

## COMMONWEALTH OF AUSTRALIA.

No. 79.

## JOURNALS OF THE SENATE

WEDNESDAY, 30<sup>TH</sup> SEPTEMBER, 1942.

1. MEETING OF SENATE.—The Senate met at half-past two p.m., pursuant to adjournment.
  2. PRAYERS.
  3. SUSPENSION OF STANDING ORDER No. 68.—The Minister for the Interior (Senator Collings) moved—  
That Standing Order No. 68 be suspended up to and including the 9th October next, for the purpose of enabling New Business to be commenced after half-past ten o'clock at night.  
Question—put and passed, there being present an absolute majority of the whole number of Senators, and no dissentient voice.
  4. PAPERS.—The following Papers were presented, pursuant to Statute—  
Excise Act—Regulations—Statutory Rules 1942, No. 387.  
National Security Act—  
National Security (General) Regulations—  
Orders—  
Beef (Restrictions on Sale and Consumption).  
Control of—  
Sale of Meat.  
Stock Foods and Remedies.  
Simplification of Meals.  
Orders by State Premiers—Queensland, Western Australia.  
National Security (Supplementary) Regulations—Orders by State Premiers—New South Wales (2), Victoria, Western Australia.
  5. QUESTIONS.—Questions on notice were answered.
  6. ORDER OF THE DAY DISCHARGED.—Ordered—That Government Business, Order of the Day No. 2 (Estimates and Budget Papers 1942-43), be read and discharged.
  7. APPROPRIATION (WORKS AND BUILDINGS) BILL 1942-43.—*Message from the House of Representatives.*—  
The following Message from the House of Representatives was received and read :—  
MR. PRESIDENT, Message No. 156.  
The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to grant and apply a sum out of the Consolidated Revenue Fund for the service of the year ending the thirtieth day of June, One thousand nine hundred and forty-three for the purposes of Additions, New Works, Buildings, &c., and to appropriate such sum*", in which it desires the concurrence of the Senate.  
W. M. NAIRN,  
Speaker.  
House of Representatives,  
Canberra, 25th September, 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 Minister for Trade and Customs (Senator Keane) the Bill was read a first time.  
Senator Keane 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.

## In the Committee.

- Clauses 1 and 2 agreed to.
- Clause 3 debated and agreed to.
- Clause 4 agreed to.
- The Schedule debated and agreed to.
- Preamble 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 Senator Keane the Report from the Committee was adopted, and the Bill read a third time.

8. STATES GRANTS BILL 1942.—*Message from the House of Representatives.*—The following Message from the House of Representatives was received and read :—

MR. PRESIDENT,

Message No. 158.

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to grant and apply out of the Consolidated Revenue Fund sums for the purposes of Financial Assistance to the States of South Australia, Western Australia and Tasmania*", in which it desires the concurrence of the Senate.

House of Representatives,  
Canberra, 29th September, 1942.

W. M. NAIRN,  
Speaker.

*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 Minister for Trade and Customs (Senator Keane) the Bill was read a first time. Senator Keane 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 6 agreed to.

Preamble 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 Senator Keane the Report from the Committee was adopted, and the Bill read a third time.

9. LOAN BILL (No. 3) 1942.—*Message from the House of Representatives.*—The following Message from the House of Representatives was received and read :—

MR. PRESIDENT,

Message No. 159.

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to authorize the Raising and Expending of a certain Sum of Money*", in which it desires the concurrence of the Senate.

House of Representatives,  
Canberra, 29th September, 1942.

W. M. NAIRN,  
Speaker.

*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 Minister for Trade and Customs (Senator Keane) the Bill was read a first time. Senator Keane 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 5 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 Senator Keane the Report from the Committee was adopted, and the Bill read a third time.

10. PAY-ROLL TAX ASSESSMENT BILL 1942.—*Message from the House of Representatives.*—The following Message from the House of Representatives was received and read :—

MR. PRESIDENT,

Message No. 160.

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the Pay-roll Tax Assessment Act 1941*", in which it desires the concurrence of the Senate.

House of Representatives,  
Canberra, 30th September, 1942.

