

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 60

FRIDAY, 4 NOVEMBER 1977

1 The House met, at 10 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 Dobie and Mr Graham—from certain citizens praying that that part of a deceased person's estate which passes to the surviving spouse be free from federal estate duty.

Mr Howard and Mr E. L. Robinson—from certain citizens praying that the Broadcasting and Television Act be amended in relation to program standards.

Mr Bowen—from certain citizens praying for the reversal of the decision withdrawing financial assistance from students of non-State tertiary institutions.

Mr Fry—from certain citizens praying that steps be taken to end commercial whaling.

Mr Hodges—from certain citizens praying that financial assistance be granted to pregnancy help services, funds not be provided for services specialising in elective abortions and there be no payment of abortion claims under the Medical Benefits Schedule.

Mr L. R. Johnson—from certain citizens praying for a public inquiry to ensure that Australia's internal and international air fares are fairly priced.

Mr Sainsbury—from certain citizens praying for action to promote confidence in the future of the Canberra-Queanbeyan area.

Mr Wentworth—from certain electors praying that financial discrimination against New South Wales by the Commonwealth be investigated and ventilated without delay.

Mr West—from certain citizens praying that diplomatic action be taken concerning the death, while in detention in South Africa, of Mr Steve Biko, President of the Black Peoples Convention.

Petitions received.

Mr Wentworth informed the House that he proposed to take action in connection with the petition he had lodged.

Mr Wentworth proceeding to move that the petition be printed and having been called to order for irrelevance, the Speaker directed the honourable Member to resume his seat, and the motion was not further proceeded with.

3 QUESTIONS: Questions without notice being asked—

Paper: Mr Fraser (Prime Minister), by command of His Excellency the Governor-General, presented the following paper:

The Right Honourable Dr J. Dickson Mabon, M.P., Minister of State for Energy in the British Government—Visit to Australia—Program, 25 October–1 November 1977.

Questions without notice concluded.

4 PAPERS: The following papers were presented:

By command of His Excellency the Governor-General:

Australian Institute of Marine Science—Council—Interim report and financial statements, for year 1976–77.

Australian Water Resources Council—Minutes of 20th Meeting held at Adelaide, 5 August 1977.

Darwin Cyclone Tracy Relief Trust Fund—Report for September 1977.

Department of Environment, Housing and Community Development—2nd Annual Report, for year 1976–77.

New South Wales Local Government Grants Commission—Report for year 1977–78.

Western Australian Local Government Grants Committee—Report for year 1977–78.

Pursuant to statute:

Administrative Appeals Tribunal Act—Administrative Review Council—1st Annual Report, for year 1976–77.

Bankruptcy Act—10th Annual Report, for year 1976–77.

Family Law Act—Family Law Council—1st Annual Report, for year 1976–77.

Law Reform Commission Act—Law Reform Commission—Report No. 6—Insolvency: The regular payment of debts, dated 19 June 1977.

5 SUSPENSION OF STANDING ORDERS—MOTION OF CENSURE OF LEADER OF THE OPPOSITION:

Mr Sinclair (Minister for Primary Industry) moved—That so much of the standing orders be suspended as would prevent the Minister for Primary Industry moving forthwith a motion of censure of the Leader of the Opposition.

Debate ensued.

Question—put and passed, with the concurrence of an absolute majority.

6 LEADER OF THE OPPOSITION—RESOLUTION OF CENSURE: Mr Sinclair (Minister for Primary Industry) moved—That this House censures the Leader of the Opposition for his persistently misleading and untruthful statements to the Australian people regarding the effect of the economic policies of his Government between 1972 and 1975 and the impact of the economic policies of the present Government since its election in 1975 as exemplified in recent weeks by his statements to the following effect:

- (1) His assertion that Australia's rate of inflation has not fallen during 1976–1977;
- (2) His false and misleading comparisons of the economic performance of Australia and other western countries during 1976 and 1977;
- (3) His claim that under the Labor Government inflation and unemployment were no worse than in other countries;
- (4) His claim that the Hayden Medibank scheme would cost no more than the present Medibank scheme, and
- (5) His claim that the Labor Government never devalued the Australian dollar.

Mr E. G. Whitlam (Leader of the Opposition) moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “this House censures the Fraser Government for its economic policies which have caused a serious deterioration of the economy during 1977”.

