr. Watkins
Mr. Beazley	Mr. Cremean	Mr. E. James	Mr. Morgan	
Mr. Bird	Mr. Curtin	Harrison	Mr. Mulcahy	
Mr. W. M. Bourke	Mr. Davies	Mr. Haylen	Mr. Mullens	<i>Tellers:</i>
Mr. Bryson	Mr. Drakeford	Mr. Holloway	Mr. Peters	
Mr. Calwell	Mr. Duthie	Mr. James	Mr. Pollard	Mr. Daly
Mr. C. R. Cameron	Mr. Edmonds	Mr. Johnson	Mr. Riordan	Mr. Sheehan
Mr. Chambers	Mr. Evatt	Mr. Keon	Mr. Rosevear	
Mr. Chifley	Mr. Fitzgerald	Mr. Lawson	Mr. Thompson	

And so it was resolved in the affirmative.

Further question—That the remainder of the Bill (including postponed clauses 3, 6, 7 and 8) be agreed to and that the Bill be reported without amendment—put.

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

AYES, 63.				
Mr. C. G. W. Anderson	Mr. Dean	Mr. Hamilton	Mr. McLeay	Mr. Treloar
Mr. Anthony	Mr. Downer	Mr. Handby	Mr. McMahon	Mr. Turnbull
Mr. Bate	Mr. Drummond	Mr. Haworth	Mr. Menzies	Mr. Wentworth
Mr. Beale	Mr. Drury	Mr. Holt	Mr. Opperman	Mr. Wheeler
Mr. Berry	Mr. Eggins	Mr. Howse	Mr. Osborne	Mr. T. W. White
Mr. Bostock	Mr. Fadden	Mr. Hughes	Sir E. Page	Mr. Wilson
Mr. Bowden	Mr. Failes	Mr. Hulme	Mr. Pearce	
Mr. Brown	Mr. Fairbairn	Mr. Jack	Mr. Pittard	
Mr. D. A. Cameron	Mr. Fairhall	Mr. Kekwick	Mr. Robertson	<i>Tellers:</i>
Mr. Casey	Mr. Freeth	Mr. Lawrence	Mr. C. W. Russell	
Mr. Corser	Mr. Gilmore	Mr. Leslie	Mr. Ryan	Mr. Davidson
Mr. Cramer	Mr. Graham	Mr. Mackinnon	Mr. Swartz	Mr. McDonald
Mr. Davis	Mr. Grayden	Mr. McBride	Mr. Timson	
	Mr. Gullett	Mr. McColm	Mr. Townley	

NOES, 43.				
Mr. G. Anderson	Mr. Chifley	Mr. Evatt	Mr. Johnson	Mr. Pollard
Mr. Andrews	Mr. Clarey	Mr. Fitzgerald	Mr. Keon	Mr. Riordan
Mr. Beazley	Mr. Costa	Mr. Fraser	Mr. Lawson	Mr. Rosevear
Mr. Bird	Mr. Cremean	Mr. Griffiths	Mr. Lazzarini	Mr. Thompson
Mr. W. M. Bourke	Mr. Curtin	Mr. E. James	Mr. Minogue	Mr. Ward
Mr. Bryson	Mr. Davies	Harrison	Mr. Morgan	Mr. Watkins
Mr. Calwell	Mr. Drakeford	Mr. Haylen	Mr. Mulcahy	<i>Tellers:</i>
Mr. C. R. Cameron	Mr. Duthie	Mr. Holloway	Mr. Mullens	Mr. Daly
Mr. Chambers	Mr. Edmonds	Mr. James	Mr. Peters	Mr. Sheehan

And so it was resolved in the affirmative.

The House resumed; Mr. Adermann reported accordingly.

On the motion of Mr. Menzies (Prime Minister), the House adopted the Report, and the Bill was read a third time.

5. PAPER.—Mr. Speaker presented, pursuant to Statute—
Commonwealth Bank Act—Balance-sheets of Commonwealth Bank and Commonwealth Savings Bank as at 30th June, 1950; together with Auditor-General's reports thereon.
6. ADJOURNMENT.—Mr. Menzies (Prime Minister) moved, That the House do now adjourn.
Debate ensued.
Question—put and passed.

And then the House, at twenty minutes to twelve o'clock midnight, 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. T. P. Burke, Mr. Clark, Mr. Falkinder, Mr. Francis, Mr. Eric J. Harrison, Mr. Hasluck, Mr. Kent Hughes, Dame Enid Lyons, Mr. McEwen, Mr. E. H. D. Russell, Mr. Spender and Mr. B. M. Wight.

A. A. TREGEAR,
Clerk-Assistant, House of Representatives.