

JOURNALS OF THE SENATE.

No. 94.

TUESDAY, 29TH SEPTEMBER, 1953.

1. MEETING OF SENATE.—The Senate met at three p.m., pursuant to adjournment.—The President (Senator the Honorable A. M. McMullin) took the Chair.
2. PRAYERS.
3. QUESTIONS.—Questions on notice were answered.
4. PAPERS.—The following Papers were presented, pursuant to Statute—
 - Papua and New Guinea Act—
 - Ordinances—1952—
 - No. 101—Evidence (New Guinea).
 - No. 102—Papua and New Guinea Copra Marketing Board (No. 2).
 - No. 103—New Guinea Land Titles Restoration.
 - No. 104—Slaughtering.
 - No. 105—Lost Registers.
 - No. 106—Trading with Natives.
 - No. 107—Police Offences (Papua).
 - No. 108—Judgments (Reciprocal Enforcement).
 - No. 109—Registration of Births, Deaths and Marriages (Papua).
 - No. 110—Customs (Export) Tariff.
 - No. 111—Native Village Councils.
 - No. 112—War Deaths Registration.
 - No. 113—Cacao.
 - No. 114—Hallstrom Live-Stock and Fauna (Papua and New Guinea) Trust.
 - No. 115—Appropriation 1952–53.
 - No. 116—Seamen (Foreign).
 - No. 117—Police Offences (New Guinea) (No. 2).
 - No. 118—Appropriation (No. 2) 1951–52.
 - No. 119—Summary Ejection.
 - No. 120—Native Plantations (Papua).
 - Petroleum (Prospecting and Mining) Ordinances—Statement showing particulars of permits granted.
 - Public Service Act—Appointments—Department—
 - Interior—C. K. Waller.
 - Works—G. W. Curtis, A. R. Evans, B. J. Fitzgerald, S. Gilovitz, K. G. Gold, N. W. Phillips.
 - Re-establishment and Employment Act—Regulations—Statutory Rules 1953, No. 83.
5. PAY-ROLL TAX ASSESSMENT BILL 1953.—*Message from the House of Representatives.*—The following Message from the House of Representatives was received and read :—

MR. PRESIDENT,

Message No. 233.

The House of Representatives transmits to the Senate a Bill intituled “ *A Bill for an Act to amend the ‘ Pay-roll Tax Assessment Act 1941–1942 ’, as amended by the ‘ Taxation Administration Act 1953 ’* ”, in which it desires the concurrence of the Senate.

ARCHIE G. CAMERON,

House of Representatives,

Speaker.

Canberra, 24th September, 1953.

Suspension of Standing Orders.—The Minister for Shipping and Transport (Senator McLeay), pursuant to contingent notice, moved—That so much of the Standing 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 National Development (Senator Spooner) the Bill was read a first time.

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

On the motion of Senator McKenna the debate was adjourned.

Ordered—That the resumption of the debate be an Order of the Day for a later hour of the day.

6. ENTERTAINMENTS TAX ABOLITION BILL 1953.—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.

Bill, by leave, taken as a whole, and agreed to.
Bill to be reported without amendment.

The Deputy-President resumed the Chair; and the Temporary Chairman of Committees (Senator Pearson) reported accordingly.

On the motion of the Minister for National Development (Senator Spooner) the Report from the Committee was adopted, and the Bill read a third time.

7. COMMONWEALTH OBSERVATORY TRUST FUND BILL 1953.—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.

Bill, by leave, taken as a whole, and agreed to, after debate.
Bill to be reported without amendment.

The Deputy-President resumed the Chair; and the Temporary Chairman of Committees (Senator Pearson) reported accordingly.

On the motion of the Minister for Shipping and Transport (Senator McLeay) the Report from the Committee was adopted, and the Bill read a third time.

8. FORESTRY AND TIMBER BUREAU BILL 1953.—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.

Bill, by leave, taken as a whole, and debated.

Senator McKenna moved an amendment, viz.—page 2, clause 5, line 13, after “ may ” insert “, subject to the terms of any trust in relation thereto,”.

Debate ensued.

Question—put.

The Committee divided—

Ayes, 23.

Senator—

Amour.
Armstrong.
Ashley.
Aylett.
Benn.
Brown.
Byrne.
Cameron.
Cole.
Cooke.
Courtice.
Fraser.
Harris.

