

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

## HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 38

FRIDAY, 12 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 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.  
Petition received and read.  
Similar petitions were presented by Mr Keating, Mr L. R. Johnson, Mr Luchetti and Mr Reynolds, from certain citizens of New South Wales, and were severally received. Mr Morrison presented a petition from certain citizens of the Commonwealth praying that this House make legal provision for (1) a joint Commonwealth-State inquiry into inequalities in Australian education, (2) the immediate financing of special programmes for low income earners and others and (3) the provision of pre-school opportunities for all children.  
Petition received and read.
  - 3 QUESTIONS: Questions without notice were asked.
  - 4 STATEMENT BY MEMBER: Mr Grassby, by leave, made a statement concerning certain actions of Mr Holten (Minister for Repatriation) relating to correspondence with local governing authorities in the Electoral Division of Riverina.  
Mr Holten, by leave, also made a statement with reference to the matter.
  - 5 PAPERS: The following papers were presented, pursuant to statute:  
Egg Export Control Act—Australian Egg Board—Twenty-second Annual Report, for year 1968-69.  
National Library Act—Council of the National Library of Australia—Ninth Annual Report and financial statements, together with the Auditor-General's Report, for year 1968-69.  
Services Trust Funds Act—Services Canteens Trust Fund—Twenty-second Annual Report by the Trustees, together with the Auditor-General's Report, for 1969.  
Severally ordered to be printed.
  - 6 RETIREMENT OF MR J. E. MEREDITH, CHIEF ENGINEER, JOINT HOUSE DEPARTMENT: Mr Speaker referred to the impending retirement of Mr J. E. Meredith, Chief Engineer in the Joint House Department and, after expressing appreciation of Mr Meredith's long service to the Parliament, wished him a happy retirement.  
Mr Daly and Mr Snedden (Leader of the House), by leave, supported the remarks of Mr Speaker.
  - 7 AIRCRAFT NOISE—SELECT COMMITTEE—INTERIM REPORT—STATEMENTS BY MEMBERS: Mr Buchanan (Chairman) brought up an Interim Report, together with Minutes of Proceedings, from the Select Committee on Aircraft Noise.  
Ordered—That the report be printed.

Mr Buchanan, Mr Jones, Mr L. H. Irwin and Mr Daly, by leave, made statements with reference to the report.

- 8 PUBLIC ACCOUNTS COMMITTEE—REPORT: Mr Dobie (Chairman) brought up the following report from the Joint Committee of Public Accounts:

One hundred and nineteenth Report—The Supplementary Report of the Auditor-General—Financial year 1968–69.

Ordered to be printed.

- 9 AUSTRALIAN POST OFFICE—ADMINISTRATIVE CENTRE STAGE 1, BRISBANE—APPROVAL OF WORK: Mr Peacock (Minister for the Army), for 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 Australian Post Office—Administrative Centre Stage 1 at Brisbane. Question—put and passed.

- 10 SUSPENSION OF STANDING ORDERS—BILLS RELATING TO STATES RECEIPTS DUTIES—LIMITATION OF DEBATE: Mr Snedden (Leader of the House) moved, pursuant to notice—That, in relation to the proceedings on the following Bills, viz., States Receipts Duties (Administration), States Receipts Duty (No. 1), States Receipts Duty (No. 2), States Receipts Duty (No. 3) and States Grants (Receipts Duty), so much of the standing orders be suspended as would prevent the Leader of the House making one declaration of urgency and moving one motion for the allotment of time in respect of all the Bills together.

Question—put and passed.

- 11 DECLARATION OF BILLS RELATING TO STATES RECEIPTS DUTIES AS URGENT BILLS—LIMITATION OF DEBATE: Mr Snedden (Leader of the House) declared that the States Receipts Duties (Administration), States Receipts Duty (No. 1), States Receipts Duty (No. 2), States Receipts Duty (No. 3) and States Grants (Receipts Duty) Bills were urgent Bills.

Question—That the Bills be considered urgent Bills—put and passed.

