

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

## HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 41

THURSDAY, 19 AUGUST 1976

1 The House met, at 10.30 a.m., pursuant to adjournment. Mr Speaker (the Right Honourable B. M. Snedden) took the Chair, and read Prayers.

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

Mr Anthony (Minister for National Resources) and Mr Connolly—from certain citizens praying that the Government reverse the decision to cut 1975–76 overseas development assistance, reaffirm Australia's commitment of assistance of a minimum of 0.7% of G.N.P. and establish an independent statutory authority to administer such assistance.

Mr Abel and Mr Falconer—from certain citizens praying that social security payments be adjusted instantly and automatically with increases in the Consumer Price Index and certain other benefits be adjusted.

Mr Abel and Mr W. McMahon—from certain citizens praying that a licence be granted to 2RDJ FM Community Radio to operate a public access radio station to service the mid-western suburbs of Sydney.

Mr Baillieu and Mr Falconer—from certain citizens praying that the Australian Assistance Plan be continued as recommended in the report tabled in Parliament on 4 March 1976.

Mr J. L. McMahon and Mr Morris—from certain citizens praying that the independence of the Australian Broadcasting Commission be maintained, advertising on the A.B.C. be rejected, public funding of the Commission be developed and any general inquires into broadcasting be conducted publicly.

Mr Fraser (Prime Minister)—from certain citizens praying that a public inquiry be instituted into the payment of unemployment benefits.

Mr Sinclair (Minister for Primary Industry)—from certain citizens praying that whaling by Australia be banned and that other action be taken to protect whales.

Mr Abel—from certain citizens praying that the optional scheme of health coverage be supported.

Mr Bouchier—from certain citizens praying that the Industries Assistance Commission proposals for the apple and pear industry be rejected and the alternative proposals put forward by the industry be adopted.

Mr Braithwaite—from certain citizens praying that a commission of inquiry be initiated into the Aurukun Associates Agreement Act, no mining take place on the Aurukun Aboriginal Reserve until a full environmental impact study has been made, and an export licence to the consortium concerned be refused until negotiations are held with the Aurukun people and an agreement has been reached.

Mr Carige—from certain electors of the Division of Capricornia praying that the Metric Conversion Act be repealed and the traditional and familiar weights and measures be restored.

- Mr Connolly—from certain citizens praying that the indexed value of education spending be maintained and the recommendations of several reports on education be implemented.
- Mr Connolly—from certain citizens praying that the Government call upon South Africa to eliminate racial discrimination and that it withdraw Australian Trade Commissioners from South Africa.
- Mr Connolly—from certain citizens praying that all current woodchip export licences be cancelled, more funds be provided for research into the recycling of used packaged material and future applications for woodchip leases be preceded by an environmental inquiry.
- Mr Connolly—from certain citizens praying that the Government remove or substantially increase the \$300 limit on income tax deductibility on personal residential land and water rates.
- Mr L. K. Johnson—from certain citizens praying that Medibank be maintained.
- Mr Jones—from certain citizens praying that financial assistance to Family Planning Associations and similar organisations be continued.
- Mr Jones—from certain citizens praying that milk substitutes for children up to 6 years of age be restored to the schedule of pharmaceutical benefits.
- Mr Kelly—from certain citizens praying that certain provisions of the Draft Criminal Code for the Australian Capital Territory be opposed.
- Mr Morris—from certain citizens of Newcastle, N.S.W., praying that the Government place immediate orders with the Newcastle State Dockyard and implement the plan to build a graving dock in Newcastle.
- Dr Richardson—from certain citizens praying that the means test on all aged pensions be abolished immediately.

Petitions received.

3 QUESTIONS: Questions without notice were asked.

4 PAPERS: The following papers were presented:

By command of His Excellency the Governor-General:

Schools Commission—Report for triennium 1977–1979—Statement by Senator Carrick (Minister for Education), dated August 1976.

Technical and Further Education Commission—Report for triennium 1977–1979—Statement by Senator Carrick (Minister for Education), dated August 1976.

Universities Commission—Report for triennium 1977–1979—Statement by Senator Carrick (Minister for Education), dated August 1976.

Pursuant to statute:

Remuneration Tribunals Act—Remuneration Tribunal—

Determination—1976/4—Commissioner for Superannuation and others.

1976 Review—

Determinations—

1976/5—Ministers of State.

1976/6—Members of Parliament.

1976/7—Holders of offices in the First Division of the Australian Public Service and others.

Reports—

1976/1—Ministers of State.

1976/2—Judges.

Statement.

Schools Commission Act—Schools Commission—Report for triennium 1977–1979.

Technical and Further Education Commission Act—Technical and Further Education Commission—Report for triennium 1977–1979.

Universities Commission Act—Universities Commission—Report for triennium 1977–1979.

