

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 206

WEDNESDAY, 25 OCTOBER 1972

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

2 PETITIONS: The Clerk announced that the following honourable Members had each lodged petitions for presentation, viz.:

Mr Anthony (Minister for Trade and Industry), Mr Howson (Minister for the Environment, Aborigines and the Arts), Mr Crean, Mr Jacobi and Mr Lloyd—from certain citizens of the Commonwealth praying that Australia's official development assistance in 1972-73 be increased to at least \$240 million, and that Australia's aid and trade policies be reviewed to benefit developing countries.

Mr Armitage and Mr Dobie—from certain electors of New South Wales praying that this House will immediately make a substantial Federal emergency grant to all State Governments for education services and carry out a public national survey to determine needs of the States after 1975.

Mr Hayden and Mr Klugman—from certain citizens of Australia praying that this House provide the finance to enable State Education Departments and local government authorities to establish pre-school and after-school centres and facilities for training the staff for these centres.

Mr Dobie—from certain citizens of the Commonwealth praying that the contract let to an American controlled company for the advertising rights for the Victorian Pink Pages Telephone Directories be revoked in the national interest.

Mr Drury—from certain citizens of Australia praying that this House will, in regard to the use of Commonwealth funds to aid church schools, restore to the Australian people true religious freedom which can exist only when Church and State are legally separated both in form and substance.

Mr Enderby—from certain residents of the Australian Capital Territory praying that the strip of land on the whole western side of Melrose Drive, Canberra, be reserved for development as parkland.

Mr Gorton—from certain citizens of the Commonwealth praying that provision be made for granting long service leave, after the appropriate qualifying period, to all temporary Commonwealth female cleaners who work 24 hours per week or less.

Mr Keating—from certain employees of the Australian aircraft industry in New South Wales and citizens of Australia praying that the Federal Government take immediate action to ensure the re-equipment of the armed forces with Australian designed and produced aircraft and accessories.

Mr Whitlam (Leader of the Opposition)—from certain citizens of Australia praying that the House will take immediate action to provide sufficient funds for the States to finance the setting up and maintenance of services and facilities for the remedial education of children with learning disabilities.

Petitions received.

3 QUESTIONS: Questions without notice were asked.

- 4 STATEMENT BY MEMBER—LEAVE TO MAKE NOT GRANTED:** Mr C. R. Cameron asked leave to make a statement.
Objection being raised, leave not granted.
- 5 STATEMENT BY MEMBER—LEAVE TO MAKE NOT GRANTED:** Mr C. R. Cameron having again asked leave to make a statement.
Objection being raised, leave not granted.
- 6 PAPERS:** Mr Speaker presented, pursuant to statute:
Audit Act—Supplementary Report of the Auditor-General upon other accounts, for year 1971–72.
Ordered to be printed.
The following paper was presented, by command of His Excellency the Governor-General:
Australian Parliamentary Delegation—Report of visit to the United States of America and Mexico of delegation led by the Honourable P. Howson, M.P., Minister for the Environment, Aborigines and the Arts, 25 June to 18 July 1972.
The following papers were presented, pursuant to statute:
Australian National Airlines Act—Australian National Airlines Commission—Twenty-seventh Annual Report and financial statements, together with the Auditor-General's Report, for year 1971–72.
Canned Fruits Export Marketing Act—Australian Canned Fruits Board—Forty-sixth Annual Report and financial statements, together with the Auditor-General's Report, for 1971.
Commonwealth Serum Laboratories Act—Commonwealth Serum Laboratories Commission—Eleventh Annual Report and financial statements, together with the Auditor-General's Report, for year 1971–72.
Seat of Government (Administration) Act—Law Reform Commission Ordinance—Law Reform Commission of the Australian Capital Territory—Reports—Civil Procedure of the Court of Petty Sessions, dated September 1972.
Imperial Acts in force in the Australian Capital Territory, dated 25 August 1972.
New South Wales Acts in force in the Australian Capital Territory, dated 18 October 1972.
War Service Homes Act—Director of War Service Homes—Report and financial statements, together with the Auditor-General's Report, for year 1971–72.
- 7 SUSPENSION OF STANDING ORDERS MOVED—MOTION WITHOUT NOTICE:** Mr Barnard (Deputy Leader of the Opposition) moved—That so much of the standing orders be suspended as would prevent the Deputy Leader of the Opposition moving that this House supports all recommendations of the Joint Select Committee on Defence Forces Retirement Benefits Legislation which afford greater benefits than those already in effect.
Debate ensued.
The time allowed by standing order 91 for debate on the motion having expired—Mr Barnard, by leave, made a statement with reference to the motion.
Motion withdrawn, by leave.
- 8 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—HEALTH SERVICES COST:** Mr Speaker informed the House that Mr Hayden had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The spiralling cost to the public of health services under the Government's health insurance programme".
The proposed discussion having received the necessary support—
Mr Hayden addressed the House.
Discussion ensued.
Discussion concluded.

