

COMMONWEALTH OF AUSTRALIA.

No. 26.

JOURNALS OF THE SENATE.

THURSDAY, 3RD JULY, 1941.

1. MEETING OF SENATE.—The Senate met at eleven a.m., pursuant to adjournment.

2. PRAYERS.

3. PRIVILEGE.—The Leader of the Opposition (Senator Collings), having called the attention of the Senate to certain reflections made upon the Senate in articles published in the *Mercury* newspaper of Hobart, and the *Examiner* newspaper of Launceston, on 2nd July, 1941, moved—That this Senate expresses its extreme disapproval of the action of the Press and Mr. Arthur James Beck, a Member of the House of Representatives, in reflecting upon a secret ballot of this Senate as reported in the *Mercury* newspaper of Hobart of 2nd July, 1941, page 1, and in the *Examiner* newspaper of Launceston of 2nd July, 1941, page 4, and declares the following persons guilty of contempt, as provided for in Standing Order 427, viz. :—

Arthur James Beck, M.H.R. for Denison, Tasmania ;

Davies Brothers Ltd., of 93 Macquarie-street, Hobart—publishers and proprietors of the *Mercury* ; and

W. R. Rolph and Sons Pty. Ltd.—publishers and proprietors of the *Examiner* of Launceston, Tasmania.

Point of Order.—Senator A. J. McLachlan submitted that the motion was not in order in that Standing Order No. 427 only provided that the printer or publisher of a newspaper could be declared guilty of Contempt.

Ruling of President.—The President upheld the point of order, and directed that all reference to Mr. A. J. Beck, Member of the House of Representatives for the Division of Denison, should be excluded from the motion.

And Senator Collings having, by leave, amended his motion to read as follows :—

That this Senate expresses its extreme disapproval of the action of the Press in reflecting upon a secret ballot of this Senate as reported in the *Mercury* newspaper of Hobart of 2nd July, 1941, page 1, and in the *Examiner* newspaper of Launceston of 2nd July, 1941, page 4, and declares the following persons guilty of contempt, as provided for in Standing Order 427, viz. :—

Davies Brothers Ltd., of 93 Macquarie-street, Hobart—publishers and proprietors of the *Mercury* ; and

W. R. Rolph and Sons Pty. Ltd.—publishers and proprietors of the *Examiner* of Launceston, Tasmania—

Debate ensued.

Question—put.

The Senate divided—

Ayes, 14.

Noes, 15.

Senator—	Senator—
Amour.	Courtice.
Armstrong.	Cunningham.
Arnold.	Fraser.
Arthur.	Lamp.
Aylett.	Large.
Brown.	Teller :
Cameron.	
Collings.	Senator Ashley.

Senator—	Senator—
Brand.	McLachlan, A. J.
Collett.	McLachlan, James.
Cooper.	McLeay.
Foll.	Sampson.
Gibson.	Spicer.
Hayes, J. B.	
Johnston, E. B.	Teller :
Leckie.	
McBride.	Senator Uppill.

Motion, as amended, negatived accordingly.

4. MINISTERIAL STATEMENT—*Petrol supplies.*—The Minister for Supply and Development (Senator McLeay), by leave, made a statement concerning stocks and supplies of petrol in the Commonwealth.

5. QUESTIONS.—Questions on notice were answered.

6. PRINTING COMMITTEE—THIRD REPORT.—Senator Aylett brought up the following Report from the Printing Committee :—

REPORT.

The Printing Committee have the honour to report that they have met in Conference with the Printing Committee of the House of Representatives.

The Joint Committee, having considered the Papers presented to Parliament since the last meeting of the Committee, recommend that the following be printed :—

Papua—Report for year 1939-40.

Superannuation Act—Eighteenth Annual Report of the Superannuation Board, for year 1939-40.

Senate Committee Room,
2nd July, 1941.

W. E. AYLETT,
for Vice-Chairman.

Senator Aylett, by leave, moved—That the Report be adopted.

Question—put and passed.