5 MESSAGES FROM THE SENATE: Messages from the Senate were reported returning the following Bills without amendment:

18 August 1976—Message—

No. 90—Organisation for Economic Co-operation and Development (Financial Support Fund) 1976.

No. 91—Psychotropic Substances 1976.

6 SPECIFIC LEARNING DIFFICULTIES—SELECT COMMITTEE: Mr Sinclair (Leader of the House), by leave, moved—That paragraph (16) of the resolution of appointment of the Select Committee on Specific Learning Difficulties be omitted and that the following paragraph be substituted:

“(16) That the committee report by 14 October 1976 and that any member of the committee have power to add a protest or dissent to the committee’s Report.”.

Question—put and passed.

7 AUSTRALIAN NATIONAL UNIVERSITY COUNCIL: Mr Sinclair (Leader of the House), by leave, moved—That, in accordance with the provisions of the *Australian National University Act 1946*, this House elects Mr Ruddock and Dr Klugman to be members of the Council of the Australian National University for a period of 3 years from this day.

Question—put and passed.

8 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—UGANDA—ACTIONS OF GOVERNMENT: Mr Speaker informed the House that both Mr Chipp and Mr Falconer had proposed that definite matters of public importance be submitted to the House for discussion today. In accordance with the provisions of standing order 107, he had given priority to the matter proposed by Mr Chipp, namely, “This Parliament’s grave concern at the reported atrocities of the Government of Uganda against its own people”.

The proposed discussion having received the necessary support—

Mr Chipp addressed the House.

Discussion ensued.

Discussion concluded.

9 SUSPENSION OF STANDING ORDERS—GENERAL BUSINESS NOTICE: Mr Howard (Minister for Business and Consumer Affairs), by leave, moved—That so much of the standing orders be suspended as would prevent consideration of notice No. 1, general business, being continued until 1 p.m.

Mr Hurford moved the following amendment: Omit the time “1 p.m.”, substitute the time “3 p.m.”.

Question—That the time proposed to be omitted stand part of the motion—put.

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

AYES, 81

Mr Abel	Mr Drummond	Mr Kelly	Mr E. L. Robinson
Mr Adermann	Dr Edwards	Mr Killen	Mr I. L. Robinson
Mr Aldred	Mr Ellicott	Mr King	Mr Ruddock
Mr Baillieu	Mr Falconer	Mr Lloyd	Mr Sainsbury
Mr Baume	Mr Fife	Mr Lusher	Mr Shipton
Mr Birney	Mr Garland	Mr MacKellar	Mr Short
Mr Bonnett	Mr Giles	Mr MacKenzie	Mr Simon
Mr Bouchier	Mr Gillard	Mr McLean	Mr Sinclair
Mr Bradfield	Mr Goodluck	Mr McLeay	Mr Staley
Mr Braithwaite	Mr Graham	Mr W. McMahon	Mr Street
Mr Brown	Mr Groom	Mr McVeigh	Mr Sullivan
Mr Bungey	Mr Haslem	Mr Macphee	Mr Thomson
Mr Burr	Mr Hodges	Mr Martyr	Mr Viner
Mr Cadman	Mr Hodgman	Mr Millar	Mr Wentworth
Mr K. M. Cairns	Mr Holten	Mr Moore	Mr Wilson
Mr Calder	Mr Howard	Mr Neil	Mr Yates
Mr Carige	Mr Hunt	Mr Newman	
Mr Chapman	Mr Hyde	Mr Nixon	
Mr Chipp	Mr Jarman	Mr O’Keefe	
Mr Cotter	Mr P. F. Johnson	Mr Peacock	
Mr Dobie	Mr Jull	Dr Richardson	

Tellers:

Mr D. M. Cameron  
Mr Fisher

## NOES, 29

Mr Armitage	Mr Hurford	Dr Klugman	Mr A. P. Whitlam
Mr Bowen	Mr Innes	Mr J. L. McMahon	Mr Willis
Dr J. F. Cairns	Mr Jacobi	Mr Martin	Mr Young
Mr C. R. Cameron	Dr Jenkins	Mr Morris	
Mr Crean	Mr L. K. Johnson	Mr Scholes	
Mr FitzPatrick	Mr L. R. Johnson	Mr Stewart	
Mr Fry	Mr Jones	Mr Uren	<i>Tellers:</i>
Mr Garrick	Mr Keating	Mr Wallis	Mr James
			Mr Nicholls

And so it was resolved in the affirmative.  
Motion agreed to.

- 10 CORPORATIONS AND SECURITIES INDUSTRY BILL 1976: Mr Bowen, pursuant to notice, presented a Bill for an Act relating to Corporations and the Securities Industry. Bill read a first time.

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

Debate, by leave, ensued.

The extended time allotted for the consideration of general business notice No. 1 having expired, the debate was interrupted, Mr Howard (Minister for Business and Consumer Affairs) was granted leave to continue his speech when the debate is resumed, and the resumption of the debate was made an order of the day for the next sitting.

