

1950.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

VOTES AND PROCEEDINGS
OF THE
HOUSE OF REPRESENTATIVES.

No. 72.

THURSDAY, 16TH NOVEMBER, 1950.

1. The House met, at half-past ten o'clock a.m., pursuant to adjournment.—The Deputy Speaker (Mr. Adermann) took the Chair, and read Prayers.
2. JOINT COMMITTEE ON THE BROADCASTING OF PARLIAMENTARY PROCEEDINGS—FIFTH REPORT.—Mr. Deputy Speaker presented the Fifth Report from the Joint Committee on the Broadcasting of Parliamentary Proceedings. The Report is as follows:—

The Joint Committee on the Broadcasting of Parliamentary Proceedings submits the Fifth Report for presentation to each House of the Parliament and recommends its adoption.

The Joint Committee has further considered the general principles upon which there should be determined the days upon which and the periods during which the proceedings of the Senate and the House of Representatives shall be broadcast, which were specified in previous reports by the Joint Committee and were adopted by both Houses. In accordance with section 12 (1.) of the *Parliamentary Proceedings Broadcasting Act* 1946, the Joint Committee has now resolved that sub-paragraph (a) of paragraph (4) of the general principles, viz.:—

“(4) *Re-broadcast of questions and answers*—

(a) Within the limits of time available, the following Parliamentary Proceedings shall be re-broadcast by the Australian Broadcasting Commission between 7.20 p.m. and 7.55 p.m. on each sitting day—

Senate proceedings—Questions without notice and on notice and answers thereto;

House of Representatives proceedings—Questions without notice and answers thereto.”,

be amended as follows:—

Omit “between 7.20 p.m. and 7.55 p.m.”, insert “between 7.25 p.m. and 8 p.m.”.

It is proposed that this amendment shall come into operation on the 11th December, 1950.

GORDON BROWN,
Vice-Chairman.

15th November, 1950.

Mr Menzies (Prime Minister) moved, by leave, That the Report be adopted.

Mr. Chifley (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.

3. PAPERS.—The following Paper was presented, by command of His Excellency the Governor-General—
Qantas Empire Airways Ltd.—Sixteenth Annual Report and Financial Accounts for 1949.

Ordered to lie on the Table.

The following Papers were presented, pursuant to Statute—

Seat of Government Acceptance Act and Seat of Government (Administration) Act—

Ordinances—1950—

No. 8—Police.

No. 9—Police Superannuation.

No. 10—Seat of Government (Administration).

No. 11—Canberra Community Hospital.

No. 12—Meat.

Regulations—1950—No. 5 (Education Ordinance).

16th November, 1950.

4. OFFICE BUILDING FOR COMMONWEALTH DEPARTMENTS, HOBART—APPROVAL OF WORK.—Mr. Casey (Minister for Works and Housing) moved, pursuant to notice, That, in accordance with the provisions of the *Commonwealth Public Works Committee Act 1913–1947*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the Committee has duly reported to this House the results of its investigations, namely:—Erection of an Office Building to house Commonwealth Departments in Hobart.

Debate ensued.

Question—put and passed.

5. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That Order of the Day No. 1, Government Business, be postponed until a later hour this day.

6. WOOL SALES DEDUCTION (ADMINISTRATION) BILL 1950.—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.

Mr. C. R. Cameron addressing the House—

Closure of Member.—Mr. Hulme moved, That the honorable Member be not further heard.

Question—put.

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

AYES, 53.

Mr. C. G. W. Anderson	Mr. Downer	Mr. Handby	Mr. McColm	Mr. Townley
Mr. Bate	Mr. Drummond	Mr. Hasluck	Mr. McDonald	Mr. Turnbull
Mr. Berry	Mr. Drury	Mr. Haworth	Mr. McLeay	Mr. Wentworth
Mr. Bostock	Mr. Egging	Mr. Holt	Mr. McMahon	Mr. Wilson
Mr. Brown	Mr. Fadden	Mr. Hughes	Mr. Opperman	
Mr. D. A. Cameron	Mr. Failes	Mr. Hulme	Mr. Osborne	
Mr. Casey	Mr. Fairbairn	Mr. Jack	Mr. Pearce	<i>Tellers:</i>
Mr. Corser	Mr. Fairhall	Mr. Kekwick	Mr. Pittard	
Mr. Cramer	Mr. Francis	Mr. Kent Hughes	Mr. Robertson	Mr. Davidson
Mr. Davis	Mr. Gilmore	Mr. Lawrence	Mr. C. W. Russell	Mr. Gullett
Mr. Dean	Mr. Grayden	Mr. Leslie	Mr. Swartz	
	Mr. Hamilton	Mr. Mackinnon	Mr. Timson	

NOES, 32.

