

## COMMONWEALTH OF AUSTRALIA.

No. 60.

## JOURNALS OF THE SENATE.

WEDNESDAY, 6TH MAY, 1942.

1. MEETING OF SENATE.—The Senate met at three p.m., pursuant to adjournment.
2. PRAYERS.
3. PAPERS.—The following Papers were presented, pursuant to Statute—
  - Arbitration (Public Service) Act—Determinations by the Arbitrator, &c.—
    - No. 16 of 1942—Amalgamated Engineering Union.
    - No. 17 of 1942—Arms, Explosives and Munition Workers' Federation of Australia.
    - No. 18 of 1942—Amalgamated Postal Workers' Union of Australia; and Federated Public Service Assistants' Association of Australia.
  - Lands Acquisition Act—Land acquired at Wynyard, Tasmania—For Defence purposes.
  - National Security Act—
    - National Security (Building Control) Regulations—Order—Exemption.
    - National Security (General) Regulations—Orders—
      - Basis of Compensation.
      - Boats (Information) (2).
      - Control of Hydrographical Publications.
      - Darwin Evacuation.
      - Defence Impressment.
      - Defence Quarters.
      - Defence Quarters (Allied Forces).
      - Immobilization of Vessels (2).
      - Prohibited Places (2).
      - Protection of Exposed Personnel (Merchant Ships).
      - Removal of Direction Signs.
      - Requisitioning of property other than land (3).
      - Taking possession of land, &c. (129).
      - Use of land (10).
    - National Security (Medical Co-ordination and Equipment) Regulations—Order—Control of Medical Equipment.
    - Regulations—Statutory Rules 1942, Nos. 196, 197, 198, 199, 200, 201.
    - Naval Defence Act—Regulations—Statutory Rules 1942, Nos. 202, 203, 204, 205.
    - Seat of Government Acceptance Act and Seat of Government (Administration) Act—Regulation No. 5 of 1942 (Cemeteries Ordinance).
4. MOTION FOR ADJOURNMENT, TO DEBATE MATTER OF URGENCY.—Senator McBride, in order to discuss a matter of urgent public importance, viz.—“the unsatisfactory handling by the Commonwealth Government of the Australian coal industry”, moved—That the Senate, at its rising, adjourn till to-morrow at ten a.m.  
 Debate ensued.  
 And the debate having reached the limit of three hours allowed by Standing Order 64, the Business of the Day was called on.
5. QUESTIONS.—Questions on notice were answered.
6. 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. 111.*  
 The House of Representatives transmits to the Senate the following Resolution which was agreed to by the House of Representatives this day :—  
 That Mr. Beck be discharged from attendance on the Joint Committee on War Expenditure.  

W. M. NAIRN,  
*Speaker.*

 House of Representatives,  
 Canberra, 6th May, 1942.
7. JUDICIARY (DIPLOMATIC REPRESENTATION) BILL 1942.—*Message from the House of Representatives.*—The following Message from the House of Representatives was received and read :—  
 MR. PRESIDENT, *Message No. 112.*  
 The House of Representatives transmits to the Senate a Bill intituled “*A Bill for an Act to enable a Justice of the High Court to accept and hold a certain Office*”, in which it desires the concurrence of the Senate.  

W. M. NAIRN,  
*Speaker.*

 House of Representatives,  
 Canberra, 6th May, 1942.
- Suspension of Standing and Sessional Orders.*—The Minister for the Interior (Senator Collings), pursuant to contingent notice, moved—That so much of the Standing and Sessional Orders be suspended as would prevent the Bill being passed through all its stages without delay.

Question—put and passed.

On the motion of the Postmaster-General (Senator Ashley) the Bill was read a first time.

Senator Ashley moved—That the Bill be now read a second time.

Debate ensued.

Question—put and passed.

Bill read a second time.

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

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In the Committee.

Clauses 1 to 3 agreed to.

Title agreed to.

Bill to be reported without amendment.

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

On the motion of Senator Ashley the Report from the Committee was adopted, and the Bill read a third time.

8. AUSTRALIAN BROADCASTING BILL 1942.—The Senate, according to Order, resolved itself into Committee for the further consideration of the Bill.

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In the Committee.