7. **PRIVILEGE.**—The Leader of the Opposition (Senator Collings), having called the attention of the Senate to the reported statement of Mr. A. J. Beck, Member of the House of Representatives for the Division of Denison, concerning a secret ballot of the Senate, moved—That this Senate expresses its extreme disapproval of the action of Mr. Arthur James Beck, a member of the House of Representatives, in reflecting upon a secret ballot of this Senate in a statement to the *Tasmanian Mercury* of 2nd July, 1941, on page 1, and declares that the said Arthur James Beck, Member of the House of Representatives for Denison, Tasmania, is guilty of contempt.

Debate ensued.

Point of Order.—Senator A. J. McLachlan, in asking the President to rule the motion out of order in the interests of good relations between the two Houses of the Parliament and in the spirit of Standing Orders 418 and 427, submitted that it was doubtful if the Senate could censure a Member of the House of Representatives.

Ruling of President.—The President ruled that as the statement complained of was not made on the floor of the House of Representatives, but in the State in which the newspaper was published, the motion was in order.

Debate continued.

Question—put.

The Senate divided—

Ayes, 14.

Noes, 16.

Senator—	Senator—
Amour.	Courtice.
Armstrong.	Cunningham.
Arnold.	Fraser.
Arthur.	Lamp.
Aylett.	Large.
Brown.	Teller :
Cameron.	
Collings.	Senator Ashley.

Senator—	Senator—
Brand.	McBride.
Collett.	McLachlan, A. J.
Cooper.	McLachlan, James.
Crawford.	McLeay.
Foll.	Sampson.
Gibson.	Spicer.
Hayes, J. B.	Teller :
Johnston, E. B.	
Leckie.	Senator Uppill.

Motion negatived accordingly.

8. **PAPERS.**—The following Papers were presented, pursuant to Statute—

Arbitration (Public Service) Act—Determinations by the Arbitrator, &c.—

No. 13 of 1941—Commonwealth Public Service Clerical Association and others ; Commonwealth Storemen and Packers' Union of Australia ; Commonwealth Naval Storehousemen's Association ; Arms, Explosives and Munition Workers' Federation of Australia ; and Commonwealth Foremen's Association.

No. 14 of 1941—Commonwealth Public Service Clerical Association.

No. 15 of 1941—Australian Postal Electricians' Union ; Commonwealth Public Service Artisans' Association ; and Commonwealth Public Service Clerical Association.

Australian Soldiers' Repatriation Act—Regulations—Statutory Rules 1941, No. 141.

Commonwealth Public Service Act—Regulations—Statutory Rules 1941, No. 127.

Northern Territory Acceptance Act and Northern Territory (Administration) Act—Crown Lands Ordinance—Reasons for resumption of reservation of certain lands near the Town of Katherine, Northern Territory, formerly reserved for cemetery purposes.

9. **THE LATE MR. J. L. PRICE.**—The President informed the Senate that he had received from Mrs. J. L. Price a letter of thanks and appreciation for the resolution of sympathy and condolence passed by the Senate on the occasion of the death of Mr. John Lloyd Price, M.P.

10. **NATIONAL FITNESS BILL 1941.**—Order of the Day read for the adjourned debate on the Question—That the Bill be now read a second time.

Debate resumed.

Question—put and passed.

Bill read a second time.

The Senate, according to Order, resolved itself into Committee for the consideration of the Bill.

—
In the Committee.

Clauses 1 and 2 agreed to.

Clause 3 debated and agreed to.

Clause 4 agreed to.

Clause 5 debated and agreed to.

Clauses 6 and 7 agreed to.

Title agreed to.

Bill to be reported without amendment.

The President resumed the Chair; and the Chairman of Committees (Senator Brown) reported accordingly.

On the motion of the Minister for Aircraft Production (Senator Leckie) the Report from the Committee was adopted, and the Bill read a third time.

11. WAR EXPENDITURE—JOINT COMMITTEE.—*Message from the House of Representatives.*—The following Message from the House of Representatives was received and read :—

MR. PRESIDENT,

Message No. 59.

