

1970-71

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 104

THURSDAY, 6 MAY 1971

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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 Whitlam (Leader of the Opposition) presented a petition from certain electors of the Division of Werriwa praying that the Government revise its interpretation of the Geneva Protocol of 1925 relating to chemical agents of warfare, and declare that it regards all chemical substances employed for their toxic effects on man, animals or plants as being included in the prohibitions laid down by that Protocol.

Petition received and read.

Similar petitions were presented by Mr Wentworth (Minister for Social Services) and Mr Jarman, from certain electors of Australia, and were severally received.

Mr Barnard (Deputy Leader of the Opposition) presented a petition from the Mordialloc Parkdale Branch of the Combined Pensioners Association praying that the Government will give assistance for the payment of rates to pensioners who live in houses they own.

Mr Bryant presented a petition from certain citizens of the Commonwealth praying that this House make legal provision for (1) Aboriginal ownership of existing reserves throughout the Commonwealth, (2) the recognition of Aboriginal ownership of traditional land at present owned and leased by the Crown and (3) the development of mining, pastoral and other enterprises on all Aboriginal land to be subject to the consent of Aboriginal owners and such conditions as their own legal advisers may arrange.

Petitions severally received and read.

Mr Fox presented a petition from certain citizens of Australia praying that the Government will (a) ban the shooting of kangaroos for commercial purposes, (b) ban the export of all kangaroo products from Australia, (c) prevent the extinction of the red kangaroo, (d) institute a scientific survey of the kangaroo population, (e) establish large national parks of good quality land as major tourist attractions and (f) take control of and be completely responsible for the management of Australia's wildlife.

Petition received.

Mr Bryant also 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.

Mr Katter, Mr Klugman and Mr Reynolds presented petitions 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, (4) an increase in the maintenance allowance for students and (5) the exemption of non-bonded scholarships for part-time students from income tax.

Petitions severally received.

Mr Hayden presented a petition from certain citizens of Australia praying that the House take immediate steps to ensure that emergency finance from the Commonwealth will be given to the States for their public education services which provide schooling for 78 per cent of Australia's children.

Petition received and read.

Similar petitions to that presented by Mr Hayden were presented by Mr Keogh, Mr Fulton, Mr McIvor, Mr Hansen, Mr Dobie and Mr Bryant, and were severally received.

3 QUESTIONS: Questions without notice were asked.

4 PAPERS: The following papers were presented, by command of His Excellency the Governor-General:

Aged Persons Homes—List of subsidised homes at 31 January 1971 by Commonwealth Electoral Divisions.

Atomic Weapons Tests Safety Committee—Report, dated February 1971, on fallout over Australia from nuclear weapons tested by France in Polynesia from May to August 1970.

The following paper was presented, pursuant to statute:

Life Insurance Act—Insurance Commissioner—Twenty-fifth Annual Report, for 1970.

5 MESSAGES FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS: Messages from His Excellency the Governor-General were announced informing the House that His Excellency, in the name of Her Majesty, had assented to the following Bills:

4 May 1971—Message No. 124—Salaries 1971.

5 May 1971—Message No. 125—

Appropriation (No. 3) 1970-71.

Appropriation (No. 4) 1970-71.

6 HOSPITAL, ALICE SPRINGS, N.T.—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: Redevelopment of hospital at Alice Springs, N.T.

Debate ensued.

Several Members rising to address the House—

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

Question—That the question be now put—put.

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

AYES, 61

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

NOES, 53

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

And so it was resolved in the affirmative.

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

- 7 YIRARA RESIDENTIAL COLLEGE FOR ABORIGINAL STUDENTS, ALICE SPRINGS, N.T.—
 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 Yirara Residential College for Aboriginal Students at Alice Springs, N.T.

Debate ensued.

Question—put and passed.

- 8 BANKS (SHAREHOLDINGS) BILL 1971: Mr Snedden (Treasurer), pursuant to notice, presented a Bill for an Act relating to Shareholdings in certain Banks.

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.

- 9 SUSPENSION OF STANDING ORDER 399: Mr Swartz (Leader of the House) moved, pursuant to notice—That standing order 399 be suspended for the remainder of this period of sittings, except when a motion is moved pursuant to the standing order by a Minister.

Debate ensued.

Mr Adermann addressing the House—

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

Question—That the question be now put—put.

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

AYES, 59

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

NOES, 53

Mr Armitage	Mr Cross	Mr Hayden	Mr Morrison
Mr Barnard	Mr Daly	Mr Hurford	Mr Patterson
Mr Beazley	Mr Davies	Mr Jacobi	Mr Reynolds
Mr Bennett	Mr Enderby	Mr L. K. Johnson	Mr Soholes
Mr Berinson	Mr Everingham	Mr L. R. Johnson	Mr Sherry
Mr Birrell	Mr FitzPatrick	Mr Jones	Mr Stewart
Mr L. F. Bowen	Mr Foster	Mr Keating	Mr Wallis
Mr Bryant	Mr A. D. Fraser	Mr Kennedy	Mr Webb
Mr J. F. Cairns	Mr Fulton	Mr Keogh	Mr Whitlam
Mr Cass	Mr Garrick	Mr Kirwan	
Mr Cohen	Mr Grassby	Mr Klugman	
Mr Collard	Mr Griffiths	Mr Luchetti	<i>Tellers:</i>
Mr Cope	Mr Gun	Mr Martin	Mr Duthie
Mr Crean	Mr Hansen	Mr McIvor	Mr James

And so it was resolved in the affirmative.

And the question—That the motion be agreed to—being accordingly put—

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

AYES, 59

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

NOES, 54

Mr Armitage	Mr Crean	Mr Hansen	Mr McIvor
Mr Barnard	Mr Cross	Mr Hayden	Mr Morrison
Mr Beazley	Mr Daly	Mr Hurford	Mr Patterson
Mr Bennett	Mr Davies	Mr Jacobi	Mr Reynolds
Mr Berinson	Mr Enderby	Mr L. K. Johnson	Mr Soholes
Mr Birrell	Mr Everingham	Mr L. R. Johnson	Mr Sherry
Mr L. F. Bowen	Mr FitzPatrick	Mr Jones	Mr Stewart
Mr Bryant	Mr Foster	Mr Keating	Mr Wallis
Mr J. F. Cairns	Mr A. D. Fraser	Mr Kennedy	Mr Webb
Mr C. R. Cameron	Mr Fulton	Mr Keogh	Mr Whitlam
Mr Cass	Mr Garrick	Mr Kirwan	
Mr Cohen	Mr Grassby	Mr Klugman	
Mr Collard	Mr Griffiths	Mr Luchetti	<i>Tellers:</i>
Mr Cope	Mr Gun	Mr Martin	Mr Duthie
			Mr James

And so it was resolved in the affirmative.

10 POSTPONEMENT OF ORDER OF THE DAY: Mr Swartz (Leader of the House) moved—That order of the day No. 1, government business, be postponed until a later hour this day.

Mr Whitlam (Leader of the Opposition) moved, as an amendment—That all words after “That” be omitted with a view to inserting the following words in place thereof: “the Prime Minister lacks the confidence of the House in that he has broken undertakings to keep the public informed of what the Government is doing and has been responsible for suppressing debate in the House on what the Government is doing”.