Clause 7 further considered and agreed to.

Clause 8 read—

On the motion of Senator Gibson the following amendments were made, viz. :—

line 7, after "Commissioners," insert "at least".

at end of clause add the following sub-clause :—

"(3.) The Commissioners shall be appointed by the Governor-General."

Clause 8, as amended, agreed to.

Clause 9 agreed to.

Clause 10 read—

On the motion of the Postmaster-General (Senator Ashley) the following amendments were made, viz. :—

leave out sub-clause (1.).

line 28, leave out "not exceed", insert "be at the rate of".

at end of clause add the following sub-clause :—

"(3.) The Commissioners shall receive such travelling and other allowances as the Governor-General determines."

Clause 10, as amended, agreed to.

Clause 11 read—

On the motion of Senator Ashley the following amendment was made, viz.—page 4, line 3, leave out "maximum".

Clause 11, as amended, agreed to.

Clause 12 read—

On the motion of Senator Ashley the following amendment was made, viz.—line 11, leave out "maximum".

Clause 12, as amended, agreed to.

Clauses 13 and 14 agreed to.

Clause 15 debated and agreed to.

Clauses 16 to 22 agreed to.

Clause 23 read—

On the motion of Senator Ashley the following amendment was made, viz.—line 9, before "The Commission" insert "Subject to this Act,".

Clause 23, as amended, agreed to.

Clause 24 debated—

Senator Ashley moved an amendment, viz.—line 13, after "advertisements" insert "other than advertisements the broadcasting of which has been directed under the last preceding section".

Debate ensued.

Amendment, by leave, withdrawn.

Clause 24 agreed to.

Clauses 25 and 26 agreed to.

Clause 27 read—

On the motion of Senator Ashley the following amendment was made, viz.—page 7, lines 42 and 43, leave out "the aggregate of the following amounts", insert "as follows".

Clause 27, as amended, debated and agreed to.

Clauses 28 to 32 agreed to.

Clause 33 debated and agreed to.

Clauses 34 to 48 agreed to.

Clause 49 read—

On the motion of Senator Ashley the following amendments were made, viz. :—

line 21, before "The Minister" insert "Subject to this Act,".

line 21, after "notice" insert "given orally, by telegram or".

at end of clause add the following sub-clause :—

"(2.) If any such notice is given orally, the Minister shall forthwith confirm it in writing."

Clause 49, as amended, agreed to.

Clauses 50 and 51 agreed to.

Clause 52 debated and agreed to.

Clause 53 read—

On the motion of Senator Ashley the following amendment was made, viz.—leave out the clause, insert the following new clause :—

“ 53. The establishment, erection, maintenance or use, in pursuance of a licence <sup>Rights of</sup> granted under this Part, of a commercial broadcasting station shall be deemed not to be <sup>licensees.</sup> in contravention of the *Wireless Telegraphy Act* 1905–1936 or the regulations thereunder.”.

Clause 54 debated and agreed to.

Clauses 55 to 67 agreed to.

Clause 68 read—

On the motion of Senator Ashley the following amendments were made, viz. :—

page 16, line 1, leave out “ by notice ”, insert “ from time to time, by notice given orally, by telegram or ”.

page 16, at end of clause add the following sub-clause :—

“ (4.) If any such notice is given orally, the Minister shall forthwith confirm it in writing.”.

Clause 68, as amended, agreed to.

Clauses 69 to 77 agreed to.

Clause 78 debated and agreed to.

Clause 79 agreed to.

Clause 80 debated and agreed to.

Clauses 81 to 92 agreed to.

Clause 93 read—

On the motion of Senator Ashley the following amendments were made, viz. :—

line 15, after “ other ” insert “ such ”.

at end of clause add the following sub-clause :—

“ (2.) The Minister shall refer to the Committee any such matter which the Commission or the body known, at the commencement of this Act, as the Australian Federation of Commercial Broadcasting Stations requests him to refer to the Committee.”.

Clause 93, as amended, agreed to.

Clause 94 agreed to.

Clauses 95 and 96 debated and agreed to.

