

## AUSTRALIA

## HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 53

TUESDAY, 25 FEBRUARY 1975

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- 1 The House met, at fifteen minutes past two o'clock p.m., pursuant to adjournment. Mr Speaker (the Honourable J. F. Cope) took the Chair, and read Prayers.
  - 2 **DISTINGUISHED VISITORS:** Mr Speaker informed the House that a delegation from the Parliament of Canada, being members of the Canadian Advisory Commission on Parliamentary Accommodation, led by Senator the Honourable G. J. McIlraith, P.C., Q.C., was present in the gallery. On behalf of the House, Mr Speaker extended to the visitors a very warm welcome.
  - 3 **PETITIONS:** The Clerk announced that the following Members had each lodged petitions for presentation, viz.:
    - Mr Hayden (Minister for Social Security), Mr Jones (Minister for Transport), Mr Stewart (Minister for Tourism and Recreation), Mr Anthony (Leader of the Australian Country Party), Mr Adermann, Mrs Child, Mr Cross, Mr Drury, Mr Hodges, Mr Jarman, Dr Jenkins, Mr Keogh, Mr Kerin, Mr Morris, Mr O'Keefe, Mr Ruddock, Mr Thorburn and Mr Whan—from certain citizens of Australia praying that the House amend the Family Law Bill.
    - Mr Morrison (Minister for Science), Mr Cross, Mr Gorton and Dr Jenkins—from certain citizens of Australia praying that (1) the Metric Conversion Act be repealed and (2) the Government take urgent steps to cause the traditional and familiar units to be restored in those areas where the greatest inconveniences and distress are occurring.
    - Mr Stewart, Mr Fraser, Dr Jenkins and Mr Morris—from certain citizens of Australia praying that the House oppose the Family Law Bill.
    - Mr D. M. Cameron and Mr Hodges—from certain citizens of Australia praying for divorce law reform.
    - Mr Armitage—from certain citizens of Australia praying that the House protect the rights of the people of New South Wales in the election of Senators for that State.
    - Mrs Child—from certain citizens of Australia praying that the House pass the Family Law Bill.
    - Mr Ellicott—from certain citizens of Australia praying that the House prevent the closure of the Devonport and Wynyard airports, Tasmania.
    - Mr Kerin—from certain citizens of Australia praying that the House take urgent steps to ensure that further mining and export from Australia of uranium, except for bio-medical purposes, be banned and that the Australian Atomic Energy Commission be transformed into an Australian Energy Commission.
    - Mr McKenzie—from certain citizens of Australia praying that the House immediately revoke all Australian whaling licences and ban the importation of all whale produce.

Petitions received.

4 MINISTERIAL ARRANGEMENTS: Mr Whitlam (Prime Minister) informed the House that, during the respective absences abroad of Senator Willesee (Minister for Foreign Affairs) and Dr Cass (Minister for the Environment and Conservation), he was acting as Minister for Foreign Affairs and Dr Everingham (Minister for Health) was acting as Minister for the Environment and Conservation.

5 QUESTIONS: Questions without notice being asked—

*Member named:* Mr Speaker named the honourable Member for Kennedy (Mr Katter) for again interjecting after a warning had been given by the Chair.

Mr Daly (Leader of the House) having addressed the Chair, and Mr Katter having apologised to the Chair, the matter was not further proceeded with.

Dr Patterson (Minister for Northern Development) continuing to answer a question without notice—

*Member named and suspended:* Mr Speaker named the Right Honourable Member for Richmond (Mr Anthony) for again interjecting after a warning had been given by the Chair.

Mr Daly moved—That the Right Honourable Member for Richmond be suspended from the service of the House.

Question—put.

