

1970-71

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 99

WEDNESDAY, 28 APRIL 1971

1 The House met, at half-past two o'clock p.m., pursuant to adjournment. Mr Speaker (the Honourable Sir William Aston) took the Chair, and read Prayers.

2 PETITIONS: Mr Cass presented a petition from certain residents of the Australian Capital Territory praying that a Committee of Inquiry, on which are represented the Department of Education and Science, institutions of tertiary education, practising educators, and the Canberra community, be instituted to inquire into the form that an Australian Capital Territory Education Authority should take, the educational principles and philosophy that should underly it, and its mode of operation and administration.

Petition received and read.

Mr Graham presented a petition from certain citizens of North Sydney praying that the House seek to ensure that Commonwealth legislation bearing on films, literature and radio and television programmes is so framed and so administered as to give the maximum freedom to adults to choose what they will watch, read and listen to, even in the face of pressure from those who seek to impose their ideas and morals on others who do not share them.

Mr L. H. Irwin presented a petition from certain residents of Victoria praying that the export of products made from kangaroos be banned and the Commonwealth Government take necessary steps to have all wildlife in Australia brought under its control. Petitions severally received.

3 QUESTIONS: Questions without notice were asked.

4 PAPER: The following paper was presented, pursuant to statute:

Marginal Dairy Farms Agreements Act—Copy of Agreement made on 2 April 1971 between the Commonwealth of Australia and the State of South Australia in relation to the Marginal Dairy Farms Reconstruction Scheme.

5 H.M.A.S. *Leeuwin*—INCIDENTS INVOLVING RECRUITS—JUDICIAL INQUIRY—MINISTERIAL STATEMENT: Mr Mackay (Minister for the Navy), by leave, made a ministerial statement informing the House that he had requested His Honour Judge Rapke to conduct an inquiry into incidents involving the alleged maltreatment of recruits by other recruits at H.M.A.S. *Leeuwin*.

Mr Barnard (Deputy Leader of the Opposition), by leave, also made a statement with reference to the matter.

Mr Kirwan asked leave to make a statement on the same subject.

Objection being raised, leave not granted.

- 6 **TARIFF POLICY—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Mr Anthony (Minister for Trade and Industry), by leave, made a ministerial statement on tariff policy, and, by command of His Excellency the Governor-General, presented the following paper:
 Tariff policy—Ministerial statement, 28 April 1971.
 Mr Swartz (Leader of the House) moved—That the House take note of the paper.
 Debate ensued.
 Debate adjourned (Mr Kelly), and the resumption of the debate made an order of the day for the next sitting.
- 7 **MESSAGE FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS:** A message from His Excellency the Governor-General was announced informing the House that His Excellency, in the name of Her Majesty, had assented to the following Bills:
 27 April 1971—Message No. 114—
 Dried Fruits Levy 1971.
 Dried Fruits Levy Collection 1971.
 Dried Fruits Research 1971.
- 8 **CUSTOMS TARIFF PROPOSALS NOS. 7 AND 8 (1971):** Mr Chipp (Minister for Customs and Excise) moved Customs Tariff Proposals Nos. 7 and 8 (1971).
 Debate adjourned (Mr J. F. Cairns), and the resumption of the debate made an order of the day for the next sitting.
- 9 **PAPERS:** The following papers were presented, by command of His Excellency the Governor-General:
 Tariff Board—Reports—
 Pins, hairpins and curling grips.
 Refractory products.
 Severally ordered to be printed.
- 10 **WOOL INDUSTRY BILL 1971:** Mr Sinclair (Minister for Primary Industry), pursuant to notice, presented a Bill for an Act to empower the Commonwealth to Guarantee the Repayment of Loans to the Australian Wool Board in connexion with Wool-selling Centres.
 Bill read a first time.
 Mr Sinclair moved—That the Bill be now read a second time.
 Debate adjourned (Mr Patterson), and the resumption of the debate made an order of the day for the next sitting.
- 11 **INCOME TAX ASSESSMENT BILL (No. 2) 1971:** Mr Snedden (Treasurer) presented a Bill for an Act to amend the Law relating to Income Tax in respect of Interest paid by Companies on Bearer Debentures and in respect of Interest paid to Non-residents.
 Bill read a first time.
 Mr Snedden moved—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.
- 12 **INCOME TAX (WITHHOLDING TAX RECOUPMENT) BILL 1971:** Mr Snedden (Treasurer) presented a Bill for an Act to impose Income Tax upon certain Interest that has been exempted from Withholding Tax.
 Bill read a first time.
 Mr Snedden moved—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.
- 13 **INCOME TAX (BEARER DEBENTURES) BILL 1971:** Mr Snedden (Treasurer) presented a Bill for an Act to impose Income Tax upon Interest paid or credited by Companies in respect of certain Debentures.
 Bill read a first time.
 Mr Snedden moved—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.