- 11 SUSPENSION OF STANDING ORDERS MOVED: Mr Scholes moved—That so much of the standing orders be suspended as would prevent debate on the Corporations and Securities Industry Bill being resumed immediately and continued for a period of 1 hour.

Debate ensued.

Mr Jacobi rising to address the House—

*Closure:* Mr Sinclair (Leader of the House) moved—That the question be now put.

Question—That the question be now put—put.

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

## AYES, 83

Mr Abel	Mr Drummond	Mr Katter	Mr Porter
Mr Adermann	Dr Edwards	Mr Kelly	Dr Richardson
Mr Aldred	Mr Ellicott	Mr Killen	Mr E. L. Robinson
Mr Baillieu	Mr Falconer	Mr King	Mr I. L. Robinson
Mr Baume	Mr Fife	Mr Lloyd	Mr Ruddock
Mr Birney	Mr Garland	Mr Lusher	Mr Sainsbury
Mr Bonnett	Mr Giles	Mr MacKellar	Mr Shipton
Mr Bouchier	Mr Gillard	Mr MacKenzie	Mr Short
Mr Bradfield	Mr Goodluck	Mr McLean	Mr Simon
Mr Braithwaite	Mr Graham	Mr McLeay	Mr Sinclair
Mr Brown	Mr Groom	Mr W. McMahon	Mr Staley
Mr Bungey	Mr Haslem	Mr McVeigh	Mr Street
Mr Burr	Mr Hodges	Mr Macphee	Mr Sullivan
Mr Cadman	Mr Hodgman	Mr Martyr	Mr Thomason
Mr K. M. Cairns	Mr Holten	Mr Millar	Mr Viner
Mr Calder	Mr Howard	Mr Moore	Mr Wentworth
Mr Carige	Mr Hunt	Mr Neil	Mr Wilson
Mr Chapman	Mr Hyde	Mr Newman	Mr Yates
Mr Chipp	Mr Jarman	Mr Nixon	<i>Tellers:</i>
Mr Cotter	Mr P. F. Johnson	Mr O'Keefe	Mr D. M. Cameron
Mr Dobie	Mr Jull	Mr Peacock	Mr Fisher

## NOES, 29

Mr Armitage	Mr Garrick	Dr Klugman	Mr A. P. Whitlam
Mr Bowen	Mr Hurford	Mr J. L. McMahon	Mr Willis
Mr Bryant	Mr Innes	Mr Martin	Mr Young
Dr J. F. Cairns	Mr Jacobi	Mr Morris	
Mr Connor	Dr Jenkins	Mr Scholes	
Mr Crean	Mr L. K. Johnson	Mr Stewart	
Mr FitzPatrick	Mr L. R. Johnson	Mr Uren	<i>Tellers:</i>
Mr Fry	Mr Jones	Mr Wallis	Mr James
			Mr Nicholls

And so it was resolved in the affirmative.

And the question—That the motion be agreed to—being accordingly put—

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

AYES, 30

Mr Armitage	Mr Garrick	Mr Keating	Mr Wallis
Mr Bowen	Mr Hurford	Dr Klugman	Mr A. P. Whitlam
Mr Bryant	Mr Innes	Mr J. L. McMahon	Mr Willis
Dr J. F. Cairns	Mr Jacobi	Mr Martin	Mr Young
Mr Connor	Dr Jenkins	Mr Morris	
Mr Crean	Mr L. K. Johnson	Mr Scholes	<i>Tellers:</i>
Mr FitzPatrick	Mr L. R. Johnson	Mr Stewart	Mr James
Mr Fry	Mr Jones	Mr Uren	Mr Nicholls

NOES, 83

Mr Abel	Mr Drummond	Mr Katter	Mr Porter
Mr Adermann	Dr Edwards	Mr Kelly	Dr Richardson
Mr Aldred	Mr Ellicott	Mr Killen	Mr E. L. Robinson
Mr Baillieu	Mr Falconer	Mr King	Mr I. L. Robinson
Mr Baume	Mr Fife	Mr Lloyd	Mr Ruddock
Mr Birney	Mr Garland	Mr Lusher	Mr Sainsbury
Mr Bonnett	Mr Giles	Mr MacKellar	Mr Shipton
Mr Bouchier	Mr Gillard	Mr MacKenzie	Mr Short
Mr Bradfield	Mr Goodluck	Mr McLean	Mr Simon
Mr Braithwaite	Mr Graham	Mr McLeay	Mr Sinclair
Mr Brown	Mr Groom	Mr W. McMahon	Mr Staley
Mr Bungey	Mr Haslem	Mr McVeigh	Mr Street
Mr Burr	Mr Hodges	Mr Macphee	Mr Sullivan
Mr Cadman	Mr Hodgman	Mr Martyr	Mr Thomson
Mr K. M. Cairns	Mr Holten	Mr Millar	Mr Viner
Mr Calder	Mr Howard	Mr Moore	Mr Wentworth
Mr Carige	Mr Hunt	Mr Neil	Mr Wilson
Mr Chapman	Mr Hyde	Mr Newman	Mr Yates
Mr Chipp	Mr Jarman	Mr Nixon	<i>Tellers:</i>
Mr Cotter	Mr P. F. Johnson	Mr O'Keefe	Mr D. M. Cameron
Mr Dobie	Mr Jull	Mr Peacock	Mr Fisher

And so it was negatived.

