

AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 22

TUESDAY, 8 MAY 1973

1 The House met, at ten o'clock a.m., pursuant to adjournment. Mr Speaker (the Honourable J. F. Cope) took the Chair, and read Prayers.

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

Mr Hayden (Minister for Social Security), Mr Stewart (Minister for Tourism and Recreation), Mr Connor (Minister for Minerals and Energy), Mr L. R. Johnson (Minister for Housing), Dr Everingham (Minister for Health), Mr Sinclair (Deputy Leader of the Australian Country Party), Mr Adermann, Mr Bennett, Mr Bouchier, Mr Calder, Mr D. M. Cameron, Mr Cross, Mr Davies, Mr Drury, Mr Erwin, Mr FitzPatrick, Mr Fraser (4), Mr Giles, Mr Hallett, Mr Hamer, Mr Hewson, Mr Holten, Mr Jarman, Mr Katter, Mr Keating, Mr Kerin (2), Mr Luchetti (2), Mr Lucock (5), Mr McLeay, Mr McVeigh, Mr Maisey, Mr Olley, Mr Riordan, Mr Scholes, Mr Viner, Mr Wallis, Mr Whan and Mr Wilson—from certain citizens of Australia praying that the House should not admit into the law of this land a principle which violates the fundamental right to life.

Mr Hayden, Mr Kerin, Mr Luchetti and Mr Martin—from certain citizens of Australia praying that the House will not extend the laws governing abortion and will uphold the right to life of the unborn child.

Mr FitzPatrick and Mr Whan—from certain citizens of New South Wales and certain electors of the Division of Eden-Monaro, respectively, in terms similar to the last preceding petition.

Mr Bouchier, Mr Hamer and Mr Jarman—from certain citizens of the Commonwealth praying that the House should maintain the existing laws covering abortion.

Mr Connor—from certain citizens of Australia praying that the House urge the Government to seek the release of all political prisoners in South Vietnam, urge speedy trials for all those held on political charges and to arrange for an international inspection of conditions in gaols in South Vietnam, particularly political prisons.

Mr Gorton—from certain citizens of the Division of Higgins praying that the House oppose any legislation which would liberalise abortion in any circumstances.

Petitions received.

3 MINISTERIAL ARRANGEMENTS AND ANNOUNCEMENT OF DEPUTY LEADER OF THE HOUSE: Mr Whitlam (Prime Minister) informed the House of the following ministerial arrangements during the respective absences abroad of Mr Barnard (Minister for Defence) and Dr Cairns (Minister for Overseas Trade and Minister for Secondary Industry):

Senator Bishop (Minister for Repatriation) was acting as Minister for Defence and would be represented in both capacities in this House by Mr Whitlam;

Dr Patterson (Minister for Northern Development) would act as Minister for Overseas Trade; and

Mr Connor (Minister for Minerals and Energy) would act as Minister for Secondary Industry and would represent the Minister for Customs and Excise in this House.

Mr Whitlam also informed the House that Mr L. F. Bowen (Postmaster-General) would be Deputy Leader of the House.

4 QUESTIONS: Questions without notice were asked.

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

Australian Commission on Advanced Education—Teacher Education 1973–1975—Report to the Commission by the Special Committee on Teacher Education, accompanied by recommendations of the Commission, dated March 1973.

Commonwealth Superannuation Scheme—Report of the Treasury Committee on Superannuation, dated March 1973.

6 CONCILIATION AND ARBITRATION BILL 1973: 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—

Suspension of standing orders—Extended time for speech: Mr Daly (Leader of the House) moved, by leave—That so much of the standing orders be suspended as would prevent Mr Lynch (Deputy Leader of the Opposition) speaking for a period not exceeding 70 minutes.

Question—put and passed.

Debate resumed.

Declaration of Bill as urgent Bill: Mr Daly declared that the Bill was an urgent Bill.

Question—That the Bill be considered an urgent Bill—put.

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

AYES, 59

Mr Armitage	Mr Davies	Dr Jenkins	Mr Mulder
Mr Ashley-Brown	Mr Doyle	Mr L. K. Johnson	Mr Oldmeadow
Mr Beazley	Mr Duthie	Mr L. R. Johnson	Mr Olley
Mr Bennett	Mr Enderby	Mr Jones	Dr Patterson
Mr Berinson	Dr Everingham	Mr Keating	Mr Riordan
Mr Birrell	Mr FitzPatrick	Mr Keogh	Mr Scholes
Mr Bryant	Mr Fulton	Mr Kerin	Mr Sherry
Mr C. R. Cameron	Mr Garrick	Dr Klugman	Mr Stewart
Dr Cass	Mr Grassby	Mr Lamb	Mr Thorburn
Mr Coates	Dr Gun	Mr Luchetti	Mr Uren
Mr Collard	Mr Hayden	Mr McKenzie	Mr Wallis
Mr Connor	Mr Hurford	Mr Martin	Mr Willis
Mr Crean	Mr Innes	Mr Mathews	<i>Tellers:</i>
Mr Cross	Mr Jacobi	Mr Morris	Mr Hansen
Mr Daly	Mr James	Mr Morrison	Mr Nicholls