Mr. G. Anderson	Mr. C. R. Cameron	Mr. Drakeford	Mr. Minogue	Mr. Thompson
Mr. Andrews	Mr. Chambers	Mr. Duthie	Mr. Mulcahy	Mr. Ward
Mr. Beazley	Mr. Clarey	Mr. Fraser	Mr. O'Connor	
Mr. Bird	Mr. Costa	Mr. Griffiths	Mr. Peters	<i>Tellers:</i>
Mr. Bryson	Mr. Cremeann	Mr. Haylen	Mr. Pollard	
Mr. T. P. Burke	Mr. Curtin	Mr. Holloway	Mr. Riordan	Mr. Daly
Mr. Calwell	Mr. Davies	Mr. Lawson	Mr. Rosevear	Mr. Sheehan

And so it was resolved in the affirmative.

Debate continued.

Distinguished Visitor.—Mr. Deputy Speaker informed the House that His Grace The Lord Archbishop of Canterbury, The Most Reverend and Right Honorable Dr. G. F. Fisher, a Member of the House of Lords, was within the precincts. The distinguished visitor thereupon, with the concurrence of honorable Members, was provided with a seat on the floor of the House.

Debate continued.

Suspension of Standing Orders.—Mr. McBride (Minister for Defence) moved, by leave, That so much of the Standing Orders be suspended as would prevent Mr. Fadden (Treasurer) from making his speech without limitation of time.

Question—put and passed.

Debate continued.

Member named.—Mr. Deputy Speaker named the honorable Member for Hunter (Mr. James) for disobedience to the Chair.

Mr. James having apologised, the matter was not further proceeded with.

Debate continued.

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.)

Clause 1—

Progress to be reported, and leave asked to sit again.

The House resumed; Mr. McDonald reported accordingly.

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

16th November, 1950.

7. MESSAGE FROM THE GOVERNOR-GENERAL.—WOOL SALES DEDUCTION (ADMINISTRATION) BILL 1950.—
The following Message from His Excellency the Governor-General was presented, and was read by Mr. Deputy Speaker :—

W. J. MCKELL,
Governor-General.

Message No. 29.

In accordance with the requirements of section fifty-six of the Constitution of the Commonwealth of Australia, the Governor-General recommends to the House of Representatives that an appropriation of revenue be made for the purposes of a Bill for an Act to provide for the Collection and Recovery of Amounts payable under the *Wool Sales Deduction Act* (No. 1) 1950, and the *Wool Sales Deduction Act* (No. 2) 1950, and for the Application of those Amounts.

Canberra, 24th October, 1950.

Ordered—That the foregoing Message be taken into consideration, in Committee of the whole House, forthwith.

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

(*In the Committee.*)

Mr. Fadden (Treasurer) moved, That it is expedient that an appropriation of revenue be made for the purposes of a Bill for an Act to provide for the Collection and Recovery of Amounts payable under the *Wool Sales Deduction Act* (No. 1) 1950, and the *Wool Sales Deduction Act* (No. 2) 1950, and for the Application of those Amounts.

Question—put and passed.

Resolution to be reported.

The House resumed ; Mr. McDonald reported accordingly.

On the motion of Mr. Fadden, the Resolution reported from the Committee was adopted by the House.

8. WOOL SALES DEDUCTION (ADMINISTRATION) BILL 1950.—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 to 5 agreed to.

Clause 6—

On the motion of Mr. Fadden (Treasurer), the following amendment was made, after debate :—Page 3, line 32, omit “one-fifth”, insert “the prescribed proportion”.

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

Page 3, line 38, omit “one-fifth”, insert “the prescribed proportion”.