*Allotment of time:* Mr Snedden then moved—That the time allotted in connection with the Bills be as follows:

- (1) States Receipts Duties (Administration) Bill—
  - (a) For the second reading, until 2.12 p.m. this day;
  - (b) For the remaining stages, until 2.14 p.m. this day.
- (2) States Receipts Duty Bill (No. 1)—For all stages of the Bill, until 2.18 p.m. this day.
- (3) States Receipts Duty Bill (No. 2)—For all stages of the Bill, until 2.22 p.m. this day.
- (4) States Receipts Duty Bill (No. 3)—For all stages of the Bill, until 2.26 p.m. this day.
- (5) States Grants (Receipts Duty) Bill—
  - (a) For the second reading, until 2.28 p.m. this day;
  - (b) For the remaining stages, until 2.30 p.m. this day.

Debate ensued.

Question—put and passed.

- 12 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 resumed by Mr Crean who moved, as an amendment—That all words after “That” be omitted with a view to inserting the following words in place thereof: “the House declines to give the Bill a second reading as it is of opinion that the Bill provides a cumbersome and regressive means of compensating the States for the revenue they lost through their Receipts Duty Acts having been declared unconstitutional”.

Debate continued.

*Limitation of debate:* At twelve minutes past two o'clock p.m., Mr Speaker having called the attention of the House to the fact that the time allotted for the second reading had expired—

Question—That the words proposed to be omitted stand part of the question—put.  
The House divided (the Speaker, Sir William Aston, in the Chair)—

AYES, 52

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

NOES, 46

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

And so it was resolved in the affirmative.

Question—That the Bill be now read a second time—put.  
The House divided (the Speaker, Sir William Aston, in the Chair)—

AYES, 53

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

NOES, 47

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

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

*Message from the Governor-General:* Mr Speaker announced the receipt of message No. 39, dated 4 June 1970, from His Excellency the Governor-General recommending an appropriation of revenue for the purposes of the Bill.

*Limitation of debate:* The time allotted for the remaining stages having expired—  
Question—That the remaining stages of the Bill be agreed to—put and passed.

13 STATES RECEIPTS DUTY BILL (No. 1) 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—

*Limitation of debate:* The time allotted for all stages of the Bill having expired—  
Question—That all stages of the Bill be agreed to—put and passed.

14 STATES RECEIPTS DUTY BILL (No. 2) 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—

*Limitation of debate:* The time allotted for all stages of the Bill having expired—  
Question—That all stages of the Bill be agreed to—put and passed.

15 STATES RECEIPTS DUTY BILL (No. 3) 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—

*Limitation of debate:* The time allotted for all stages of the Bill having expired—  
Question—That all stages of the Bill be agreed to—put and passed.

16 STATES GRANTS (RECEIPTS DUTY) 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—

*Limitation of debate:* The time allotted for the second reading having expired—

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

*Message from the Governor-General:* Mr Speaker announced the receipt of message No. 40, dated 4 June 1970, from His Excellency the Governor-General recommending an appropriation of revenue for the purposes of the Bill.

*Limitation of debate:* It then being half-past two o'clock p.m., Mr Speaker called the attention of the House to the fact that the time allotted for the remaining stages had expired—

Question—That the remaining stages of the Bill be agreed to—put and passed.

17 PUBLIC ACCOUNTS COMMITTEE REPORT—STATEMENT BY MEMBER: Mr Dobie (Chairman), by leave, made a statement in connection with the One hundred and nineteenth Report of the Joint Committee of Public Accounts.

18 STEVEDORING INDUSTRY (TEMPORARY PROVISIONS) 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—

Mr Snedden (Minister for Labour and National Service), by leave, made a statement on matters connected with the Bill.

Debate resumed.

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

The House resolved itself into a committee of the whole.

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*In the committee*

Bill, by leave, taken as a whole.

On the motion of Mr Snedden, the following amendment was made: Clause 6, page 3, proposed section 6C, omit sub-section (1.), insert the following sub-sections:

“(1.) The Director shall be paid salary at such rate, and an annual allowance (if any) at such rate, as the Parliament provides, but until the first day of January, One thousand nine hundred and seventy-one, that salary and that allowance shall be as prescribed.