9 FOREIGN AFFAIRS—JOINT COMMITTEE—REPORT TO MINISTER: Mr Morrison (Acting Chairman) informed the House that, in accordance with paragraph 10 (a) of the resolution of appointment of the Joint Committee on Foreign Affairs, the committee, at the request of the Minister for Foreign Affairs, had reported to the Minister upon the following reference: What is the most effective form of aid—bilateral or multilateral.

10 MESSAGE FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS: A message from His Excellency the Governor-General was announced informing the House that His Excellency, in the name of Her Majesty, had assented to the following Bills:

24 October 1972—Message No. 280—
Estate Duty Assessment 1972.
Gift Duty 1972.
Gift Duty Assessment 1972.

11 AIRLINES AGREEMENTS BILL 1972: 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 Jones who moved, as an amendment—That all words after “That” be omitted with a view to inserting the following words in place thereof: “the Government be condemned for seeking to usurp the powers and functions of future Parliaments by extending an agreement which does not expire until 1977 through to 1982 and for the reason that it discriminates against Trans-Australia Airlines and does not provide for even-handed competition between the two airlines”.

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

12 NORTHERN TERRITORY LEGISLATURE AND EXECUTIVE—TRANSFER OF FUNCTIONS—MINISTERIAL STATEMENT AND PAPERS—PAPERS NOTED: Mr Hunt (Minister for the Interior), by leave, made a ministerial statement relating to the Government’s offer of a transfer of a range of functions to the Northern Territory Legislature and Executive, and, by command of His Excellency the Governor-General, presented the following papers:

Northern Territory Legislature and Executive—Transfer of functions—
Ministerial statement, 25 October 1972.
Outline of proposals.
Indicative financial statements.

Mr Chipp (Leader of the House) moved—That the House take note of the papers.

Debate ensued.

Question—put and passed.

13 AIRLINES AGREEMENTS BILL 1972: 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 Jones, viz.*—That all words after “That” be omitted with a view to inserting the following words in place thereof: “the Government be condemned for seeking to usurp the powers and functions of future Parliaments by extending an agreement which does not expire until 1977 through to 1982 and for the reason that it discriminates against Trans-Australia Airlines and does not provide for even-handed competition between the two airlines”—

Debate resumed.

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

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

AYES, 52

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

NOES, 45

Mr Armitage	Mr Enderby	Mr L. R. Johnson	Mr Patterson
Mr Barnard	Mr Everingham	Mr Jones	Mr Reynolds
Mr Beazley	Mr FitzPatrick	Mr Keating	Mr Scholes
Mr Bennett	Mr Foster	Mr Kennedy	Mr Sherry
Mr Berinson	Mr Fulton	Mr Keogh	Mr Stewart
Mr Birrell	Mr Griffiths	Mr Kirwan	Mr Wallis
Mr L. F. Bowen	Mr Gun	Mr Klugman	Mr Webb
Mr Bryant	Mr Hansen	Mr Luchetti	
Mr C. R. Cameron	Mr Hurford	Mr Martin	<i>Tellers:</i>
Mr Cass	Mr Jacobi	Mr McIvor	Mr Cope
Mr Connor	Mr Jenkins	Mr Morrison	Mr Duthie
Mr Cross	Mr L. K. Johnson	Mr Nicholls	

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.

Leave granted for third reading to be moved forthwith.

On the motion of Sir Reginald Swartz (Minister representing the Minister for Civil Aviation), the Bill was read a third time.

- 14 AUSTRALIAN NATIONAL AIRLINES BILL 1972: 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.

The House resolved itself into a committee of the whole.

In the committee

Bill, by leave, taken as a whole.

Mr Jones moved the following amendment: Clause 4, page 2, lines 9 and 10, omit “or, if a higher rate is prescribed, that higher rate”.

Debate continued.