The House of Representatives transmits to the Senate the following Resolution which was agreed to by the House of Representatives this day, and requests the concurrence of the Senate therein :—

- (1) That a Joint Committee be appointed to examine current expenditure defrayed out of moneys voted by the Parliament for the Defence Services and other Services directly connected with the war and to report what, if any, economies consistent with the execution of the policy decided on by the Government may be effected therein.
- (2) That the following Members of the House of Representatives, Mr. Badman, Mr. Beck, Mr. Conelan, Mr. Johnson, Mr. Jolly, Mr. Lawson, Mr. McCall, Mr. Mulcahy, and Mr. Paterson be appointed to serve on such Committee.
- (3) That, notwithstanding anything contained in the Standing Orders—
 - (a) the Committee have power to appoint sub-committees consisting of four or more of its members; and to refer to any such sub-committees any of the matters which the Committee is empowered to examine;
 - (b) the Committee or any sub-committee have power to send for persons, papers and records, to adjourn from place to place, and to sit during any adjournment of the Parliament and during the sittings of either House of the Parliament; and have leave to report from time to time the evidence taken;
 - (c) the Committee have leave to report from time to time its proceedings, and any member of the Committee have power to add a protest or dissent to any report;
 - (d) five members of the Committee constitute a quorum of the Committee and three members of a sub-committee constitute a quorum of that sub-committee;
 - (e) in matters of procedure, the Chairman of the Committee have a deliberative vote and, in the event of an equality of voting, have a casting vote, and in other matters a deliberative vote only;
 - (f) the Committee have power, in cases where considerations of National Security preclude the publication of any recommendations and of the arguments on which they are based, or both, to address a memorandum to the Prime Minister for the consideration of the War Cabinet, but, on every occasion when the Committee exercises this power, the Committee shall report to the Parliament accordingly; and
 - (g) a Message be sent to the Senate requesting its concurrence and asking that three Members of the Senate be appointed to serve on such Committee and that one of those Members be appointed as the Chairman of the Committee.

W. M. NAIRN,
Speaker.

House of Representatives,
Canberra, 3rd July, 1941.

The Minister for Supply and Development (Senator McLeay), by leave, moved—

- (1) That the Senate agrees to the appointment of a Joint Committee to examine current expenditure defrayed out of moneys voted by the Parliament for the Defence Services and other Services directly connected with the war and to report what, if any, economies consistent with the execution of the policy decided on by the Government may be effected therein.
- (2) That Senators Ashley, Clothier, and A. J. McLachlan be appointed to serve on such Committee with Members of the House of Representatives.
- (3) That, notwithstanding anything contained in the Standing Orders—
 - (a) Senator A. J. McLachlan be the Chairman of the Committee;
 - (b) the Committee have power to appoint sub-committees consisting of four or more of its members; and to refer to any such sub-committees any of the matters which the Committee is empowered to examine;
 - (c) the Committee or any sub-committee have power to send for persons, papers and records, to adjourn from place to place, and to sit during any adjournment of the Parliament and during the sittings of either House of the Parliament; and have leave to report from time to time the evidence taken;
 - (d) the Committee have leave to report from time to time its proceedings, and any member of the Committee have power to add a protest or dissent to any report;
 - (e) five members of the Committee constitute a quorum of the Committee and three members of a sub-committee constitute a quorum of that sub-committee;
 - (f) in matters of procedure, the Chairman of the Committee have a deliberative vote and, in the event of an equality of voting, have a casting vote, and in other matters, a deliberative vote only; and

- (g) the Committee have power, in cases where considerations of National Security preclude the publication of any recommendations and of the arguments on which they are based, or both, to address a memorandum to the Prime Minister for the consideration of the War Cabinet, but, on every occasion when the Committee exercises this power, the Committee shall report to the Parliament accordingly.

(4) That these Resolutions be communicated to the House of Representatives by Message.

Debate ensued.

Question—put and passed.

12. SOCIAL SECURITY—JOINT COMMITTEE.—*Message from the House of Representatives.*—The following Message from the House of Representatives was received and read :—

MR. PRESIDENT,

Message No. 60.