- 12 TELEVISION STATIONS LICENCE FEES AMENDMENT BILL 1976: Mr E. L. Robinson (Minister for Post and Telecommunications) presented a Bill for an Act to amend the *Television Stations Licence Fees Act 1964*.

Bill read a first time.

Mr E. L. Robinson moved—That the Bill be now read a second time.

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

- 13 INCOME TAX LAWS AMENDMENT (ROYALTIES) BILL 1976: Mr E. L. Robinson (Minister Assisting the Treasurer) presented a Bill for an Act relating to the Taxation of Royalties.

Bill read a first time.

Mr E. L. Robinson moved—That the Bill be now read a second time.

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

- 14 LOAN BILL (NO. 3) 1976: Mr E. L. Robinson (Minister Assisting the Treasurer), for Mr Lynch (Treasurer), pursuant to notice, presented a Bill for an Act to authorize the Borrowing and Expending of Moneys for Defence Purposes.

Bill read a first time.

Mr E. L. Robinson moved—That the Bill be now read a second time.

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

- 15 STATES GRANTS (CAPITAL ASSISTANCE) BILL (NO. 2) 1976: Mr E. L. Robinson (Minister Assisting the Treasurer), for Mr Lynch (Treasurer), pursuant to notice, presented a

Bill for an Act to grant Financial Assistance to the States in connexion with Expenditure of a Capital Nature and to authorize the Borrowing of Certain Moneys by the Commonwealth.

Bill read a first time.

Mr E. L. Robinson moved—That the Bill be now read a second time.

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

- 16 POSTPONEMENT OF NOTICE: Ordered—That notice No. 3, government business, be postponed until a later hour this day.

- 17 REMUNERATION AND ALLOWANCES AMENDMENT BILL (NO. 2) 1976: Mr Ellicott (Attorney-General), pursuant to notice, presented a Bill for an Act relating to the Remuneration and Allowances payable to Justices of the High Court, Judges of the Courts created by the Parliament and the holders of certain other Offices, and for purposes connected therewith.

Bill read a first time.

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

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

- 18 AUSTRALIA COUNCIL AMENDMENT BILL 1976: Mr Staley (Minister Assisting the Prime Minister in the Arts), pursuant to notice, presented a Bill for an Act to amend the *Australia Council Act 1975*.

Bill read a first time.

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

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

- 19 AUSTRALIAN FILM COMMISSION AMENDMENT BILL 1976: Mr Staley (Minister Assisting the Prime Minister in the Arts), pursuant to notice, presented a Bill for an Act to amend the *Australian Film Commission Act 1975*.

Bill read a first time.

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

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

- 20 FILM AND TELEVISION SCHOOL AMENDMENT BILL 1976: Mr Staley (Minister Assisting the Prime Minister in the Arts), pursuant to notice, presented a Bill for an Act to amend the *Film and Television School Act 1973*.

Bill read a first time.

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

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

- 21 AUSTRALIAN HERITAGE COMMISSION AMENDMENT BILL 1976: The order of the day having been read for the consideration of the Bill in committee, the House resolved itself into a committee of the whole.

In the committee

Clauses 1 and 2, by leave, taken together, and agreed to.

Clause 3—

On the motion of Mr Newman (Minister for Environment, Housing and Community Development), by leave, the following amendments were made together:

Page 1, line 14, omit "aboriginals", substitute "Aboriginals".

Page 1, line 15, omit "aboriginal", substitute "Aboriginal".

Clause, as amended, agreed to.

Clause 4 debated.

Question—That the clause be agreed to—put.