Mr C. R. Cameron moved—That Mr Whitlam be granted an extension of time.

Question—put.

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

AYES, 54

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

NOES, 60

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

And so it was negatived.

Debate continued.

Point of order: Mr C. R. Cameron, on a point of order, sought to raise a matter in relation to the Prime Minister.

Speaker's ruling: Mr Speaker ruled that the honourable Member was out of order.

Dissent from ruling: Mr Cameron moved—That the ruling be dissented from.

Debate ensued on the motion of dissent.

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

Question—That the question be now put—put.

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

AYES, 61

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

NOES, 53

Mr Armitage	Mr Crean	Mr Hayden	Mr Morrison
Mr Barnard	Mr Cross	Mr Hurford	Mr Patterson
Mr Beazley	Mr Daly	Mr Jacobi	Mr Reynolds
Mr Bennett	Mr Davies	Mr L. K. Johnson	Mr Scholes
Mr Berinson	Mr Enderby	Mr L. R. Johnson	Mr Sherry
Mr Birrell	Mr Everingham	Mr Jones	Mr Stewart
Mr L. F. Bowen	Mr FitzPatrick	Mr Keating	Mr Wallis
Mr Bryant	Mr Foster	Mr Kennedy	Mr Webb
Mr C. R. Cameron	Mr A. D. Fraser	Mr Keogh	Mr Whitlam
Mr Cass	Mr Fulton	Mr Kirwan	
Mr Cohen	Mr Garrick	Mr Klugman	
Mr Collard	Mr Grassby	Mr Luchetti	<i>Tellers:</i>
Mr Connor	Mr Griffiths	Mr Martin	Mr Duthie
Mr Cope	Mr Hansen	Mr McIvor	Mr James

And so it was resolved in the affirmative.

And the question—That the ruling be dissented from—being accordingly put—

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

AYES, 53

Mr Armitage	Mr Crean	Mr Hayden	Mr Morrison
Mr Barnard	Mr Cross	Mr Hurford	Mr Patterson
Mr Beazley	Mr Daly	Mr Jacobi	Mr Reynolds
Mr Bennett	Mr Davies	Mr L. K. Johnson	Mr Scholes
Mr Berinson	Mr Enderby	Mr L. R. Johnson	Mr Sherry
Mr Birrell	Mr Everingham	Mr Jones	Mr Stewart
Mr L. F. Bowen	Mr FitzPatrick	Mr Keating	Mr Wallis
Mr Bryant	Mr Foster	Mr Kennedy	Mr Webb
Mr C. R. Cameron	Mr A. D. Fraser	Mr Keogh	Mr Whitlam
Mr Cass	Mr Fulton	Mr Kirwan	
Mr Cohen	Mr Garrick	Mr Klugman	
Mr Collard	Mr Grassby	Mr Luchetti	<i>Tellers:</i>
Mr Connor	Mr Griffiths	Mr Martin	Mr Duthie
Mr Cope	Mr Hansen	Mr McIvor	Mr James

NOES, 61

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

And so it was negatived.

Closure: Mr Swartz moved—That the question (in relation to the amendment) be now put.

Question—That the question be now put—put.

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

AYES, 61

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

NOES, 53

Mr Armitage	Mr Crean	Mr Hayden	Mr Morrison
Mr Barnard	Mr Cross	Mr Hurford	Mr Patterson
Mr Beazley	Mr Daly	Mr Jacobi	Mr Reynolds
Mr Bennett	Mr Davies	Mr L. K. Johnson	Mr Scholes
Mr Berinson	Mr Enderby	Mr L. R. Johnson	Mr Sherry
Mr Birrell	Mr Everingham	Mr Jones	Mr Stewart
Mr L. F. Bowen	Mr FitzPatrick	Mr Keating	Mr Wallis
Mr Bryant	Mr Foster	Mr Kennedy	Mr Webb
Mr C. R. Cameron	Mr A. D. Fraser	Mr Keogh	Mr Whitlam
Mr Cass	Mr Fulton	Mr Kirwan	
Mr Cohen	Mr Garrick	Mr Klugman	
Mr Collard	Mr Grassby	Mr Luchetti	<i>Tellers:</i>
Mr Connor	Mr Griffiths	Mr Martin	Mr Duthie
Mr Cope	Mr Hansen	Mr McIvor	Mr James

And so it was resolved in the affirmative.

And the question—That the words proposed to be omitted stand part of the question—
being accordingly put—

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

AYES, 62

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

NOES, 53

Mr Armitage	Mr Crean	Mr Hayden	Mr Morrison
Mr Barnard	Mr Cross	Mr Hurford	Mr Patterson
Mr Beazley	Mr Daly	Mr Jacobi	Mr Reynolds
Mr Bennett	Mr Davies	Mr L. K. Johnson	Mr Scholes
Mr Berinson	Mr Enderby	Mr L. R. Johnson	Mr Sherry
Mr Birrell	Mr Everingham	Mr Jones	Mr Stewart
Mr L. F. Bowen	Mr FitzPatrick	Mr Keating	Mr Wallis
Mr Bryant	Mr Foster	Mr Kennedy	Mr Webb
Mr C. R. Cameron	Mr A. D. Fraser	Mr Keogh	Mr Whitlam
Mr Cass	Mr Fulton	Mr Kirwan	
Mr Cohen	Mr Garrick	Mr Klugman	<i>Tellers:</i>
Mr Collard	Mr Grassby	Mr Luchetti	Mr Duthie
Mr Connor	Mr Griffiths	Mr Martin	Mr James
Mr Cope	Mr Hansen	Mr McIvor	

And so it was resolved in the affirmative.

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

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

AYES, 61

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

NOES, 54

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

And so it was resolved in the affirmative.

11 **BILLS—LIMITATION OF DEBATE—VARIATION OF ALLOTMENT OF TIME:** Mr Swartz (Leader of the House) moved—That the time allotted in connection with the Trade Practices Bill 1971, Wool Industry Bill 1971, Compensation (Commonwealth Employees) Bill 1971, United States Naval Communication Station (Civilian Employees) Bill 1971, Air Accidents (Commonwealth Liability) Bill 1971, Anglo-Australian Telescope Agreement Bill 1971, Seamen's Compensation Bill 1971, Income Tax Assessment Bill (No. 2) 1971, Income Tax (Withholding Tax Recoupment) Bill 1971, Income Tax (Bearer Debentures) Bill 1971, Superannuation Bill 1970 and Defence Forces Retirement Benefits Bill (No. 2) 1970 be varied as follows:

- (1) Trade Practices Bill—
For the remaining stages of the Bill, until 3.30 p.m. this day.
- (2) Wool Industry Bill—
For all stages of the Bill, until 5.00 p.m. this day.
- (3) Compensation (Commonwealth Employees) Bill 1971—
For all stages of the Bill, until 6.22 p.m. this day.
- (4) United States Naval Communication Station (Civilian Employees) Bill 1971—
For all stages of the Bill, until 6.24 p.m. this day.
- (5) Air Accidents (Commonwealth Liability) Bill 1971—
For all stages of the Bill, until 6.26 p.m. this day.
- (6) Anglo-Australian Telescope Agreement Bill 1971—
For all stages of the Bill, until 6.28 p.m. this day.
- (7) Seamen's Compensation Bill 1971—
For all stages of the Bill, until 6.30 p.m. this day.
- (8) Income Tax Assessment Bill (No. 2) 1971—
For all stages of the Bill, until 9.26 p.m. this day.
- (9) Income Tax (Withholding Tax Recoupment) Bill 1971—
For all stages of the Bill, until 9.28 p.m. this day.
- (10) Income Tax (Bearer Debentures) Bill 1971—
For all stages of the Bill, until 9.30 p.m. this day.
- (11) Superannuation Bill 1970—
For all stages of the Bill, until 10.25 p.m. this day.
- (12) Defence Forces Retirement Benefits Bill (No. 2) 1970—
For all stages of the Bill, until 10.30 p.m. this day.