- 14 INTERNATIONAL TIN AGREEMENT BILL 1971: 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 Hunt (Minister for the Interior), the Bill was read a third time.

- 15 CUSTOMS TARIFF BILL 1971: 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.

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

- 16 TAXATION—STATUTORY DEFINITION OF A PUBLIC COMPANY—MINISTERIAL STATEMENT—

MOTION TO TAKE NOTE OF PAPER: Mr Snedden (Treasurer), by leave, made a ministerial statement with reference to the implications of the recent decision of the High Court in the income tax case of *Commissioner of Taxation v. Casuarina Pty Ltd* which had disclosed a gap in the income tax legislation providing a statutory definition of a public company, and, by command of His Excellency the Governor-General, presented the following paper:

Taxation—Statutory definition of a public company—Ministerial statement,
28 April 1971.

Mr Swartz (Leader of the House) moved—That the House take note of the paper.

Debate ensued.

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

- 17 CUSTOMS TARIFF BILL 1971: 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.

Mr Grassby rising to address the House—

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

Question—That the question be now put—put and passed.

And the question—That the Bill be now read a second time—was put accordingly, 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, and debated.

The committee continuing to sit until after midnight—

THURSDAY, 29 APRIL 1971

Debate continued.

Mr Hurford rising to address the committee—

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

Question—That the question be now put—put and passed.

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

Bill to be reported without amendment.

The House resumed; Mr Lucock reported accordingly.

On the motion of Mr Chipp (Minister for Customs and Excise), 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 Drury, in the Chair)—

AYES, 45

Mr Anthony	Mr Giles	Mr Lucock	Mr Sinclair
Mr Brown	Mr Hallett	Mr Lynch	Mr Snedden
Mr Buchanan	Mr Hamer	Mr Mackay	Mr Solomon
Mr K. M. K. Cairns	Mr Holten	Mr MacKellar	Mr Staley
Mr D. M. Cameron	Mr Howson	Mr Maisey	Mr Street
Mr Chipp	Mr Hughes	Mr McLeay	Mr Swartz
Mr Dobie	Mr Hunt	Mr Nixon	Mr Wentworth
Mr G. D. Erwin	Mr L. H. Irwin	Mr O'Keefe	
Mr Fairbairn	Mr Jess	Mr Peacock	<i>Tellers:</i>
Mr Forbes	Mr Kelly	Mr Pettitt	
Mr J. M. Fraser	Mr King	Mr Reid	Mr Fox
Mr Garland	Mr Lloyd	Mr Robinson	Mr Turnbull

NOES, 42

Mr Armitage	Mr Crean	Mr Hurford	Mr Morrison
Mr Barnard	Mr Cross	Mr Jacobi	Mr Patterson
Mr Beazley	Mr Davies	Mr Jenkins	Mr Stewart
Mr Bennett	Mr Everingham	Mr L. K. Johnson	Mr Wallis
Mr Berinson	Mr FitzPatrick	Mr L. R. Johnson	
Mr L. F. Bowen	Mr Foster	Mr Jones	
Mr J. F. Cairns	Mr Fulton	Mr Keating	
Mr Cass	Mr Garrick	Mr Kennedy	
Mr Cohen	Mr Grassby	Mr Kirwan	<i>Tellers:</i>
Mr Collard	Mr Gun	Mr Klugman	
Mr Connor	Mr Hansen	Mr Luchetti	Mr Duthie
Mr Cope	Mr Hayden	Mr Martin	Mr James

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

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

Debate ensued.

Several Members rising to address the House—

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

Question—That the question be now put—put and passed.

And the question—That the House do now adjourn—was put accordingly, and passed.

And then the House, at one minute to one o'clock in the morning, adjourned until this day at half-past ten o'clock a.m.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Adermann, Mr Bryant, Mr Bury, Mr Calder, Mr Calwell, Mr Enderby, Mr Gorton, Mr Jarman, Mr Reynolds and Mr Scholes.

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