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

AYES, 62

Mr Armitage	Mr Daly	Mr L. K. Johnson	Mr Reynolds
Mr Barnard	Mr Davies	Mr L. R. Johnson	Mr Riordan
Mr Beazley	Mr Dawkins	Mr Jones	Mr Scholes
Mr Bennett	Mr Duthie	Mr Keating	Mr Sherry
Mr Berinson	Mr Enderby	Mr Keogh	Mr Stewart
Mr Bowen	Dr Everingham	Mr Kerin	Mr Thorburn
Mr Bryant	Mr FitzPatrick	Dr Klugman	Mr Uren
Dr J. F. Cairns	Mr Fry	Mr Lamb	Mr Wallis
Mr C. R. Cameron	Mr Fulton	Mr Luchetti	Mr Whan
Mrs Child	Mr Garrick	Mr McKenzie	Mr Whitlam
Mr Clayton	Dr Gun	Mr Martin	Mr Willis
Mr Coates	Mr Hayden	Mr Mathews	Mr Young
Mr Cohen	Mr Hurford	Mr Morrison	
Mr Collard	Mr Innes	Mr Mulder	<i>Tellers:</i>
Mr Crean	Mr Jacobi	Mr Oldmeadow	Mr James
Mr Cross	Dr Jenkins	Dr Patterson	Mr Nicholls

NOES, 58

Mr Adermann	Mr Fairbairn	Mr Katter	Mr Peacock
Mr Anthony	Mr Fisher	Mr Kelly	Mr E. L. Robinson
Mr Bonnett	Dr Forbes	Mr Killen	Mr I. L. Robinson
Mr Bourchier	Mr Fraser	Mr King	Mr Ruddock
Mr Bungey	Mr Garland	Mr Lucock	Mr Sinclair
Mr Cadman	Mr Giles	Mr Lusher	Mr Snedden
Mr K. M. Cairns	Mr Gorton	Mr Lynch	Mr Staley
Mr Calder	Mr Graham	Mr MacKellar	Mr Street
Mr Chipp	Mr Hewson	Mr McLeay	Mr Sullivan
Mr Connolly	Mr Hodges	Mr McMahon	Mr Viner
Mr Corbett	Mr Holten	Mr McVeigh	Mr Wilson
Mr Drummond	Mr Howard	Mr Macphee	
Mr Drury	Mr Hunt	Mr Millar	<i>Tellers:</i>
Dr Edwards	Mr Hyde	Mr Nixon	Mr D. M. Cameron
Mr Erwin	Mr Jarman	Mr O'Keefe	Mr England

And so it was resolved in the affirmative.

The Right Honourable Member was, therefore, suspended at eight minutes past three o'clock p.m. for twenty-four hours under standing order 305, and he accordingly withdrew from the Chamber.

Questions without notice continued.

6 PAPERS: The following papers were presented, by command of His Excellency the Administrator:

Australia's customs valuation system—A review—Discussion paper by inter-departmental committee.

Computing facilities and systems for health services in the Australian Capital Territory—Report of the Computer Services Planning Committee, dated April 1974.

Population and Australia—A demographic analysis and projection—National Population Inquiry—First Report—Volumes 1 and 2.

The following paper was presented, pursuant to statute:

Dairy Produce Export Control Act—Australian Dairy Produce Board—Forty-ninth Annual Report, for year 1973-74.

7 PUBLIC WORKS COMMITTEE—REPORTS—STATEMENT BY MEMBER: Mr L. K. Johnson (Chairman) brought up the following reports from the Parliamentary Standing Committee on Public Works:

Public Works Committee Act—Parliamentary Standing Committee on Public Works—Thirty-seventh and Thirty-eighth General Reports.

Report relating to the proposed construction of a central hospital services complex—Stage 2, A.C.T. (First report of 1975).

Severally ordered to be printed.

Mr Johnson, by leave, made a statement in connection with the Thirty-seventh and Thirty-eighth General Reports.

8 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—EAST TIMOR: Mr Speaker informed the House that Mr Peacock had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The Government's equivocal attitude towards the future of East Timor and its failure to take urgent action to ensure a solution in accordance with the wishes of the East Timorese people and in the interests of the region".

The proposed discussion having received the necessary support—

Mr Peacock addressed the House.

Discussion ensued.

Discussion concluded.

9 MESSAGE FROM THE ADMINISTRATOR, PROPOSED ADDITIONAL EXPENDITURE FOR SERVICE OF THE YEAR, 1974-75—APPROPRIATION BILL (No. 3) 1974-75: Message No. 120, dated 25 February 1975, from His Excellency the Administrator was announced transmitting to the House of Representatives particulars of proposed additional expenditure from the Consolidated Revenue Fund for the service of the year ending on 30 June 1975, and recommending an appropriation of the Consolidated Revenue Fund accordingly.