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

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

AYES, 49

Sir C. Adermann	Mr Dobie	Mr Jess	Mr Robinson
Mr Anthony	Mr G. D. Erwin	Mr Katter	Mr Sinclair
Mr Barnes	Mr Fairbairn	Mr Kelly	Mr Solomon
Mr Bate	Mr Forbes	Mr Killen	Mr Staley
Mr N. H. Bowen	Mr J. M. Fraser	Mr King	Mr Street
Mr Brown	Mr Garland	Mr Lloyd	Sir R. Swartz
Mr Bury	Mr Giles	Mr Mackay	Sir W. Turnbull
Mr K. M. K. Cairns	Mr Gorton	Mr MacKellar	Mr Wentworth
Mr Calder	Mr Hamer	Mr Maisey	
Mr D. M. Cameron	Mr Holten	Mr McLeay	
Mr Chipp	Mr Howson	Mr Nixon	<i>Tellers:</i>
Mr Corbett	Sir A. Hulme	Mr O'Keefe	Mr England
Sir J. Cramer	Mr Hunt	Mr Pettitt	Mr Fox

NOES, 45

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

And so it was resolved in the affirmative.

Bill agreed to.

Bill to be reported without amendment.

The House resumed; Mr Hallett reported accordingly.

On the motion of Sir Reginald Swartz (Minister representing the Minister for Civil Aviation), the House adopted the report, and, by leave, the Bill was read a third time.

- 15 POSTPONEMENT OF ORDERS OF THE DAY: Ordered—That orders of the day Nos. 3 to 6, government business, be postponed until a later hour this day.
- 16 CUSTOMS TARIFF BILL (No. 4) 1972: 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.
Ordered—That Mr Kelly be granted an extension of time.
Debate continued.
Mr Jones 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.
- 17 AID TO FIJI AND ELLICE ISLANDS—MINISTERIAL STATEMENT: Mr N. H. Bowen (Minister for Foreign Affairs), by leave, made a ministerial statement relating to the Government's decision to grant financial aid to Fiji and the Ellice Islands following the damage caused by *Hurricane Bebe*.
- 18 CUSTOMS TARIFF BILL (No. 4) 1972: 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 Chipp (Minister for Customs and Excise), the Bill was read a third time.
- 19 CUSTOMS TARIFF BILL (No. 5) 1972: 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 Chipp (Minister for Customs and Excise), the Bill was read a third time.
- 20 CUSTOMS TARIFF VALIDATION BILL (No. 2) 1972: 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 Chipp (Minister for Customs and Excise), the Bill was read a third time—
- 21 COMPANIES (FOREIGN TAKE-OVERS) BILL 1972: 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

Clause 1 agreed to.

Clause 2—

Mr Crean moved the following amendment: Page 1, line 11, omit paragraph (b).

Debate continued.

Further consideration of clause and amendment postponed.

Clause 3 debated and agreed to.

Clause 4—

On the motion, by leave, of Mr Snedden (Treasurer), the following amendments were made together, after debate:

Page 3, line 19, omit "and".

Page 3, line 22, omit "person.", insert "person; and".

Page 3, at the end of sub-clause (2.) add the following paragraph:

"(d) a corporation shall be taken not to be a foreign corporation if the Minister is satisfied that, having regard to all the circumstances, persons or corporations, or persons and corporations, referred to in the definition of 'foreign corporation' in the last preceding sub-section are not in a position to exercise a significant degree of control over the conduct of the affairs of the corporation."

Clause, as amended, agreed to.

Postponed clause 2—

Amendment previously moved by Mr Crean agreed to.

Clause, as amended, agreed to.

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

Bill to be reported with amendments.

The House resumed; Mr Armitage reported accordingly.

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

- 22 POLLUTION OF THE SEA BY OIL BILL 1972: 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 Jones who moved, as an amendment—That all words after "That" be omitted with a view to inserting the following words in place thereof: "whilst not opposing the Bill the House regrets that the Government (a) has failed to clarify whether responsibility for protection of Australian territorial waters belongs to the Commonwealth or States, (b) has not acted in a comprehensive way to ensure that Australian territorial waters are protected from all environmental threats from oil, whether they be from shipping or land based activities and including all ocean dumping and (c) has not, on behalf of the Australian people, co-ordinated management of the Australian territorial waters in the interests of the long term conservation of the Earth's oceanic resources".