“(1A.) The Director shall be paid such other allowances as are prescribed.”

Bill, as amended, agreed to.

Bill to be reported with an amendment.

The House resumed; Mr Lucock reported accordingly.

On the motion of Mr Snedden, by leave, the House adopted the report, and, by leave, the Bill was read a third time.

- 19 ROYAL MILITARY COLLEGE, DUNTRON—REPORT OF COMMITTEE OF INQUIRY—MINISTERIAL STATEMENT: Mr Peacock (Minister for the Army), by command of His Excellency the Governor-General, presented the following paper:

Royal Military College, Duntroon—Report of Committee of Inquiry, dated 24 April 1970—

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

Mr Barnard (Deputy Leader of the Opposition), by leave, also made a statement in connection with the report.

- 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. 37

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 does not insist upon its Amendments Nos. 3, 8, 10, 11 and 12 disagreed to by the House of Representatives, and has agreed to the Amendments made by the House in place of the Senate's Amendments Nos. 10, 11 and 12.

The Senate,  
Canberra, 12 June 1970

T. L. BULL,  
Deputy President

- 21 CONCILIATION AND ARBITRATION 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 four o'clock p.m.—*

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

Mr Hughes (Attorney-General) requiring the question to be put forthwith without debate—

Question—put and negated.

Debate continued.

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

The House divided (the Speaker, Sir William Aston, in the Chair)—

AYES, 35

Mr Anthony  
Mr Brown  
Mr Buchanan  
Mr Bury  
Mr Chipp  
Mr Dobie  
Mr England  
Mr Fairbairn  
Mr Giles

Mr Gorton  
Mr Holten  
Mr Hughes  
Mr Hulme  
Mr Hunt  
Mr L. H. Irwin  
Mr Jarman  
Mr Kelly  
Sir W. Kent Hughes

Mr Lucock  
Mr MacKellar  
Mr Maisey  
Mr McEwen  
Mr McLeay  
Mr O'Keefe  
Mr Pettitt  
Mr Reid  
Mr Sinclair

Mr Snedden  
Mr Street  
Mr Swartz  
Mr Turner  
Mr Wentworth  
Mr Whittorn  
*Tellers:*  
Mr Fox  
Mr Turnbull

NOES, 18

Mr Armitage  
Mr Bryant  
Mr J. F. Cairns  
Mr C. R. Cameron  
Mr Crean

Mr Enderby  
Mr Garrick  
Mr Jenkins  
Mr L. K. Johnson  
Mr Jones

Mr Keating  
Mr Kennedy  
Mr Morrison  
Mr Reynolds  
Mr Scholes

Mr Uren  
*Tellers:*  
Mr Daly  
Mr James

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

The House resolved itself into a committee of the whole.

*In the committee*

Clauses 1 to 3, by leave, taken together, and agreed to.

Clause 4 debated and agreed to.

Clause 5 agreed to.

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

Clauses 8 and 9, by leave, taken together, and agreed to.

Clauses 10 to 12, by leave, taken together, and agreed to, after debate.

Clause 13—

Mr C. R. Cameron moved the following amendment: Page 5, omit the clause, insert the following clause:

“13.—(1.) Section 109 of the Principal Act is repealed.

Power of  
Court.

“(2.) Upon the commencement of this Act, an order of the Commonwealth Industrial Court in force under section 109 of the Principal Act ceases to have effect.”.