The House of Representatives transmits to the Senate the following Resolution which was agreed to by the House of Representatives this day, and requests the concurrence of the Senate therein :—

- (1) That a Joint Committee be appointed to inquire into and, from time to time, report upon ways and means of improving social and living conditions in Australia and of rectifying any anomalies in existing legislation.
- (2) That the following Members of the House of Representatives, Mr. Barnard, Mr. Blackburn, Mr. Perkins and Mr. Ryan be appointed to serve on such Committee.
- (3) That, notwithstanding anything contained in the Standing Orders—
 - (a) Mr. Perkins be the Chairman of the Committee ;
 - (b) the Committee have power to send for persons, papers and records, to adjourn from place to place, and to sit during any adjournment of the Parliament and during the sittings of either House of the Parliament ; and have leave to report from time to time the evidence taken ;
 - (c) the Committee have leave to report from time to time its proceedings, and any member of the Committee may add a protest or dissent to any report ;
 - (d) three members of the Committee constitute a quorum ;
 - (e) in matters of procedure, the Chairman of the Committee have a deliberative vote and, in the event of an equality of voting, have a casting vote, and in other matters a deliberative vote only ; and
 - (f) a Message be sent to the Senate requesting its concurrence and asking that two Members of the Senate be appointed to serve on such Committee.

W. M. NAIRN,
Speaker.

House of Representatives,
Canberra, 3rd July, 1941.

The Minister for Supply and Development (Senator McLeay), by leave, moved—

- (1) That the Senate agrees to the appointment of a Joint Committee to inquire into and, from time to time, report upon ways and means of improving social and living conditions in Australia and of rectifying any anomalies in existing legislation.
- (2) That Senators Cooper and Keane be appointed to serve on such Committee with Members of the House of Representatives.
- (3) That, notwithstanding anything contained in the Standing Orders—
 - (a) the Committee have power to send for persons, papers and records, to adjourn from place to place, and to sit during any adjournment of the Parliament and during the sittings of either House of the Parliament ; and have leave to report from time to time the evidence taken ;
 - (b) the Committee have leave to report from time to time its proceedings, and any member of the Committee may add a protest or dissent to any report ;
 - (c) three members of the Committee constitute a quorum ;
 - (d) the Member of the House of Representatives appointed by that House to be the Chairman of the Committee be the Chairman of the Committee ; and
 - (e) in matters of procedure, the Chairman of the Committee have a deliberative vote and, in the event of an equality of voting, have a casting vote, and, in other matters, a deliberative vote only.
- (4) That these Resolutions be communicated to the House of Representatives by Message.

Debate ensued.

Question—put and passed.

13. PROFITS—JOINT COMMITTEE.—*Message from the House of Representatives.*—The following Message from the House of Representatives was received and read :—

MR. PRESIDENT,

Message No. 61.

The House of Representatives transmits to the Senate the following Resolution which was agreed to by the House of Representatives this day, and requests the concurrence of the Senate therein :—

- (1) That a Joint Committee be appointed to inquire into—
 - (a) methods of restricting or controlling profits or prices ; and
 - (b) the question whether any or what alterations should be made in the existing methods of taxing profits.
- (2) That the following Members of the House of Representatives, Mr. Clark, Mr. Marwick, Mr. Price and Mr. Watkins, be appointed to serve on such Committee.
- (3) That, notwithstanding anything contained in the Standing Orders—
 - (a) the Committee have power to send for persons, papers and records, to adjourn from place to place, and to sit during any adjournment of the Parliament and during the sittings of either House of the Parliament ; and have leave to report from time to time the evidence taken ;

- (b) the Committee have leave to report from time to time its proceedings, and any member of the Committee have power to add a protest or dissent to any report ;
- (c) three members of the Committee constitute a quorum ;
- (d) in matters of procedure, the Chairman of the Committee have a deliberative vote and, in the event of an equality of voting, have a casting vote, and in other matters a deliberative vote only ; and
- (e) a Message be sent to the Senate requesting its concurrence and asking that two Members of the Senate be appointed to serve on such Committee and that one of those Members be appointed as the Chairman of the Committee.