NOES, 40

Mr Adermann	Mr Drummond	Mr King	Mr Street
Mr Anthony	Mr Edwards	Mr Lucock	Mr Turner
Mr Bonnett	Dr Forbes	Mr Lynch	Mr Viner
Mr Bouchier	Mr Garland	Mr MacKellar	Mr Whittorn
Mr N. H. Bowen	Mr Giles	Mr McVeigh	Mr Wilson
Mr Bury	Mr Graham	Mr Maisey	
Mr Calder	Mr Hallett	Mr O'Keefe	
Mr Chipp	Mr Hamer	Mr Peacock	
Mr Cooke	Mr Hunt	Mr I. L. Robinson	<i>Tellers:</i>
Mr Corbett	Mr Katter	Mr Sinclair	Mr England
Sir J. Cramer	Mr Killen	Mr Staley	Mr Fox

And so it was resolved in the affirmative.

Allotment of time: Mr Daly then moved—That the time allotted in connection with the Bill be as follows:

- For the second reading, until 5.30 p.m. this day.
- For the committee stage, until 3.15 p.m. tomorrow.
- For the remaining stages, until 3.30 p.m. tomorrow.

Debate ensued.

Question—put.

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

AYES, 59

Mr Armitage	Mr Davies	Dr Jenkins	Mr Mulder
Mr Ashley-Brown	Mr Doyle	Mr L. K. Johnson	Mr Oldmeadow
Mr Beazley	Mr Duthie	Mr L. R. Johnson	Mr Olley
Mr Bennett	Mr Enderby	Mr Jones	Dr Patterson
Mr Berinson	Dr Everingham	Mr Keating	Mr Riordan
Mr Birrell	Mr FitzPatrick	Mr Keogh	Mr Scholes
Mr Bryant	Mr Fulton	Mr Kerin	Mr Sherry
Mr C. R. Cameron	Mr Garrick	Dr Klugman	Mr Stewart
Dr Cass	Mr Grassby	Mr Lamb	Mr Thorburn
Mr Coates	Dr Gun	Mr Luchetti	Mr Uren
Mr Collard	Mr Hayden	Mr McKenzie	Mr Wallis
Mr Connor	Mr Hurford	Mr Martin	Mr Willis
Mr Crean	Mr Innes	Mr Mathews	<i>Tellers:</i>
Mr Cross	Mr Jacobi	Mr Morris	Mr Hansen
Mr Daly	Mr James	Mr Morrison	Mr Nicholls

NOES, 42

Mr Adermann	Mr Drummond	Mr Katter	Mr Sinclair
Mr Anthony	Mr Edwards	Mr Killen	Mr Staley
Mr Bonnett	Mr Erwin	Mr King	Mr Street
Mr Bouchier	Dr Forbes	Mr Lucock	Mr Turner
Mr N. H. Bowen	Mr Garland	Mr Lynch	Mr Viner
Mr Bury	Mr Giles	Mr MacKellar	Mr Whittorn
Mr Calder	Mr Graham	Mr McVeigh	Mr Wilson
Mr Chipp	Mr Hallett	Mr Maisey	
Mr Cooke	Mr Hamer	Mr O'Keefe	<i>Tellers:</i>
Mr Corbett	Mr Hunt	Mr Peacock	Mr England
Sir J. Cramer	Mr Jarman	Mr I. L. Robinson	Mr Fox

And so it was resolved in the affirmative.

Debate continued on the question—That the Bill be now read a second time.

Mr Wentworth addressing the House—

Limitation of debate: At half-past five o'clock p.m., Mr Deputy Speaker having called the attention of the House to the fact that the time allotted for the second reading had expired—

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

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

AYES, 57

Mr Armitage	Mr Doyle	Mr L. K. Johnson	Mr Oldmeadow
Mr Ashley-Brown	Mr Duthie	Mr L. R. Johnson	Mr Olley
Mr Beazley	Mr Enderby	Mr Jones	Dr Patterson
Mr Bennett	Dr Everingham	Mr Keating	Mr Riordan
Mr Birrell	Mr FitzPatrick	Mr Keogh	Mr Scholes
Mr Bryant	Mr Fulton	Mr Kerin	Mr Sherry
Mr C. R. Cameron	Mr Garrick	Dr Klugman	Mr Thorburn
Dr Cass	Mr Grassby	Mr Lamb	Mr Uren
Mr Coates	Dr Gun	Mr Luchetti	Mr Wallis
Mr Collard	Mr Hayden	Mr McKenzie	Mr Willis
Mr Connor	Mr Hurford	Mr Martin	
Mr Crean	Mr Innes	Mr Mathews	
Mr Cross	Mr Jacobi	Mr Morris	<i>Tellers:</i>
Mr Daly	Mr James	Mr Morrison	Mr Hansen
Mr Davies	Dr Jenkins	Mr Mulder	Mr Nicholls

NOES, 43

Mr Adermann	Mr Edwards	Mr Katter	Mr Sinclair
Mr Bonnett	Mr Erwin	Mr Killen	Mr Staley
Mr Bouchier	Dr Forbes	Mr King	Mr Street
Mr N. H. Bowen	Mr Garland	Mr Lucock	Mr Turner
Mr Bury	Mr Giles	Mr Lynch	Mr Viner
Mr Calder	Mr Gorton	Mr MacKellar	Mr Wentworth
Mr Chipp	Mr Graham	Mr McMahan	Mr Whittorn
Mr Cooke	Mr Hallett	Mr McVeigh	Mr Wilson
Mr Corbett	Mr Hamer	Mr O'Keefe	<i>Tellers:</i>
Sir J. Cramer	Mr Hunt	Mr Peacock	Mr England
Mr Drummond	Mr Jarman	Mr I. L. Robinson	Mr Fox

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

The House resolved itself into a committee of the whole.

