

1964-65.

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

## VOTES AND PROCEEDINGS

OF THE

## HOUSE OF REPRESENTATIVES.

No. 135.

WEDNESDAY, 1ST DECEMBER, 1965.

1. The House met, at half-past two o'clock p.m., pursuant to adjournment.—Mr. Speaker (the Honorable Sir John McLeay) took the Chair, and read Prayers.
2. PETITION.—Mr. Connor presented a petition from certain electors of New South Wales praying that Government funds be made available to encourage the establishment of suitable industries in the City of Greater Wollongong to help alleviate the critical unemployment problem prevailing in the Illawarra Region.  
Petition received and read.
3. QUESTIONS.—Questions without notice were asked.
4. PAPER.—The following paper was presented, pursuant to statute—  
Commonwealth Railways Act—Commonwealth Railways Commissioner—Report for year 1964-65.
5. ROYAL AUSTRALIAN AIR FORCE—PURCHASE OF TRAINING AND TRANSPORT AIRCRAFT—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER.—Mr. Howson (Minister for Air), by leave, made a ministerial statement regarding the Government's decision to purchase HS 748, Mystere 20 and BAC 111 aircraft for training and V.I.P. transport purposes of the Royal Australian Air Force, and, by command of His Excellency the Governor-General, presented the following paper:—  
Royal Australian Air Force—Purchase of Training and Transport Aircraft—Ministerial statement, 1st December, 1965.  
Mr. Chaney (Minister for the Navy) moved, That the House take note of the paper.  
Debate adjourned (Mr. Whitlam), and the resumption of the debate made an order of the day for the next sitting.
6. TRADE PRACTICES BILL 1965.—The House, according to order, resolved itself into a committee of the whole for the further consideration of the Bill.

*(In the committee.)*

Clause 1 debated and agreed to.

Clauses 2 and 3, by leave, taken together, and agreed to, after debate.

Clause 4—

Mr. Snedden (Attorney-General) moved, That the clause be omitted, and the following clause be inserted in place thereof:—

“ 4.—(1.) The *Australian Industries Preservation Act* 1906-1950 shall be construed as if the references in sections 4, 7, 7A, 7B and 10 of that Act to trade and commerce referred only to trade and commerce by way of the carriage of goods by sea between Australia and places outside Australia.

Restriction of application of Australian Industries Preservation Act.

“ (2.) The last preceding sub-section does not—

- (a) affect the operation of the *Australian Industries Preservation Act* 1906-1950 before the date of commencement of this Act, or anything duly done or suffered under that Act before that date;
- (b) affect any right, privilege, obligation or liability acquired, accrued or incurred under that Act before that date;
- (c) affect any penalty or punishment incurred in respect of any offence committed against that Act before that date; or
- (d) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty or punishment,

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty or punishment may be imposed, as if this Act had not been passed.

“ (3.) Section 6 of the *Seat of Government (Administration) Act* 1910-1963 is repealed.

“ (4.) Section 7 of the *Northern Territory (Administration) Act* 1910-1962, as amended by the *Northern Territory (Administration) Act* 1965, is repealed,

1st December, 1965.

"(5.) Section 1 of the *Northern Territory (Administration) Act 1965* is amended by omitting sub-section (3.).

"(6.) The *Seat of Government (Administration) Act 1910-1963*, as amended by this section, may be cited as the *Seat of Government (Administration) Act 1910-1965*.

"(7.) The *Northern Territory (Administration) Act 1910-1962*, as amended by the *Northern Territory (Administration) Act 1965* and by this section, may be cited as the *Northern Territory (Administration) Act 1910-1965*."

Debate ensued.

Question—That the clause proposed to be omitted stand part of the Bill—put and negatived.

Question—That the clause proposed to be inserted be so inserted—put.

