

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 146

WEDNESDAY, 8 DECEMBER 1971

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- 1 The House met, at two o'clock p.m., pursuant to adjournment. Mr Speaker (the Honourable Sir William Aston) took the Chair, and read Prayers.
- 2 PETITIONS: Mr Mackay (Minister for the Navy), Mr Hayden, Mr Graham, Mr Reynolds, Sir John Cramer, Mr Luchetti, Mr MacKellar, Mr Bury and Mr L. R. Johnson each presented a petition from certain citizens of the Commonwealth praying that the Government immediately provide \$10 million in direct aid to refugees now in India and commit itself to a continuing aid programme.
- Mr Jones, Mr Hansen, Mr Webb and Mr McIvor each presented a petition from certain citizens of the Commonwealth praying that the Government (1) immediately increase Australia's contribution to the refugee appeal by \$10 million and (2) press for a just solution to the conflict, so that the refugees may return to their homes.
- Mr A. D. Fraser presented a petition from certain citizens of the community of the Australian National University and Mr Bryant presented a petition from certain citizens of the community of Flinders University praying that the Government take immediate action to introduce in order of priority (1) universal Commonwealth scholarships, (2) Commonwealth scholarships on the basis of need rather than academic ability and (3) the abolition of tertiary fees.
- Mr Cross and Mr Bryant each presented a petition from certain citizens of the Commonwealth praying that this House make legal provision for (1) the allowance of personal education expenses as a taxation deduction, (2) the removal of the present age limit in respect of the deduction for education expenses, (3) an increase in the deduction allowable for tertiary education expenses and (4) the exemption of non-bonded scholarships for part-time students from income tax.
- Mr Enderby 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.
- Mr Reid presented a petition from certain citizens of Australia praying that the Government will provide \$10 million for relief purposes in India and East Pakistan, and a further \$50 million over 3 years to help rehabilitate the refugees in East Pakistan.
- Mr Lloyd presented a petition from certain citizens of Australia praying that the Government will (1) immediately increase aid, monetary or otherwise, for Pakistani refugee relief to the value of \$10 million, (2) grant as aid, on a continuing basis, a percentage of the gross national product, and (3) use every diplomatic channel possible to ease tension between the Indian and Pakistani Governments.

Mr L. K. Johnson presented a petition from certain citizens of the Commonwealth praying that the Government will (1) press for a just solution, primarily through the United Nations, to the refugee crisis in India so that the refugees may return to their own homes, (2) forward high initial aid to alleviate present starvation and sickness and (3) continue economic aid through development programmes involving Australian capital and personnel.

Mr Calwell presented a petition from certain citizens of Australia praying that this House should (1) grant income tax deductions for donations over \$2 made towards the relief of overseas disaster areas and (2) effect this with haste to ensure the maximum possible aid to those at present in refugee camps and those in danger of famine in East Pakistan.

Mr A. D. Fraser, Mr MacKellar and Mr Calwell each also presented a petition from certain citizens of the Commonwealth praying that the Federal Government take immediate steps to act on behalf of all Australian people to preserve Lake Pedder in its natural state.

Mr Cross also presented a petition from certain citizens of Australia praying that this 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.

Mr Bryant also 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.

Mr Klugman and Mr A. D. Fraser each presented a petition from certain citizens of Australia praying that this House will (1) take immediate steps to make emergency finance available to the States for State school education and (2) divert the large sums of public money being spent on private schools to the government school system for which the Government is truly responsible.

Mr Cross also presented a petition from certain electors of Australia 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.

Petitions severally received.

Mr MacKellar also presented a petition from certain supporters of the Committee to Stop Duffy's Forest Airport praying that this House will at once take appropriate steps to ensure that the Government revokes the lease of the Crown Land belonging to the State of New South Wales and ceases all negotiations for purchase of 37 acres of land privately owned which comprise the 136 acres necessary for the airport site and abandon the proposal to establish an airport at Duffy's Forest.

Petition received and read.

3 QUESTIONS: Questions without notice were asked.

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

Australian Post Office—Financial and Statistical Bulletin, for year 1970–71.

International Labour Conference—

Forty-eighth Session, 1964—Statement in relation to the Conventions and Recommendations adopted at the Session.

Fiftieth Session, 1966—Statement in relation to the Conventions and Recommendations adopted at the Session.

