

COMMONWEALTH OF AUSTRALIA.

JOURNALS OF THE SENATE.

No. 145.

THURSDAY, 12TH MAY, 1966.

1. MEETING OF SENATE.—The Senate met at ten a.m., pursuant to adjournment.—The President (Senator the Honorable Sir Alister McMullin) took the Chair.

2. PRAYERS.

3. QUESTIONS.—Questions on notice were answered.

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

Canned Fruits Export Marketing Act—Annual Report of the Australian Canned Fruits Board, together with financial statements and the Auditor-General's Report thereon, for 1965.

Lands Acquisition Act—Land, &c., acquired for Defence purposes—Woodside, South Australia.

5. EDUCATIONAL TELEVISION SERVICES—MINISTERIAL STATEMENT.—The Minister for Customs and Excise (Senator Anderson), by leave, made a statement relating to the Report of the Advisory Committee on Educational Television Services to the Australian Broadcasting Control Board.

Senator McKenna moved, by leave—That the Senate take note of the Statement.

Ordered—That the debate be adjourned till the next day of sitting and that Senator McKenna have leave to continue his speech on the resumption of the debate.

6. APPROPRIATION BILL (No. 3) 1965–66.—*Message from the House of Representatives.*—The following Message from the House of Representatives was received and read—

MR. PRESIDENT,

Message No. 299.

The House of Representatives transmits to the Senate a Bill intituled “ *A Bill for an Act to appropriate a sum out of the Consolidated Revenue Fund, additional to the sum appropriated by the ‘ Appropriation Act (No. 1) 1965–66’, for the service of the year ending on the thirtieth day of June, One thousand nine hundred and sixty-six* ”, in which it desires the concurrence of the Senate.

J. McLEAY,
Speaker.

House of Representatives,
Canberra, 12th May, 1966.

Suspension of Standing Orders.—The Minister for Supply (Senator Henty), 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.

Senator Henty moved—That this Bill be now read a first 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.

7. APPROPRIATION BILL (No. 4) 1965–66.—*Message from the House of Representatives.*—The following Message from the House of Representatives was received and read—

MR. PRESIDENT,

Message No. 300.

The House of Representatives transmits to the Senate a Bill intituled “ *A Bill for an Act to appropriate a sum out of the Consolidated Revenue Fund, additional to the sum appropriated by the ‘ Appropriation Act (No. 2) 1965–66’, for certain expenditure in respect of the year ending on the thirtieth day of June, One thousand nine hundred and sixty-six* ”, in which it desires the concurrence of the Senate.

J. McLEAY,
Speaker.

House of Representatives,
Canberra, 12th May, 1966.

Suspension of Standing Orders.—The Minister for Supply (Senator Henty), 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 Senator Henty the Bill was read a first time.
 Senator Henty moved—That this 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.

8. SUPPLY BILL (No. 1) 1966-67.—*Message from the House of Representatives.*—The following Message from the House of Representatives was received and read—

MR. PRESIDENT,

Message No. 301.

The House of Representatives transmits to the Senate a Bill intituled “ *A Bill for an Act to make interim provision for the appropriation of moneys out of the Consolidated Revenue Fund for the service of the year ending on the thirtieth day of June, One thousand nine hundred and sixty-seven* ”, in which it desires the concurrence of the Senate.

House of Representatives,
 Canberra, 12th May, 1966.

J. MCLEAY,
Speaker.

Suspension of Standing Orders.—The Minister for Supply (Senator Henty), 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.

Senator Henty moved—That this Bill be now read a first 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.

9. SUPPLY BILL (No. 2) 1966-67.—*Message from the House of Representatives.*—The following Message from the House of Representatives was received and read—

MR. PRESIDENT,

Message No. 302.

The House of Representatives transmits to the Senate a Bill intituled “ *A Bill for an Act to make interim provision for the appropriation of moneys out of the Consolidated Revenue Fund for certain expenditure in respect of the year ending on the thirtieth day of June, One thousand nine hundred and sixty-seven* ”, in which it desires the concurrence of the Senate.

House of Representatives,
 Canberra, 12th May, 1966.

J. MCLEAY,
Speaker.

Suspension of Standing Orders.—The Minister for Supply (Senator Henty), 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 Senator Henty the Bill was read a first time.

Senator Henty moved—That this 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.

10. BANKRUPTCY BILL 1966.—*Message from the House of Representatives.*—The following Message from the House of Representatives was received and read—

MR. PRESIDENT,

Message No. 298.

The House of Representatives returns to the Senate the Bill intituled “ *A Bill for an Act relating to Bankruptcy* ”, and acquaints the Senate that the House of Representatives has agreed to Amendments Nos. 1, 3, 4, 5 and 6 made by the Senate, and has disagreed to Amendment No. 2, but, in place thereof, has amended Clause 39, as indicated by the annexed Schedule.