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

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

AYES, 34

Mr Anthony	Mr Gorton	Mr Maisey	Mr Street
Mr Brown	Mr Hughes	Mr McEwen	Mr Swartz
Mr Buchanan	Mr Hulme	Mr McLeay	Mr Turner
Mr Bury	Mr Hunt	Mr O'Keefe	Mr Wentworth
Mr Chipp	Mr L. H. Irwin	Mr Peacock	Mr Whitton
Mr Dobie	Mr Jarman	Mr Pettitt	
Mr England	Mr Kelly	Mr Reid	<i>Tellers:</i>
Mr Fairbairn	Sir W. Kent Hughes	Mr Sinclair	Mr Fox
Mr Giles	Mr MacKellar	Mr Snedden	Mr Turnbull

NOES, 17

Mr Armitage	Mr Enderby	Mr Keating	<i>Tellers:</i>
Mr Bryant	Mr A. D. Fraser	Mr Kennedy	
Mr C. R. Cameron	Mr Garrick	Mr Reynolds	Mr James
Mr Crean	Mr L. K. Johnson	Mr Scholes	Mr Morrison
Mr Daly	Mr Jones	Mr Uren	

And so it was resolved in the affirmative.

Clause 14 debated and agreed to.

Clauses 15 and 16 agreed to.

*Proposed new clause—*

Mr C. R. Cameron moved—That the following new clause be inserted in the Bill:

“16A. Section 116 of the Principal Act is repealed and the following section inserted in its stead:—

‘116. A party to—

Costs.

(a) a proceeding before the Court, the Commission or the Registrar;

or

(b) a proceeding before the High Court—

(i) being an appeal from a judgment, decree, order or sentence of the Court;

or

(ii) being a proceeding in respect of an award made or purporting to have been made, a decision given or purporting to have been given or any other act done or purporting to have been done under this Act or in respect of a failure to make an award, give a decision or do any other act that is required by this Act to be made, given or done,

shall not be ordered to pay any costs incurred by any other party to that proceeding.’”.

Debate ensued.

Question—put.

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

## AYES, 17

Mr Armitage	Mr Enderby	Mr Keating	Mr Uren
Mr Bryant	Mr A. D. Fraser	Mr Kennedy	<i>Tellers:</i>
Mr C. R. Cameron	Mr Garrick	Mr Reynolds	Mr James
Mr Crean	Mr L. K. Johnson	Mr Scholes	Mr Morrison
Mr Daly	Mr Jones		

## NOES, 34

Mr Anthony	Mr Gorton	Mr Maisey	Mr Street
Mr Brown	Mr Hughes	Mr McEwen	Mr Swartz
Mr Buchanan	Mr Hulme	Mr McLeay	Mr Turner
Mr Bury	Mr Hunt	Mr O'Keefe	Mr Wentworth
Mr Chipp	Mr L. H. Irwin	Mr Peacock	Mr Whitton
Mr Dobie	Mr Jarman	Mr Pettitt	
Mr England	Mr Kelly	Mr Reid	<i>Tellers:</i>
Mr Fairbairn	Sir W. Kent Hughes	Mr Sinclair	Mr Fox
Mr Giles	Mr MacKellar	Mr Snedden	Mr Turnbull

And so it was negatived.

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

The House resumed; Mr Lucock reported accordingly.

On the motion of Mr Snedden (Minister for Labour and National Service), the House adopted the report.

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

Question—put.

The House divided (the Speaker, Sir William Aston, in the Chair)—

## AYES, 35

Mr Anthony	Mr Gorton	Mr MacKellar	Mr Snedden
Mr Brown	Mr Hughes	Mr Maisey	Mr Street
Mr Buchanan	Mr Hulme	Mr McEwen	Mr Swartz
Mr Bury	Mr Hunt	Mr McLeay	Mr Turner
Mr Chipp	Mr L. H. Irwin	Mr O'Keefe	Mr Wentworth
Mr Dobie	Mr Jarman	Mr Peacock	Mr Whitton
Mr England	Mr Kelly	Mr Pettitt	<i>Tellers:</i>
Mr Fairbairn	Sir W. Kent Hughes	Mr Reid	Mr Fox
Mr Giles	Mr Lucock	Mr Sinclair	Mr Turnbull

## NOES, 17

Mr Armitage	Mr A. D. Fraser	Mr Kennedy	Mr Uren
Mr Bryant	Mr Garrick	Mr Morrison	<i>Tellers:</i>
Mr C. R. Cameron	Mr L. K. Johnson	Mr Reynolds	Mr Daly
Mr Crean	Mr Jones	Mr Scholes	Mr James
Mr Enderby	Mr Keating		

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

22 MESSAGE FROM THE SENATE—CIVIL AVIATION (CARRIERS' LIABILITY) BILL 1970: Mr Speaker reported message No. 38, dated 12 June 1970, from the Senate transmitting for the concurrence of the House a Bill for "*An Act to amend the 'Civil Aviation (Carriers' Liability) Act 1959-1966'*".

