

AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 64

WEDNESDAY, 16 APRIL 1975

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

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

Mr Adermann, Mr K. M. Cairns, Mr D. M. Cameron, Mr Coates, Mr Kelly, Mr Mathews, Mr Nicholls, Mr Oldmeadow, Mr E. L. Robinson, Mr Staley, Mr Thorburn and Mr Wallis—from certain citizens of Australia praying that (1) the Metric Conversion Act be repealed and (2) the Government take urgent steps to cause the traditional and familiar units to be restored in those areas where the greatest inconveniences and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.

Dr Gun, Mr Kelly, Mr Keogh, Mr Lusher, Mr Staley, Mr Thorburn and Mr Wallis—from certain citizens of Australia praying that the House amend the Family Law Bill.

Mr Drury—from certain citizens of Australia praying that the Government reduce the cost of the subscription to *Hansard*.

Mr Mathews—from certain citizens of Australia praying that the House oppose the Family Law Bill.

Mr Ruddock—from certain citizens of Australia praying that the Government (1) cease the mining and export of uranium until safe disposal methods have been guaranteed, (2) increase expenditure on research into clean and inexhaustible sources of energy and (3) aid underdeveloped countries in their plea for a share of world energy resources.

Mr Snedden—from certain citizens of Australia praying that the Government increase child endowment.

Mr Snedden—from certain citizens of Australia praying that the House pass the Family Law Bill.

Petitions received.

3 QUESTIONS: Questions without notice were asked.

4 FOREIGN AFFAIRS AND DEFENCE—JOINT COMMITTEE: Mr Speaker informed the House that the Leader of the Opposition had nominated Mr Killen to be a member of the Joint Committee on Foreign Affairs and Defence in the place of Dr Forbes.

5 SPECIFIC LEARNING DIFFICULTIES—SELECT COMMITTEE: Mr Speaker informed the House that the Leader of the Opposition had nominated Mr Hyde to be a member of the Select Committee on Specific Learning Difficulties in the place of Mr Wilson.

6 ENVIRONMENT AND CONSERVATION—STANDING COMMITTEE: Mr Speaker informed the House that the Leader of the Opposition had nominated Mr Hodges and Mr Jarman to be members of the Standing Committee on Environment and Conservation in the place of Mr Bouchier and Mr Wilson.

- 7 LOANS (AUSTRALIAN SHIPPING COMMISSION) BILL 1975: Dr J. F. Cairns (Treasurer), pursuant to notice, presented a Bill for an Act to authorize the Raising of a certain sum of Money and to authorize Australia to make certain Moneys available to the Australian Shipping Commission, and for purposes connected therewith.
Bill read a first time.
Dr Cairns 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.
- 8 SNOWY MOUNTAINS HYDRO-ELECTRIC POWER BILL 1975: Mr Connor (Minister for Minerals and Energy), pursuant to notice, presented a Bill for an Act to amend the *Snowy Mountains Hydro-electric Power Act 1949–1973* in relation to the Offices of Commissioner and Associate Commissioner.
Bill read a first time.
Mr Connor 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.
- 9 POSTPONEMENT OF NOTICE: Ordered—That notice No. 3, government business, be postponed until a later hour this day.
- 10 TASMAN BRIDGE RESTORATION 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—
Debate resumed.
Debate adjourned (Mr Ellicott), and the resumption of the debate made an order of the day for a later hour this day.
- 11 HOMES SAVINGS GRANT BILL 1975: Mr L. R. Johnson (Minister for Housing and Construction), pursuant to notice, presented a Bill for an Act to amend the *Homes Savings Grant Act 1964–1973*.
Bill read a first time.
Mr Johnson moved—That the Bill be now read a second time.
Debate adjourned (Mr Ellicott), and the resumption of the debate made an order of the day for the next sitting.
- 12 TASMAN BRIDGE RESTORATION 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—
Debate resumed.
Question—put and passed—Bill read a second time.
The House resolved itself into a committee of the whole.

In the committee

Clauses 1 to 4, by leave, taken together, and agreed to, after debate.
Remainder of Bill, by leave, taken as a whole, and agreed to.
Bill to be reported without amendment.

- The House resumed; Mr Lucock reported accordingly.
On the motion of Mr Barnard (Minister for Defence), the House adopted the report, and, by leave, the Bill was read a third time.
- 13 LOAN (WAR SERVICE LAND SETTLEMENT) 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—
Debate resumed.
Mr Lusher rising to address the House—
Closure: Mr Daly (Leader of the House) moved—That the question be now put.
Question—That the question be now put—put and passed.

And the question—That the Bill be now read a second time—was put accordingly, and passed—Bill read a second time.

Message from the Governor-General: Message No. 140, dated 19 February 1975, from His Excellency the Governor-General was announced recommending an appropriation of moneys for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

Mr Stewart (Minister assisting the Treasurer) moved—That the Bill be now read a third time.

Mr Lusher addressing the House—

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

Question—That the question be now put—put and passed.

And the question—That the Bill be now read a third time—was put accordingly, and passed—Bill read a third time.