Mr Beazley proposing to move, as an amendment—That all words after “That” be omitted with a view to inserting the following words in place thereof: “the Prime Minister be called upon to justify the variation in times from the procedures determined by the House yesterday”—

Speaker's ruling: Mr Speaker ruled that the proposed amendment was out of order as it was not relevant to the motion.

Mr Scholes rising to a point of order and not having been called—

Mr C. R. Cameron moved—That the honourable Member for Corio be now heard.

Speaker's ruling: Mr Speaker said that he could not accept the motion.

Dissent from ruling: Mr Cameron moved—That the ruling be dissented from.

Debate ensued on the motion of dissent.

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

Question—That the question be now put—put.

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

AYES, 61

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

NOES, 54

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

And so it was resolved in the affirmative.

And the question—That the ruling be dissented from—being accordingly put—

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

AYES, 53

Mr Armitage	Mr Crean	Mr Hansen	Mr McIvor
Mr Barnard	Mr Cross	Mr Hayden	Mr Morrison
Mr Beazley	Mr Daly	Mr Hurford	Mr Patterson
Mr Bennett	Mr Davies	Mr Jacobi	Mr Reynolds
Mr Berinson	Mr Enderby	Mr L. K. Johnson	Mr Scholes
Mr Birrell	Mr Everingham	Mr L. R. Johnson	Mr Sherry
Mr L. F. Bowen	Mr FitzPatrick	Mr Jones	Mr Stewart
Mr Bryant	Mr Foster	Mr Keating	Mr Wallis
Mr C. R. Cameron	Mr A. D. Fraser	Mr Kennedy	Mr Webb
Mr Cass	Mr Fulton	Mr Keogh	
Mr Cohen	Mr Garrick	Mr Kirwan	
Mr Collard	Mr Grassby	Mr Klugman	<i>Tellers:</i>
Mr Connor	Mr Griffiths	Mr Luchetti	Mr Duthie
Mr Cope	Mr Gun	Mr Martin	Mr James

NOES, 60

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

And so it was negatived.

The time allowed by standing order 92 for the discussion of the motion for the variation of the allotment of time having expired—

Question—That the motion be agreed to—put.

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

AYES, 59

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

NOES, 53

Mr Armitage	Mr Crean	Mr Hansen	Mr McIvor
Mr Barnard	Mr Cross	Mr Hayden	Mr Morrison
Mr Beazley	Mr Daly	Mr Hurford	Mr Patterson
Mr Bennett	Mr Davies	Mr Jacobi	Mr Reynolds
Mr Berinson	Mr Enderby	Mr L. K. Johnson	Mr Scholes
Mr Birrell	Mr Everingham	Mr L. R. Johnson	Mr Sherry
Mr L. F. Bowen	Mr FitzPatrick	Mr Jones	Mr Stewart
Mr Bryant	Mr Foster	Mr Keating	Mr Wallis
Mr C. R. Cameron	Mr A. D. Fraser	Mr Kennedy	Mr Webb
Mr Cass	Mr Fulton	Mr Keogh	
Mr Cohen	Mr Garrick	Mr Kirwan	<i>Tellers:</i>
Mr Collard	Mr Grassby	Mr Klugman	Mr Duthie
Mr Connor	Mr Griffiths	Mr Luchetti	Mr James
Mr Cope	Mr Gun	Mr Martin	

And so it was resolved in the affirmative.

12 TRADE PRACTICES BILL 1971: The House, according to order, resolved itself into a committee of the whole for the further consideration of the Bill.

In the committee

Limitation of debate: It then being half-past three o'clock p.m., the Chairman called the attention of the committee to the fact that the time allotted for the remaining stages of the Bill had expired.

Question—That the Bill and the circulated amendments of the Government, including the omission of clause 5, be agreed to, and that the Bill be reported with amendments—put and passed.

The circulated amendments of the Government were accordingly made in the Bill, and are as follows:

Clause 12, page 3, before proposed section 66A insert the following proposed section:

“ ‘66AA. This Part applies to and in relation to the practice of resale price maintenance where that practice is engaged in or is proposed to be engaged in— Application of Part.

(a) in the course of trade or commerce with other countries or among the States;

(b) so as to tend to prevent or hinder transactions, acts or operations in the course of trade or commerce referred to in the last preceding paragraph;

(c) by—

(i) a trading corporation formed within the limits of the Commonwealth;

(ii) a financial corporation so formed; or

(iii) a foreign corporation;

(d) in respect of the supply of goods to the Commonwealth or to an authority or instrumentality of the Commonwealth; or

(e) in the course of trade or commerce—

(i) within a Territory;

(ii) between a State and a Territory;

(iii) between two Territories; or

(iv) between a Territory and a place outside Australia,

and, except as provided by section 7A of this Act, not otherwise.”.

Clause 12, page 6, line 40, after “supply” insert “otherwise than by way of sale by retail”.

The House resumed; Mr Lucock reported accordingly.

Question—That the report be adopted and the Bill be now read a third time—put and passed—Bill read a third time.

13 WOOL INDUSTRY 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 Sinclair (Minister for Primary Industry), the Bill was read a third time.

14 COMPENSATION (COMMONWEALTH EMPLOYEES) 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.

The House resolved itself into a committee of the whole.

In the committee

Bill, by leave, taken as a whole.

Mr C. R. Cameron moved the following amendment: Omit Parts I.—IX. and the Schedules, insert Parts I.—IX. and Schedules as circulated.

Question—That the amendment be agreed to—put.