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

AYES, 79

Mr Abel	Mr Drummond	Mr Katter	Mr Peacock
Mr Adermann	Dr Edwards	Mr Kelly	Mr Porter
Mr Aldred	Mr Ellicott	Mr Killen	Dr Richardson
Mr Baume	Mr Falconer	Mr King	Mr I. L. Robinson
Mr Birney	Mr Fife	Mr Lloyd	Mr Ruddock
Mr Bonnett	Mr Garland	Mr Lusher	Mr Sainsbury
Mr Bouchier	Mr Giles	Mr MacKellar	Mr Shipton
Mr Bradfield	Mr Gillard	Mr MacKenzie	Mr Short
Mr Braithwaite	Mr Goodluck	Mr McLean	Mr Simon
Mr Brown	Mr Graham	Mr McLeay	Mr Sinclair
Mr Bungey	Mr Groom	Mr W. McMahon	Mr Staley
Mr Burr	Mr Haslem	Mr McVeigh	Mr Street
Mr Cadman	Mr Hodges	Mr Macphee	Mr Sullivan
Mr K. M. Cairns	Mr Hodgman	Mr Martyr	Mr Thomson
Mr Calder	Mr Holten	Mr Millar	Mr Viner
Mr Carige	Mr Howard	Mr Moore	Mr Wentworth
Mr Chapman	Mr Hyde	Mr Neil	Mr Wilson
Mr Chipp	Mr Jarman	Mr Newman	<i>Tellers:</i>
Mr Cotter	Mr P. F. Johnson	Mr Nixon	Mr D. M. Cameron
Mr Dobie	Mr Jull	Mr O'Keefe	Mr Fisher

NOES, 32

Mr Armitage	Mr Garrick	Mr Keating	Mr A. P. Whitlam
Mr Bowen	Mr Hayden	Dr Klugman	Mr Willis
Mr Bryant	Mr Hurford	Mr J. L. McMahon	Mr Young
Dr J. F. Cairns	Mr Innes	Mr Martin	
Mr C. R. Cameron	Mr Jacobi	Mr Morris	
Mr Connor	Dr Jenkins	Mr Scholes	
Mr Crean	Mr L. K. Johnson	Mr Stewart	<i>Tellers:</i>
Mr FitzPatrick	Mr L. R. Johnson	Mr Uren	Mr James
Mr Fry	Mr Jones	Mr Wallis	Mr Nicholls

And so it was resolved in the affirmative.

Clause 5 agreed to.

Clause 6—

On the motion of Mr Newman, the following amendment was made, after debate:

Page 3, at the end of the clause add the following sub-clause:

“(3) A person who held office as a Commissioner other than the Chairman immediately before the commencement of this Act continues to hold office as a Commissioner as if he had been appointed as a Commissioner under the Principal Act as amended by this Act and, if he was appointed for a specified period, holds office, subject to the Principal Act as amended by this Act, for the remainder of the period of his appointment under the Principal Act.”.

Question—That the clause, as amended, be agreed to—put.

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

AYES, 79

Mr Abel	Mr Drummond	Mr Kelly	Dr Richardson
Mr Adermann	Dr Edwards	Mr Killen	Mr E. L. Robinson
Mr Aldred	Mr Ellicott	Mr King	Mr I. L. Robinson
Mr Baume	Mr Falconer	Mr Lloyd	Mr Ruddock
Mr Birney	Mr Fife	Mr Lusher	Mr Sainsbury
Mr Bonnett	Mr Giles	Mr MacKellar	Mr Shipton
Mr Bouchier	Mr Gillard	Mr McLean	Mr Short
Mr Bradfield	Mr Goodluck	Mc McLeay	Mr Simon
Mr Braithwaite	Mr Graham	Mr W. McMahon	Mr Sinclair
Mr Brown	Mr Groom	Mr McVeigh	Mr Staley
Mr Bungey	Mr Haslem	Mr Macphee	Mr Street
Mr Burr	Mr Hodges	Mr Martyr	Mr Sullivan
Mr Cadman	Mr Hodgman	Mr Millar	Mr Thomson
Mr K. M. Cairns	Mr Howard	Mr Moore	Mr Viner
Mr Calder	Mr Hunt	Mr Neil	Mr Wentworth
Mr Carige	Mr Hyde	Mr Newman	Mr Wilson
Mr Chapman	Mr Jarman	Mr Nixon	Mr Yates
Mr Chipp	Mr P. F. Johnson	Mr O'Keefe	<i>Tellers:</i>
Mr Cotter	Mr Jull	Mr Peacock	Mr D. M. Cameron
Mr Dobie	Mr Katter	Mr Porter	Mr Fisher

## NOES, 30

Mr Armitage	Mr Fry	Mr Jones	Mr Wallis
Mr Bowen	Mr Garrick	Mr Keating	Mr A. P. Whitlam
Mr Bryant	Mr Hayden	Dr Klugman	Mr Willis
Dr J. F. Cairns	Mr Innes	Mr J. L. McMahon	Mr Young
Mr C. R. Cameron	Mr Jacobi	Mr Martin	
Mr Connor	Dr Jenkins	Mr Morris	<i>Tellers:</i>
Mr Crean	Mr L. K. Johnson	Mr Scholes	Mr James
Mr FitzPatrick	Mr L. R. Johnson	Mr Uren	Mr Nicholls

And so it was resolved in the affirmative.

Clause 7—

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

Page 3, line 8, omit "aboriginals", substitute "Aboriginals".

