

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 37

THURSDAY, 11 JUNE 1970

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- 1 The House met, at ten o'clock a.m., pursuant to adjournment. Mr Speaker (the Honourable Sir William Aston) took the Chair, and read Prayers.
- 2 **PETITIONS:** Mr Killen (Minister for the Navy) presented a petition from certain citizens of the Commonwealth praying that this House make legal provision for (1) the allowance of personal education expenses as a taxation deduction, (2) the removal of the present age limit in respect of the deduction for education expenses, (3) an increase in the deduction allowable for tertiary education expenses and (4) the exemption of non-bonded scholarships for part-time students from income tax.
Petition received and read.
A similar petition was presented by Mr Turner, and was received.
Mr Bennett presented a petition from certain citizens of Western Australia praying that the House consider the hardship caused to home buyers in that State by the increased interest rates on mortgage contracts which result from the recent increase in the interest rate on Government Bonds.
Mr Hamer presented a petition from certain residents of Victoria praying that the export of products made from kangaroos be banned and that legislation be passed to make the kangaroo a protected animal throughout Australia.
Mr Jacobi presented a petition from certain electors of the Division of Hawker praying that this House take immediate steps to increase the base pension rate to 30 per cent of average weekly male earnings.
Petitions severally received and read.
Similar petitions to that presented by Mr Jacobi were presented by Mr Luchetti and Mr Connor, from certain citizens of New South Wales, and were severally received.
- 3 **DISTINGUISHED VISITORS:** Mr Speaker informed the House that a delegation of five Members of the Yugoslav Federal Assembly, led by Mr Milos Minic, Vice-President of the Assembly, was present in the gallery of the House. On behalf of the House, Mr Speaker extended to the delegation a warm welcome.
- 4 **QUESTIONS:** Questions without notice were asked.
- 5 **RETURN TO WRIT—AUSTRALIAN CAPITAL TERRITORY:** Mr Speaker announced that he had received a return to the writ which he had issued on 20 April for the election of a Member to represent the Australian Capital Territory, to fill the vacancy caused by the death of Mr James Reay Fraser, and that by the endorsement on the writ, it was certified that Keppel Earl Enderby had been elected.
- 6 **AFFIRMATION BY MEMBER:** Keppel Earl Enderby was introduced, and made and subscribed the affirmation required by law.

- 7 PUBLIC WORKS COMMITTEE—REPORT: Mr Kelly (Chairman) brought up the following report from the Parliamentary Standing Committee on Public Works:

Report relating to the proposed construction of a Post Office Administrative Centre, Stage 1, Brisbane (Eighth report of 1970).

Ordered to be printed.

- 8 MESSAGES FROM THE SENATE: Messages from the Senate were reported returning the following Bills without amendment:

10 June 1970—Message—

No. 27—Australian Institute of Marine Science 1970.

No. 28—States Grants (Universities) 1970.

No. 29—Canned Fruits Export Marketing 1970.

No. 30—International Monetary Agreements 1970.

No. 31—Port Augusta to Whyalla Railway 1970.

- 9 PUBLICATIONS COMMITTEE: Mr Snedden (Leader of the House) moved, by leave—That Mr Corbett, Mr Foster, Mr Graham, Mr Hamer, Mr L. R. Johnson, Mr Keogh and Mr Solomon be members of the Publications Committee.

Question—put and passed.

- 10 PUBLIC ACCOUNTS COMMITTEE — REPORTS — STATEMENT BY MEMBER: Mr Dobie (Chairman) brought up the following reports from the Joint Committee of Public Accounts:

One hundred and seventeenth Report—Treasury Minute on the One hundred and tenth Report together with a summary of that report.

One hundred and eighteenth Report—Expenditure from the Consolidated Revenue Fund for the year 1968–69—

and, by leave, made a statement in connection with the reports.

Ordered—That the reports be printed.

- 11 ARCHIVES REPOSITORY, VILLAWOOD, N.S.W.—APPROVAL OF WORK: Mr Chipp (Minister representing the Minister for Works) moved, pursuant to notice—That, in accordance with the provisions of the *Public Works Committee Act* 1969, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Construction of archives repository at Villawood, N.S.W.

Question—put and passed.

- 12 POSTPONEMENT OF ORDER OF THE DAY MOVED: Mr Snedden (Leader of the House) moved—That order of the day No. 1, government business (Grievance debate), be postponed until a later hour this day.

Debate ensued.

Mr Snedden, by leave, again addressed the House without closing the debate.

Mr Daly, who had already spoken, again addressed the House, by leave.

Debate continued.

Mr Snedden, by leave, again addressed the House without closing the debate.

Debate continued.

Motion withdrawn, by leave.

- 13 GRIEVANCE DEBATE: Pursuant to the provisions of standing order 106, the order of the day having been read—

Question proposed—That grievances be noted.