Bill read a first time.

Mr Hughes (Attorney-General) moved—That the Bill be now read a second time.

Leave granted for debate to ensue.

Mr Jones moved, as an amendment—That all words after "That" be omitted with a view to inserting the following words in place thereof: "while not opposing the passage of the Bill, the House is of opinion that the limits of liability under International Convention are unjust and therefore requests that the Government take action to have the injustice rectified by pressing for a revision of the International

Conventions to increase the limits applied in the absence of negligence and to remove the limits where negligence is proved and, in the meantime, to take action similar to that taken by the United States Government in 1965 and 1966, that is, to obtain agreement with the international airlines operating to this country and our international airline, whereby the limit of liability for death or injury to passengers on services including a point in this country as a point of origin, destination or agreed stopping place will be raised to an amount of \$52,000.00 (Aust.) exclusive of legal fees and costs”.

Debate continued.

Amendment negatived.

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*

Bill, by leave, taken as a whole.

Mr Jones, by leave, moved the following new clauses and amendment together:

*Proposed new clauses—*

Page 2, after clause 5, insert the following new clause:

“5A. Section 29 of the Principal Act is amended by omitting from sub-section (1.) the words ‘, and not otherwise,’”.

Liability of the carrier in respect of baggage.

Page 2, after clause 6, insert the following new clauses:

“6A. Section 32 of the Principal Act is amended by adding at the end thereof the following sub-section:

‘(3.) The preceding provisions of this section apply in relation to liability of a carrier (including liability in respect of baggage) under a law (including the common law) other than this Part arising out of carriage of a passenger to which this Part applies in like manner as they apply in relation to liability in accordance with this Part.’”.

“6B. Section 33 of the Principal Act is repealed.”.

Servants and agents of carrier.

“6C. Section 35 of the Principal Act is amended by omitting sub-section (2.)”.

Liability in respect of death.

*Amendment—*

Page 2, omit clause 7, insert the following clause:

“7. Sections 36 and 37 of the Principal Act are repealed and the following section inserted in their stead:—

“37.—(1.) Subject to this section, nothing in this Part shall be deemed—

Other liabilities not excluded.

(a) to exclude any liability of a carrier, or a servant or agent of a carrier, under a law (including the common law) other than this Part; or

(b) to limit the amount recoverable in an action in respect of any such liability.

‘(2.) In an action against a carrier under this Part in respect of the death of, or injury to, a passenger, or the destruction or loss of, or injury to, any baggage, there shall be deducted from any damages awarded any amount payable by the carrier (or a servant or agent of the carrier) under a judgment or settlement in respect of liability otherwise than under this Part in respect of that death, injury, loss or destruction.

‘(3.) In an action against a carrier, or a servant or agent of a carrier, otherwise than under this Part in respect of the death of, or injury to, a passenger or the destruction or loss of, or injury to, any baggage, there shall be deducted from any damages, compensation or other amount awarded any amount

payable by the carrier under a judgment or settlement in respect of the liability of the carrier under this Part in respect of that death, injury, loss or destruction.' ”.

Debate continued.

Proposed new clauses and amendment negatived.

Bill agreed to.

Bill to be reported without amendment.

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The House resumed; Mr Lucock reported accordingly.

On the motion of Mr Hughes, the House adopted the report, and, by leave, the Bill was read a third time.

- 23 MESSAGE FROM THE SENATE—AUSTRALIAN NATIONAL AIRLINES BILL 1970: Mr Speaker reported message No. 39, dated 12 June 1970, from the Senate transmitting for the concurrence of the House a Bill for “*An Act to repeal section 66 of the ‘Australian National Airlines Act 1945–1966’*”.

Bill read a first time.