States Grants (Science Laboratories) Act—Statement of schools assisted by grants for period 1 July 1968 to 30 June 1971.

The following papers were presented, pursuant to statute:

Commonwealth Railways Act—Commonwealth Railways Commissioner—Report for year 1970–71.

Dairy Produce Export Control Act—Australian Dairy Produce Board—Forty-sixth Annual Report, for year 1970–71.

International Monetary Agreements Act—Report on operations of the Act, and insofar as they relate to Australia, of the International Monetary Fund Agreement and the International Bank Agreement, for year 1970–71.

Services Trust Funds Act—

Australian Military Forces Relief Trust Fund—Twenty-fourth Annual Report by the Trustees, together with the Auditor-General's Report, for year 1970–71.

Royal Australian Air Force Welfare Trust Fund—Twenty-third Annual Report by the Trustees, together with the Auditor-General's Report, for year 1970–71.

Royal Australian Navy Relief Trust Fund—Report by the Trustees, together with the Auditor-General's Report, for year 1970–71.

War Service Homes Act—Director of War Service Homes—Report and financial statements, for year 1970–71.

- 5 POSTPONEMENT OF ORDER OF THE DAY: Mr Swartz (Leader of the House) moved—That order of the day No. 1 (Committee of Privileges—Report relating to an article published in the *Daily Telegraph*, 27 August 1971: Consideration of report) be postponed until after order of the day No. 3, government business.

Debate ensued.

Question—put and passed.

- 6 STOKES HILL POWER STATION, DARWIN—STAGE 5 EXTENSIONS—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 stage 5 extensions, Stokes Hill Power Station, Darwin.

Debate ensued.

Question—put and passed.

- 7 BRUCELLA VACCINE TESTING LABORATORY, CANBERRA—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 a brucella vaccine testing laboratory at Canberra.

Debate ensued.

Question—put and passed.

- 8 CUSTOMS 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 by Mr Hayden who moved, as an amendment—That all words after "That" be omitted with a view to inserting the following words in place thereof: "this House is of opinion that the Bill should be withdrawn and redrafted to deal comprehensively with (a) drug trafficking, drug pushing and the provision of penalties severe enough to deter these offences and (b) drug abuse and the treatment and rehabilitation of addicts based on the humanitarian approach recommended by the Senate Select Committee on Drug Trafficking and Drug Abuse".

Debate continued.

Mr L. F. Bowen was granted leave to continue his speech when the debate is resumed.

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

9 SUSPENSION OF STANDING ORDERS—PARLIAMENTARY ALLOWANCES AND ASSOCIATED BILLS: Mr Swartz (Leader of the House) moved, by leave—That so much of the standing orders be suspended as would prevent—

(1) a Parliamentary Allowances Bill, a Ministers of State Bill (No. 2) and a Parliamentary Allowances Tribunal Bill—

(a) being presented and read a first time together and one motion being moved without delay and one question being put in regard to, respectively, the second readings, the committee's report stage, and the third readings, of all the Bills together, and

(b) the consideration of the Bills in one committee of the whole and

(2) a Salaries Adjustment Bill being presented and passed through all its stages without delay.

Question—put and passed.

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

Parliament of the Commonwealth—Salaries and Allowances of Members—Report of Inquiry by Mr Justice Keir, December 1971.

11 PARLIAMENTARY ALLOWANCES, MINISTERS OF STATE (NO. 2), AND PARLIAMENTARY ALLOWANCES TRIBUNAL BILLS 1971: Mr McMahon (Prime Minister) presented the following Bills—

A Bill for an Act relating to Parliamentary Allowances;

A Bill for an Act relating to the Salaries and Allowances of the Ministers of State; and

A Bill for an Act to establish a Tribunal for the purpose of making Reports and Recommendations with respect to the Allowances of Members of the Parliament and the Salaries and Allowances of Ministers of State.

Bills together read a first time.

Mr McMahon moved—That the Bills be now read a second time.

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

12 SALARIES ADJUSTMENT BILL 1971: Mr McMahon (Prime Minister) presented a Bill for an Act relating to the Remuneration and Allowances payable to the Holders of certain Offices.

Bill read a first time.

Mr McMahon moved—That the Bill be now read a second time.