Debate ensued.

Question—put.

The House divided (the Deputy Speaker, Mr Lucock, in the Chair)—

AYES, 57

Mr Adermann	Mr England	Mr Jess	Mr Reid
Mr Anthony	Mr Fairbairn	Mr Katter	Mr Robinson
Mr Barnes	Mr Forbes	Mr Kelly	Mr Sinclair
Mr Bonnett	Mr J. M. Fraser	Mr Killen	Mr Snedden
Mr Brown	Mr Garland	Mr King	Mr Solomon
Mr Buchanan	Mr Giles	Mr Mackay	Mr Street
Mr Bury	Mr Gorton	Mr MacKellar	Mr Swartz
Mr K. M. K. Cairns	Mr Graham	Mr Maisey	Mr Turner
Mr Calder	Mr Hallett	Mr McEwen	Mr Wentworth
Mr D. M. Cameron	Mr Hamer	Mr McLeay	Mr Whittorn
Mr Chipp	Mr Hughes	Mr McMahon	
Mr Corbett	Mr Hulme	Mr Nixon	
Sir J. Cramer	Mr Hunt	Mr O'Keefe	<i>Tellers:</i>
Mr Dobie	Mr L. H. Irwin	Mr Peacock	Mr Fox
Mr Drury	Mr Jarman	Mr Pettitt	Mr Turnbull

NOES, 51

Mr Armitage	Mr Crean	Mr Jenkins	Mr Nicholls
Mr Barnard	Mr Enderby	Mr L. K. Johnson	Mr Patterson
Mr Bennett	Mr Everingham	Mr L. R. Johnson	Mr Reynolds
Mr Birrell	Mr FitzPatrick	Mr Jones	Mr Scholes
Mr L. F. Bowen	Mr Foster	Mr Keating	Mr Sherry
Mr Bryant	Mr Garrick	Mr Kennedy	Mr Stewart
Mr J. F. Cairns	Mr Grassby	Mr Keogh	Mr Uren
Mr C. R. Cameron	Mr Griffiths	Mr Kirwan	Mr Wallis
Mr Cass	Mr Gun	Mr Klugman	Mr Webb
Mr Cohen	Mr Hansen	Mr Luchetti	Mr Whitlam
Mr Collard	Mr Hayden	Mr Martin	<i>Tellers:</i>
Mr Connor	Mr Hurford	Mr McIvor	Mr Duthie
Mr Cope	Mr Jacobi	Mr Morrison	Mr James

And so it was resolved in the affirmative.

- 14 **LOAN (WAR SERVICE LAND SETTLEMENT) BILL 1970:** The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—

Debate resumed by Mr Patterson who moved, as an amendment—That all words after “That” be omitted with a view to inserting the following words in place thereof: “whilst not opposing the provisions of the Bill, the House is of opinion that a select committee of the House should be appointed to inquire into all aspects of war service land settlement in Australia in order to formulate guidelines for any future land settlement scheme”.

Debate continued.

Grave disorder arising in the galleries—

Mr Speaker directed that all public and press galleries be cleared.

Suspension of sitting: At eighteen minutes past two o'clock p.m., Mr Speaker vacated the Chair until the ringing of the bells.

Resumption of sitting: At five minutes to three o'clock p.m., Mr Speaker resumed the Chair.

Debate continued.

Debate adjourned (Mr Giles), and the resumption of the debate made an order of the day for a later hour this day.

- 15 **MESSAGE FROM THE SENATE—NATIONAL HEALTH BILL 1970:** Mr Speaker reported the receipt of the following message from the Senate:

MR SPEAKER,

Message No. 32

The Senate returns to the House of Representatives the Bill for “*An Act to amend the ‘National Health Act 1953–1969’*”, and acquaints the House that the Senate has considered Message No. 51 of the House in reference to such Bill.

The Senate does not press the requests for amendments, which the House of Representatives has not made, but requests the House to amend the Bill as set out in Schedule A annexed.

The Senate desires to inform the House that the amendments set out in Schedule B annexed have been made by the Senate in the Bill.

T. L. BULL,
Deputy President

The Senate,
Canberra, 11 June 1970

Ordered—That the message be taken into consideration, in committee of the whole House, forthwith.

In the committee

SCHEDULE OF REQUESTS BY THE SENATE FOR AMENDMENTS CONSEQUENT UPON CONSIDERATION OF MESSAGE NO. 51 OF THE HOUSE OF REPRESENTATIVES

No. 1—Page 12, after clause 20, insert the following new clauses:

“20A. The heading to Division 3 of Part V. of the Principal Act is amended by inserting before the words ‘*Insured Patients*’ the word ‘*Certain*’.”

Heading to
Division 3.

“20B. Section 47 of the Principal Act is amended by omitting sub-section (2.) and inserting in its stead the following sub-section:—

Payment of
benefit.