Page 3, line 11, omit "aboriginals", substitute "Aboriginals".

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 Lucock reported accordingly.

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

- 22 CUSTOMS TARIFF PROPOSALS NOS. 14 TO 19 (1976): Mr Howard (Minister for Business and Consumer Affairs) moved Customs Tariff Proposals Nos. 14, 15, 16, 17, 18 and 19 (1976).

Mr Young and Mr Innes, by leave, made statements with reference to the Proposals.

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

- 23 DISCHARGE OF TARIFF PROPOSALS: Mr Howard (Minister for Business and Consumer Affairs), by leave, moved—That Customs Tariff Proposals Nos. 1 to 6 (1976), constituting part of order of the day No. 30, government business, be discharged.

Question—put and passed.

- 24 QUEENSLAND GRANT (PROSERPINE FLOOD MITIGATION) BILL 1976: 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.

*Message from the Governor-General:* Message No. 75, dated 3 June 1976, 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 (Acting Minister for National Resources), the Bill was read a third time.

- 25 NEW SOUTH WALES GRANT (NAMOI RIVER WEIRS) BILL 1976: Mr Nixon (Acting Minister for National Resources), pursuant to notice, presented a Bill for an Act to grant Financial Assistance to New South Wales in connexion with the Construction of Weirs and certain Associated Works on the Namoi River near Wee Waa in that State.

Bill read a first time.

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

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



26 PAPER: Mr Speaker, pursuant to statute, presented  
Reserve Bank Act—Reserve Bank of Australia—Report and financial statements,  
together with the Auditor-General's Report, for year 1975-76.

27 MARRIAGE AMENDMENT BILL 1976: 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.

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*In the committee*

Clause 1 agreed to.

Clause 2—

On the motion of Mr Ellicott (Attorney-General), the clause was omitted, and the  
following clause substituted:

“ 2. (1) Sections 1, 2 and 28 shall come into operation on the day Commence-  
on which this Act receives the Royal Assent. ment.”

“ (2) Sections 12B and 29 shall be deemed to have come into operation on  
1 July 1976.”

“ (3) The remaining sections of this Act shall come into operation on a date to  
be fixed by Proclamation.”

“ (4) For the purposes of references in this Act to the commencement of this  
Act, this Act shall be taken to have commenced on the date fixed under sub-section  
(3).”

Clause 3—

On the motion of Mr Ellicott, by leave, the following amendments were made together:

Page 2, line 6, omit “ and ”.

Page 2, at the end of the clause add the following word and paragraph:

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

‘ (4) In ascertaining the domicile of a person for the purposes of this Act—

(a) a person's domicile at any time (whether before or after the com-  
mencement of this Act) in any country, howsoever acquired, shall be  
deemed to have continued, or to continue, until the acquisition by  
that person of a domicile of choice in another country;

(b) the domicile of a woman who is, or has at any time been, married  
shall be determined as if she had never been married; and

(c) a person who has attained the age of 18 years, or a person who has  
not attained that age but is, or has at any time been, married, has,  
and shall be deemed to have had at all times since that person  
attained that age or became married, the capacity to acquire a  
domicile of choice.’”

Clause, as amended, agreed to.

Clauses 4 to 12, by leave, taken together, and agreed to.

*New clauses—*

On the motion of Mr Ellicott, by leave, the following new clauses were together inserted in the Bill:

“ 12A. Section 33 of the Principal Act is amended by omitting sub-sections (2), (3) and (4) and substituting the following sub-sections:— Removal  
from register.

‘ (2) A Registrar shall not remove the name of a person from a register under this section on a ground specified in paragraph (d) or (e) of sub-section (1) unless—

(a) he has, in accordance with the regulations, served on the person a notice in writing—

(i) stating his intention to do so on that ground unless, not later than a date specified in the notice and being not less than 21 days from the date of service of the notice, the person satisfies the Registrar that his name should not be removed from the register; and

(ii) informing the person that any representations made to the Registrar before that date will be considered by the Registrar;

(b) he has considered any representations made by the person before the date specified in the notice; and

(c) the removal takes place within 14 days after the date specified in the notice.

‘ (3) Where notice is served on a person under sub-section (2), that person shall not solemnize a marriage unless and until—

(a) he is notified by the Registrar that the Registrar has decided not to remove his name from the register;

(b) a period of 14 days has elapsed from the date specified in the notice under sub-section (2) and his name has not been removed from the register; or

(c) his name, having been removed from the register, is restored to the register.’

“ 12B. (1) Section 34 of the Principal Act is repealed and the following section substituted:—

‘ 34. (1) An application may be made to the Administrative Appeals Tribunal for a review of a decision of a Registrar made on or after 1 July 1976— Review of  
refusal to  
register or  
removal from  
register.

(a) refusing to register a person who has applied for registration under this Division; or

(b) removing the name of a person from a register in pursuance of section 33.