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

13 CUSTOMS 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—*And on the amendment moved thereto by Mr Hayden, viz.*—That all words after “That” be omitted with a view to inserting the following words in place thereof: “this House is of opinion that the Bill should be withdrawn and redrafted to deal comprehensively with (a) drug trafficking, drug pushing and the provision of penalties severe enough to deter these offences and (b) drug abuse and the treatment and rehabilitation of addicts based on the humanitarian approach recommended by the Senate Select Committee on Drug Trafficking and Drug Abuse”—

Debate resumed.

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, 57

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

NOES, 49

Mr Armitage	Mr Connor	Mr Hurford	Mr Patterson
Mr Barnard	Mr Crean	Mr Jacobi	Mr Reynolds
Mr Beazley	Mr Cross	Mr Jenkins	Mr Scholes
Mr Bennett	Mr Daly	Mr L. K. Johnson	Mr Sherry
Mr Berinson	Mr Davies	Mr L. R. Johnson	Mr Stewart
Mr Birrell	Mr Enderby	Mr Jones	Mr Uren
Mr L. F. Bowen	Mr Everingham	Mr Keating	Mr Wallis
Mr Bryant	Mr FitzPatrick	Mr Kennedy	Mr Webb
Mr J. F. Cairns	Mr Foster	Mr Keogh	
Mr Calwell	Mr Fulton	Mr Kirwan	<i>Tellers:</i>
Mr C. R. Cameron	Mr Grassby	Mr Klugman	Mr Cope
Mr Cass	Mr Hansen	Mr Luchetti	Mr James
Mr Collard	Mr Hayden	Mr Martin	

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.

The House resolved itself into a committee of the whole.

In the committee

Clause 1 agreed to.

Clause 2—

Mr Klugman moved the following amendment: Page 2, lines 21–24, at the end of the definition of “Narcotic substance” add “and, for the purposes of this Act, includes a substance or thing the name of which is specified in column 1 of Schedule VII to this Act”.

Debate continued.

Amendment negated.

Clause agreed to.

Clauses 3 to 6, by leave, taken together, and agreed to, after debate.

Clause 7—

Mr Hayden moved the following amendment: Page 3, lines 21–27, omit paragraph (b).

Debate continued.

Amendment negated.

Clause agreed to.

Clause 8—

Mr Klugman moved the following amendment: Page 4, after paragraph (c) of proposed sub-section (1.) of section 235, insert the following paragraph:

“(ca) where the narcotic goods in relation to which the offence was committed consist of a quantity of a narcotic substance (being the narcotic substance specified in the information, complaint, declaration, claim or indictment as the narcotic substance of which the goods consist) and where the court is satisfied that the offence was committed by the person charged for any purpose related to the sale of, or other commercial dealing in, the narcotic goods in relation to which the offence was committed—a fine not exceeding Four thousand dollars or imprisonment for a period not exceeding ten years, or both a fine not exceeding that amount and imprisonment for a period not exceeding that period; or”.

Debate continued.

Question—That the amendment be agreed to—put.

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

AYES, 48

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

NOES, 54

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

And so it was negatived.

Clause agreed to.

Clause 9—

On the motion of Mr Cass, the following amendment was made, after debate: Page 5, omit the words “NARCOTIC SUBSTANCE” from the heading of proposed Schedule VI.

Clause, as amended, agreed to.

Title agreed to.

Bill to be reported with an amendment.

The House resumed; Mr Lucock reported accordingly.

On the motion of Mr Garland (Minister for Supply), by leave, the House adopted the report, and, by leave, the Bill was read a third time.

- 14 CUSTOMS TARIFF VALIDATION 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.
 Question—put and passed—Bill read a second time.
 Leave granted for third reading to be moved forthwith.
 On the motion of Mr Garland (Minister for Supply), the Bill was read a third time.
- 15 ADVANCE TO THE TREASURER 1970-71—STATEMENT OF EXPENDITURE: The House, according to order, resolved itself into a committee of the whole to consider the statement.

In the committee

Statement taken as a whole, and agreed to, after debate.

Mr Peacock (Minister assisting the Treasurer) moved—That the following resolution be reported to the House:

That the committee agrees with the statement for the year 1970-71 of heads of expenditure and the amounts charged thereto pursuant to section 36A of the *Audit Act 1901-1969*.

Question—put and passed.