‘(2.) Commonwealth benefit under this Division in respect of any day is not payable to the organization unless and until the organization has paid to the contributor, or to the proprietor on behalf of the contributor, otherwise than by way of hospital fund benefit, an amount equal to the amount of Commonwealth benefit.’

“20C. Section 49 of the Principal Act is amended by adding at the end thereof the words ‘or under Division 4A of this Part’.”

Benefit not
payable if
benefit
payable under
certain other
provisions.

No. 2—Page 12, after clause 21, insert the following new clauses:

“21A. The heading to Division 4 of Part V. of the Principal Act is repealed and the following heading inserted in its stead:—

Heading to
Division 4.

‘*Division 4.—Certain Uninsured Patients, and Pensioners, in Approved Hospitals.*’

“21B. Section 53 of the Principal Act is amended—

(a) by adding at the end of sub-section (2.) the words ‘or under Division 4A of this Part’;

Benefit
payable in
respect of
certain
patients who
are not
contributors.

(b) by omitting from paragraph (b) of sub-section (3.) the word ‘or’; and

(c) by omitting paragraph (c) of sub-section (3.).

“21C. After Division 4 of the Part V. of the Principal Act the following Division is inserted:—

‘*Division 4A.—Patients treated without Charge in Approved Hospitals.*’

“55A. Subject to this Part, where the proprietor of an approved hospital certifies in the authorized form that no fees were charged in respect of some or all of the qualified hospital patients in that hospital during a specified period, there is payable to the proprietor of that hospital, in respect of each patient to whom the certificate relates, Commonwealth benefit of Two dollars for each day on which the patient was a qualified hospital patient in that hospital during that period.

Common-
wealth benefit
payable in
certain cases.

“55B. A Commonwealth benefit under this Division is not payable in respect of a qualified hospital patient for any day for which Commonwealth benefit is payable in respect of that patient under section fifty-four of this Act.’”

Benefit under
this Division
not payable
if benefit
payable under
section 54.

On the motion of Mr Forbes (Minister for Health), the requested amendments were made.

Resolution to be reported.

The House resumed; Mr Lucock reported accordingly.

On the motion of Mr Forbes, the House adopted the report.

16 CUSTOMS TARIFF PROPOSALS NO. 12 (1970): Mr Chipp (Minister for Customs and Excise) moved Customs Tariff Proposals No. 12 (1970).

Debate adjourned (Mr J. F. Cairns), and the resumption of the debate made an order of the day for the next sitting.

17 PAPERS: The following paper was presented, by command of His Excellency the Governor-General:

Tariff Board—Report—Alginic acid and its derivatives (Interim Report: Plastic products, etc.).

Ordered to be printed.

The following paper was presented, pursuant to statute:

Tariff Board Act—Special Advisory Authority—Report—Artificial Christmas trees.

Ordered to be printed.

18 CENSORSHIP—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER: Mr Chipp (Minister for Customs and Excise), by leave, made a ministerial statement with reference to the Government's attitude to censorship, and, by command of His Excellency the Governor-General, presented the following paper:

Censorship—Ministerial statement, 11 June 1970.

Mr Killen (Minister for the Navy) moved—That the House take note of the paper.

Debate ensued.

Ordered—That Mr Hayden be granted an extension of time.

Debate adjourned (Mr Giles), and the resumption of the debate made an order of the day for the next sitting.

19 LOAN (WAR SERVICE LAND SETTLEMENT) BILL 1970: The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—*And on the amendment moved thereto by Mr Patterson, viz.*—That all words after "That" be omitted with a view to inserting the following words in place thereof: "whilst not opposing the provisions of the Bill, the House is of opinion that a select committee of the House should be appointed to inquire into all aspects of war service land settlement in Australia in order to formulate guidelines for any future land settlement scheme"—

Debate resumed.

Question—That the words proposed to be omitted stand part of the question—put.

The House divided (the Deputy Speaker, Mr Lucock, in the Chair)—

AYES, 54

Mr Adermann	Mr Drury	Mr Jarman	Mr Reid
Mr Anthony	Mr England	Mr Katter	Mr Robinson
Mr Barnes	Mr Fairbairn	Mr Kelly	Mr Sinclair
Mr N. H. Bowen	Mr Forbes	Mr King	Mr Snedden
Mr Brown	Mr J. M. Fraser	Mr Mackay	Mr Solomon
Mr Buchanan	Mr Garland	Mr MacKellar	Mr Street
Mr Bury	Mr Giles	Mr Maisey	Mr Swartz
Mr K. M. K. Cairns	Mr Gorton	Mr McEwen	Mr Turner
Mr Calder	Mr Graham	Mr McLeay	Mr Wentworth
Mr D. M. Cameron	Mr Hallett	Mr McMahon	Mr Whittorn
Mr Chipp	Mr Hamer	Mr Nixon	
Mr Corbett	Mr Hulme	Mr O'Keefe	<i>Tellers:</i>
Sir J. Cramer	Mr Hunt	Mr Peacock	Mr Fox
Mr Dobie	Mr L. H. Irwin	Mr Pettitt	Mr Turnbull