Senator—

Hendrickson.
Kennelly.
Nicholls.
O'Byrne.
O'Flaherty.
Ryan.
Tangney.
Toohey.
Willesee.

Teller:

Senator Critchley.

Noes, 29.

Senator—

Anderson.
Cooper.
Gorton.
Guy.
Hannaford.
Henty.
Kendall.
Laught.
McCallum.
McLeay.
McMullin.
Maher.
Marriott.
Paltridge.
Pearson.
Rankin, G. J.

Senator—

Reid.
Robertson.
Scott.
Seward.
Spicer.
Spooner.
Vincent.
Wardlaw.
Wedgwood.
Wood.
Wordsworth.
Wright.

Teller:

Senator Annabelle Rankin.

Amendment negatived accordingly.

Bill agreed to.

Bill to be reported without amendment.

The Deputy-President resumed the Chair; and the Temporary Chairman of Committees (Senator Pearson) reported accordingly.

On the motion of the Minister for Shipping and Transport (Senator McLeay) the Report from the Committee was adopted, and the Bill read a third time.

9. POSTPONEMENT.—Ordered—That Order of the Day No. 4, Government Business, be postponed until after the consideration of Order of the Day No. 5.
10. SERVICE AND EXECUTION OF PROCESS BILL 1953.—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.

Bill, by leave, taken as a whole, and agreed to.
Bill to be reported without amendment.

The Deputy-President resumed the Chair; and the Temporary Chairman of Committees (Senator Pearson) reported accordingly.

On the motion of the Attorney-General (Senator Spicer) the Report from the Committee was adopted, and the Bill read a third time.

11. CUSTOMS BILL 1953.—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.

Senator McKenna moved—

1. That the Bill be referred to a Select Committee to consist of five Senators, three to be appointed by the Leader of the Government in the Senate and two to be appointed by the Leader of the Opposition in the Senate.

2. That the Select Committee have power to send for persons, papers and records and to move from place to place.

3. That the Committee report to the Senate not later than 23rd October, 1953.

Debate ensued.

Question—put.

The Senate divided—

Ayes, 24.

Senator—

Amour.

Armstrong.

Ashley.

Aylett.

Benn.

Brown.

Byrne.

Cameron.

Cole.

Cooke.

Courtice.

Fraser.

Grant.

Senator—

Harris.

Hendrickson.

Kennelly.

Nicholls.

O'Byrne.

O'Flaherty.

Ryan.

Tangney.

Toohey.

Willesee.

Teller:

Senator Critchley.

Noes, 28.

Senator—

Anderson.

Cooper.

Gorton.

Guy.

Hannaford.

Henty.

Laught.

McCallum.

McLeay.

McMullin.

Maher.

Marriott.

Paltridge.

Pearson.

Rankin, G. J.

Senator—

Reid.

Robertson.

Scott.

Seward.

Spicer.

Spooner.

Vincent.

Wardlaw.

Wedgwood.

Wood.

Wordsworth.

Wright.

Teller:

Senator Annabelle

Rankin.

And so it was negatived.

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

In the Committee.

Clauses 1 to 5 agreed to.

Clause 6 read—

The Minister for Shipping and Transport (Senator McLeay) moved an amendment, viz.—page 3, line 37, leave out paragraph (a), insert—

“(a) shall be published in the *Gazette*, and has no force until so published;”.

Debate ensued.

Amendment agreed to.

On the motion of Senator McLeay the following further amendment was made, viz.—page 4, line 2, after “*Gazette*”, insert “as soon as practicable after the making of the determination”.

Senator McKenna moved a further amendment, viz.—page 5, after proposed new Section 273f insert—

“273g. No refund of duty under a by-law or determination shall be made unless the Minister is satisfied that in the case of goods imported for resale the benefit of the refund will be passed on to the purchaser or purchasers of such goods.”.

Debate ensued.

And it being 10.30 p.m.—The Chairman, under Sessional Order, put the Question—That he do leave the Chair and report to the Senate.

Question—resolved in the affirmative.

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

12. ADJOURNMENT.—The President, under Sessional Order, then put the Question—That the Senate do now adjourn.

Debate ensued.

Question—resolved in the affirmative.

The Senate adjourned at twenty-minutes to eleven p.m. till to-morrow at three p.m.

13. ATTENDANCE.—Present, all the Members except Senators Arnold, Devlin, Mattner and Sandford.

JOHN EDWARDS,

Clerk of the Senate.