- 14 PUBLIC SERVICE ACTS AMENDMENT BILL 1975—SENATE'S AMENDMENTS: The House, according to order, resolved itself into a committee of the whole to consider the amendments made by the Senate.

In the committee

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE

No. 1—Page 9, after clause 20, insert the following new Part:

“PART IV—RESTORATION OF OATH OR AFFIRMATION OF ALLEGIANCE

“21. Section 34 of the Principal Act is amended—

(a) by inserting after the words ‘appointment to’ the words ‘, or to remain in,’;

(b) by omitting from paragraph (b) the word ‘and’ (second occurring);

(c) by inserting after paragraph (c) the following paragraph:—

‘(d) he has made and subscribed, as prescribed, an oath or affirmation in accordance with Schedule 4.’

(d) by adding at the end thereof the following sub-section:—

‘(2) Nothing in this Section shall affect the right to remain in the public service of any person appointed prior to the 19th day of December 1973.’

“22. Section 50 of the Principal Act is amended by inserting after sub-section (5b) the following sub-section:—

‘(5c) Every member of a Promotions Appeal Committee shall before proceeding to perform the duties or exercise the powers of a member of a Promotions Appeal Committee take an oath or make an affirmation in the form in Schedule 6.’

“23. Section 55 of the Principal Act is amended—

(a) by inserting after paragraph (1) (f) the following paragraph:—

‘(g) having made or subscribed an oath or affirmation in the form of Schedule 4, does or says anything in violation of that oath or affirmation; or’; and

(b) by inserting after sub-section (6) the following sub-section:—

‘(7) Every member of an Appeal Board shall, before proceeding to perform the duties or exercise the powers of a member of an Appeal Board, take an oath or make an affirmation in the form of Schedule 5.’

“24. Section 82 of the Principal Act is amended by inserting after sub-section (8) the following sub-sections:—

‘(9) A person shall not be engaged for employment in a temporary capacity under this Act unless he makes and subscribes an oath or affirmation in the form of Schedule 4.

(9A) Where it is proposed to engage for employment under this section a person who is not a British subject, or a person who is a British subject but is also a national of another country, the Minister may, after a report from the Board and if it appears to him that the employment of that person would not be prejudicial to the national security, the preservation of official secrecy or any other interest of the Commonwealth, determine that the last preceding subsection is not to apply in relation to the engagement of that person.

(10) A person who is employed in a temporary capacity at the date of the commencement of this sub-section, or who is transferred to such employment by virtue of any provision of this Act, shall not be continued in that employment unless, when required by the Board so to do, he makes and subscribes an oath or affirmation in the form of Schedule 4.

“25. For the purposes of section 34 of the Principal Act a person appointed to the Service between the nineteenth day of December 1973 and the date when this Act comes into operation shall forthwith after this Act comes into operation make and subscribe as prescribed an oath or affirmation in accordance with the Fourth Schedule to this Act.

“26. For the purpose of section 82 (9) of the Principal Act a person engaged for employment in a temporary capacity between the nineteenth day of December 1973 and the date upon which this Act comes into operation shall forthwith when required by the Board so to do make and subscribe an oath or affirmation in the form of Schedule 4.”

No. 2—Page 11, Schedule 1, at end of proposed Schedule 3, add the following new Schedules:

“ ‘ SCHEDULE 4

OATH

I, . . . do swear that I will be faithful and bear true allegiance to the Queen of Australia her heirs and successors according to law and that I will loyally as in duty bound uphold the Constitution and the laws of Australia.

AFFIRMATION

I, . . . do solemnly and sincerely affirm and declare that I will be faithful and bear true allegiance to the Queen of Australia her heirs and successors according to law and that I will loyally as in duty bound uphold the Constitution and laws of Australia.

“ ‘ SCHEDULE 5

OATH

I, . . . do swear that I will well and truly serve our Sovereign Lady the Queen as a member of the Appeal Board constituted under the Public Service Act 1922-19 , for the purpose of the appeal made by (here insert name of appellant)(or in the case of the Chairman or elected representative of the Division to which the appellant belongs as a member of any Appeal Board constituted under the Public Service Act 1922-19 , of which I may be a member) and that I will perform the duties and exercise the powers imposed or conferred upon me as such member without fear or favour affection or ill-will.

AFFIRMATION

I, . . . do solemnly and sincerely affirm and declare that I will well and truly serve our Sovereign Lady the Queen as a member of the Appeal Board constituted under the Public Service Act 1922-19 , for the purpose of the appeal made by (here insert name of appellant) (or in the case of the Chairman or elected representative of the Division to which the appellant belongs as a member of any Appeal Board constituted under the Public Service Act 1922-19 , of which I may be a member) and that I will perform the duties and exercise the powers imposed or conferred upon me as such member without fear or favour affection or ill-will.

 “ SCHEDULE 6

OATH

I, . . . do swear that I will well and truly serve our Sovereign Lady the Queen as a member of a Promotions Appeal Committee constituted under the Public Service Act 1922-19 , and that I will perform the duties and exercise the powers imposed or conferred upon me as such member without fear or favour affection or ill-will.