NOES, 50

Mr Armitage	Mr Davies	Mr L. K. Johnson	Mr Scholes
Mr Barnard	Mr Enderby	Mr L. R. Johnson	Mr Sherry
Mr Bennett	Mr Everingham	Mr Jones	Mr Stewart
Mr Birrell	Mr FitzPatrick	Mr Keating	Mr Uren
Mr L. F. Bowen	Mr Foster	Mr Kennedy	Mr Webb
Mr Bryant	Mr Garrick	Mr Keogh	Mr Whitlam
Mr J. F. Cairns	Mr Grassby	Mr Kirwan	
Mr C. R. Cameron	Mr Griffiths	Mr Klugman	
Mr Cass	Mr Gun	Mr Luchetti	
Mr Cohen	Mr Hansen	Mr Martin	
Mr Collard	Mr Hayden	Mr Morrison	
Mr Connor	Mr Hurford	Mr Nicholls	
Mr Cope	Mr Jacobi	Mr Patterson	
Mr Crean	Mr Jenkins	Mr Reynolds	

Tellers:

Mr Duthie
Mr James

And so it was resolved in the affirmative.

Question—That the Bill be now read a second time—put and passed—Bill read a second time.

Message from the Governor-General: Mr Deputy Speaker announced the receipt of message No. 35, dated 5 March 1970, from His Excellency the Governor-General recommending an appropriation of moneys for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Anthony (Minister for Primary Industry), the Bill was read a third time.

20 MESSAGE FROM THE SENATE—NATIONAL HEALTH BILL 1970: Mr Speaker reported the receipt of the following message from the Senate:

MR SPEAKER,

Message No. 36

The Senate returns to the House of Representatives the Bill for "*An Act to amend the 'National Health Act 1953-1969'*", and acquaints the House that the Senate has agreed to the Bill as amended by the House at the request of the Senate, with the amendments indicated by the annexed Schedule.

The Senate requests the concurrence of the House in the amendments made by the Senate.

The Senate,
Canberra, 11 June 1970

T. L. BULL,
Deputy 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 2, clause 4, leave out the clause, insert the following clause:

"4. Section 3 of the Principal Act is amended—

Parts.

(a) by omitting the words—

'Part II.—National Health Services (Sections 7-11).'

and inserting in their stead the words—

'Part II.—National Health Services (Sections 9-11).'; and

(b) by omitting the words—

'Division 3.—Insured Patients in Approved Hospitals (Sections 46-52).

'Division 4.—Uninsured Patients and Pensioners in Approved Hospitals (Sections 53-55).'

and inserting in their stead the words—

'Division 3.—Certain Insured Patients in Approved Hospitals (Sections 46-52).

'Division 4.—Certain Uninsured Patients, and Pensioners, in Approved Hospitals (Sections 53-55).'

'Division 4A.—Patients treated without Charge in Approved Hospitals (Sections 55A–55B).’”.

No. 2—Page 8, clause 16, line 32, after “amended”, insert “—(a)”.

No. 3—Page 9, clause 16, at end of clause add the following paragraph:

“(c) by adding at the end thereof the following sub-section:—

‘(6.) There shall be a right of appeal on the determination of the Minister under the last preceding sub-section by a contributor to the jurisdiction which determined or would have otherwise heard his claim for compensation or damage.’”.

No. 4—Page 9, clause 19, lines 37 and 38, sub-section (4.) of proposed section 29A, leave out “during the Minister’s pleasure”, insert “for a period of three years but he shall be removable by the Minister in any case of misconduct or incapacity”.

No. 5—Page 10, clause 19, lines 7 and 8, sub-section (3.) of proposed section 29B, leave out “during the Minister’s pleasure”, insert “for a period of three years but he shall be removable by the Minister in any case of misconduct or incapacity”.

No. 6—Page 11, clause 19, line 12, sub-section (4.) of proposed section 29D, after “Act,”, insert “in accordance with the said recommendation.”.

No. 7—Page 12, after clause 19, insert the following new clause:

“19A. Section 32 of the Principal Act is amended by adding at the end of sub-section (1.) the words ‘and the conditions of the agreement shall be reviewed at least once every two years’.”.

Agreement
with
Australian
Medical
Association.

No. 8—Page 12, after clause 19, insert the following new clause:

“19B. After section 35 of the Principal Act the following section is inserted:—

‘36.—(1.) Where a claim by a medical practitioner has been disallowed in whole or in part under sub-section (1.) of section thirty-four of this Act, the medical practitioner may, within twenty-one days after receipt of notice of the disallowance, appeal to the Supreme Court, District or County Court, Court of Petty Sessions or other court of competent jurisdiction of the State or Territory in which the medical practitioner resides against the decision of the Minister disallowing the claim.