Page 4, at the end of the clause add the following sub-clauses :—

“(5.) This section does not apply in relation to—

(a) wool sold on behalf of, or purchased from, a producer who exhibits to the person who sells the wool on his behalf, or who purchases the wool from him, a certificate issued to him under sub-section (1A.) of section nine of this Act ;

(b) wool produced in the Northern Territory of Australia ;

(c) wool sold by the producer for delivery by him out of Australia (including wool so sold on behalf of the producer) ; or

(d) wool sold on or after the date on which the *Wool Sales Deduction Act* (No. 1) 1950 ceases to be in force.

“(6.) An amount payable to the Commissioner under this section shall be calculated to the nearest amount in complete pounds which does not exceed the amount which would be payable but for this sub-section.

“(7.) In this section, ‘the prescribed proportion’ means—

(a) one-fifth ; or

(b) where, at the time of the sale or disposal of the wool, the proportion of the sale value of wool for the purposes of the *Wool Sales Deduction Act* (No. 1) 1950 is less than one-fifth—that lesser proportion.”.

Clause, as amended, agreed to.

Clause 7—

On the motion of Mr. Fadden, the following amendment was made :—Page 4, line 17, after “liable” insert “or within such further time as the Commissioner allows”.

Clause, as amended, agreed to.

Clause 8 agreed to.

Clause 9—

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

Page 5, after sub-clause (1.) insert the following sub-clause :—

“(1A.) Where the Commissioner is satisfied that the income of a producer is exempt from income tax under the *Income Tax Assessment Act* 1936-1949 he shall, upon application by the producer, issue to him a certificate exempting from the application of section six of this Act wool sold by him (including wool sold on his behalf).”.

16th November, 1950.

Clause, as amended, agreed to.

Clause 10 agreed to.

Clause 11—

On the motion of Mr. Fadden, the clause was omitted and the following clause inserted in place thereof, after debate :—

“ 11.—(1.) Notwithstanding anything contained in section ten of this Act, where the Commissioner at any time receives from a producer a wool deduction certificate in respect of wool sold, disposed of or exported in a year of income, and is satisfied that the producer has suffered such a loss or is in such circumstances that the application of the provisions of this Act would entail hardship on the producer unless this section were applied, the Commissioner may—

- (a) credit the whole or a part of the amount of the certificate in payment or part payment of the income tax and provisional tax payable by the producer in respect of the income of any year of income preceding that year of income ;
- (b) make a payment to the producer of the amount by which the amount of the certificate exceeds the amount which, in the opinion of the Commissioner, will be, for the purposes of section ten of this Act, the net tax payable by the producer in respect of the income of the year of income in which the wool was sold, disposed of or exported ; or
- (c) apply the provisions of paragraph (a) of this sub-section, and also apply the provisions of paragraph (b) of this sub-section as if the reference in that paragraph to the amount of the certificate were a reference to so much of the amount of the certificate as exceeds the amount credited under paragraph (a) of this sub-section.

“ (2.) Where the Commissioner receives a wool deduction certificate from a partnership or the trustee of a trust estate in respect of wool sold, disposed of or exported by that partnership or trustee, he may, for the purposes of this section, apportion the amount of the certificate in the manner specified in sub-section (3.) of section ten of this Act, and treat each amount so apportioned as if it were the amount of a wool deduction certificate received from the person to whom it is apportioned, and as if that person were the producer.

“ (3.) Where the Commissioner has applied the provisions of this section in relation to a wool deduction certificate, section ten of this Act shall not apply in relation to that certificate, but the Commissioner shall take such action as he considers necessary to ensure that so much of the amount of the certificate as has not been credited under this section is dealt with as if this section had not been so applied.”.

Clause 12—

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

Page 6, after sub-clause (2.) add the following sub-clause :—

“ (3.) Where a producer has made an application in writing to the Commissioner requesting him to apply the last preceding section to the producer, and the Commissioner has not, within thirty days after receipt by him of the application, notified the producer of his decision on the application, the producer may appeal under this section as if the Commissioner had refused the application, and the appeal may be dealt with accordingly.”.

Clause, as amended, agreed to.

Clauses 13 to 15 agreed to.

Clause 16—

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

Page 8, at the end of the clause add the following sub-clause :—

“ (6.) Where the proportion of the sale value or appraised value of wool for a financial year for the purposes of the *Wool Sales Deduction Act (No. 1) 1950* or the *Wool Sales Deduction Act (No. 2) 1950* is fixed after the commencement of that financial year, and is greater than the proportion fixed for the immediately preceding financial year, the time within which a producer who thereupon becomes liable to pay an additional amount to the Commissioner in relation to wool previously sold, disposed of or exported is required to pay that amount to the Commissioner is one month after the day on which the Act fixing the proportion for that financial year receives the Royal Assent.”.