Dr J. F. Cairns (Treasurer) presented a Bill for an Act to appropriate a sum out of the Consolidated Revenue Fund, additional to the sum appropriated by the *Appropriation Act (No. 1) 1974-75*, for the service of the year ending on 30 June 1975.

Bill read a first time.

Dr Cairns moved—That the Bill be now read a second time.

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

10 MESSAGE FROM THE ADMINISTRATOR, CERTAIN PROPOSED ADDITIONAL EXPENDITURE 1974-75—APPROPRIATION BILL (No. 4) 1974-75: Message No. 121, dated 25 February 1975, from His Excellency the Administrator was announced transmitting to the House of Representatives particulars of certain proposed additional expenditure from the Consolidated Revenue Fund in respect of the year ending on 30 June 1975, and recommending an appropriation of the Consolidated Revenue Fund accordingly.

Dr J. F. Cairns (Treasurer) presented a Bill for an Act to appropriate a sum out of the Consolidated Revenue Fund, additional to the sum appropriated by the *Appropriation Act (No. 2) 1974-75* for certain expenditure in respect of the year ending on 30 June 1975.

Bill read a first time.

Dr Cairns moved—That the Bill be now read a second time.

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

- 11 NATIONAL HEALTH BILL (No. 3) 1975: Mr Hayden (Minister for Social Security), pursuant to notice, presented a Bill for an Act relating to Medical Benefits Organizations and Hospital Benefits Organizations.

Bill read a first time.

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

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

- 12 DARWIN RECONSTRUCTION BILL 1975—SENATE'S AMENDMENTS: The House, according to order, resolved itself into a committee of the whole for the further consideration of the amendments made by the Senate.

*In the committee*

Amendment No. 5—

Debate resumed on the Senate's amendment and on the motion moved by Dr Patterson (Minister for the Northern Territory), viz.—That the amendment be disagreed to.

Question—put and passed.

Amendment No. 9—

Dr Patterson moved—That the Senate's amendment be disagreed to, but that, in place thereof, the following amendment be made: Clause 18, page 7, omit sub-clause (1), substitute the following sub-clause:

“(1) The Commission shall consist of 8 members, namely—

- (a) a Chairman;
- (b) a Deputy Chairman;
- (c) the General Manager;
- (d) 1 member nominated by the Legislative Assembly for the Territory;
- (e) 1 member nominated by the Corporation of the City of Darwin;
- (f) 1 member of the Darwin Citizens' Council; and
- (g) 2 other members.”

Debate ensued.

Question—put and passed.

Amendments Nos. 10 and 14—

On the motion of Dr Patterson, the amendments were together disagreed to.

Amendment No. 13—

Dr Patterson moved—That the Senate's amendment be disagreed to, but that, in place thereof, the following amendments be made:

Clause 19—

Page 7, line 35, omit “(d) or (e)”, substitute “(d), (e) or (f)”.

Page 7, line 38, omit “(f)”, substitute “(g)”.

Question—put and passed.

Amendment No. 15—

Dr Patterson moved—That the Senate's amendment be disagreed to, but that, in place thereof, the following amendment be made: Clause 24, page 8, line 27, omit “(d) or (e)”, substitute “(d), (e) or (f)”.

Question—put and passed.

Amendment No. 16—

Dr Patterson moved—That the Senate's amendment be disagreed to, but that, in place thereof, the following amendment be made: Clause 24, page 8, line 29, omit "(e) or (f)", substitute "(e), (f) or (g)".

Question—put and passed.

Amendments Nos. 18 to 33—

On the motion of Dr Patterson, the amendments were together disagreed to, after debate.

On the motion of Dr Patterson, the following further amendment was made, after debate: Clause 61, page 18, lines 39 and 40, omit paragraph (e), insert the following paragraph: "(e) making provision for and in relation to reviews and appeals (including appeals to the courts of the Territory) in respect of matters arising under this Act or the regulations; and".

Resolutions to be reported.

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The House resumed; Mr Scholes reported accordingly.

On the motion of Dr Patterson, the House adopted the report.

Dr Patterson moved—That Mr Luchetti, Mr Berinson, and the mover be appointed a committee to draw up reasons for the House of Representatives disagreeing to amendments Nos. 5, 10, 14 and 18 to 33 of the Senate.

Question—put and passed.