‘ (2) For the purposes of such a review, the Tribunal shall be constituted by a presidential member alone.

‘ (3) The reference in sub-section (1) to a decision of a Registrar includes a reference to a decision of a Deputy Registrar of Ministers of Religion given in pursuance of sub-section (2) of section 27.

‘ (4) Where the Tribunal sets aside a decision refusing to register a person or a decision under section 33 removing the name of a person from a register, the appropriate Registrar shall forthwith register the person, or restore the name of the person to the register, as the case requires.

‘ (5) For the purposes of the making of an application under sub-section (1) and for the purposes of the operation of the *Administrative Appeals Tribunal Act 1975* in relation to such an application, where a person has made application under sub-section (1) of section 30 for registration under this Division and, at the expiration of a period of 3 months from the day on which the application was made, the person has not been registered and has not been notified by the Registrar that his application has been refused, the Registrar shall be deemed to have decided, on the last day of that period, not to register that person.’

“ (2) Notwithstanding the repeal of section 34 of the Principal Act, the provisions of that section continue to apply in relation to a refusal to register a person, or the removal of the name of a person from a register, that took place before the commencement of this section.”

Clause 13—

Mr Bowen moved the following amendment: Page 6, sub-clause (1), omit paragraphs (a) and (b).

Question—That the paragraphs proposed to be omitted stand part of the clause—put. The committee divided (the Chairman, Mr Lucock, in the Chair)—

AYES, 86

Mr Abel	Dr Edwards	Mr Katter	Mr Porter
Mr Adermann	Mr Ellicott	Mr Kelly	Dr Richardson
Mr Aldred	Mr Falconer	Mr Killen	Mr E. L. Robinson
Mr Baillieu	Mr Fife	Mr King	Mr I. L. Robinson
Mr Baume	Mr FitzPatrick	Mr Lloyd	Mr Ruddock
Mr Birney	Mr Garland	Mr Lusher	Mr Sainsbury
Mr Bonnett	Mr Giles	Mr MacKellar	Mr Shipton
Mr Bouchier	Mr Gillard	Mr MacKenzie	Mr Short
Mr Bradfield	Mr Goodluck	Mr McLean	Mr Simon
Mr Braithwaite	Mr Graham	Mr McLeay	Mr Staley
Mr Brown	Mr Groom	Mr J. L. McMahon	Mr Stewart
Mr Bungey	Mr Haslem	Mr W. McMahon	Mr Street
Mr Burr	Mr Hodges	Mr McVeigh	Mr Sullivan
Mr Cadman	Mr Hodgman	Mr Macphee	Mr Thomson
Mr K. M. Cairns	Mr Holten	Mr Martin	Mr Viner
Mr Calder	Mr Howard	Mr Martyr	Mr Wentworth
Mr Carige	Mr Hunt	Mr Millar	Mr Wilson
Mr Chapman	Mr Hurford	Mr Moore	Mr Yates
Mr Connolly	Mr Hyde	Mr Neil	
Mr Cotter	Mr Jarman	Mr Newman	<i>Tellers:</i>
Mr Dobie	Mr P. F. Johnson	Mr Nixon	Mr D. M. Cameron
Mr Drummond	Mr Jull	Mr O'Keefe	Mr Fisher

NOES, 23

Mr Armitage	Mr Innes	Mr Keating	Mr A. P. Whitlam
Mr Bowen	Mr Jacobi	Dr Klugman	Mr E. G. Whitlam
Mr Bryant	Dr Jenkins	Mr Morris	Mr Willis
Mr C. R. Cameron	Mr L. K. Johnson	Mr Scholes	<i>Tellers:</i>
Mr Crean	Mr L. R. Johnson	Mr Uren	Mr James
Mr Fry	Mr Jones	Mr Wallis	Mr Nicholls

And so it was resolved in the affirmative.

Clause agreed to.

Clause 14 agreed to.

Clause 15 debated and agreed to.

Clauses 16 to 27, by leave, taken together, and agreed to.

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

On the motion of Mr Ellicott, by leave, the following amendments were made together:

*New clauses—*

Page 9, after clause 27 insert the following new clauses:

“ 28. (1) At any time after this Act receives the Royal Assent and before the commencing date, regulations may be made under the Principal Act as amended by this Act as if all the provisions of this Act had come into operation on the day on which this Act receives the Royal Assent, but regulations so made shall not take effect before the commencing date. Regulations for the purpose of operation of Principal Act, as amended.

“ (2) In this section, ‘ commencing date ’ means the date fixed by Proclamation under sub-section (3) of section 2.

“ 29. The Schedule to the *Administrative Appeals Tribunal Act* 1975 is amended by omitting Part XX.” Amendment of Administrative Appeals Tribunal Act.

*Amendments—*

*Schedule—*

Page 10, clause 2, omit “ 33 (4),”.