The committee divided (the Chairman, Mr. Lucock, in the Chair)—

**AYES, 57.**

Mr. Allan	Sir J. Cramer	Mr. Freeth	Mr. Jess	Mr. Robinson
Mr. Anthony	Mr. Davis	Mr. Gibbs	Mr. Kelly	Mr. Shaw
Mr. Armstrong	Mr. Drury	Mr. Gibson	Sir W. Kent Hughes	Mr. Sinclair
Mr. Barnes	Mr. England	Mr. Giles	Mr. Killen	Mr. Snedden
Mr. Bate	Mr. G. D. Erwin	Mr. Haworth	Mr. King	Mr. Stokes
Mr. Bosman	Mr. Failes	Mr. Holt	Mr. Lindsay	Mr. Wentworth
Mr. Bowen	Mr. Fairbairn	Mr. Holten	Mr. Mackay	Mr. Wilson
Mr. Bridges-Maxwell	Mr. Fairhall	Mr. Howson	Mr. Maisey	
Mr. Brimblecombe	Mr. Falkinder	Mr. Hughes	Mr. McEwen	<i>Tellers:</i>
Mr. Buchanan	Mr. Forbes	Mr. Hulme	Mr. McMahon	
Mr. K. M. K. Cairns	Mr. Fox	Mr. L. H. Irwin	Mr. Nixon	Mr. Aston
Mr. Chaney	Mr. J. M. Fraser	Mr. Jack	Mr. Opperman	Mr. Turnbull

**NOES, 45.**

Mr. Barnard	Mr. Connor	Mr. Fulton	Mr. Luchetti	Mr. Uren
Mr. Beaton	Mr. Cope	Mr. Gray	Mr. McIvor	Mr. Webb
Mr. Beazley	Mr. Costa	Mr. Griffiths	Mr. Minogue	Mr. Whitlam
Mr. Benson	Mr. Courtney	Mr. Hansen	Mr. Mortimer	
Mr. Birrell	Mr. Crean	Mr. Harding	Mr. O'Connor	
Mr. Bryant	Mr. Cross	Mr. Harrison	Mr. Pollard	
Mr. J. F. Cairns	Mr. Daly	Mr. Hayden	Mr. Reynolds	<i>Tellers:</i>
Mr. Cameron	Mr. Davies	Mr. James	Mr. Riordan	
Mr. Clark	Mr. Devine	Mr. Johnson	Mr. Sexton	Mr. Coutts
Mr. Collard	Mr. A. D. Fraser	Mr. Jones	Mr. Stewart	Mr. Duthie

And so it was resolved in the affirmative.

Progress to be reported, and leave asked to sit again.

The House resumed; Mr. Lucock reported accordingly.

Ordered—That the House will, at a later hour this day, again resolve itself into the said committee.

- CUSTOMS TARIFF PROPOSALS NO. 12 [1965].—Mr. Fairhall (Minister for Supply) moved Customs Tariff Proposals No. 12 [1965].  
Debate adjourned (Mr. J. F. Cairns), and the resumption of the debate made an order of the day for the next sitting.
- PAPERS.—The following papers were presented, by command of His Excellency the Governor-General—  
Tariff Board—Reports—  
Chain and chains.  
Magnetos and parts.  
Tinned iron and steel hoop, strip, plates and sheets.  
Severally ordered to be printed.
- CUSTOMS TARIFF VALIDATION BILL (NO. 2) 1965.—Mr. Fairhall (Minister for Supply) presented a Bill for an Act to provide for the Validation of Collections of Duties of Customs under Customs Tariff Proposals.  
Bill read a first time.  
Mr. Fairhall moved, That the Bill be now read a second time.  
Debate, by leave, ensued.  
Question—put and passed.—Bill read a second time.  
Leave granted for third reading to be moved forthwith.  
On the motion of Mr. Fairhall, the Bill was read a third time.
- TRADE PRACTICES BILL 1965.—The House, according to order, again resolved itself into a committee of the whole for the further consideration of the Bill.

(*In the committee.*)

Clause 5 debated.

Mr. Crean moved the following amendment:—

Page 3, at the end of the definition of "goods" add the following paragraph:—

"(e) newspapers;"

Debate continued.

Amendment negatived.

Clause agreed to.

Clauses 6 and 7, by leave, taken together, and agreed to.

Clause 8—

On the motion of Mr. Snedden (Attorney-General), the following amendment was made, after debate:—

Page 6, line 11, before " the provisions " insert " any of ".