W. M. NAIRN,
Speaker.

House of Representatives,
Canberra, 3rd July, 1941.

The Minister for Supply and Development (Senator McLeay), by leave, moved—

- (1) That the Senate agrees to the appointment of a Joint Committee to inquire into—
 - (a) methods of restricting or controlling profits or prices ; and
 - (b) the question whether any and what alterations should be made in the existing methods of taxing profits.
- (2) That Senators Armstrong and Spicer be appointed to serve on such Committee with Members of the House of Representatives.
- (3) That, notwithstanding anything contained in the Standing Orders—
 - (a) Senator Spicer be the Chairman of the Committee ;
 - (b) the Committee have power to send for persons, papers and records, to adjourn from place to place, and to sit during any adjournment of the Parliament and during the sittings of either House of the Parliament ; and have leave to report from time to time the evidence taken ;
 - (c) The Committee have leave to report from time to time its proceedings, and any member of the Committee have power to add a protest or dissent to any report ;
 - (d) three members of the Committee constitute a quorum ; and
 - (e) in matters of procedure, the Chairman of the Committee have a deliberative vote and, in the event of an equality of voting, have a casting vote, and, in other matters, a deliberative vote only.
- (4) That these Resolutions be communicated to the House of Representatives by Message.

Debate ensued.

Question—put and passed.

14. BROADCASTING—JOINT COMMITTEE.—*Message from the House of Representatives.*—The following Message from the House of Representatives was received and read :—

MR. PRESIDENT,

Message No. 62.

The House of Representatives transmits to the Senate the following Resolution which was agreed to by the House of Representatives this day, and requests the concurrence of the Senate therein :—

- (1) That a Joint Committee be appointed to inquire into and report upon wireless broadcasting within and from Australia, with particular reference to the following questions :—
 - (a) Should any and what change be made in the existing laws and practices relating to the control of broadcasting ?
 - (b) Are the services now provided by the Australian Broadcasting Commission and commercial broadcasting stations adequate, and if not, in what respects should they be improved ? and
 - (c) Should any, and if so what, improvements be made in the wireless broadcasting of news within and from the Commonwealth ?
- (2) That the following Members of the House of Representatives, Mr. Calwell, Sir Charles Marr, Mr. Price and Mr. Riordan be appointed to serve on such Committee.
- (3) That, notwithstanding anything contained in the Standing Orders—
 - (a) the Committee have power to send for persons, papers and records, to adjourn from place to place, and to sit during any adjournment of the Parliament and during the sittings of either House of the Parliament ;
 - (b) the Committee make its report within three months, and any member of the Committee have power to add a protest or dissent to that report ;
 - (c) three members of the Committee constitute a quorum ;
 - (d) in matters of procedure, the Chairman of the Committee have a deliberative vote and, in the event of an equality of voting, have a casting vote, and in other matters a deliberative vote only ; and
 - (e) a Message be sent to the Senate requesting its concurrence and asking that two Members of the Senate be appointed to serve on such Committee and that one of those Members be appointed as the Chairman of the Committee.

W. M. NAIRN,
Speaker.

House of Representatives,
Canberra, 3rd July, 1941.

The Minister for Supply and Development (Senator McLeay), by leave, moved—

- (1) That the Senate agrees to the appointment of a Joint Committee to inquire into and report upon wireless broadcasting within and from Australia, with particular reference to the following questions :—
 - (a) Should any and what change be made in the existing laws and practices relating to the control of broadcasting?
 - (b) Are the services now provided by the Australian Broadcasting Commission and commercial broadcasting stations adequate, and if not, in what respects should they be improved? and
 - (c) Should any, and if so what, improvements be made in the wireless broadcasting of news within and from the Commonwealth?
 - (2) That Senators Amour and Gibson be appointed to serve on such Committee with Members of the House of Representatives.
 - (3) That, notwithstanding anything contained in the Standing Orders—
 - (a) Senator W. G. Gibson be the Chairman of the Committee;
 - (b) the Committee have power to send for persons, papers and records, to adjourn from place to place, and to sit during any adjournment of the Parliament and during the sittings of either House of the Parliament;
 - (c) the Committee make its report within three months, and any member of the Committee have power to add a protest or dissent to that report;
 - (d) three members of the Committee constitute a quorum; and
 - (e) in matters of procedure, the Chairman of the Committee have a deliberative vote and, in the event of an equality of voting, have a casting vote, and, in other matters, a deliberative vote only.
 - (4) That these Resolutions be communicated to the House of Representatives by Message.
- Question—put and passed.