Dr Patterson, on behalf of the committee, brought up such reasons, which were circulated, and are as follows:

*Reasons of the House of Representatives for disagreeing to amendment No. 5 of the Senate*

Because:

This amendment substitutes for a Ministerial power of direction (formerly clause 9 of the Bill) over the Commission an archaic device with built in delay taken from the *National Capital Development Commission Act 1957* whereby disputes between the Commission and the Minister may be determined by Order of the Governor-General.

The reconstruction of Darwin is a task of enormous magnitude involving tremendous Government expenditure and responsibility. It is only consistent with this that the Government through the Minister, has the right to intervene if necessary in the exercise of the grave responsibilities vested in the Commission.

The amendment is not acceptable to the Government. It is the wish of the Government that clause 9 of the original Bill be restored.

*Reasons of the House of Representatives for disagreeing to amendments Nos. 10 and 14 of the Senate*

Because:

These amendments were consequential upon acceptance of Senate amendment No. 9 which has been disagreed to by the House and the amendments are no longer relevant.

*Reasons of the House of Representatives for disagreeing to amendments Nos. 18 to 33 of the Senate*

Because:

These amendments are relevant to whether or not the General Manager is a member of the Commission. If he is a member of the Commission as the Government insist, clearly then he should be appointed, as are the part-time members of the Commission, by the Governor-General. Clearly also those matters which are relevant to his terms and conditions of appointment should be within the purview of the Governor-General, the Minister and the Remuneration Tribunal as the case may be.

The Government does not agree to these amendments.

Dr Patterson moved—That the committee's reasons be adopted.

Debate ensued.

Question—put and passed.

Dr Patterson moved—That in the message returning the Bill to the Senate, the Senate be requested to reconsider the Bill in respect of the amendment made by the House of Representatives to clause 61.

Question—put and passed.

13 CORPORATIONS AND SECURITIES INDUSTRY BILL 1975: 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 moved:* Mr Lynch (Deputy Leader of the Opposition) moved—That so much of the standing orders be suspended as would prevent the Deputy Leader of the Opposition making a statement as to why the debate on the second reading of the Corporations and Securities Industry Bill 1975 should not be proceeded with forthwith.

Debate ensued.

The time allowed by standing order 91 for debate on the motion having expired—

Question—put.

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

AYES, 54

Mr Adermann	Mr Fairbairn	Mr Kelly	Mr Peacock
Mr Bonnett	Mr Fisher	Mr Killen	Mr E. L. Robinson
Mr Bouchier	Dr Forbes	Mr King	Mr I. L. Robinson
Mr Bungey	Mr Fraser	Mr Lucock	Mr Ruddock
Mr Cadman	Mr Garland	Mr Lusher	Mr Sinclair
Mr K. M. Cairns	Mr Giles	Mr Lynch	Mr Staley
Mr Calder	Mr Graham	Mr MacKellar	Mr Street
Mr Chipp	Mr Hewson	Mr McLeay	Mr Sullivan
Mr Connolly	Mr Hodges	Mr McMahon	Mr Viner
Mr Corbett	Mr Holten	Mr McVeigh	Mr Wilson
Mr Drummond	Mr Howard	Mr Macphee	
Mr Drury	Mr Hunt	Mr Millar	<i>Tellers:</i>
Dr Edwards	Mr Hyde	Mr Nixon	Mr D. M. Cameron
Mr Erwin	Mr Jarman	Mr O'Keefe	Mr England

NOES, 60

Mr Armitage	Mr Daly	Mr L. K. Johnson	Mr Reynolds
Mr Barnard	Mr Davies	Mr L. R. Johnson	Mr Riordan
Mr Beazley	Mr Dawkins	Mr Jones	Mr Scholes
Mr Bennett	Mr Duthie	Mr Keating	Mr Sherry
Mr Berinson	Mr Enderby	Mr Keogh	Mr Stewart
Mr Bowen	Dr Everingham	Mr Kerin	Mr Thorburn
Mr Bryant	Mr FitzPatrick	Dr Klugman	Mr Uren
Dr J. F. Cairns	Mr Fry	Mr Lamb	Mr Whan
Mr C. R. Cameron	Mr Fulton	Mr Luchetti	Mr Willis
Mrs Child	Mr Garrick	Mr McKenzie	Mr Young
Mr Clayton	Dr Gun	Mr Martin	
Mr Coates	Mr Hayden	Mr Mathews	
Mr Cohen	Mr Hurford	Mr Morrison	
Mr Collard	Mr Innes	Mr Mulder	<i>Tellers:</i>
Mr Crean	Mr Jacobi	Mr Oldmeadow	Mr James
Mr Cross	Dr Jenkins	Dr Patterson	Mr Nicholis

And so it was negatived.