In the committee

Clauses 1 and 2 agreed to.

Clause 3 debated and agreed to.

Clause 4 debated and agreed to.

Clause 5—

Mr Wentworth moved the following amendment: Page 2, at the end of the clause add the following paragraph:

“(h) by adding the following sub-section:—

‘(4) Notwithstanding anything else contained in this Act, all Courts, Commissions and Tribunals set up under this Act shall have regard to any obligations undertaken by the Commonwealth under any Convention of the International Labour Organisation which has been approved by the Parliament or is otherwise binding on the Commonwealth, and shall make no order, ruling, award or decision which would involve a violation of any such obligation.’”.

Debate continued.

Amendment negatived.

Clause agreed to.

Clause 6 debated and agreed to.

Clause 7 debated and agreed to.

Clause 6 reconsidered, by leave, and debated.

Question—That the clause be agreed to—put.

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

AYES, 57

Mr Armitage	Mr Daly	Mr L. K. Johnson	Mr Oldmeadow
Mr Ashley-Brown	Mr Davies	Mr L. R. Johnson	Mr Olley
Mr Beazley	Mr Doyle	Mr Jones	Dr Patterson
Mr Bennett	Mr Duthie	Mr Keating	Mr Riordan
Mr Berinson	Dr Everingham	Mr Keogh	Mr Sherry
Mr Birrell	Mr FitzPatrick	Mr Kerin	Mr Stewart
Mr L. F. Bowen	Mr Fulton	Dr Klugman	Mr Thorburn
Mr Bryant	Mr Garrick	Mr Lamb	Mr Uren
Mr C. R. Cameron	Mr Grassby	Mr Luchetti	Mr Wallis
Dr Cass	Dr Gun	Mr McKenzie	Mr Willis
Mr Coates	Mr Hayden	Mr Martin	
Mr Collard	Mr Hurford	Mr Mathews	
Mr Connor	Mr Innes	Mr Morris	<i>Tellers:</i>
Mr Crean	Mr Jacobi	Mr Morrison	Mr Hansen
Mr Cross	Dr Jenkins	Mr Mulder	Mr Nicholls

NOES, 46

Mr Adermann	Mr Drummond	Mr Katter	Mr Sinclair
Mr Anthony	Mr Edwards	Mr Killen	Mr Staley
Mr Bonnett	Mr Fairbairn	Mr King	Mr Street
Mr Bouchier	Dr Forbes	Mr Lucock	Mr Turner
Mr N. H. Bowen	Mr Garland	Mr Lynch	Mr Viner
Mr Bury	Mr Giles	Mr MacKellar	Mr Wentworth
Mr Calder	Mr Gorton	Mr McMahan	Mr Whittorn
Mr D. M. Cameron	Mr Graham	Mr McVeigh	Mr Wilson
Mr Chipp	Mr Hallett	Mr Maisey	
Mr Cooke	Mr Hamer	Mr O'Keefe	<i>Tellers:</i>
Mr Corbett	Mr Hunt	Mr E. L. Robinson	Mr England
Sir J. Cramer	Mr Jarman	Mr I. L. Robinson	Mr Fox

And so it was resolved in the affirmative.

Clauses 8 to 19, by leave, taken together, and debated.

Mr C. R. Cameron (Minister for Labour) addressing the committee—

It being fifteen minutes to eleven o'clock p.m.—Progress to be reported.

The House resumed; Mr Armitage reported accordingly.

7 ADJOURNMENT: The question was accordingly proposed—That the House do now adjourn.
Debate ensued.

The House continuing to sit until eleven o'clock p.m.—Mr Deputy Speaker adjourned the House until tomorrow at eleven o'clock a.m.

PAPERS: The following papers were deemed to have been presented on 8 May 1973, pursuant to statute:

Customs Tariff—Order—Exemption from primage duty—No. 1 (1973).

Northern Territory (Administration) Act—Regulations—1973—No. 5 (Traffic Ordinance).

Seat of Government (Administration) Act—Regulations—1973—Nos. 2, 3 and 4 (Canberra Hospitals Ordinance).

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Barnard, Dr Cairns, Mr Cohen, Mr Drury, Mr Fisher, Mr Fraser, Mr Hewson, Mr Holten, Mr Kelly, Mr Lloyd, Mr McLeay, Mr Nixon, Mr Reynolds* and Mr Whan.

* On leave

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