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

AYES, 52

Mr Armitage	Mr Crean	Mr Hansen	Mr Morrison
Mr Barnard	Mr Cross	Mr Hayden	Mr Reynolds
Mr Beazley	Mr Daly	Mr Hurford	Mr Scholes
Mr Bennett	Mr Davies	Mr Jacobi	Mr Sherry
Mr Berinson	Mr Enderby	Mr L. K. Johnson	Mr Stewart
Mr Birrell	Mr Everingham	Mr L. R. Johnson	Mr Wallis
Mr L. F. Bowen	Mr FitzPatrick	Mr Jones	Mr Webb
Mr Bryant	Mr Foster	Mr Kennedy	Mr Whitlam
Mr C. R. Cameron	Mr A. D. Fraser	Mr Keogh	
Mr Cass	Mr Fulton	Mr Kirwan	
Mr Cohen	Mr Garrick	Mr Klugman	<i>Tellers:</i>
Mr Collard	Mr Grassby	Mr Luchetti	
Mr Connor	Mr Griffiths	Mr Martin	Mr Duthie
Mr Cope	Mr Gun	Mr McIvor	Mr James

NOES, 58

Mr Adermann	Mr G. D. Erwin	Mr L. H. Irwin	Mr Pettitt
Mr Anthony	Mr Fairbairn	Mr Jarman	Mr Reid
Mr Barnes	Mr Forbes	Mr Jess	Mr Robinson
Mr Bonnett	Mr J. M. Fraser	Mr Katter	Mr Sinclair
Mr N. H. Bowen	Mr Garland	Mr Killen	Mr Snedden
Mr Brown	Mr Giles	Mr King	Mr Solomon
Mr Buchanan	Mr Gorton	Mr Lloyd	Mr Staley
Mr K. M. K. Cairns	Mr Graham	Mr Lynch	Mr Street
Mr Calder	Mr Hallett	Mr Mackay	Mr Swartz
Mr D. M. Cameron	Mr Hamer	Mr MacKellar	Mr Turner
Mr Chipp	Mr Holten	Mr Maisey	Mr Wentworth
Mr Corbett	Mr Howson	Mr McLeay	
Sir J. Cramer	Mr Hughes	Mr McMahan	<i>Tellers:</i>
Mr Dobie	Sir A. Hulme	Mr O'Keefe	Mr Fox
Mr England	Mr Hunt	Mr Peacock	Mr Turnbull

And so it was negatived.

Debate continued.

Limitation of debate: At twenty-two minutes past six o'clock p.m., the Chairman having called the attention of the committee to the fact that the time allotted for all stages of the Bill had expired—

Question—That the Bill and the circulated amendments of the Government be agreed to, and that the Bill be reported with amendments—put and passed.

The circulated amendments of the Government were accordingly made in the Bill, and are as follows:

Clause 5, page 4, lines 22–25, omit the definition of “outworker”.

Clause 5, page 4, lines 37–43, and page 5, lines 1–11, omit the definition of “prescribed Court”, insert the following definition:

“‘prescribed Court’ means—

- (a) the Workers' Compensation Commission of New South Wales;
- (b) the Industrial Court of South Australia;
- (c) a court of a State (other than New South Wales or South Australia) or of a Territory of the Commonwealth, being a court that has limited civil jurisdiction in personal actions and can be constituted only by a Judge;

- (d) a court that has limited civil jurisdiction in personal actions and can be constituted only by a Judge or a stipendiary magistrate, being a court of a State (other than New South Wales or South Australia) or of a Territory of the Commonwealth in which there is no court of a kind referred to in the last preceding paragraph; or
- (e) any other court that has limited civil jurisdiction in personal actions, being a court of a State (other than New South Wales or South Australia) or of a Territory of the Commonwealth in which there is no court of a kind referred to in either of the last two preceding paragraphs;”.

Clause 7, page 8, line 36, at the end of paragraph (c) of sub-clause (7.) add “or”.

Clause 7, page 8, line 38, omit “1911–1971; or”, insert “1911–1971.”.

Clause 7, page 8, line 39, omit paragraph (e) of sub-clause (7.).

Clause 8, page 9, line 22, omit “or”.

Clause 8, page 9, line 23, at the end of paragraph (e) of sub-clause (2.) add “; or”.

Clause 8, page 9, at the end of sub-clause (2.) add the following paragraph:

“(f) in order to receive any moneys that are due to him under the terms of his employment and, in pursuance of the terms of his employment or any agreement or arrangement between him and the Commonwealth, are available, or are reasonably expected by him to be available, for collection by him at that place.”.

Clause 76, page 58, line 12, omit “thirty”, insert “sixty”.

Clause 76, page 58, line 37, omit “thirty”, insert “sixty”.

Clause 76, page 58, line 38, omit “sixty”, insert “one hundred and twenty”.

Clause 90, page 64, line 9, omit “thirty”, insert “sixty”.

Clause 90, page 64, line 37, omit “thirty”, insert “sixty”.

Clause 90, page 64, line 38, omit “sixty”, insert “one hundred and twenty”.

Clause 101, page 72, lines 35 and 36, omit “costs incurred by the plaintiff before the making of the request or unreasonably incurred by the plaintiff after the making of the request”, insert “costs unreasonably incurred by the plaintiff”.

The House resumed; Mr Lucock reported accordingly.

Question—That the report be adopted and the Bill be now read a third time—put and passed—Bill read a third time.

- 15 UNITED STATES NAVAL COMMUNICATION STATION (CIVILIAN EMPLOYEES) 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—

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Wentworth (Minister for Social Services), the Bill was read a third time.

- 16 AIR ACCIDENTS (COMMONWEALTH LIABILITY) 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—

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Wentworth (Minister for Social Services), the Bill was read a third time.

- 17 **ANGLO-AUSTRALIAN TELESCOPE 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—
 Question—put and passed—Bill read a second time.
 Leave granted for third reading to be moved forthwith.
 On the motion of Mr Wentworth (Minister for Social Services), the Bill was read a third time.
- 18 **SEAMEN'S COMPENSATION 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—
 Question—put and passed—Bill read a second time.
 Leave granted for third reading to be moved forthwith.
 On the motion of Mr Wentworth (Minister for Social Services), the Bill was read a third time.
- 19 **MESSAGE FROM THE SENATE—AIR NAVIGATION BILL 1971**: Message No. 151, dated 6 May 1971, from the Senate was reported transmitting for the concurrence of the House a Bill for "*An Act to amend the 'Air Navigation Act 1920-1966'*".
 Bill read a first time.
 Ordered—That the second reading be made an order of the day for the next sitting.
- 20 **INCOME TAX ASSESSMENT BILL (No. 2) 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.
Limitation of debate: At twenty-six minutes past nine o'clock p.m., Mr Deputy Speaker having called the attention of the House to the fact that the time allotted for all stages of the Bill had expired—
 Question—That the Bill be now read a second time—put and passed—Bill read a second time.
 Further question—That the remaining stages of the Bill be agreed to—put and passed.
- 21 **INCOME TAX (WITHHOLDING TAX RECOUPMENT) 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—
 Question—put and passed—Bill read a second time.
 Leave granted for third reading to be moved forthwith.
 On the motion of Mr K. M. K. Cairns (Minister for Housing), the Bill was read a third time.
- 22 **INCOME TAX (BEARER DEBENTURES) 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—
 Question—put and passed—Bill read a second time.
 Leave granted for third reading to be moved forthwith.
 On the motion of Mr K. M. K. Cairns (Minister for Housing), the Bill was read a third time.
- 23 **SUPERANNUATION 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: "further consideration of the Bill be deferred pending a Report by a Joint Parliamentary Committee to be appointed to inquire into the Australian proposals and overseas practices in relation to a National Superannuation Scheme".
 Debate continued.
 Amendment negatived.
 Question—That the Bill be now read a second time—put and passed—Bill read a second time.

Limitation of debate: It then being twenty-five minutes past ten o'clock p.m., Mr Deputy Speaker called the attention of the House to the fact that the time allotted for all stages of the Bill had expired.