Mr Lynch moved—That the debate be now adjourned.

Question—put.

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

AYES, 53

Mr Adermann	Mr Fisher	Mr Killen	Mr E. L. Robinson
Mr Bonnett	Dr Forbes	Mr King	Mr I. L. Robinson
Mr Bouchier	Mr Fraser	Mr Lucock	Mr Ruddock
Mr Bungey	Mr Garland	Mr Lusher	Mr Sinclair
Mr Cadman	Mr Giles	Mr Lynch	Mr Street
Mr K. M. Cairns	Mr Graham	Mr MacKellar	Mr Sullivan
Mr Calder	Mr Hewson	Mr McLeay	Mr Viner
Mr Chipp	Mr Hodges	Mr McMahan	Mr Wentworth
Mr Connolly	Mr Holten	Mr McVeigh	Mr Wilson
Mr Corbett	Mr Howard	Mr Macphee	
Mr Drummond	Mr Hunt	Mr Millar	
Mr Drury	Mr Hyde	Mr Nixon	<i>Tellers:</i>
Dr Edwards	Mr Jarman	Mr O'Keefe	Mr D. M. Cameron
Mr Fairbairn	Mr Kelly	Mr Peacock	Mr England

NOES, 57

Mr Armitage	Mr Cross	Dr Jenkins	Mr Reynolds
Mr Barnard	Mr Daly	Mr L. K. Johnson	Mr Riordan
Mr Beazley	Mr Davies	Mr L. R. Johnson	Mr Scholes
Mr Bennett	Mr Dawkins	Mr Keating	Mr Sherry
Mr Berinson	Mr Duthie	Mr Keogh	Mr Stewart
Mr Bowen	Mr Enderby	Mr Kerin	Mr Thorburn
Mr Bryant	Dr Everingham	Dr Klugman	Mr Uren
Dr J. F. Cairns	Mr FitzPatrick	Mr Lamb	Mr Wallis
Mr C. R. Cameron	Mr Fry	Mr Luchetti	Mr Whan
Mrs Child	Mr Fulton	Mr McKenzie	Mr Willis
Mr Clayton	Mr Garrick	Mr Martin	
Mr Coates	Dr Gun	Mr Mathews	
Mr Cohen	Mr Hurford	Mr Morrison	<i>Tellers:</i>
Mr Collard	Mr Innes	Mr Mulder	Mr James
Mr Crean	Mr Jacobi	Mr Oldmeadow	Mr Nicholls

And so it was negated.

Debate resumed on the question—That the Bill be now read a second time—by Mr Lynch who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “while strongly supporting the creation of a national regulatory authority to supervise the functioning of the securities industry with a view to increasing efficiency and avoiding abuses in that industry, the House (1) deplores the failure of the Government to consider the views of the States, company organisations and the securities industry and the decision to force the Bill through the House contrary to previous assurances, and (2) is of the opinion that the Bill: (a) will not permit the speedy and effective prevention of malpractices within the securities industry; (b) will involve confusion, increased costs and the creation of a massive administrative bureaucracy; (c) will not lead to an improved functioning of Australia’s securities markets necessary to increase real capital formation and to allocate resources efficiently among competing demands for capital, and (d) relies too heavily on discretionary powers, rules and regulations and denies effective rights of appeal”.

Debate continued.

*Member named:* The Deputy Speaker (Mr Luchetti) named the honourable Member for Curtin (Mr Garland) for not withdrawing, when asked to do so, a reflection on the Chair.

Mr Garland having withdrawn the remark, the matter was not further proceeded with.

Debate continued.

Mr McMahon addressing the House—

14 ADJOURNMENT: It being half-past ten o'clock p.m.—The question was proposed—That the House do now adjourn.  
Debate ensued.

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

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MEMBERS PRESENT: All Members were present (at some time during the sitting) except Dr Cass, Mr Connor, Mr Ellicott, Mr Lloyd and Mr Morris.

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