Clause 97 read—

Senator Ashley moved an amendment, viz.—leave out the clause, insert the following new clauses :—

“ 97.—(1.) Subject to the provisions of this section, the Commission may <sup>Political</sup> determine to what extent and in what manner, during the period commencing on the <sup>broadcasts.</sup> date of the issue of the writs, and ending on the date fixed for the return of the writs, for an election for the Parliament of the Commonwealth or a State or for any House of any such Parliament or for any vacancy in any such House (in this section referred to as ‘ the election period ’) political speeches or any matter relating to a political subject may be broadcast from national broadcasting stations, and the licensee of a commercial broadcasting station may during the election period arrange for the broadcasting of such speeches or matter from that station.

“ (2.) During the election period, the broadcasting of any political speech or of any matter relating to a political subject shall be subject to the following provisions :—

(a) The Commission or the licensee of a commercial broadcasting station shall not, at any time prior to the close of the poll on the day on which any such election is held or at any time on either of the two days immediately preceding that day, broadcast any political speech or any matter relating to a political subject ; and

(b) The Commission or the licensee of a commercial broadcasting station shall not broadcast any dramatization of matter relating to a political subject.

“ 97A.—(1.) The Commission, in the case of a national broadcasting station, or <sup>Names and</sup> the licensee, in the case of a commercial broadcasting station, shall cause to be announced <sup>titles of</sup> the true name and description of every speaker, who is, either in person or through the <sup>speakers to be</sup> agency of a sound recording device, to deliver an address or make a statement relating to a political <sup>announced.</sup> subject or current affairs for broadcasting from the station. If the address is to be delivered or the statement is to be made on behalf of a political party, the name of the party shall be included in the announcement.

“ (2.) The announcement shall be made at such a time and in such a manner, before and after the address or statement, as fully to disclose the identity of the speaker to any person listening to the broadcast of the address or statement.

“ (3.) The Commission or the licensee, as the case may be, shall keep a record of the name, postal address and credentials or occupation of each such speaker, and shall furnish to the Minister any particulars of the record which the Minister by notice in writing requires.”.

Debate ensued.

Amendment, by leave, withdrawn.

Clause 97 negatived.

Clauses 98 and 99 agreed to.

Clauses 100 and 101 debated and agreed to.

Clause 102 agreed to.

Clause 103 read—

On the motion of Senator Ashley the following amendments were made, viz. :—

page 23, leave out sub-clause (2.), insert the following new sub-clause :—

“(2.) Except as otherwise prescribed by the regulations, a person shall hold such number of broadcast listeners’ licences as is equivalent to the number of appliances in his possession which are capable of being used for the reception of broadcast programmes.”.

page 23, leave out sub-clause (5.), insert the following new sub-clause :—

“(5.) The erection, maintenance or use, in pursuance of a broadcast listener’s licence, under this Act, of an appliance capable of being used for the reception of broadcast programmes shall be deemed not to be in contravention of the *Wireless Telegraphy Act 1905–1936* or the regulations thereunder.”.

page 23, line 16, leave out “in which is installed”, insert “or place in which there is”.

page 23, at end of clause add the following sub-clause :—

“(8.) Any person who, without reasonable excuse (proof whereof shall lie upon him)—

(a) establishes, erects, maintains or uses ;

(b) has in his possession ; or

(c) is in occupation of any premises or place, or part of any premises or place, in which there is,

any appliance capable of being used for the reception of broadcast programmes, and who does not, on demand by an authorized officer, forthwith produce, or cause to be produced, a broadcast listener’s licence authorizing the erection and operation of the appliance, which was in force at the time the appliance was established, erected, maintained or used by, in the possession of, or in the premises or place, or part of the premises or place, occupied by, the person, shall be guilty of an offence against this Act.”.

Clause 103, as amended, debated and agreed to.

Clause 104 agreed to.