Messages from the Governor-General: The following messages from His Excellency the Governor-General were announced:

No. 126, dated 15 October 1970, recommending an appropriation of revenue for the purposes of the Bill, and

No. 127, dated 6 April 1971, recommending an appropriation of revenue for the purpose of amendments to be moved to the Bill by a Minister.

The House resolved itself into a committee of the whole.

In the committee

Question—That the Bill and the circulated amendments of the Government be agreed to, and that the Bill be reported with amendments—put and passed.

The circulated amendments of the Government were accordingly made in the Bill, and are as follows:

Clause 9, page 7, line 25, omit “(a) or (b)”, insert “(b) or (c)”.

Clause 9, page 8, line 12, omit “(a) or (b)”, insert “(b) or (c)”.

Clause 18, page 17, at the end of proposed section 110B add the following sub-section:

“(4.) For the purpose of any advice to be furnished to the Board by an actuary in relation to the determination of the number of units of pension that were equivalent to an amount refunded to a person from a Public Service Superannuation Fund, the amount so refunded shall be treated as if it were increased by an amount equal to two and one-half times that amount.”.

Clause 18, page 17, lines 40 and 41, omit proposed section 110c, insert the following section:

“110c.—(1.) This Part does not apply in relation to an employee if, but for the refund to him of an amount from a Public Service Superannuation Fund, a transfer value referred to in paragraph (b), or a prescribed pension referred to in paragraph (d), of sub-section (1.) of section one hundred and nineteen H of this Act would have become payable to or in respect of him or deferred benefits referred to in paragraph (f) of that sub-section would have become applicable in respect of him.

“(2.) Where the application of this Part in relation to an employee is not excluded by reason of the last preceding sub-section but section one hundred and nineteen H of this Act applies in relation to him, sub-sections (5.) and (6.) of section one hundred and nine, and section one hundred and ten, of this Act do not apply in relation to him.’”.

Clause 20, page 18, at the end of proposed section 119A add the following sub-section:

“(4.) For the purposes of this Part, a benefit payable to or in respect of an employee under a superannuation scheme shall not be taken to have been based partly upon contributions under the scheme by the employer by reason only that the benefit included interest upon contributions made under the scheme by the employee.”.

Clause 20, page 19, line 22, omit “and”.

Clause 20, page 19, after sub-paragraph (i) of paragraph (a) of sub-section (1.) of proposed section 119D insert the following sub-paragraph:

“(iA) in the case of the superannuation scheme constituted by the provisions of the *Defence Forces Retirement Benefits Act 1948–1971* and the other Acts relating to retirement benefits for members of the Defence Force—to a transfer value payable in respect of the employee under Division 3 of Part VIC. of the *Defence Forces Retirement Benefits Act 1948–1971* or to a refund of contributions and a gratuity payable to the employee; and”.

Clause 20, page 24, lines 9–14, omit paragraph (a) of sub-section (3.) of proposed section 119J, insert the following paragraph:

“(a) so much of the amount paid to the Board as is equal to the employee component of the transfer value, or to the sum of the employee components of the transfer values, as the case may be, shall be paid by the Board to the Fund and, when so paid—

- (i) shall be deemed, for the purposes of this Act other than section fifty-one, to be contributions made to the Fund by the person; and
- (ii) shall, to the extent to which it was payable to the person upon the termination of the employment in respect of which the transfer value or any of the transfer values become payable irrespective of whether he engaged in further employment, be deemed, for the purposes of section fifty-one of this Act, to be contributions made to the Fund by the person;”.

Clause 20, page 24, line 40, omit “and”.

Clause 20, page 25, line 2, omit “him,”, insert “him; and”.

Clause 20, page 25, after sub-paragraph (iv) of paragraph (c) of sub-section (3.) of proposed section 119J insert the following sub-paragraph:

“(v) in the case of a person who becomes a contributor after the commencement of this section and was, immediately before becoming an employee, a contributor to a Public Service Superannuation Fund within the meaning of Part VIII. of this Act, other than a person to whom that Part does not apply by reason of the operation of sub-section (1.) of section one hundred and ten c of this Act—the number of units of pension determined by the Board in relation to him under sub-section (3.) of section one hundred and nine of this Act or, if that section does not apply in relation to him, the number of units of pension that would have been determined by the Board in relation to him under sub-section (2.) of section one hundred and ten of this Act if that last-mentioned section were applicable in relation to him.”.

Clause 20, page 25, after sub-section (4.) of proposed section 119J insert the following sub-sections:

“(4A.) Where—

- (a) a transfer value became payable to or in respect of a person in accordance with paragraph (a) of sub-section (1.) of the last preceding section; and
- (b) a transfer value of a greater amount would have become so payable but for the doing of, or the failure to do, any act or thing referred to in paragraph (b) of that sub-section,

the amount of the last-mentioned transfer value shall be taken into account for the purposes of sub-paragraph (ii) of paragraph (c) of sub-section (3.) of this section only to the extent to which it was greater than the amount of the first-mentioned transfer value.

‘(4B.) Where—

- (a) a transfer value became payable to or in respect of a person in accordance with paragraph (a) of sub-section (1.) of the last preceding section; and
- (b) a transfer value of a smaller amount would have become so payable but for the doing of, or the failure to do, any act or thing referred to in paragraph (b) of that sub-section,

the amount of the last-mentioned transfer value shall not be taken into account for the purposes of sub-paragraph (ii) of paragraph (c) of sub-section (3.) of this section.”.

Clause 20, page 25, line 29, after “shall” insert “, to the extent to which it was payable to the person upon the termination of the employment in respect of which the transfer value or any of the transfer values became payable irrespective of whether he engaged in further employment,”.

Clause 20, page 25, line 32, omit “and”.

Clause 20, page 25, lines 33–36, omit paragraph (c) of sub-section (5.) of proposed section 119j, insert the following paragraphs:

“(c) subject to the next succeeding paragraph, one-third of the amount paid to the Board shall be deemed, for the purposes of sub-section (1.) of section eighty-two, and sub-section (1.) of section eighty-three, of this Act to be contributions made to the Provident Account by the person;

(d) in calculating the sum payable under sub-section (1.) of section eighty-two, or sub-section (1.) of section eighty-three, of this Act for the purpose of ascertaining whether sub-section (2.) of section eighty-two, or sub-section (2.) of section eighty-three, of this Act applies in relation to the person or in relation to the widow or widower or the children of the person, as the case may be, the last preceding paragraph shall be disregarded; and

(e) if sub-section (2.) of section eighty-two, or sub-section (2.) of section eighty-three, of this Act applies in relation to the person or in relation to the widow or widower or the children of the person, as the case may be—

(i) there shall be paid out of the Provident Account to the person, or to the widow, widower or children, in addition to the amount payable under that sub-section, an amount equal to the amount paid to the Board together with compound interest on that amount, in respect of the period that commenced on the date on which the person became a contributor to the Provident Account and ended on the date on which he ceased to be such a contributor, at the rate or rates applicable under sub-section (3.) of section ninety of this Act; and

(ii) the Commonwealth shall pay to the Provident Account an amount equal to so much of the amount paid under the last preceding sub-paragraph as bears to that amount the same proportion as the employer component of the transfer value or the sum of the employer components of the transfer values bears to the transfer value or to the sum of the transfer values, as the case may be.”.