Clause, as amended, agreed to.

Clause 9 debated and agreed to.

Clause 10—

Mr. Whitlam moved the following amendment:—Page 7, line 23, after " commerce " insert " , economics ".

Debate ensued.

Amendment negatived.

Clause agreed to.

Clause 11—

Mr. Snedden moved the following amendment:—

Page 7, omit sub-clause (2.), insert the following sub-clause:—

" (2.) A member shall be paid remuneration at such rate as the Governor-General determines, but the rate shall not be diminished during a term of office."

Debate ensued.

Question—That the amendment be agreed to—put.

The committee divided (the Chairman, Mr. Lucock, in the Chair)—

**AYES, 57.**

Mr. Allan	Sir J. Cramer	Mr. Freeth	Mr. Jess	Mr. Robinson
Mr. Anthony	Mr. Davis	Mr. Gibbs	Mr. Kelly	Mr. Shaw
Mr. Armstrong	Mr. Drury	Mr. Gibson	Sir W. Kent Hughes	Mr. Snedden
Mr. Barnes	Mr. England	Mr. Giles	Mr. Killen	Mr. Stokes
Mr. Bate	Mr. G. D. Erwin	Mr. Haworth	Mr. King	Mr. Swartz
Mr. Bowen	Mr. Failes	Mr. Holt	Mr. Lindsay	Mr. Wentworth
Mr. Bridges-Maxwell	Mr. Fairbairn	Mr. Holten	Mr. Mackay	Mr. Wilson
Mr. Brimblecombe	Mr. Fairhall	Mr. Howson	Mr. Maisey	
Mr. Buchanan	Mr. Falkinder	Mr. Hughes	Mr. McMahon	
Mr. K. M. K. Cairns	Mr. Forbes	Mr. Hulme	Mr. Nixon	<i>Tellers:</i>
Mr. Chaney	Mr. Fox	Mr. L. H. Irwin	Mr. Opperman	Mr. Aston
Mr. Cleaver	Mr. J. M. Fraser	Mr. Jack	Mr. Pettitt	Mr. Turnbull

**NOES, 43.**

Mr. Barnard	Mr. Collard	Mr. Devine	Mr. Luchetti	Mr. Sexton
Mr. Beaton	Mr. Connor	Mr. Fulton	Mr. McLvor	Mr. Stewart
Mr. Beazley	Mr. Cope	Mr. Gray	Mr. Minogue	Mr. Uren
Mr. Benson	Mr. Costa	Mr. Griffiths	Mr. Mortimer	Mr. Webb
Mr. Birrell	Mr. Courtney	Mr. Harrison	Mr. Nicholls	Mr. Whitlam
Mr. Bryant	Mr. Crean	Mr. Hayden	Mr. O'Connor	
Mr. J. F. Cairns	Mr. Cross	Mr. James	Mr. Pollard	<i>Tellers:</i>
Mr. Cameron	Mr. Daly	Mr. Johnson	Mr. Reynolds	Mr. Coutts
Mr. Clark	Mr. Davies	Mr. Jones	Mr. Riordan	Mr. Duthie

And so it was resolved in the affirmative.

Clause, as amended, agreed to.

Clauses 12 to 16, by leave, taken together, and agreed to, after debate.

Clause 17—

Mr. Whitlam moved the following amendment:—

Page 9, at the end of the clause add the following sub-clause:—

" (2.) A person who is a director of a company shall not be appointed as a member, and a member shall not accept appointment as or act as director of a company."

Amendment negatived.

Clause omitted.

Clause 18—

Mr. Killen moved the following amendment:—Page 10, omit sub-clause (4.).

Debate ensued.

Amendment temporarily withdrawn, by leave.

Mr. Haworth moved the following amendment:—Page 9, at the end of sub-clause (1.) add " and that each

Division include one member who has had practical experience in industry or commerce ".

Debate ensued.

Amendment negatived.

Amendment previously moved by Mr. Killen and temporarily withdrawn, viz.:—Page 10, omit sub-clause (4.), was again moved.

Amendment negatived.

Clause agreed to.

Clauses 19 to 21, by leave, taken together, and agreed to.