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

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

NOES, 43

Mr Armitage	Mr Cross	Mr Jenkins	Mr Nicholls
Mr Bennett	Mr Enderby	Mr L. K. Johnson	Mr Patterson
Mr Berinson	Mr Everingham	Mr L. R. Johnson	Mr Reynolds
Mr Birrell	Mr FitzPatrick	Mr Jones	Mr Scholes
Mr L. F. Bowen	Mr Foster	Mr Keating	Mr Sherry
Mr Bryant	Mr Fulton	Mr Kennedy	Mr Stewart
Mr J. F. Cairns	Mr Grassby	Mr Keogh	Mr Uren
Mr Calwell	Mr Gun	Mr Kirwan	Mr Wallis
Mr Cohen	Mr Hansen	Mr Luchetti	<i>Tellers:</i>
Mr Connor	Mr Hurford	Mr Martin	Mr Cope
Mr Crean	Mr Jacobi	Mr Morrison	Mr Duthie

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.

Remainder of Bill, by leave, taken as a whole.

Mr Gun, by leave, moved the following amendments together:

Clause 2, page 1, line 12, omit “, 4”.

Clause 4, page 2, line 18, after “ship” insert “or any other ship”.

Debate continued.

Amendments negatived.

Remainder of Bill agreed to.

Bill to be reported without amendment.

The House resumed; Mr Corbett reported accordingly.

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

- 23 SUSPENSION OF STANDING ORDERS: Mr Nixon (Minister for Shipping and Transport) moved, by leave—That so much of the standing orders be suspended as would prevent orders of the day Nos. 5 and 6, government business, being called on.
Question—put and passed.

- 24 POLLUTION OF THE SEA BY OIL (SHIPPING LEVY) BILL 1972: 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 Nixon (Minister for Shipping and Transport), the Bill was read a third time.

- 25 POLLUTION OF THE SEA BY OIL (SHIPPING LEVY COLLECTION) BILL 1972: The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—

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

Message from the Governor-General: Message No. 281, dated 24 October 1972, 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 Nixon (Minister for Shipping and Transport), the Bill was read a third time.

- 26 MESSAGE FROM THE SENATE—CRIMES (HIJACKING OF AIRCRAFT) BILL 1972: Message No. 380, dated 25 October 1972, from the Senate was reported transmitting for the concurrence of the House a Bill for “*An Act to approve Accession by Australia to the Convention for the Suppression of Unlawful Seizure of Aircraft, to give effect to that Convention and to provide for the Punishment of the Unlawful Seizure of Aircraft and Acts of Violence on board Aircraft in certain Circumstances in which that Convention does not apply*”.
- Bill read a first time.
- Ordered—That the second reading be made an order of the day for the next sitting.
- 27 MESSAGE FROM THE SENATE—EXTRADITION (COMMONWEALTH COUNTRIES) BILL 1972: Message No. 381, dated 25 October 1972, from the Senate was reported transmitting for the concurrence of the House a Bill for “*An Act to amend the ‘Extradition (Commonwealth Countries) Act 1966-1968’*”.
- Bill read a first time.
- Ordered—That the second reading be made an order of the day for the next sitting.
- 28 MESSAGE FROM THE SENATE—EXTRADITION (FOREIGN STATES) BILL 1972: Message No. 382, dated 25 October 1972, from the Senate was reported transmitting for the concurrence of the House a Bill for “*An Act to amend the ‘Extradition (Foreign States) Act 1966-1968’*”.
- Bill read a first time.
- Ordered—That the second reading be made an order of the day for the next sitting.
- 29 ADJOURNMENT: Sir Reginald Swartz (Minister for National Development) moved—That the House do now adjourn.
- Debate ensued.

The House continuing to sit until after midnight—

THURSDAY, 26 OCTOBER 1972

- Debate continued.
- Mr Foster rising to address the House—
- Closure*: Mr Giles moved—That the question be now put.
- Question—That the question be now put—put and passed.
- And the question—That the House do now adjourn—was put accordingly, and passed.
- And then the House, at twenty-six minutes to one 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 25 October 1972, pursuant to statute:

- Lands Acquisition Act—Land, etc., acquired for post office purposes—Bourke (near), New South Wales.
- Northern Territory (Administration) Act—Crown Lands Ordinance—Statement of reasons by Minister for revocation of forestry reserve at Gunn Point, N.T.
- Public Service Act—Regulations—Statutory Rules 1972, Nos. 170, 173.
- Science and Industry Research Act—Regulations—Statutory Rules 1972, No. 171.
- War Service Homes Act—Regulations—Statutory Rules 1972, No. 172.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Buchanan, Mr Collard, Mr Daly, Mr Drury, Mr A. D. Fraser, Mr Garrick, Mr Graham, Mr James, Mr Turner and Mr Whittorn.

N. J. PARKES,
Clerk of the House of Representatives