Appeal from
decision of
Minister
disallowing
claim.

‘(2.) The Supreme Court, District and County Court, Court of Petty Sessions and other courts of competent jurisdiction of each State are invested with federal jurisdiction, and jurisdiction is conferred on the Supreme Court and other courts of competent jurisdiction of each Territory, to hear and determine appeals under the last preceding sub-section.

‘(3.) The Minister shall be the respondent in the appeal.

‘(4.) Upon an appeal under this section the Court shall have regard to the evidence before the Committee of Inquiry and the report of the Committee.

‘(5.) If the Court is satisfied that the medical practitioner has, in respect of the medical services specified in the report of the Committee, been guilty of failure to discharge conscientiously his obligations under the agreement entered into with the Director-General under section thirty-three of this Act, it shall dismiss the appeal but, if not so satisfied, it shall allow the appeal and set aside the decision of the Minister.

‘(6.) The Court may order either party to pay costs to the other party.

‘(7.) The jurisdiction conferred by this section is exercisable by a single judge of the Court, whose decision is final and conclusive.

‘(8.) A medical practitioner is not liable under section thirty-four of this Act to pay an amount to the Commonwealth in pursuance of a decision by the Minister disallowing a claim in whole or in part until the expiration of the period within which the medical practitioner may appeal against the decision or, if an appeal is instituted, until the determination of the appeal.’”.

No. 9—Page 17, after clause 23, insert the following new clause:

“23A. Section 69 of the Principal Act is amended—

- (a) by omitting from sub-section (1.) the word ‘may’ and inserting in its stead the word ‘shall’; and
- (b) by omitting from sub-section (2.) the word ‘may’ and inserting in its stead the word ‘shall’.”

Furnishing of
information
by applicant
organizations.

No. 10—Page 18, clause 25, leave out the clause, insert the following new clause:

“25. Section 73 of the Principal Act is amended—

Registration.

- (a) by omitting sub-section (1.) and inserting in its stead the following sub-section:—

‘(1.) The Minister may by regulation, after considering the report of the Committee, grant, subject to such terms and conditions (if any) as he thinks fit, or refuse, the application and, if he grants the application, he shall register the organization accordingly.’;

- (b) by omitting sub-section (4.) and inserting in its stead the following sub-section:—

‘(4.) A register shall be open for public inspection.’;

- (c) by inserting in sub-section (6.) after the word ‘revoke’ the words ‘by regulation’; and

- (d) by inserting in sub-section (6.) after the word ‘impose’ the words ‘by regulation’.”

No. 11—Page 19, clause 27, after paragraph (g) of sub-section (2.) of proposed new section 76A, insert the following paragraphs:

“(ga) details of how the reserve fund has been invested;

(gb) details of direct or indirect interest in shareholdings held by directors of the fund in organizations in which the fund’s reserves have been invested; and”.

No. 12—Page 31, after clause 46, insert the following new clause:

“46A. Section 101 of the Principal Act is amended—

- (a) by inserting after sub-section (2B.) the following sub-section:—

‘(2C.) The names and qualifications of those persons appointed under the foregoing provisions shall be published in the *Gazette*.’; and

- (b) by inserting, after sub-section (3.) the following sub-section:—

‘(3A.) When the Committee recommends that drugs and medicinal preparations should not be made available as pharmaceutical benefits under this Part, a copy of the Report of the Committee, setting out details of the drugs and medicinal preparations and the reasons for the recommendations, shall be laid before each House of the Parliament within fourteen sitting days of its receipt by the Minister, and, if the Parliament is not then sitting, within fourteen days of the next meeting of the Parliament.’.”

Pharma-
ceutical
Benefits
Advisory
Committee.

Amendments Nos. 1 and 2—

On the motion of Mr Forbes (Minister for Health), the amendments were together agreed to.

Amendment No. 3—

On the motion of Mr Forbes, the amendment was disagreed to, after debate.

Amendments Nos. 4 to 7—

On the motion of Mr Forbes, the amendments were together agreed to, after debate.

Amendment No. 8—

On the motion of Mr Forbes, the amendment was disagreed to, after debate.

Amendment No. 9—

On the motion of Mr Forbes, the amendment was agreed to.

Amendment No. 10—

Mr Forbes moved—That the amendment be disagreed to, but that, in place thereof, the following sub-clause be added to clause 25 of the Bill:

“(2.) Section seventy-three of the Principal Act is further amended by adding at the end thereof the following sub-sections:—

‘(7.) Where the Minister grants an application for registration of an organization, he shall, within one month after he has so granted the application, publish in the *Gazette* a notification to that effect setting out—

- (a) the name of the organization;
- (b) the name of the State or Territory to which the registration relates;
- (c) the date of registration;
- (d) the fact that the registration is subject to the conditions set out in section seventy-three B of this Act; and
- (e) if the grant is subject to any other terms or conditions—those other terms and conditions.