The House of Representatives desires the reconsideration of the Bill by the Senate in respect of the Amendment disagreed to, and desires the concurrence of the Senate in the Amendment made by the House of Representatives.

House of Representatives,
 Canberra, 11th May, 1966.

J. MCLEAY,
Speaker.

Ordered—That the Message be considered in the Committee of the Whole forthwith.

The Senate, according to Order, resolved itself into Committee for consideration of Message No. 298 of the House of Representatives.

—
 In the Committee.

Message read and considered.

SCHEDULE OF THE AMENDMENT MADE BY THE SENATE DISAGREED TO BY THE
 HOUSE OF REPRESENTATIVES, BUT BILL AMENDED IN PLACE THEREOF.

—
 No. 2—Page 18, clause 39, lines 41 to 44, leave out sub-clause (2.), insert the following sub-clause:—

“(2.) An appeal lies to the High Court from an order of the Court, being—

(a) a sequestration order;

(b) an order convicting a person of an offence against this Act—

(i) on a question of fact—involving a fine exceeding Two hundred dollars or imprisonment for six months;

(ii) on a question of law; or

(c) an order involving a civil right or property amounting to, or of the value of, Three thousand dollars.”.

Amendment disagreed to, but, in place thereof, clause 39 of the Bill amended as follows:—

Page 18, lines 41 to 44, omit sub-clause (2.), insert the following sub-clause:—

“(2.) An appeal lies to the High Court—

- (a) from a sequestration order made by the Court;
- (b) from a judgment or order of the Court involving directly or indirectly a claim, demand or question to or respecting any property or any civil right amounting to or of the value of Three thousand dollars;
- (c) from an order of the Court convicting a person of an offence against this Act, being an order that imposes a sentence of imprisonment for a period exceeding six months; or
- (d) on a question of law, from any order of the Court convicting a person of an offence against this Act.”.

The Minister for Works (Senator Gorton) moved—That the Committee does not insist on the Amendment disagreed to by the House of Representatives, and agrees to the Amendment made by the House in place thereof.

Debate ensued.

Question—put and passed.

Resolution to be reported.

The President resumed the Chair; and the Chairman of Committees (Senator Drake-Brockman) reported that the Committee had considered Message No. 298 of the House of Representatives in reference to the Bankruptcy Bill, had resolved not to insist on the Amendment disagreed to by the House, and had agreed to the Amendment made by the House in place thereof.

On the motion of Senator Gorton the Report from the Committee was adopted.

11. PUBLIC ACCOUNTS COMMITTEE REGULATIONS AND PUBLIC WORKS COMMITTEE REGULATIONS—MOTION FOR DISALLOWANCE.—Senator Wood, pursuant to notice, moved—That the Amendments of the Public Accounts Committee Regulations, as contained in Statutory Rules 1965, No. 180, and made under the *Public Accounts Committee Act* 1951–1965 and the Amendments of the Public Works Committee Regulations, as contained in Statutory Rules 1965, No. 179, and made under the *Public Works Committee Act* 1913–1965, be disallowed.

Debate ensued.

And two hours having elapsed from the time fixed for the meeting of the Senate, the Orders of the Day were called on.

Postponement of Orders of the Day.—Ordered—That the consideration of the Orders of the Day be postponed until after the disposal of Business of the Senate, Notice of Motion No. 1.

Debate on motion for disallowance of Regulations continued.

Question—put.

The Senate divided—

Ayes, 3.

Noes, 47.

Senator—
Wood.
Wright.

Teller:

Senator Turnbull.

Senator—
Anderson.
Benn.
Bishop.
Branson.
Breen.
Bull.
Cant.
Cavanagh.
Cohen.
Cooper, Sir Walter.
Cormack.
Cotton.
Davidson.
Devitt.
Dittmer.
Drake-Brockman.
Drury.
Fitzgerald.
Gair.
Gorton.
Hannaford.
Hendrickson.
Henty.
Lacey.
Lawrie.
McClelland.

Senator—
McKellar.
McKenna.
McManus.
McMullin, Sir
Alister.
Marriott.
Mattner.
Mulvihill.
Murphy.
O'Byrne.
Poke.
Prowse.
Rankin, Dame
Annabelle.
Ridley.
Sandford.
Tangney.
Webster.
Wedgwood.
Wheeldon.
Willesee.
Withers.

Teller:

Senator Scott.

And so it was negatived,

12. THERAPEUTIC GOODS BILL 1966.—Order of the Day read for the adjourned debate on the Question—That this Bill be now read a second time.

Debate resumed.

Ordered—That the debate be adjourned till a later hour of the day, and that Senator Cormack have leave to continue his speech on the resumption of the debate.