W. M. NAIRN,  
Speaker.

*Suspension of Standing and Sessional Orders.*—The Minister for Trade and Customs (Senator Keane), 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 Senator Keane the Bill was read a first time.

Senator Keane 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.

In the Committee.

Clauses 1 to 8 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 Senator Keane the Report from the Committee was adopted, and the Bill read a third time.

**11. 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. 161.*

The House of Representatives transmits to the Senate the following Resolution which was agreed to by the House of Representatives this day :—That Mr. Marwick be appointed to serve on the Joint Committee on Rural Industries.

W. M. NAIRN.  
*Speaker.*

House of Representatives,  
Canberra, 30th September, 1942.

**12. BLACK MARKETING BILL 1942.—**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 read—

Senator Spicer moved an amendment, viz.—page 2, lines 39–41, leave out “and includes any other act or thing done, or omitted to be done, or any conduct, in contravention of the Regulations, which is declared, by regulations made under this Act, to be blackmarketing;”.

Debate ensued.

Question—That the words proposed to be left out be left out—put.

The Committee divided—

Ayes, 15.

Noes, 15.

Senator— Brand. Collett. Cooper. Gibson. Hayes, J. B. Hays, Herbert. Leckie. McBride. McLachlan, A. J.	Senator— McLachlan, James. McLeay. Sampson. Spicer. Uppill.  <i>Teller :</i> Senator Allan MacDonald.
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Senator— Amour. Armstrong. Arnold. Arthur. Ashley. Aylett. Brown. Cameron. Collings.	Senator— Courtice. Cunningham. Fraser. Keane. Lamp.  <i>Teller :</i> Senator Clothier.
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The Ayes and Noes being equal, amendment negatived accordingly.

Clause 3 agreed to.

Clause 4 read—

Senator Spicer moved an amendment, viz.—page 2, line 49, after “marketing” insert “unless he proves that he did not know and had no reason to believe that the transaction or any part thereof constituted such an offence”.

Debate ensued.

Amendment negatived.

Senator Leckie moved an amendment, viz.—page 3, lines 5 and 6, leave out “not less than three months and”.

Debate ensued.

Amendment negatived.

The Minister for Trade and Customs (Senator Keane) moved an amendment, viz.—page 3, line 17, at the end of sub-clause (4.) add the words “and advice from a Committee appointed by the Attorney-General and consisting of a representative of the Department administered by that Minister, a representative of the Attorney-General’s Department and a representative of the branch of the Department of Trade and Customs known as the Prices Branch”.

Amendment agreed to.

Clause 4, as amended, agreed to.

Clauses 5 to 8 agreed to.  
 Clause 9 debated and agreed to.

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

### THURSDAY, 1ST OCTOBER, 1942, A.M.

Clauses 10 and 11 agreed to.  
 Clause 12 debated and agreed to.  
 Clause 13 read—  
 Question—That the clause stand as printed—put.  
 The Committee divided—

Ayes, 15.		Noes, 14.	
Senator—	Senator—	Senator—	Senator—
Amour.	Courtice.	Brand.	McLachlan, A. J.
Armstrong.	Cunningham.	Collett.	McLachlan, James.
Arnold.	Fraser.	Cooper.	McLeay.
Arthur.	Keane.	Gibson.	Spicer.
Ashley.	Lamp.	Hayes, J. B.	Uppill.
Aylett.		Hays, Herbert.	
Brown.	Teller :	Leckie.	Teller :
Cameron.		McBride.	Senator Allan MacDonald.
Collings.	Senator Clothier.		

Clause 13 agreed to accordingly.  
 Clause 14 agreed to.  
 Clause 15 debated and agreed to.  
 Clause 16 agreed to.  
 Clause 17 read—  
 Senator Spicer moved an amendment, viz.—leave out paragraph (b).  
 Debate ensued.  
 Amendment negatived.  
 Clause 17 agreed to.  
 Clause 18 agreed to.  
 Title agreed to.  
 Bill to be reported with an amendment.

