

1959.

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

## VOTES AND PROCEEDINGS

OF THE

## HOUSE OF REPRESENTATIVES.

No. 71.

THURSDAY, 3RD DECEMBER, 1959.

1. The House met, at half-past two o'clock p.m., according to the terms of the Resolution of the 27th November last.—Mr. Speaker (the Honorable J. McLeay) took the Chair, and read Prayers.
2. MESSAGES FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS.—Messages from His Excellency the Governor-General were announced informing the House that His Excellency, in the name and on behalf of Her Majesty, had assented to the following Bills:—
  - 1st December, 1959—*Message No. 56*—
    - National Health 1959.
    - Therapeutic Substances 1959.
    - Loan (War Service Land Settlement) 1959.
    - Loan (Housing) 1959.
    - States Grants 1959.
    - States Grants (Special Assistance) 1959.
    - Science and Industry Research 1959.
    - Nationality and Citizenship 1959.
  - 2nd December, 1959—*Message No. 57*—
    - Rayon Yarn Bounty (No. 2) 1959.
    - Canning-Fruit Charge 1959.
    - Canning-Fruit Charge (Administration) 1959.
    - Canned Fruit (Sales Promotion) 1959.
    - Canned Fruits Export Control 1959.
    - Income Tax and Social Services Contribution Assessment (No. 3) 1959.
    - Income Tax and Social Services Contribution (Non-resident Dividends) 1959.
    - Income Tax and Social Services Contribution (No. 2) 1959.
    - Income Tax (International Agreements) 1959.
3. MESSAGES FROM THE SENATE.—Messages from the Senate were reported returning the following Bills without amendment:—
  - 28th November, 1959—*Message*—
    - No. 102—Seat of Government (Administration) 1959.
    - No. 103—Australian Capital Territory Representation (No. 2) 1959.
    - No. 104—Sales Tax (Exemptions and Classifications) (No. 2) 1959.
    - No. 105—Life Insurance 1959.
    - No. 106—Commonwealth Motor Vehicles (Liability) 1959.
    - No. 107—Taxation Administration 1959.
    - No. 108—Superannuation 1959.
    - No. 109—Defence Forces Retirement Benefits 1959.
    - No. 110—Customs Tariff Validation 1959 (*without requests*).
    - No. 111—Excise Tariff Validation 1959 (*without requests*).
    - No. 112—Commonwealth Employees' Compensation 1959.
    - No. 113—Seamen's Compensation 1959.
    - No. 114—Loan 1959.
    - No. 115—Export Payments Insurance Corporation (No. 2) 1959.

3rd December, 1959.

4. MESSAGE FROM THE SENATE—MATRIMONIAL CAUSES BILL 1959.—Mr. Speaker reported the receipt of the following Message from the Senate:—

MR. SPEAKER,

Message No. 101.

The Senate returns to the House of Representatives the Bill for “*An Act relating to Marriage and to Divorce and Matrimonial Causes and, in relation thereto, Parental Rights and the Custody and Guardianship of Infants*”, and acquaints the House that the Senate has agreed to the Bill with the Amendments indicated by the annexed Schedule, in which Amendments the Senate requests the concurrence of the House of Representatives.

The Senate,  
Canberra, 28th November, 1959, a.m.

A. M. McMULLIN,  
President.

Ordered—That the Amendments be taken into consideration, in Committee of the whole House, forthwith.

(In the Committee.)

## SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE.

No. 1.—Page 12, clause 21, lines 34 and 35, leave out sub-paragraph (iii) of paragraph (b) of sub-clause (1.).

No. 2.—Page 18, after clause 32, insert the following new clause:—

“32A. Where—

(a) a person has been sentenced to imprisonment in respect of each of two or more crimes that, in the opinion of the court hearing the petition, arose substantially out of the same acts or omissions; and

(b) the sentences were ordered to be served, in whole or in part, concurrently, then, in reckoning for the purposes of paragraph (g) of section twenty-eight of this Act the period for which that person has been sentenced in the aggregate, any period during which two or more of those sentences were to be served concurrently shall be taken into account once only.”

Aggregation  
of concurrent  
sentences.

No. 3.—Page 43, clause 112, line 19, leave out “seventy-three”, insert “seventy-four”.

No. 4.—Page 55, Third Schedule, after paragraph 40, add the following paragraph:—

“41. This Schedule has effect in relation to a defendant notwithstanding any law that would otherwise prevent the attachment of his earnings or limit the amount capable of being attached.”

Sir Garfield Barwick (Attorney-General) moved, That the Amendments be agreed to.  
Motion withdrawn, by leave.

On the motions of Sir Garfield Barwick—

Amendment No. 1 agreed to, after debate.

Amendment No. 2 agreed to, after debate.

Amendment No. 3 agreed to.

Amendment No. 4 agreed to, after debate.

Resolution to be reported.