Mr Hughes (Attorney-General) 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 Hughes, the Bill was read a third time.

- 24 MESSAGE FROM THE SENATE—AIR ACCIDENTS (COMMONWEALTH LIABILITY) BILL 1970 [No. 2]: Mr Speaker reported message No. 40, dated 12 June 1970, from the Senate transmitting for the concurrence of the House a Bill for “*An Act to amend the ‘Air Accidents (Commonwealth Liability) Act 1963’ and the ‘Statute Law Revision (Decimal Currency) Act 1966–1967’*”.

Bill read a first time.

Mr Hughes (Attorney-General) moved—That the Bill be now read a second time.

Question—put, by leave, and passed—Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Hughes, the Bill was read a third time.

- 25 FIRE AT WHYALLA SHIPYARD—MINISTERIAL STATEMENT AND PAPER: Mr Sinclair (Minister for Shipping and Transport), by leave, made a ministerial statement with reference to the inquiry into the fire on the building berth at the Whyalla Shipbuilding and Engineering Works on 18 April 1970, and, by command of His Excellency the Governor-General, presented the following paper:

Fire at Whyalla Shipbuilding and Engineering Works—Report of Inquiry (by Mr E. S. Clarke), dated 10 June 1970.

Mr Jones, by leave, also made a statement in connection with the matter.

- 26 PUBLICATIONS COMMITTEE—FIRST REPORT: Mr Pettitt, on behalf of the Chairman, brought up the First Report from the Publications Committee. The report is as follows:

#### FIRST REPORT

The Publications Committee, having considered the Petitions and Papers presented to the House of Representatives since the last meeting of the Printing Committee and another paper previously presented, recommends that the following be printed:

Academic Salaries—Report of the Inquiry into Academic Salaries, dated 7 May 1970.

Commonwealth Scholarships Board—Report for 1969.

Life Insurance Act—Insurance Commissioner—Twenty-fourth Annual Report, for 1969.

New Guinea—Report to the General Assembly of the United Nations on administration of New Guinea for year 1968–69.

Off-shore minerals other than petroleum—Correspondence between the Minister for National Development and State Mines Ministers together with the transcript of proceedings of meetings of the Australian Minerals Council in 1969.

States Grants (Secondary School Libraries) Act—Annual Statement of payments under the Act, for 1969.

12 June 1970

J. A. PETTITT,  
for Chairman

Mr Pettitt moved, by leave—That the report be agreed to.

Question—put and passed.

27 MESSAGE FROM THE SENATE: A message from the Senate was reported returning the following Bill and acquainting the House that the Senate had agreed to the Bill as amended by the House at the request of the Senate and without further amendment: 12 June 1970—Message No. 41—States Grants (Special Financial Assistance) 1970.

28 SPECIAL ADJOURNMENT: Mr Snedden (Leader of the House) 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.

29 LEAVE OF ABSENCE TO ALL MEMBERS: Mr Snedden (Leader of the House) 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.

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

Question—put and passed.

And then the House, at twenty-seven minutes past seven 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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PAPERS: The following papers were deemed to have been presented on 12 June 1970, pursuant to statute:

Butter Fat Levy Act—Regulations—Statutory Rules 1970, No. 75.

Defence Act—Regulations—Statutory Rules 1970, No. 76.

Naval Defence Act—Regulations—Statutory Rules 1970, No. 74.

Navigation Act—Regulations—Statutory Rules 1970, No. 78.

Northern Territory (Administration) Act—Regulation—1970—No. 12 (Adoption of Children Ordinance).

Post and Telegraph Act—Regulations—Statutory Rules 1970, No. 77.

Poultry Industry Levy Act—Regulations—Statutory Rules 1970, No. 73.

Public Service Act—Regulations—Statutory Rules 1970, No. 79.

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MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Beazley, Mr Berinson, Mr L. F. Bowen, Mr Calwell, Mr Cross, Mr G. D. Erwin, Mr Fulton, Mr Garland, Mr Howson, Mr Jess, Mr Kirwan, Mr Lynch and Mr Wallis.

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