13. CUSTOMS TARIFF BILL (No. 2) 1966.—*Message from the House of Representatives.*—The following Message from the House of Representatives was received and read—

MR. PRESIDENT,

Message No. 303.

The House of Representatives returns to the Senate the Bill intituled "*A Bill for an Act relating to Duties of Customs*", and acquaints the Senate that the House of Representatives has considered the Message of the Senate requesting the House to make certain Amendments in such Bill, and that the House of Representatives has not made the Requested Amendments.

J. McLEAY,
Speaker.

House of Representatives,
Canberra, 12th May, 1966.

Ordered—That the Message be considered in Committee of the Whole forthwith.

The Senate, according to Order, resolved itself into Committee for the consideration of Message No. 303 of the House of Representatives.

—
In the Committee.

Message read.

The Minister for Customs and Excise (Senator Anderson) moved—That the requests be not pressed.

Debate ensued.

Question—put.

The Committee divided—

Ayes, 25.

Noes, 23.

Senator—

Anderson.

Branson.

Breen.

Bull.

Cooper, Sir Walter.

Cormack.

Davidson.

Drake-Brockman.

Gair.

Gorton.

Hannaford.

Henty.

Lawrie.

McKellar.

Senator—

McManus.

McMullin, Sir

Alister.

Marriott.

Mattner.

Prowse.

Rankin, Dame

Annabelle.

Webster.

Wedgwood.

Withers.

Wood.

Teller:

Senator Scott.

Senator—

Bishop.

Cant.

Cavanagh.

Cohen.

Devitt.

Drury.

Fitzgerald.

Hendrickson.

Lacey.

McClelland.

McKenna.

Mulvihill.

Murphy.

Senator—

Poke.

Ridley.

Sandford.

Tangney.

Toohey.

Turnbull.

Wheeldon.

Willesee.

Wright.

Teller:

Senator O'Byrne.

And so it was resolved in the affirmative.

Resolution to be reported.

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

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

14. PRINTING COMMITTEE—THIRTEENTH REPORT.—Senator Breen brought up the following Report from the Printing Committee—

THIRTEENTH REPORT.

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

The Joint Committee, having considered the Petitions and Papers presented to Parliament since the last meeting of the Committee, and another Paper, the consideration of which had been deferred, recommends that the following be printed:—

Educational Television Services—Report of Advisory Committee to the Australian Broadcasting Control Board, dated 12th October, 1964.

Nauru—Report to the General Assembly of the United Nations on the administration of Nauru, for year 1964–65.

New Guinea—Report to the General Assembly of the United Nations on the administration of New Guinea, for year 1964–65.

Paper on the United Nations prepared by the Joint Committee on Foreign Affairs.

Papua—Annual Report, for year 1964–65.

MARIE BREEN,
Vice-Chairman.

12th May, 1966.

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

Question—put and passed.

15. POSTPONEMENT.—Ordered—That intervening Business be postponed until after the consideration of Government Business, Order of the Day No. 3.
16. CUSTOMS BILL 1966.—Order of the Day read for the adjourned debate on the Question—That this 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 President resumed the Chair; and the Chairman of Committees (Senator Drake-Brockman) reported accordingly.

On the motion of the Minister for Customs and Excise (Senator Anderson) the Report from the Committee was adopted, and the Bill read a third time.

17. PAPERS.—The following Papers were presented, pursuant to Statute—
Defence Act—Regulations—Statutory Rules 1966, No. 87.
Public Service Act—Appointments—Department—
Prime Minister's—G. D. Walters.
Works—A. D. Douthwaite.
18. THERAPEUTIC GOODS BILL 1966.—Order of the Day read for the adjourned debate on the Question—That this 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 Wedgwood) reported accordingly.

On the motion of the Minister for Housing (Senator Dame Annabelle Rankin) the Report from the Committee was adopted, and the Bill read a third time.

19. FINANCIAL AGREEMENT BILL 1966.—Order of the Day read for the adjourned debate on the Question—That this 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 Wedgwood) reported accordingly.

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

20. APPROPRIATION BILL (No. 3) 1965–66.—Order of the Day read for the adjourned debate on the Question—That this Bill be now read a first time.
Debate resumed.
Senator Cant addressing the Chair—

And it being 11.30 p.m.—

21. ADJOURNMENT.—The President, under Sessional Order, put the Question—That the Senate do now adjourn.
Debate ensued.
Question—resolved in the affirmative.
The Senate adjourned at six minutes to twelve o'clock midnight till to-morrow at ten a.m.
22. ATTENDANCE.—Present, all the Members except Senators Heatley, Keeffe, Kennelly, Laught (on leave), Lilloco (on leave), Ormonde (on leave) and Sim.

J. R. ODGERS,
Clerk of the Senate.