The President resumed the Chair; and the Chairman of Committees (Senator Brown) reported accordingly.  
 On the motion of Senator Keane the Report from the Committee was adopted, and the Bill read a third time.

### 13. INCOME TAX ASSESSMENT BILL (No. 2) 1942.—*Message from the House of Representatives.*—The following Message from the House of Representatives was received and read :—

MR. PRESIDENT,

*Message No. 163.*

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the 'Income Tax Assessment Act 1936-1941', as amended by the 'Income Tax Assessment Act 1942', and for other purposes*", in which it desires the concurrence of the Senate.

W. M. NAIRN,  
*Speaker.*

House of Representatives,  
 Canberra, 30th September, 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 Minister for Trade and Customs (Senator Keane) the Bill was read a first time.

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

Senator Spicer moved—That the debate be now adjourned.

Question—put and negatived.

Debate ensued on motion for second reading.

Question—put and passed.

Bill read a second time.

Senator McLeay moved—That it be an instruction to the Committee of the Whole on the Bill to consider an amendment to Section 23 of the Principal Act.

Question—put.

The Senate divided—

Ayes, 12.		Noes, 14.	
Senator—	Senator—	Senator—	Senator—
Brand.	McLachlan, James.	Amour.	Courtice.
Collett.	McLeay.	Arnold.	Cunningham.
Cooper.	Spicer.	Arthur.	Fraser.
Hayes, J. B.	Uppill.	Ashley.	Keane.
Hays, Herbert.	Teller :	Aylett.	Lamp.
McBride.		Brown.	Teller :
McLachlan, A. J.	Senator Allan MacDonald.	Cameron.	Senator Clothier.
		Collings.	

And so it was negatived.

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 13 agreed to.

Clause 14 debated and agreed to.

Clause 15 read—

On the motion of Senator Keane the following amendment was made, viz.—line 6, leave out “in writing”.

Clause 15, as amended, agreed to.

Clauses 16 and 17 agreed to.

Clause 18 debated and agreed to.

Clauses 19 to 22 agreed to.

Clause 23 debated and agreed to.

Clauses 24 to 33 agreed to.

Title agreed to.

Bill to be reported with an amendment.

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

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

14. INCOME TAX BILL (No. 2) 1942.—*Message from the House of Representatives.*—The following Message from the House of Representatives was received and read :—

MR. PRESIDENT,

*Message No. 164.*

The House of Representatives transmits to the Senate a Bill intituled “*A Bill for an Act to amend the ‘Income Tax Act 1942’*”, in which it desires the concurrence of the Senate.

W. M. NAIRN,  
*Speaker.*

House of Representatives,  
Canberra, 30th September, 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 Minister for Trade and Customs (Senator Keane) the Bill was read a first time.

On the motion of Senator Keane the Bill was 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 4 agreed to.

Title agreed to.

Bill to be reported without requests.

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

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

15. WAR-TIME (COMPANY) TAX ASSESSMENT BILL 1942.—*Message from the House of Representatives.*—The following Message from the House of Representatives was received and read :—

MR. PRESIDENT,

*Message No. 162.*

The House of Representatives transmits to the Senate a Bill intituled “*A Bill for an Act to amend the ‘War-time (Company) Tax Assessment Act 1940-1941’*”, in which it desires the concurrence of the Senate.

W. M. NAIRN,  
*Speaker.*

House of Representatives,  
Canberra, 30th September, 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 Minister for Trade and Customs (Senator Keane) the Bill was read a first time.

On the motion of Senator Keane the Bill was 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 8 agreed to.

Clause 9 debated and agreed to.

Clauses 10 and 11 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 Senator Keane the Report from the Committee was adopted, and the Bill read a third time.

16. NEXT MEETING OF THE SENATE.—The Minister for the Interior (Senator Collings) moved—That the Senate, at its rising, adjourn till half-past two p.m. this day.  
Question—put and passed.
17. ADJOURNMENT.—The Senate adjourned at twenty minutes to four a.m. till this day at half-past two p.m.
18. ATTENDANCE.—Present, all the Members except Senator Wilson.

R. A. BROINOWSKI,  
*Clerk of the Senate.*