Clause 20, page 26, lines 19 and 20, omit “out of the Consolidated Revenue Fund, which is appropriated accordingly”, insert “out of the Fund or the Provident Account, as the case may be”.

Clause 20, page 26, after sub-section (7.) of proposed section 119j insert the following sub-section:

“(7A.) Where an amount is payable out of the Fund or the Provident Account under the last preceding sub-section, the Commonwealth shall pay an amount equal to that amount to the Fund or to the Provident Account, as the case may be.”.

Clause 20, page 27, line 6, omit "and".

Clause 20, page 27, line 12, omit "him," insert "him; and".

Clause 20, page 27, after paragraph (c) of sub-section (2.) of proposed section 119k insert the following paragraph:

"(d) in the case of a person who becomes a contributor after the commencement of this section and was, immediately before becoming an employee, a contributor to a Public Service Superannuation Fund within the meaning of Part VIII. of this Act, other than a person to whom that Part does not apply by reason of the operation of sub-section (1.) of section one hundred and ten c of this Act—the number of units of pension determined by the Board in relation to him under sub-section (3.) of section one hundred and nine of this Act or, if that section does not apply in relation to him, the number of units of pension that would have been determined by the Board in relation to him under sub-section (2.) of section one hundred and ten of this Act if that last-mentioned section were applicable in relation to him,".

Clause 20, page 27, at the end of proposed section 119k add the following sub-sections:

"(5.) Where—

(a) a transfer value became payable to or in respect of a person in accordance with paragraph (a) of sub-section (1.) of section one hundred and nineteen H of this Act; and

(b) a transfer value of a greater amount would have become so payable but for the doing of, or the failure to do, any act or thing referred to in paragraph (b) of that sub-section,

the amount of the first-mentioned transfer value shall not be taken into account for the purposes of paragraph (a) of sub-section (2.) of this section.

'(6.) Where—

(a) a transfer value became payable to or in respect of a person in accordance with paragraph (a) of sub-section (1.) of section one hundred and nineteen H of this Act; and

(b) a transfer value of a smaller amount would have become so payable but for the doing of, or the failure to do, any act or thing referred to in paragraph (b) of that sub-section,

the amount of the last-mentioned transfer value shall not be taken into account for the purposes of paragraph (a) of sub-section (2.) of this section."

Clause 20, page 32, line 18, omit "any other", insert "a".

Clause 20, page 34, at the end of proposed section 119p add the following sub-section:

"(6.) A reference in paragraph (b), (c) or (d) of sub-section (1.) of this section to a period of employment of a person does not include a reference to a period of employment in relation to which a preceding paragraph of that sub-section applies."

Clause 20, page 41, lines 42 and 43, and page 42, line 1, omit " , at a time when he was employed in public employment or after he had completed twenty years' eligible employment,".

Clause 20, page 42, after sub-section (2.) of proposed section 119w insert the following sub-section:

"(2A.) Paragraph (a) of the last preceding sub-section does not apply in relation to a person unless—

(a) at the date that the Board is satisfied was the date on which he became incapable of performing the duties referred to in that paragraph, he

was employed in public employment or had completed twenty years' eligible employment; or

(b) at that date he was over the age of sixty years and, at the date when he attained that age, he was employed in public employment.”.

Clause 20, page 42, line 26, omit “the last preceding sub-section”, insert “the last two preceding sub-sections”.

Clause 20, page 46, line 32, after “shall” insert “so far as is practicable”.

Clause 20, page 46, lines 40–43, omit “the premiums in respect of any life policies assigned to the Board in accordance with sub-section (3.) of this section or issued in accordance with the last preceding sub-section”, insert “so much of any premium payable in respect of any life policy assigned to the Board in accordance with sub-section (3.) of this section or issued in accordance with the last preceding sub-section as relates to a period during which the person is an employee”.

Clause 22, page 53, lines 9 and 10, omit “other than a person to whom Part IX. of the *Superannuation Act 1922–1970* applies”.

Clause 22, page 53, line 15, omit “immediately before he became an employee”, insert “on the first day of January, One thousand nine hundred and seventy”.

Clause 22, page 53, after sub-clause (2.) insert the following sub-clauses:

“(2A.) An election under section 82z of the *Defence Forces Retirement Benefits Act 1948–1971* by a person to whom sub-section (1.) of section 9 of the *Defence Forces Retirement Benefits Act 1971* applies also has effect, in relation to a person to whom sub-section (1.) of this section applies, as an election duly made by that person under sub-section (1.) of this section.

“(2B.) In the application of Part IX. of the *Superannuation Act 1922–1971* in relation to a person who has made an election under sub-section (1.) of this section, the reference in sub-section (3.) of section 111 of that Act to the commencement of the *Superannuation Act 1971* shall be read as a reference to the thirty-first day of December, One thousand nine hundred and sixty-nine.”.

Clause 23, page 54, lines 19–24, omit sub-clauses (2.) and (3.), insert the following sub-clauses:

“(2.) Notwithstanding the last preceding sub-section, section 53 or 86 of the *Superannuation Act 1922–1971* does not apply in relation to a person to whom that sub-section applies unless the person elects within twenty-one days after the commencement of this Act that that section shall apply in relation to him.

“(3.) If—

(a) a person makes an election under the last preceding sub-section that section 53 or 86 of the *Superannuation Act 1922–1971* shall apply in relation to him; and

(b) a payment has, or payments have, been made to the person under the Principal Act other than under Division 5 of Part III. of that Act, the election does not have any effect unless an amount equal to the amount of the payment, or the sum of the amounts of the payments, is paid to the Fund or to the Provident Account, as the case may be, within seven days after the date of the election.

“(3A.) A person to whom sub-section (1.) of this section applies may make an election under section 119U of the *Superannuation Act 1922–1971* within twenty-one days after the commencement of this Act.

“(3B.) The Board may, if it is satisfied that there are special circumstances that justify it in so doing, extend the period for the making of an election referred to in sub-section (2.) or sub-section (3A.) of this section.

“(3C.) Sub-section (2.) of section 119Y of the *Superannuation Act 1922-1971* does not apply in relation to a person to whom sub-section (1.) of this section applies.”.

The House resumed; Mr Lucock reported accordingly.

Question—That the report be adopted and the Bill be now read a third time—put and passed—Bill read a third time.

24 DEFENCE FORCES RETIREMENT BENEFITS 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—

Debate resumed.

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

Messages from the Governor-General: The following messages from His Excellency the Governor-General were announced:

No. 128, dated 15 October 1970, recommending an appropriation of revenue for the purposes of the Bill, and

No. 129, dated 6 April 1971, recommending an appropriation of revenue for the purpose of amendments to be moved to the Bill by a Minister.

The House resolved itself into a committee of the whole.

In the committee

Limitation of debate: It then being half-past ten o'clock p.m., the Chairman called the attention of the committee to the fact that the time allotted for all stages of the Bill had expired.

Question—That the Bill and the circulated amendments of the Government be agreed to, and that the Bill be reported with amendments—put and passed.

The circulated amendments of the Government were accordingly made in the Bill, and are as follows:

Clause 1, page 1, lines 4-12, omit the clause, insert the following clause:

“1.—(1.) This Act may be cited as the *Defence Forces Retirement Benefits Act 1971*. Short title
and citation.