Clause 22—

Mr. Killen moved the following amendment:—

Page 11, after sub-clause (3.) insert the following sub-clause:—

" (3A.) Where a Tribunal is constituted in accordance with the provisions of this sub-section and the members fail to agree, then no further proceedings shall be commenced with respect to the matter on which the members failed to agree save with the leave of the Court."

Debate ensued.

Amendment negatived.

Clause agreed to.

Clauses 23 and 24, by leave, taken together, and agreed to, after debate.

1st December, 1965.

## Clause 25—

Mr. Killen moved the following amendment:—

Page 12, line 4, after “Commissioner”, insert “and members of the Tribunal other than the President”.

Debate ensued.

Mr. Whitlam moved the following amendment to the proposed amendment:—Omit “other than the President”.

Debate ensued.

Question—That the amendment to the proposed amendment be agreed to—put.

The committee divided (the Temporary Chairman, Mr. Drury, in the Chair)—

## AYES, 45.

Mr. Barnard	Mr. Connor	Mr. Gray	Mr. McIvor	Mr. Uren
Mr. Beaton	Mr. Cope	Mr. Griffiths	Mr. Minogue	Mr. Webb
Mr. Beazley	Mr. Costa	Mr. Hansen	Mr. Mortimer	Mr. Whitlam
Mr. Benson	Mr. Courtney	Mr. Harding	Mr. Nicholls	
Mr. Birrell	Mr. Crean	Mr. Harrison	Mr. O'Connor	
Mr. Bryant	Mr. Cross	Mr. Hayden	Mr. Pollard	
Mr. J. F. Cairns	Mr. Daly	Mr. James	Mr. Reynolds	<i>Tellers:</i>
Mr. Cameron	Mr. Davies	Mr. Johnson	Mr. Riordan	Mr. Coutts
Mr. Clark	Mr. Devine	Mr. Jones	Mr. Sexton	Mr. Duthie
Mr. Collard	Mr. Fulton	Mr. Luchetti	Mr. Stewart	

## NOES, 57.

Mr. Allan	Sir J. Cramer	Mr. Gibbs	Mr. Kelly	Mr. Robinson
Mr. Anthony	Mr. Davis	Mr. Gibson	Sir W. Kent Hughes	Mr. Shaw
Mr. Armstrong	Mr. England	Mr. Giles	Mr. Killen	Mr. Snedden
Mr. Barnes	Mr. G. D. Erwin	Mr. Haworth	Mr. King	Mr. Stokes
Mr. Bate	Mr. Failes	Mr. Holt	Mr. Lindsay	Mr. Swartz
Mr. Bowen	Mr. Fairbairn	Mr. Holten	Mr. Lucock	Mr. Wentworth
Mr. Bridges-Maxwell	Mr. Fairhall	Mr. Howson	Mr. Mackay	Mr. Wilson
Mr. Brimblecombe	Mr. Falkinder	Mr. Hughes	Mr. Maisey	<i>Tellers:</i>
Mr. Buchanan	Mr. Forbes	Mr. Hulme	Mr. McMahon	Mr. Aston
Mr. K. M. K. Cairns	Mr. Fox	Mr. L. H. Irwin	Mr. Nixon	Mr. Turnbull
Mr. Chaney	Mr. J. M. Fraser	Mr. Jack	Mr. Opperman	
Mr. Cleaver	Mr. Freeth	Mr. Jess	Mr. Pettitt	

And so it was negated.

Question—That the original amendment be agreed to—put.

The committee divided (the Temporary Chairman, Mr. Drury, in the Chair)—

## AYES, 48.

Mr. Barnard	Mr. Connor	Mr. Gray	Mr. Killen	Mr. Riordan
Mr. Beaton	Mr. Cope	Mr. Griffiths	Mr. Luchetti	Mr. Sexton
Mr. Beazley	Mr. Costa	Mr. Hansen	Mr. Mackay	Mr. Stewart
Mr. Benson	Mr. Courtney	Mr. Harding	Mr. McIvor	Mr. Uren
Mr. Birrell	Mr. Crean	Mr. Harrison	Mr. Minogue	Mr. Webb
Mr. Bryant	Mr. Cross	Mr. Hayden	Mr. Mortimer	Mr. Whitlam
Mr. J. F. Cairns	Mr. Daly	Mr. James	Mr. Nicholls	<i>Tellers:</i>
Mr. Cameron	Mr. Davies	Mr. Johnson	Mr. O'Connor	Mr. Coutts
Mr. Clark	Mr. Devine	Mr. Jones	Mr. Pollard	Mr. Duthie
Mr. Collard	Mr. Fulton	Sir W. Kent Hughes	Mr. Reynolds	