The House resumed; Mr Lucock reported accordingly.

On the motion of Mr Peacock, the resolution reported from the committee was adopted by the House.

- 16 CITIZEN MILITARY FORCES—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER: Mr Peacock (Minister for the Army), by leave, made a ministerial statement with reference to the Citizen Military Forces, and, by command of His Excellency the Governor-General, presented the following paper:
 Citizen Military Forces—Ministerial statement, 8 December 1971.

Mr Howson (Minister for the Environment, Aborigines and the Arts) 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 COMMITTEE OF PRIVILEGES—REPORT RELATING TO AN ARTICLE PUBLISHED IN THE *Daily Telegraph*, 27 AUGUST 1971: The order of the day having been read for the consideration of the report of the Committee of Privileges relating to an article published in the *Daily Telegraph*, 27 August 1971—

Mr Swartz (Leader of the House) moved—That this House agrees with the committee in its findings and is of opinion that it would best consult its own dignity by taking no further action in the matter.

Debate ensued.

Mr Cope moved, as an amendment—That all words after “opinion” be omitted with a view to inserting the following words in place thereof: “that the recommendations of the Committee should be carried out”.

Debate continued.

The House continuing to sit until after midnight—

THURSDAY, 9 DECEMBER 1971

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, 50

Sir C. Adermann	Mr Fairbairn	Mr Katter	Mr Pettitt
Mr Anthony	Mr Forbes	Mr Kelly	Mr Robinson
Mr Bate	Mr J. M. Fraser	Mr Killen	Mr Sinclair
Mr N. H. Bowen	Mr Garland	Mr King	Mr Snedden
Mr Brown	Mr Giles	Mr Lloyd	Mr Solomon
Mr Buchanan	Mr Hallett	Mr Lucock	Mr Staley
Mr K. M. K. Cairns	Mr Hamer	Mr Lynch	Mr Street
Mr Calder	Mr Holten	Mr Mackay	Mr Swartz
Mr Corbett	Mr Howson	Mr MacKellar	Mr Wentworth
Mr Dobie	Sir A. Hulme	Mr McLay	
Mr Drury	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, 47

Mr Armitage	Mr Cross	Mr Jacobi	Mr Morrison
Mr Barnard	Mr Daly	Mr Jenkins	Mr Patterson
Mr Bennett	Mr Davies	Mr L. K. Johnson	Mr Reynolds
Mr L. F. Bowen	Mr Enderby	Mr L. R. Johnson	Mr Scholes
Mr Bryant	Mr Everingham	Mr Jones	Mr Sherry
Mr J. F. Cairns	Mr Fitzpatrick	Mr Keating	Mr Stewart
Mr C. R. Cameron	Mr Grassby	Mr Kennedy	Mr Uren
Mr D. M. Cameron	Mr Griffiths	Mr Keogh	Mr Wallis
Mr Cass	Mr Gun	Mr Kirwan	Mr Whitlam
Mr Cohen	Mr Hansen	Mr Klugman	<i>Tellers:</i>
Mr Collard	Mr Hayden	Mr Martin	Mr Cope
Mr Crean	Mr Hurford	Mr McIvor	Mr James

And so it was resolved in the affirmative.

Question—That the motion be agreed to—put and passed.

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

Question—put and passed.

And then the House, at two o'clock in the morning, adjourned until this day at ten o'clock a.m.

PAPERS: The following papers were deemed to have been presented on 8 December 1971, pursuant to statute:

Defence Act—Regulations—Statutory Rules 1971, No. 155.

Lands Acquisition Act—Land, etc., acquired for post office purposes—

District of Henley and Grange, South Australia.

Mount Olinthus, South Australia.

Naval Defence Act—Regulations—Statutory Rules 1971, Nos. 157, 158.

Public Service Act—Regulation—Statutory Rules 1971, No. 159.

Public Service Arbitration Act—Public Service Arbitrator—Determinations—1971—

No. 404—Common Rule *re* Accidents.

No. 405—Australian Journalists' Association.

No. 406—Australian Broadcasting Commission Staff Association.

No. 407—Association of Railway Professional Officers of Australia; and Association of Professional Engineers, Australia.

Stevedoring Industry Act—Regulation—Statutory Rules 1971, No. 156.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Duthie and Mr Garrick.

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