15. RURAL INDUSTRIES—JOINT COMMITTEE.—*Message from the House of Representatives.*—The following Message from the House of Representatives was received and read :—

MR. PRESIDENT,

Message No. 63.

The House of Representatives transmits to the Senate the following Resolution which was agreed to by the House of Representatives this day, and requests the concurrence of the Senate therein :—

- (1) That a Joint Committee be appointed to inquire into the effects of the war on the marketing of Australian primary produce, and on the economic condition of the Australian rural industries.
- (2) That the following Members of the House of Representatives, Mr. Francis, Mr. Frost, Mr. McLeod, Mr. Pollard, Mr. Scully and Mr. Wilson be appointed to serve on such Committee.
- (3) That, notwithstanding anything contained in the Standing Orders—
 - (a) Mr. Francis be the Chairman of the Committee;
 - (b) the Committee have power to send for persons, papers and records, to adjourn from place to place, and to sit during any adjournment of the Parliament and during the sittings of either House of the Parliament; and have leave to report from time to time the evidence taken;
 - (c) the Committee have leave to report from time to time its proceedings, and any member of the Committee have power to add a protest or dissent to any report;
 - (d) five members of the Committee constitute a quorum;
 - (e) in matters of procedure, the Chairman of the Committee have a deliberative vote and, in the event of an equality of voting, have a casting vote, and in other matters a deliberative vote only; and
 - (f) a Message be sent to the Senate requesting its concurrence and asking that four Members of the Senate be appointed to serve on such Committee.

House of Representatives,
Canberra, 3rd July, 1941.

W. M. NAIRN,
Speaker.

The Minister for Supply and Development (Senator McLeay), by leave, moved—

- (1) That the Senate agrees to the appointment of a Joint Committee to inquire into the effects of the war on the marketing of Australian primary produce, and on the economic condition of the Australian rural industries.
- (2) That Senators Aylett, Herbert Hays, Johnston and Uppill be appointed to serve on such Committee with Members of the House of Representatives.
- (3) That, notwithstanding anything contained in the Standing Orders—
 - (a) the Committee have power to send for persons, papers and records, to adjourn from place to place, and to sit during any adjournment of the Parliament and during the sittings of either House of the Parliament; and have leave to report from time to time the evidence taken;
 - (b) the Committee have leave to report from time to time its proceedings, and any member of the Committee have power to add a protest or dissent to any report;
 - (c) five members of the Committee constitute a quorum;
 - (d) the Member of the House of Representatives appointed by that House to be the Chairman of the Committee be the Chairman of the Committee; and

(e) in matters of procedure, the Chairman of the Committee have a deliberative vote and, in the event of an equality of voting, have a casting vote, and, in other matters, a deliberative vote only.

(4) That these Resolutions be communicated to the House of Representatives by Message.

Debate ensued.

Question—put and passed.

16. NEXT MEETING OF THE SENATE.—The Minister for Supply and Development (Senator McLeay) moved—
That the Senate, at its rising, adjourn till to-morrow at five minutes past twelve, a.m.

Question—put and passed.

17. ADJOURNMENT.—The Senate adjourned at twenty-eight minutes to eleven p.m. till to-morrow at five minutes past twelve, a.m.

18. ATTENDANCE.—Present, all the Members except Senators Herbert Hays, Allan MacDonald, and Wilson.

R. A. BROINOWSKI,
Clerk of the Senate.