“(2.) The *Defence Forces Retirement Benefits Act 1948-1970** is in this Act referred to as the Principal Act.

“(3.) The Principal Act, as amended by this Act, may be cited as the *Defence Forces Retirement Benefits Act 1948-1971*.”.

Clause 7, page 5, at the end of proposed section 82r add the following sub-section:

“(4.) For the purposes of this Part, a benefit payable to or in respect of a member under a superannuation scheme shall not be taken to have been based partly on contributions under the scheme by the employer by reason only that the benefit included interest upon contributions made under the scheme by the member.”.

Clause 7, page 6, line 7, after “Part” insert “or to a refund of contributions and a gratuity payable to the member”.

Clause 7, page 10, line 40, after “shall” insert “, to the extent to which it was payable to the member upon the termination of the employment in respect of which the transfer value or any of the transfer values became payable irrespective of whether he engaged in further employment,”.

Clause 7, page 11, lines 44 and 45, omit “out of the Consolidated Revenue Fund, which is appropriated accordingly”, insert “out of the Fund”.

Clause 7, page 11, after sub-section (8.) of proposed section 82r insert the following sub-section:

“(8A.) Where an amount is payable out of the Fund under the last preceding sub-section, the Commonwealth shall pay an amount equal to that amount to the Fund.”.

Clause 7, page 13, after sub-section (3.) of proposed section 82s insert the following sub-sections:

“(3A.) Where—

(a) a transfer value became payable to or in respect of a member in accordance with paragraph (a) of sub-section (1.) of section eighty-two Q of this Act; and

(b) a transfer value of a greater amount would have become so payable but for the doing of, or the failure to do, any act or thing referred to in paragraph (b) of that sub-section,

the first-mentioned transfer value shall not be taken into account for the purposes of paragraph (a) of the last preceding sub-section.

“(3B.) Where—

(a) a transfer value became payable to or in respect of a member in accordance with paragraph (a) of sub-section (1.) of section eighty-two Q of this Act; and

(b) a transfer value of a smaller amount would have become so payable but for the doing of, or the failure to do, any act or thing referred to in paragraph (b) of that sub-section,

the last-mentioned transfer value shall not be taken into account for the purposes of paragraph (a) of sub-section (3.) of this section.”.

Clause 7, page 15, line 1, omit “any other”, insert “a”.

Clause 7, page 17, at the end of proposed section 82u add the following sub-section:

“(6.) A reference in paragraph (b), (c) or (d) of sub-section (1.) of this section to a period of employment of a person does not include a reference to a period of employment in relation to which a preceding paragraph of that sub-section applies.”.

Clause 7, page 19, at the end of proposed section 82y add the following sub-section:

“(4.) Sections fifty-one and fifty-two of this Act do not apply for the purposes of this section.”.

Clause 7, page 21, line 1, after “pension” insert “or other benefit”.

Clause 7, page 21, line 27, after “employment” insert “or had attained the age of sixty years”.

Clause 7, page 24, after paragraph (b) of sub-section (1.) of proposed section 82zd insert the following paragraph:

“(ba) if he was an officer immediately before he ceased to be a member— within that prescribed period he attained, at a time when he was employed in public employment, the age that was the retiring age for the rank held by him immediately before he ceased to be a member or, having attained that age, he completed fifteen years’ service for pension within the meaning of sub-section (3.) of section eighty-two zB of this Act;”.

Clause 7, page 27, line 2, after “shall” insert “so far as is practicable”.

Clause 7, page 27, lines 10–12, omit “The premiums in respect of any life policies assigned to the Board in accordance with sub-section (3.) of this section or issued in accordance with the last preceding sub-section”, insert “So much of any premium payable in respect of any life policy assigned to the Board in accordance with sub-section (3.) of this section or issued in accordance with the last preceding sub-section as relates to a period during which the person is a member”.

Clause 8, page 31, line 22, omit “immediately before he became a contributor”, insert “on the first day of January, One thousand nine hundred and seventy”.

Clause 9, page 32, lines 18–20, omit sub-clause (2.).

Clause 9, page 32, line 22, omit “this Act”, insert “the *Defence Forces Retirement Benefits Act 1948–1971*”.

Clause 9, page 32, after sub-clause (4.) insert the following sub-clauses:

“(4A.) If a person to whom sub-section (1.) of this section applies makes an election under section 82Z of the *Defence Forces Retirement Benefits Act 1948–1971*, any election made by him under sub-section (1.) of section 74B of that Act shall be deemed not to have been made.

“(4B.) Sub-section (2.) of section 82ZD of the *Defence Forces Retirement Benefits Act 1948–1971* does not apply in relation to a person to whom sub-section (1.) of this section applies.”.

The House resumed; Mr Lucock reported accordingly.

Question—That the report be adopted and the Bill be now read a third time—put and passed—Bill read a third time.

25 PUBLICATIONS COMMITTEE—NINTH REPORT: Mr G. D. Erwin (Chairman) brought up the Ninth Report from the Publications Committee (sitting in conference with the Publications Committee of the Senate). The Report is as follows:

NINTH REPORT

The Publications Committee has the honour to report that it has met in conference with the Publications Committee of the Senate.

The Joint Committee, having considered the Petitions and Papers presented to Parliament since the last meeting of the Committee, recommends that the following be printed:

Atomic Weapons Tests Safety Committee—Report, dated February 1971, on fallout over Australia from nuclear weapons tested by France in Polynesia from May to August 1970.

Commonwealth Parliamentary Association—Sixteenth Commonwealth Parliamentary Conference, Canberra, October 1970—Report of Delegation from Commonwealth of Australia Branch.

Company Law Advisory Committee—Fifth Interim Report to the Standing Committee of Attorneys-General, on the control of fund raising, share capital and debentures, dated 12 October 1970.

Defence Forces Retirement Benefits Act—Defence Forces Retirement Benefits Board—Twenty-second Annual Report, for year 1969–70.

Life Insurance Act—Insurance Commissioner—Twenty-fifth Annual Report, for 1970.

Tobacco Marketing Act—Australian Tobacco Board—Fifth Annual Report and financial statements, together with the Auditor-General's Report, for 1970.

6 May 1971

G. D. ERWIN,
Chairman

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

Question—put and passed.

26 STATES GRANTS 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.

Message from the Governor-General: Message No. 130, dated 5 May 1971, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

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

27 VICTORIA GRANT (SHEPPARTON PRESERVING COMPANY LIMITED) 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 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: "further progress of this Bill be deferred until a financial analysis of the five canneries in the Goulburn Valley, Upper Murray and Murrumbidgee Irrigation Area has been completed and a report presented to the Parliament".

The House continuing to sit until after midnight—

FRIDAY, 7 MAY 1971

Debate continued.

Amendment negatived.

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

Message from the Governor-General: Message No. 131, dated 5 May 1971, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

Mr Sinclair (Minister for Primary Industry) moved—That the Bill be now read a third time.

Debate ensued.

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

28 COMMITTEE OF PRIVILEGES—REPORT: Mr Drury (Chairman) brought up the following report from the Committee of Privileges:

Report relating to the commitment to prison of Mr T. Uren, M.P., together with Minutes of Proceedings.