AFFIRMATION

I, . . . do solemnly and sincerely affirm and declare that I will well and truly serve our Sovereign Lady the Queen as a member of a Promotions Appeal Committee constituted under the Public Service Act 1922-19 , and that I will perform the duties and exercise the powers imposed or conferred upon me as such member without fear or favour affection or ill-will.”.

On the motion of Mr Bowen (Minister assisting the Prime Minister in matters relating to the Public Service), the amendments were disagreed to, after debate.

Resolution to be reported.

The House resumed; Mr Berinson reported accordingly.

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

Mr Bowen moved—That Mr Daly (Minister for Services and Property), Mrs Child, and the mover be appointed a committee to draw up reasons for the House of Representatives disagreeing to the amendments of the Senate.

Question—put and passed.

Mr Bowen, 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 the amendments
of the Senate*

Because such provisions have no practical significance as promises in Oaths and Affirmations of Allegiance do not increase the legal obligations owed by any Australian citizen. Further, in certain circumstances, the changes proposed could have adverse effects.

Mr Bowen moved—That the committee’s reasons be adopted.

Debate ensued.

Question—put and passed.

15 POSTPONEMENT OF ORDER OF THE DAY: Ordered—That order of the day No. 4, government business, be postponed until a later hour this day.

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

16 April 1975—Message No. 183—Australian War Memorial 1975.

17 AUSTRALIAN BUREAU OF STATISTICS 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—

Debate resumed.

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

The House resolved itself into a committee of the whole.

In the committee

Clauses 1 to 6, by leave, taken together, and agreed to.

Proposed new clause—

Mr E. L. Robinson moved—That the following new clause be inserted in the Bill:

“6A. Each new proposal for the collection and compilation by the Bureau of Statistics and related information shall be laid before each House of the Parliament before its implementation.”.

New proposals to be laid before Parliament.

Debate ensued.

Question—That the new clause proposed to be inserted be so inserted—put.
The committee divided (the Chairman, Mr Berinson, in the Chair)—

AYES, 56

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

NOES, 62

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

And so it was negatived.

Clauses 7 to 18, by leave, taken together, and agreed to.

Clause 19 debated.

On the motion of Mr Bowen (Special Minister of State), the following amendment was made: Page 7, at the end of the clause add the following sub-clause:

“(3) If the Premier of a State nominates a person for appointment to the Council, the Minister shall appoint that person as one of the members referred to in paragraph (1) (c) unless the Council already includes a member appointed on the nomination of the Premier of that State.”.

Clause, as amended, agreed to.

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

Bill to be reported with an amendment.

The House resumed; Mr Berinson reported accordingly.

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

18 TRADE PRACTICES 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—

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.

On the motion, by leave, of Mr Howard, the following amendments were made together, after debate:

Clause 4—

Page 2, line 11, after “Australia” insert “and to which is applied a statement indicating that the goods are intended to be so used”.

Page 2, after proposed sub-section (2A) insert the following sub-sections:

“(2B) For the purposes of sub-section (2A), a statement shall be deemed to be applied to goods if—

(a) the statement is woven in, impressed on, worked into or annexed or affixed to the goods; or

(b) the statement is applied to a covering, label, reel or thing in or with which the goods are supplied.

“(2C) A reference in sub-section (2B) to a covering includes a reference to a stopper, glass, bottle, vessel, box, capsule, case, frame or wrapper and a reference in the sub-section to a label includes a reference to a band or ticket.’”.

Clause 5—

Page 2, line 16, after “Australia” insert “and to which is applied a statement indicating that the goods are intended to be so used”.

Page 2, after proposed sub-section (2A) insert the following sub-sections:

“(2B) For the purposes of sub-section (2A), a statement shall be deemed to be applied to goods if—

(a) the statement is woven in, impressed on, worked into or annexed or affixed to the goods; or

(b) the statement is applied to a covering, label, reel or thing in or with which the goods are supplied.

“(2C) A reference in sub-section (2B) to a covering includes a reference to a stopper, glass, bottle, vessel, box, capsule, case, frame or wrapper and a reference in that sub-section to a label includes a reference to a band or ticket.’”.

Bill, as amended, agreed to.

Bill to be reported with amendments.

The House resumed; Mr Lucock reported accordingly.

On the motion of Mr Enderby (Attorney-General), by leave, the House adopted the report, and, by leave, the Bill was read a third time.

- 19 NATIONAL GALLERY 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—

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 Uren (Minister for Urban and Regional Development), the Bill was read a third time.

- 20 GRANTS COMMISSION 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—

Debate resumed.

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

- 21 ADJOURNMENT: Mr Crean (Minister for Overseas Trade) moved—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at twenty-two minutes to eleven o'clock p.m., adjourned until tomorrow at ten o'clock a.m.

PAPERS: The following papers were deemed to have been presented on 16 April 1975, pursuant to statute:

Seat of Government (Administration) Act—Ordinances—1975—

No. 9—Legal Practitioners (No. 2).

No. 10—Fire Brigade (Administration) (No. 2).

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

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