Clause, as amended, debated and agreed to.

Clauses 17 to 20 agreed to.

Clause 21 debated and agreed to.

Clause 22 debated and agreed to.

Clauses 23 to 25 agreed to.

Clause 26 debated and agreed to.

New clause—

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

“ 10A.—(1.) Where the proportion of the sale value or appraised value of wool for a financial year for the purposes of the *Wool Sales Deduction Act (No. 1) 1950* and the *Wool Sales Deduction Act (No. 2) 1950* is fixed after the commencement of that financial year, and is less than the proportion fixed for the immediately preceding financial year, the Commissioner shall—

Refunds where
rate reduced
after
commencement
of financial
year, or no
rate fixed.

- (a) refund to a producer so much of the amount previously paid by him under those Acts in relation to wool sold, disposed of or exported in that financial year as exceeds the amount which would have been payable in relation to that wool if the proportion fixed for that financial year had been fixed before the commencement of that financial year ; or

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(b) where a producer delivers to the Commissioner a wool deduction certificate in relation to wool sold or disposed of in that financial year—pay to the producer an amount equal to the amount by which the amount of the certificate exceeds the amount which would have been the amount of the certificate if the proportion fixed for that financial year had been fixed before the commencement of that financial year.

“(2.) Where the proportion of the sale value of wool for a financial year for the purposes of the *Wool Sales Deduction Act* (No. 1) 1950 and the *Wool Sales Deduction Act* (No. 2) 1950 is not fixed before the end of that financial year, the Commissioner shall—

(a) refund to a producer the amount paid by him under those Acts in relation to wool sold, disposed of or exported in that financial year; or

(b) where a producer delivers to the Commissioner a wool deduction certificate in relation to wool sold or disposed of in that financial year—pay to the producer an amount equal to the amount of the certificate.

“(3.) Where the Commissioner has applied the provisions of this section in relation to a wool deduction certificate, the last preceding section shall not apply in relation to that certificate, but the Commissioner shall take such action as he considers necessary to ensure that so much (if any) of the amount of the certificate as has not been paid under this section is dealt with as if this section had not been so applied.”.

Motion agreed to.

Bill to be reported with amendments.

The House resumed; Mr. McDonald reported accordingly.

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

9. WAYS AND MEANS—WOOL SALES DEDUCTION.—The House, according to Order, resolved itself into the Committee of Ways and Means.

(*In the Committee.*)

Consideration resumed of the motion moved by Mr. Fadden (Treasurer) on the 12th October, 1950 (see page 202).

Motion withdrawn, by leave.

Mr. Fadden moved the following motion:—

1. That a producer of wool who, on or after the twenty-eighth day of August, One thousand nine hundred and fifty, has sold or otherwise disposed of, or sells or otherwise disposes of, that wool, otherwise than for delivery by him out of Australia, be liable to pay to the Commonwealth a proportion of the sale value of that wool, being such proportion as is fixed by the Parliament for the financial year in which the wool was or is so sold or disposed of.

2. That a producer of wool who, on or after the twenty-eighth day of August, One thousand nine hundred and fifty, has exported or exports that wool be liable to pay to the Commonwealth a proportion of the appraised value of that wool, being such proportion as is fixed by the Parliament for the financial year in which the wool is exported.

3. That the proportion of the sale value and of the appraised value for the financial year which commenced on the first day of July, One thousand nine hundred and fifty, be one-fifth.

4. That, until a proportion of the sale value and of the appraised value is fixed by the Parliament for a later financial year, the proportion of the sale value and of the appraised value for that financial year be the proportion fixed for the immediately preceding financial year.

5. That the last preceding paragraph be subject to the provisions contained in the *Wool Sales Deduction (Administration) Bill* 1950 for refunds where—

(a) the proportion of the sale value and of the appraised value fixed for a financial year is fixed after the commencement of that financial year and is less than the proportion fixed for the immediately preceding financial year; or

(b) no proportion of the sale value and of the appraised value is fixed for a financial year before the end of that financial year.