The House resumed; Mr. Bowden reported accordingly.

On the motion of Sir Garfield Barwick, the House adopted the Report.

5. COMMONWEALTH COMMITTEE ON TAXATION—MINISTERIAL STATEMENT.—Mr. Holt (Treasurer), by leave, made a Ministerial Statement with reference to the appointment of the Commonwealth Committee on Taxation.

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

Customs Act—Regulations—Statutory Rules 1959, No. 93.

Lands Acquisition Act—Land, &c., acquired for—

Civil Aviation purposes—Jandakot, Western Australia.

Postal purposes—

Claremont, Tasmania.

McLaughlins Creek, New South Wales.

Wologorang, New South Wales.

Public Service Act—Appointments—Department—

Attorney-General—N. R. MacDougall.

Primary Industry—B. B. Brett, B. D. Hannaford, A. F. Page.

Repatriation—C. V. Jumeaux, E. D. Park, R. J. Slattery, J. M. Tuffley.

Supply—J. Backhouse, P. C. Hughes, K. G. McLaren, M. K. Moore, D. J. Pinson,

R. Shoubridge, J. G. Ternan, J. Tregellas-Williams.

Works—K. R. Edgar, J. C. Purcell.

Public Service Arbitration Act—Determinations—1959—

No. 86—Federated Engine Drivers and Firemen's Association of Australasia and others.

Nos. 87 and 88—Australian Journalists' Association.

No. 89—Amalgamated Engineering Union and others.

Services Trust Funds Act—Royal Australian Air Force Welfare Trust Fund—Eleventh Annual Report, for year 1958–59.

Trade Commissioners Act—Regulations—Statutory Rules 1959, No. 92.

3rd December, 1959.

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7. SPECIAL ADJOURNMENT.—Mr. Holt (Treasurer) moved, That the House, at its rising, adjourn until a date and hour to be fixed by Mr. Speaker, which time of meeting shall be notified by Mr. Speaker to each Member by telegram or letter.

Question—put and passed.

8. LEAVE OF ABSENCE TO ALL MEMBERS.—Mr. Holt (Treasurer) moved, That leave of absence be given to every Member of the House of Representatives from the determination of this sitting of the House to the date of its next sitting.

Question—put and passed.

9. PUBLIC ACCOUNTS COMMITTEE—REPORT.—Mr. Bland (Chairman) brought up the following Report from the Joint Committee of Public Accounts:—

Forty-fifth Report—Index to the First to Forty-first Reports.

Ordered to be printed.

10. ADJOURNMENT.—Mr. Holt (Treasurer) moved, That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at thirteen minutes to five o'clock p.m., adjourned until a date and hour to be fixed by Mr. Speaker, and to be notified by him to each Member by telegram or letter as determined by Resolution of the House at this sitting.

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MEMBERS PRESENT.—All Members were present (at some time during the sitting) except Mr. Anthony, Mr. Aston, Mr. Beazley, Mr. Bird, Mr. Browne, Mr. C. R. Cameron, Mr. Chaney, Mr. Clark, Mr. Courtney, Mr. Cramer, Mr. Daly, Mr. Davies, Mr. Dean, Mr. Drury, Mr. Failes, Mr. Fairhall, Mr. Forbes, Mr. J. M. Fraser, Mr. Freeth, Mr. Galvin, Mr. Griffiths, Mr. Hamilton, Mr. Hasluck, Mr. Hulme, Mr. Jones, Mr. Lawson, Mr. Menzies, Mr. Peters\*, Mr. Riordan\*, Mr. Sexton, Mr. Swartz, Mr. Thompson and Mr. Wight.

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\* On leave.

A. G. TURNER,  
*Clerk of the House of Representatives.*

1959-60.

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MESSAGES FROM HIS EXCELLENCY THE GOVERNOR-GENERAL.

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ASSENT TO BILLS.

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The following Messages from His Excellency the Governor-General intimating that His Excellency, in the name and on behalf of Her Majesty, had assented to the following Bills, were received after the adjournment of the House on the 3rd December, 1959:—

3rd December, 1959—*Message No. 58*—Airports (Business Concessions) 1959.

4th December, 1959—*Message*—

*No. 59*—Seat of Government (Administration) 1959.

Australian Capital Territory Representation (No. 2) 1959.

Sales Tax (Exemptions and Classifications) (No. 2) 1959.

Life Insurance 1959.

Commonwealth Motor Vehicles (Liability) 1959.

Taxation Administration 1959.

Customs Tariff Validation 1959.

Excise Tariff Validation 1959.

Commonwealth Employees' Compensation 1959.

Seamen's Compensation 1959.

Loan 1959.

Export Payments Insurance Corporation (No. 2) 1959.

*No. 60*—Superannuation 1959.

Defence Forces Retirement Benefits 1959.

16th December, 1959—*Message No. 61*—Matrimonial Causes 1959.

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