Page 10, clause 6, omit—

“ Sub-section 33 (2) .. .. . | Omit ‘ twenty-one ’, substitute ‘ 21 ’.

“ Sub-section 34 (1) .. .. . | Omit ‘ twenty-one ’, substitute ‘ 21 ’.”.

Remainder of Bill, as amended, agreed to.  
Bill to be reported with amendments.

The House resumed; Mr Lucock reported accordingly.  
On the motion of Mr Ellicott, by leave, the House adopted the report, and, by leave, the Bill was read a third time.

28 CRIMES (INTERNATIONALLY PROTECTED PERSONS) BILL 1976: 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 8, by leave, taken together, and agreed to.

Clause 9—

Mr Bowen moved the following amendment: Page 4, line 19, omit “, and had no reason to suspect,”.

It being 10.30 p.m.—Progress to be reported.

The House resumed; Mr Lucock reported accordingly.

*Adjournment negatived:* The question was accordingly proposed—That the House do now adjourn.

Mr Ellicott (Attorney-General) requiring the question to be put forthwith without debate—

Question—put and negatived.

The House again resolved itself into a committee of the whole.

*In the committee*

Debate continued.

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

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

AYES, 78

Mr Abel	Mr Drummond	Mr Katter	Dr Richardson
Mr Adermann	Dr Edwards	Mr Killen	Mr E. L. Robinson
Mr Aldred	Mr Ellicott	Mr King	Mr I. L. Robinson
Mr Baillieu	Mr Falconer	Mr Lloyd	Mr Ruddock
Mr Baume	Mr Fife	Mr Lusher	Mr Sainsbury
Mr Birney	Mr Garland	Mr MacKellar	Mr Shipton
Mr Bonnett	Mr Giles	Mr MacKenzie	Mr Short
Mr Bouchier	Mr Gillard	Mr McLean	Mr Simon
Mr Bradfield	Mr Goodluck	Mr McLeay	Mr Staley
Mr Braithwaite	Mr Graham	Mr W. McMahon	Mr Street
Mr Brown	Mr Groom	Mr McVeigh	Mr Sullivan
Mr Bungey	Mr Haslem	Mr Macphee	Mr Thomson
Mr Burr	Mr Hodges	Mr Martyr	Mr Viner
Mr Cadman	Mr Hodgman	Mr Millar	Mr Wentworth
Mr K. M. Cairns	Mr Holten	Mr Moore	Mr Wilson
Mr Calder	Mr Howard	Mr Neil	Mr Yates
Mr Chapman	Mr Hunt	Mr Newman	
Mr Connolly	Mr Hyde	Mr Nixon	<i>Tellers:</i>
Mr Cotter	Mr P. F. Johnson	Mr O'Keefe	Mr D. M. Cameron
Mr Dobie	Mr Jull	Mr Porter	Mr Fisher

NOES, 27

Mr Armitage	Mr Hurford	Mr Keating	Mr Uren
Mr Bowen	Mr Innes	Dr Klugman	Mr Wallis
Mr Bryant	Mr Jacobi	Mr J. L. McMahon	Mr A. P. Whittlam
Mr C. R. Cameron	Dr Jenkins	Mr Martin	Mr Willis
Mr Crean	Mr L. K. Johnson	Mr Morris	<i>Tellers:</i>
Mr FitzPatrick	Mr L. R. Johnson	Mr Scholes	Mr James
Mr Fry	Mr Jones	Mr Stewart	Mr Nicholls

And so it was resolved in the affirmative.

Clause agreed to.

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 Ellicott, the House adopted the report, and, by leave, the Bill was read a third time.

- 29 EXTRADITION (COMMONWEALTH COUNTRIES) AMENDMENT BILL 1976: 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 Ellicott (Attorney-General), the Bill was read a third time.

- 30 EXTRADITION (FOREIGN STATES) AMENDMENT BILL 1976: 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 Ellicott (Attorney-General), the Bill was read a third time.

- 31 ADJOURNMENT: Mr Ellicott (Attorney-General) moved—That the House do now adjourn. Debate ensued.

The House continuing to sit until 11 p.m.—Mr Deputy Speaker adjourned the House until Tuesday next at 2.15 p.m.

PAPERS: The following papers were deemed to have been presented on 19 August 1976, pursuant to statute:

Defence Act, Naval Defence Act and Air Force Act—Regulation—Statutory Rules 1976, No. 161.

Defence Force Retirement and Death Benefits Act—Regulations—Statutory Rules 1976, No. 160.

Lands Acquisition Act—Land acquired for—

Development of Canberra and its environs—A.C.T.

Telecommunications purposes—

Raglan, Vic.

Sawtell, N.S.W.

Naval Defence Act—Regulations—Statutory Rules 1976, No. 162.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Anthony, Mr Beazley, Dr Cass, Mr Cohen, Mr Corbett and Mr Hamer.

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