Ordered to be printed.

Ordered—That the consideration of the report be made an order of the day for the next sitting.

29 STATES GRANTS (SCIENCE LABORATORIES) 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 by Mr Beazley who moved, as an amendment—That all words after “That” be omitted with a view to inserting the following words in place thereof: “the Bill be withdrawn and redrafted to increase the grant for schools conducted by a State to the same amount per pupil as the grant for schools not conducted by a State”.

Debate continued.

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, 51

Mr Anthony	Mr England	Mr Hunt	Mr Pettitt
Mr Barnes	Mr G. D. Erwin	Mr Jarman	Mr Reid
Mr Bonnett	Mr Fairbairn	Mr Jess	Mr Robinson
Mr N. H. Bowen	Mr J. M. Fraser	Mr Katter	Mr Sinclair
Mr Brown	Mr Garland	Mr Kelly	Mr Snedden
Mr Buchanan	Mr Giles	Mr Lloyd	Mr Solomon
Mr K. M. K. Cairns	Mr Gorton	Mr Lucock	Mr Staley
Mr Calder	Mr Graham	Mr Lynch	Mr Street
Mr D. M. Cameron	Mr Hallett	Mr Mackay	Mr Swartz
Mr Chipp	Mr Hamer	Mr MacKellar	Mr Wentworth
Mr Corbett	Mr Holten	Mr McLeay	<i>Tellers:</i>
Mr Dobie	Mr Howson	Mr Nixon	Mr Fox
Mr Drury	Mr Hughes	Mr Peacock	Mr Turnbull

NOES, 40

Mr Armitage	Mr Enderby	Mr L. K. Johnson	Mr Scholes
Mr Barnard	Mr Everingham	Mr L. R. Johnson	Mr Sherry
Mr Beazley	Mr FitzPatrick	Mr Jones	Mr Stewart
Mr Bennett	Mr Foster	Mr Keating	Mr Wallis
Mr Berinson	Mr Fulton	Mr Kennedy	Mr Whidlam
Mr Bryant	Mr Grassby	Mr Keogh	
Mr Cass	Mr Gun	Mr Kirwan	<i>Tellers:</i>
Mr Collard	Mr Hansen	Mr Klugman	
Mr Crean	Mr Hayden	Mr Martin	
Mr Cross	Mr Hurford	Mr Morrison	Mr Cope
Mr Daly	Mr Jacobi	Mr Reynolds	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: Message No. 132, dated 5 May 1971, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.

The House resolved itself into a committee of the whole.

In the committee

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 Fairbairn (Minister for Education and Science), the House adopted the report, and, by leave, the Bill was read a third time.

30 MESSAGE FROM THE SENATE—PUBLIC ORDER (PROTECTION OF PERSONS AND PROPERTY) BILL 1971: The following message from the Senate was reported:

MR SPEAKER,

Message No. 154

The Senate returns to the House of Representatives the Bill for "*An Act relating to the Preservation of Public Order in Certain Territories of the Commonwealth and in respect of Commonwealth Premises and the Premises and Personnel of Diplomatic and Special Missions, Consular Posts and International Organizations*", and acquaints the House that the Senate has agreed to the Bill with the amendments indicated by the annexed Schedule, in which amendments the Senate requests the concurrence of the House of Representatives.

The Senate,
Canberra, 6 May 1971

A. M. MCMULLIN,
President

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

In the committee

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE

No. 1—Page 4, clause 6, line 7, after "assembly", insert ", wilfully".

No. 2—Page 6, clause 11, line 19, leave out "Attorney-General", insert "the person holding, or performing the duties of, the office of Crown Solicitor for the Commonwealth or Deputy Crown Solicitor for the Commonwealth in the State or Territory in which the offence is alleged to have been committed".

No. 3—Page 8, clause 17, line 38, after "applies", insert "by reason of its being carried on in a manner involving unlawful violence or damage".

No. 4—Page 10, clause 22, leave out the clause, insert the following clause:

"22. A constable may, without warrant, arrest a person for an ^{Arrest.} offence against this Act if the constable has reasonable ground to believe that the person has committed that offence and that—

- (a) proceedings against the person by summons would not be effective; or
- (b) the arrest is necessary in order to prevent persistence by the person in, or repetition by the person of, conduct of the kind constituting the offence, or the commission by the person of other offences against this Act."

No. 5—Page 10, clause 23, lines 41 and 42, leave out "Attorney-General", insert "the person holding, or performing the duties of, the office of Crown Solicitor for the Commonwealth or Deputy Crown Solicitor for the Commonwealth in the State or Territory in which the offence is alleged to have been committed".

Amendments Nos. 1, 3 and 4—

On the motion of Mr N. H. Bowen (Attorney-General), the amendments were together agreed to, after debate.

Amendments Nos. 2 and 5—

On the motion of Mr Bowen, the amendments were together agreed to, after debate. Resolution to be reported.

The House resumed; Mr Lucock reported accordingly.

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

31 MESSAGE FROM THE SENATE—NEW AND PERMANENT PARLIAMENT HOUSE SITE—PROPOSED JOINT SITTING: The following message from the Senate was reported:

MR SPEAKER,

Message No. 153

The Senate transmits to the House of Representatives the following Resolution which has been agreed to by the Senate, and requests the consideration by the House of the Resolution:

“That the Senate—

Believing that the decision as to the site of the new and permanent Parliament House is and remains the responsibility of those members of the Senate and the House of Representatives who constitute the Parliament of the Commonwealth;

Recommends that a joint sitting of the two Houses or other form of general conference be convened to express, by resolution, the point of view of the assembled members of the Parliament as between Capital Hill and the Camp Hill area;

Recommends further for the consideration of the House of Representatives—

- (1) that the proposed joint meeting be held on a day and time to be fixed by Mr President and Mr Speaker and that the joint meeting consist of Senators and Members of the House of Representatives;
- (2) that Mr President and Mr Speaker be joint chairmen of the joint meeting and be empowered, if they think it necessary, to draw up regulations for the conduct of such joint meeting; and
- (3) that at such a joint meeting there be no debate on the subject matter of the alternative sites and that the question be decided by a majority of votes;

Invites Members of the House of Representatives to join with Senators in the Senate Chamber or such other place as may be determined by Mr President and Mr Speaker for the purpose of the joint meeting;

And further invites the House of Representatives to suggest any alternative to or modification of the Senate's proposal, with a view to the convening of a joint meeting of members of the Senate and the House of Representatives to determine finally the question where the new and permanent Parliament House be situated.”

A. M. McMULLIN,
President

The Senate,
Canberra, 6 May 1971

Ordered—That the message be taken into consideration at the next sitting.

32 MESSAGE FROM THE SENATE: A message from the Senate was reported returning the following Bill without requests:

6 May 1971—Message No. 152—Stevedoring Industry Charge 1971.

33 SPECIAL ADJOURNMENT: Mr Swartz (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.

34 LEAVE OF ABSENCE TO ALL MEMBERS: Mr Swartz (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.

35 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 sixteen minutes to four o'clock in the morning, 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.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Bate, Mr Bury, Mr Calwell, Mr Jenkins and Mr Whittorn.

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