6. That the foregoing paragraphs do not apply—

(a) to a producer whose income is exempt from income tax under the provisions of the *Income Tax Assessment Act* 1936-1949; or

(b) in relation to wool produced in the Northern Territory of Australia.

7. That expressions used in this resolution have the same meanings as they have in the *Wool Sales Deduction (Administration) Bill* 1950.

8. That the Acts passed to give effect to this resolution be expressed to continue in force until a date to be fixed by Proclamation but not in any event after the *Wool Sales Deduction (Administration) Act* 1950 ceases to be in force.

Motion agreed to.

Resolution to be reported, and leave asked to sit again.

The House resumed; Mr. McDonald reported accordingly.

Resolved—That the House will, at the next sitting, again resolve itself into the said Committee.

Mr. Fadden moved, pursuant to contingent notice, That so much of the Standing Orders be suspended as would prevent the remaining stages being passed without delay.

16th and 17th November, 1950.

Question—put and passed.

On the motion of Mr. Fadden, the Resolution reported from the Committee was adopted by the House.
 Ordered—That Mr. Fadden and Mr. McBride do prepare and bring in Bills to carry out the foregoing Resolution.

10. WOOL SALES DEDUCTION BILL (No. 1) 1950.—Mr. Fadden (Treasurer) then brought up a Bill intituled “*A Bill for an Act to provide for the Payment to the Commonwealth of a Proportion of the Sale Value of Wool sold or otherwise disposed of by Producers on or after the twenty-eighth day of August, One thousand nine hundred and fifty, otherwise than for Delivery out of Australia*”, and moved, That it be now read a first time.

Question—put and passed.—Bill read a first time.

Mr. Fadden moved, That the Bill be now read a second time.

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. McDonald reported accordingly.

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

11. WOOL SALES DEDUCTION BILL (No. 2) 1950.—Mr. Fadden (Treasurer) also brought up a Bill intituled “*A Bill for an Act to provide for the Payment to the Commonwealth of a Proportion of the Appraised Value of Wool exported from the Commonwealth by Producers on or after the twenty-eighth day of August, One thousand nine hundred and fifty*”, and moved, That it be now read a first time.

Question—put and passed.—Bill read a first time.

Mr. Fadden moved, That the Bill be now read a second time.

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. McDonald reported accordingly.

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

12. MESSAGE FROM THE GOVERNOR-GENERAL.—ASSENT TO BILL.—The following Message from His Excellency the Governor-General was received, and was read by Mr. Deputy Speaker:—

W. J. McKELL,
 Governor-General.

Message No. 30.

A Proposed Law intituled “*States Grants Act 1950*” as finally passed by the Senate and the House of Representatives of the Commonwealth, having been presented to the Governor-General for the Royal Assent, His Excellency has, in the name and on behalf of His Majesty, assented to the said Law.

Government House,
 Canberra, 15th November, 1950.

13. PAPERS.—The following Papers were presented, pursuant to Statute—
 Commonwealth Public Service Act—Appointments—Department—
 Attorney-General—I. B. Asman, H. R. F. Kaulla, L. J. Parker.
 Civil Aviation—K. S. Wylie.
 Works and Housing—B. Buffinton.
 Lands Acquisition Act—Land acquired for Postal purposes—
 Dungog, New South Wales.
 Koraleigh, New South Wales.

14. ADJOURNMENT.—Mr. Fadden (Treasurer) moved, That the House do now adjourn.
 Debate ensued.

The House continuing to sit until after midnight—

FRIDAY, 17TH NOVEMBER, 1950.

Debate continued.

Question—put and passed.

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

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except Mr. Anthony, Mr. Beale, Mr. W. M. Bourke, Mr. Bowden*, Mr. A. G. Cameron*, Mr. Clark, Mr. Edmonds*, Mr. Evatt, Mr. Falkinder, Mr. Fitzgerald*, Mr. Freeth*, Mr. E. James Harrison, Mr. Eric J. Harrison*, Mr. Keon, Mr. Lazzarini, Dame Enid Lyons*, Sir Earle Page, Mr. E. H. D. Russell*, Mr. Ryan, Mr. Spender*, Mr. Treloar, Mr. Watkins* and Mr. B. M. Wight.

* On leave.

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

By Authority: L. F. JOHNSTON, Commonwealth Government Printer, Canberra.