‘(8.) Where the Minister refuses an application for registration of an organization, he shall, within one month after he has so refused the application, publish in the *Gazette* a notification of the refusal.

‘(9.) Where the Minister takes action in pursuance of sub-section (6.) of this section in relation to an organization, he shall, within one month after so taking action, publish in the *Gazette* a notification setting out—

- (a) the name of the organization;
- (b) particulars of the action so taken, including—
 - (i) where a term or condition has been varied—the term or condition as so varied;
 - (ii) where a term or condition has been revoked—the term or condition so revoked; or
 - (iii) where a term or condition has been added—the term or condition so added; and
- (c) the date on which the action was taken.’”.

Debate ensued.

Question—put and passed.

Amendment No. 11—

Mr Forbes moved—That the amendment be disagreed to, but that, in place thereof, the following paragraph be inserted after paragraph (g) of sub-section (2.) of the proposed new section 76A:

“(ga) details of how the reserves of the fund have been invested; and”.

Debate ensued.

Mr Klugman rising to address the committee—

Closure: Mr Forbes moved—That the question be now put.

Question—That the question be now put—put.

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

AYES, 52

Mr Adermann	Mr England	Mr Katter	Mr Sinclair
Mr Anthony	Mr Fairbairn	Mr Kelly	Mr Snedden
Mr Barnes	Mr Forbes	Mr Killen	Mr Solomon
Mr Bonnett	Mr J. M. Fraser	Mr King	Mr Street
Mr N. H. Bowen	Mr Garland	Mr Lucock	Mr Swartz
Mr Brown	Mr Giles	Mr Mackay	Mr Turner
Mr Buchanan	Mr Gorton	Mr MacKellar	Mr Wentworth
Mr Bury	Mr Graham	Mr McLeay	Mr Whittorn
Mr K. M. K. Cairns	Mr Hallett	Mr Nixon	
Mr Calder	Mr Hamer	Mr O'Keefe	
Mr Chipp	Mr Hughes	Mr Peacock	
Mr Corbett	Mr Hunt	Mr Pettitt	
Sir J. Cramer	Mr L. H. Irwin	Mr Reid	
Mr Dobie	Mr Jarman	Mr Robinson	

Tellers:

Mr Fox
Mr Turnbull

NOES, 42

Mr Armitage	Mr Enderby	Mr Jacobi	Mr Morrison
Mr Bennett	Mr Everingham	Mr Jenkins	Mr Patterson
Mr Birrell	Mr FitzPatrick	Mr L. K. Johnson	Mr Reynolds
Mr L. F. Bowen	Mr Foster	Mr L. R. Johnson	Mr Scholes
Mr Bryant	Mr Garrick	Mr Jones	Mr Sherry
Mr J. F. Cairns	Mr Grassby	Mr Keating	Mr Stewart
Mr C. R. Cameron	Mr Griffiths	Mr Kennedy	Mr Webb
Mr Cass	Mr Gun	Mr Keogh	
Mr Collard	Mr Hansen	Mr Kirwan	<i>Tellers:</i>
Mr Cope	Mr Hayden	Mr Klugman	Mr Duthie
Mr Crean	Mr Hurford	Mr Martin	Mr Luchetti

And so it was resolved in the affirmative.

And the question—That the motion be agreed to—was put accordingly, and passed.

Amendment No. 12—

Mr Forbes moved—That the amendment be disagreed to, but that, in place thereof, the following new clause be inserted after clause 46 of the Bill:

“46A. Section 101 of the Principal Act is amended by inserting after sub-section (2B.) the following sub-section:—
 ‘(2C.) The names and qualifications of persons appointed to be members of the Committee shall be published in the *Gazette*.’”

Pharmaceutical
Benefits
Advisory
Committee.

Debate ensued.

Question—put and passed.

Resolutions to be reported.

The House resumed; Mr Drury reported accordingly.

On the motion of Mr Forbes, the House adopted the report.

Mr Forbes moved—That Mr Holten (Minister for Repatriation), Mr Kelly, and the mover be appointed a committee to draw up reasons for the House of Representatives disagreeing to amendments Nos. 3 and 8 of the Senate.

Question—put and passed.

Mr Forbes, on behalf of the committee, brought up such reasons, which were read, and are as follows:

*Reason of the House of Representatives for disagreeing to Amendment No. 3
of the Senate*

The amendment provides for an appeal against a determination of the Minister under sub-section (5.) of section 21 of the Principal Act.