Clause 105 read—

On the motion of Senator Ashley the following amendment was made, viz.—page 23, lines 36 to 43, page 24, lines 1 to 6, leave out all words from and including “in respect of any broadcast listener’s licence” to and including “appliance” (last occurring), insert “for broadcast listeners’ licences or renewals thereof granted under this Act shall be as follows :—

(a) In the case of a licence for Zone 1—

(i) in the case of a licence in respect of the possession by a person of one appliance which is capable of being used for the reception of broadcast programmes—Twenty shillings for each year or part of a year of the currency of the licence or renewal ; and

(ii) in the case of a licence in respect of the possession by that person of each such appliance in excess of one—Ten shillings for each year or part of a year of the currency of the licence or renewal ; and

(b) In the case of a licence for Zone 2—

(i) in the case of a licence in respect of the possession by a person of one such appliance—Fourteen shillings for each year or part of a year of the currency of the licence or renewal ; and

(ii) in the case of a licence in respect of the possession by that person of each such appliance in excess of one—Seven shillings for each year or part of a year of the currency of the licence or renewal ”.

Clause 105, as amended, debated and agreed to.

On the motion of Senator Ashley the following new clause was inserted in the Bill, viz. :—

“105A.—(1.) The keeper of any hotel, inn, boarding house or lodging house <sup>Receiving equipment in hotels.</sup> who has on his premises—

(a) a master receiving equipment, capable of being utilized for the reception of broadcast programmes or other wireless signals, which is connected, or capable of being connected, by wires to a receiving appliance in any room occupied, or available for occupation, by any lodger or tenant ; or

(b) any other receiving appliance capable of being so utilized which is installed in any such room,

shall be in possession of a current broadcast listener’s licence in respect of every such master receiving equipment and a current broadcast listener’s licence in respect of every such receiving appliance in any such room.

“(2.) For the purposes of this section—

‘keeper’, in relation to a hotel, inn, boarding house or lodging house, includes any person who, for reward, receives any person to lodge therein, either on his own behalf or as manager or otherwise on behalf of any other person ;

‘lodging house’ means any premises, whether furnished or unfurnished, where lodging or sleeping accommodation is provided for reward, and includes a flat.”.

Clause 106 debated and agreed to.

Clause 107 agreed to.

Clause 108 read—

On the motion of Senator Ashley the following amendment was made, viz.—at end of clause add “as terms and conditions of the licence”.

Clause 108, as amended, agreed to.

Clauses 109 and 110 agreed to.

Clause 111 read—

On the motion of Senator Ashley the following amendments were made, viz. :—

line 25, leave out “of”, insert “not exceeding”.

line 26, after “for” insert “a term not exceeding”.

Clause 111, as amended, agreed to.

On the motion of Senator Ashley the following new clause was inserted in the Bill, viz. :—

“ 111A. A certificate in writing, signed by an authorized officer, certifying that <sup>Evidence.</sup>  
a broadcast listener's licence was not, at the time specified in the certificate, in force in respect of  
any appliance (specified in the certificate) which is capable of being used for the reception  
of broadcast programmes shall be *prima facie* evidence that a broadcast listener's licence was not,  
at that time, in force in respect of that appliance.”.

Clause 112 agreed to.

The Schedule agreed to.

Title agreed to.

Bill to be reported with amendments.

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

Senator Ashley moved—That the Report be adopted.

The Minister for the Interior (Senator Collings) moved—That the Bill be recommitted for the reconsideration of clause 24.

Question—That the Bill be recommitted for the reconsideration of clause 24—put and passed.

The Senate resolved itself into Committee accordingly.

In the Committee.

Clause 24 again read—

On the motion of Senator Ashley the following amendment was made, viz.—at end of clause add  
“ or any matter the broadcasting of which is directed by the Minister in pursuance of the  
last preceding section ”.

Clause 24, as amended, agreed to.

Bill to be reported with a further amendment.

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

On the motion of Senator Ashley the Reports from the Committee were adopted, and, after debate, the Bill was read a third time.

9. NEXT MEETING OF THE SENATE.—The Minister for the Interior (Senator Collings) moved—That the Senate, at its rising, adjourn till Wednesday next at three p.m.

Debate ensued.

Question—put and passed.

10. ADJOURNMENT.—The Minister for the Interior (Senator Collings) moved—That the Senate do now adjourn.

Debate ensued.

And the Senate having continued to sit until twelve o'clock midnight—

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Debate continued.

Question—put and passed.

The Senate adjourned at fourteen minutes past twelve a.m. till Wednesday next at three p.m.

11. ATTENDANCE.—Present, all the Members except Senators Clothier, Foll, and Wilson (on leave).

R. A. BROINOWSKI,

*Clerk of the Senate.*