## NOES, 54.

Mr. Allan	Sir J. Cramer	Mr. Gibbs	Mr. Kelly	Mr. Stokes
Mr. Anthony	Mr. Davis	Mr. Gibson	Mr. King	Mr. Swartz
Mr. Armstrong	Mr. England	Mr. Giles	Mr. Lindsay	Mr. Wentworth
Mr. Barnes	Mr. G. D. Erwin	Mr. Haworth	Mr. Lucock	Mr. Wilson
Mr. Bate	Mr. Failes	Mr. Holt	Mr. Maisey	<i>Tellers:</i>
Mr. Bowen	Mr. Fairbairn	Mr. Holten	Mr. McMahon	Mr. Aston
Mr. Bridges-Maxwell	Mr. Fairhall	Mr. Howson	Mr. Nixon	Mr. Turnbull
Mr. Brimblecombe	Mr. Falkinder	Mr. Hughes	Mr. Opperman	
Mr. Buchanan	Mr. Forbes	Mr. Hulme	Mr. Pettitt	
Mr. K. M. K. Cairns	Mr. Fox	Mr. L. H. Irwin	Mr. Robinson	
Mr. Chaney	Mr. J. M. Fraser	Mr. Jack	Mr. Shaw	
Mr. Cleaver	Mr. Freeth	Mr. Jess	Mr. Snedden	

And so it was negated.

Mr. Wentworth moved the following amendment:—

Page 12, at the end of the clause add the following sub-clause:—

“(4.) No member of a Tribunal shall sit in any matter in which he has a direct or indirect pecuniary interest unless he has first publicly disclosed that interest, and either the Attorney-General or any party to the matter may object to the sitting of any member who has so disclosed an interest in that particular matter.”

Debate ensued.

Progress to be reported, and leave asked to sit again.

The House resumed; Mr. Lucock reported accordingly.

Ordered—That the House will, at the next sitting, again resolve itself into the said committee.

11. MESSAGE FROM THE SENATE.—A Message from the Senate was reported returning the following Bill without amendment:—

1st December, 1965—Message No. 245—States Grants (Advanced Education) 1965,

1st December, 1965.

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12. ADJOURNMENT.—Mr. Snedden (Attorney-General) moved, That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at fifteen minutes to twelve o'clock midnight, adjourned until to-morrow at half-past ten o'clock a.m.

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PAPERS.—The following papers were deemed to have been presented on the 1st December, 1965, pursuant to statute—

Lands Acquisition Act—Land, &c., acquired for postal purposes—Elsternwick, Victoria.

Northern Territory (Administration) Act—Ordinance—1965—No. 39—Legislation Repeal.

Papua and New Guinea Act—Ordinances—1965—

No. 53—Public Service (Papua and New Guinea).

No. 54—Land Titles Commission (No. 2).

No. 55—Evangelical Lutheran Church of New Guinea Property Trust.

No. 56—Petroleum (Prospecting and Mining).

Public Service Arbitration Act—Public Service Arbitrator—Determinations—1965—

No. 244—Amalgamated Engineering Union.

No. 245—Transport Workers' Union of Australia.

No. 246—Postmaster-General's Department Telecommunications Traffic and Supervisory Officers' Association.

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MEMBERS PRESENT.—All Members were present (at some time during the sitting) except Mr. Adermann, Mr. Bury, Mr. Chipp, Mr. Cockle, Mr. Curtin, Mr. Galvin, Mr. Hallett, Mr. Hasluck, Mr. Mackinnon and Mr. Peters.

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A. G. TURNER,

*Clerk of the House of Representatives.*