The appeal is expressed to be either to the jurisdiction which determined the claim or, if the claim was not determined by a court, to the jurisdiction which would have otherwise heard the claim. In a case where the claim has been determined by a court, the appeal would be inoperative because the power of the Minister to make a determination is limited to cases where there has been a settlement of a claim by the parties. In a case where there has been such a settlement, it is not clear to what court the appeal may be taken. The appeal is, therefore, unsatisfactory.

In any case, the nature of the Minister's power is such that the expense and delay of an appeal is not warranted.

*Reason of the House of Representatives for disagreeing to Amendment No. 8
of the Senate*

The amendment provides for an appeal against the disallowance by the Minister of a claim by a medical practitioner in respect of services rendered to pensioners under the Pensioner Medical Service. In disallowing a claim the Minister acts in accordance with the report of a Committee of Inquiry constituted by medical practitioners. In making the report the Committee considers whether the number of services given were appropriate having regard to generally accepted medical

standards of treatment. The basis of its investigation is, therefore, medical and not legal. An appeal to a court from the determination of the Minister is, therefore, inappropriate.

Mr Forbes moved—That the committee's reasons be adopted.

Question—put and passed.

- 21 CUSTOMS TARIFF BILL 1970: The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—
Debate resumed.

It being eleven o'clock p.m.—

Adjournment negatived: Mr Speaker, in accordance with the order of the House of 16 April, proposed the question—That the House do now adjourn.

Mr Chipp (Minister for Customs and Excise) requiring the question to be put forthwith without debate—

Question—put and negatived.

Debate continued.

The House continuing to sit until after midnight—

FRIDAY, 12 JUNE 1970

Debate continued.

Question—That the Bill be now read a second time—put and passed—Bill read a second time.

The House resolved itself into a committee of the whole.

In the committee

First Schedule debated and agreed to.

Second to Seventh Schedules, by leave, taken together, and agreed to.

Eighth Schedule debated and agreed to.

Ninth Schedule debated and agreed to.

Tenth Schedule debated and agreed to.

Eleventh and Twelfth Schedules, by leave, taken together, and agreed to.

Thirteenth Schedule debated and agreed to.

Remainder of Bill, by leave, taken as a whole, and agreed to.

Bill to be reported without amendment.

The House resumed; Mr Lucock reported accordingly.

On the motion of Mr Chipp, the House adopted the report.

Mr Chipp moved, by leave—That the Bill be now read a third time.

Question—put.

The House divided (the Deputy Speaker, Mr Dobie, in the Chair)—

AYES, 51

Mr Adermann	Mr England	Mr Kelly	Mr Sinclair
Mr Anthony	Mr Fairbairn	Mr Killen	Mr Snedden
Mr Bonnett	Mr Forbes	Mr King	Mr Solomon
Mr N. H. Bowen	Mr Garland	Mr Lucock	Mr Street
Mr Brown	Mr Giles	Mr Mackay	Mr Swartz
Mr Buchanan	Mr Gorton	Mr MacKellar	Mr Wentworth
Mr Bury	Mr Graham	Mr Maisey	Mr Whitlam
Mr K. M. K. Cairns	Mr Hallett	Mr McLeay	
Mr Calder	Mr Hamer	Mr Nixon	
Mr D. M. Cameron	Mr Hughes	Mr O'Keefe	
Mr Chipp	Mr Hunt	Mr Peacock	
Mr Corbett	Mr L. H. Irwin	Mr Pettitt	<i>Tellers:</i>
Sir J. Cramer	Mr Jarman	Mr Reid	Mr Fox
Mr Drury	Mr Katter	Mr Robinson	Mr Turnbull

NOES, 47

Mr Armitage	Mr Everingham	Mr L. R. Johnson	Mr Scholes
Mr Bennett	Mr FitzPatrick	Mr Jones	Mr Sherry
Mr Birrell	Mr Foster	Mr Keating	Mr Stewart
Mr L. F. Bowen	Mr Garrick	Mr Kennedy	Mr Uren
Mr Bryant	Mr Grassby	Mr Keogh	Mr Webb
Mr J. F. Cairns	Mr Griffiths	Mr Kirwan	Mr Whitlam
Mr C. R. Cameron	Mr Gun	Mr Klugman	
Mr Cass	Mr Hansen	Mr Luchetti	
Mr Cohen	Mr Hayden	Mr Martin	
Mr Collard	Mr Hurford	Mr Morrison	
Mr Cope	Mr Jacobi	Mr Nicholls	
Mr Crean	Mr Jenkins	Mr Patterson	
Mr Enderby	Mr L. K. Johnson	Mr Reynolds	
			<i>Tellers:</i>
			Mr Duthie
			Mr James

And so it was resolved in the affirmative—Bill read a third time.

22 MESSAGES FROM THE SENATE: Messages from the Senate were reported returning the following Bills without amendment:

11 June 1970—Message—

No. 34—Handicapped Children (Assistance) 1970.

No. 35—States Grants (Teachers Colleges) 1970.

23 MESSAGE FROM THE SENATE—STATES GRANTS (SPECIAL FINANCIAL ASSISTANCE) BILL 1970: Mr Speaker reported the receipt of the following message from the Senate:

Message No. 33

MR SPEAKER,

The Senate returns to the House of Representatives the Bill for "*An Act to provide for the payment of certain sums to the States by way of Special Financial Assistance*", and requests the House to amend the Bill as set forth in the annexed Schedule.

T. L. BULL,
Deputy President

The Senate,
Canberra, 11 June 1970

Message from the Governor-General: Mr Speaker announced the receipt of message No. 36, dated 11 June 1970, from His Excellency the Governor-General recommending an appropriation of revenue for the purpose of an amendment to be moved upon request by the Senate in the States Grants (Special Financial Assistance) Bill 1970. Ordered—That the amendment requested by the Senate be taken into consideration, in committee of the whole House, forthwith.

In the committee

SCHEDULE OF A REQUEST BY THE SENATE FOR AMENDMENT

Page 2, clause 3, line 1, leave out "One million five hundred dollars", insert "One million five hundred thousand dollars".

On the motion of Mr Bury (Treasurer), the requested amendment was made. Resolution to be reported.

The House resumed; Mr Lucock reported accordingly.

On the motion of Mr Bury, the House adopted the report.

24 SEAMEN'S COMPENSATION BILL 1970: The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—Debate resumed.

Question—put and passed—Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Bury (Treasurer), the Bill was read a third time.

25 COMMONWEALTH EMPLOYEES' COMPENSATION BILL 1970 [No. 2]: The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—

Question—put and passed—Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Bury (Treasurer), the Bill was read a third time.

26 LOAN (DEFENCE) BILL 1970: The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—

Debate resumed.

Question—put and passed—Bill read a second time.

Message from the Governor-General: Mr Speaker announced the receipt of message No. 37, dated 4 June 1970, from His Excellency the Governor-General recommending an appropriation of revenue and moneys for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Bury (Treasurer), the Bill was read a third time.

27 LOAN BILL 1970: The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—

Question—put and passed—Bill read a second time.

Message from the Governor-General: Mr Speaker announced the receipt of message No. 38, dated 5 June 1970, from His Excellency the Governor-General recommending an appropriation of moneys for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Bury (Treasurer), the Bill was read a third time.

28 STATES RECEIPTS DUTIES (ADMINISTRATION) BILL 1970: The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—

Debate adjourned (Mr Crean), and the resumption of the debate made an order of the day for the next sitting.

29 ADJOURNMENT: Mr Snedden (Leader of the House) moved—That the House do now adjourn.

Question—put and passed.

And then the House, at nineteen minutes past three o'clock in the morning, adjourned until this day at ten o'clock a.m.

PAPERS: The following papers were deemed to have been presented on 11 June 1970, pursuant to statute:

Customs Tariff—Order—Declared Preference Countries No. 1 (1970).

Public Service Arbitration Act—

Commonwealth Conciliation and Arbitration Commission—Determinations—1969—

No. 383—Professional Officers' Association, Commonwealth Public Service and others.

No. 384—Professional Officers' Association, Commonwealth Public Service.

No. 385—Association of Architects, Engineers, Surveyors and Draughtsmen of Australia.

Public Service Arbitrator—Determinations—1970—

Nos. 64 and 65—Non-Official Postmasters' Association of Australia.

No. 124—Commonwealth Public Service Artisans' Association.

No. 126—Commonwealth Public Service Association (Fourth Division Officers).

Nos. 127 and 128—Amalgamated Postal Workers' Union of Australia.

No. 129—Hospital Employees' Federation of Australia.

No. 130—Repatriation Department Medical Technologists' Association.

- Nos. 131 and 132—Professional Officers' Association, Commonwealth Public Service.
No. 133—Civil Aviation Employees' Association of Australia.
No. 134—Professional Radio Employees' Institute of Australasia.
No. 135—Line Inspectors' Association, Commonwealth of Australia.
No. 136—Association of Architects, Engineers, Surveyors and Draughtsmen of Australia.
No. 137—Commonwealth Public Service Association (Fourth Division Officers).
No. 138—Postal Telecommunication Technicians' Association (Australia) and others.
Nos. 139 and 140—Association of Architects, Engineers, Surveyors and Draughtsmen of Australia.
No. 141—Professional Officers' Association, Commonwealth Public Service.
No. 142—Union of Postal Clerks and Telegraphists.
No. 143—Australian Broadcasting Commission Staff Association.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Bate, Mr Beazley, Mr Berinson, Mr Calwell, Mr G. D. Erwin, Mr Howson and Mr Lynch.

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