Mr Scholes moved—That Mr Hayden be granted an extension of time.

Question—put.

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

AYES, 22

Mr Armitage	Mr Fry	Dr Klugman	Mr Willis
Mr Beazley	Mr Hayden	Mr Morris	Mr Young
Mr Bowen	Mr Innes	Mr Scholes	
Mr Bryant	Dr Jenkins	Mr Uren	<i>Tellers:</i>
Mr Crean	Mr Jones	Mr West	Mr James
Mr FitzPatrick	Mr Keating	Mr E. G. Whitlam	Mr L. R. Johnson

NOES, 65

Mr Abel	Mr Chapman	Mr Hunt	Mr Peacock
Mr Adermann	Mr Connolly	Mr Hyde	Mr I. L. Robinson
Mr Aldred	Mr Drummond	Mr Jull	Mr Ruddock
Mr Baillieu	Dr Edwards	Mr Katter	Mr Sainsbury
Mr Baume	Mr Fife	Mr Killen	Mr Shipton
Mr Birney	Mr Fisher	Mr King	Mr Simon
Mr Bonnett	Mr Fraser	Mr Lloyd	Mr Sinclair
Mr Bouchier	Mr Garland	Mr Lucock	Mr Staley
Mr Bradfield	Mr Gillard	Mr Lynch	Mr Street
Mr Braithwaite	Mr Goodluck	Mr MacKellar	Mr Viner
Mr Brown	Mr Graham	Mr McLeay	Mr Wentworth
Mr Bungey	Mr Groom	Mr McVeigh	Mr Wilson
Mr Burr	Mr Hamer	Mr Martyr	
Mr Cadman	Mr Haslem	Mr Millar	
Mr K. M. Cairns	Mr Hodgman	Mr Moore	<i>Tellers:</i>
Mr Calder	Mr Holten	Mr Newman	Mr Corbett
Mr Carige	Mr Howard	Mr Nixon	Mr Cotter

And so it was negatived.

Debate continued.

Closure: Mr Howard (Minister for Special Trade Negotiations) moved—That the question be now put.

Question—That the question be now put—put.

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

AYES, 64

Mr Abel	Mr Chapman	Mr Hunt	Mr Peacock
Mr Adermann	Mr Connolly	Mr Hyde	Mr I. L. Robinson
Mr Aldred	Mr Drummond	Mr Jarman	Mr Ruddock
Mr Baillieu	Dr Edwards	Mr Jull	Mr Sainsbury
Mr Baume	Mr Fife	Mr Katter	Mr Shipton
Mr Birney	Mr Fisher	Mr Killen	Mr Simon
Mr Bonnett	Mr Fraser	Mr King	Mr Sinclair
Mr Bouchier	Mr Garland	Mr Lloyd	Mr Staley
Mr Bradfield	Mr Gillard	Mr Lucock	Mr Street
Mr Braithwaite	Mr Goodluck	Mr Lynch	Mr Viner
Mr Brown	Mr Graham	Mr MacKellar	Mr Wilson
Mr Bungey	Mr Groom	Mr McLeay	
Mr Burr	Mr Hamer	Mr McVeigh	
Mr Cadman	Mr Haslem	Mr Martyr	
Mr K. M. Cairns	Mr Hodgman	Mr Millar	<i>Tellers:</i>
Mr Calder	Mr Holten	Mr Newman	Mr Corbett
Mr Carige	Mr Howard	Mr Nixon	Mr Cotter

NOES, 22

Mr Armitage	Mr Fry	Dr Klugman	Mr E. G. Whitlam
Mr Beazley	Mr Hayden	Mr Morris	Mr Willis
Mr Bowen	Mr Innes	Mr Scholes	
Mr Bryant	Dr Jenkins	Mr Uren	<i>Tellers:</i>
Mr Crean	Mr Jones	Mr Wentworth	Mr James
Mr FitzPatrick	Mr Keating	Mr West	Mr L. R. Johnson

And so it was resolved in the affirmative.

And the question—That the words proposed to be omitted stand part of the question—was put accordingly, and passed.

Question—That the motion be agreed to—put.

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

AYES, 65

Mr Abel	Mr Chapman	Mr Hunt	Mr Peacock
Mr Adermann	Mr Connolly	Mr Hyde	Mr I. L. Robinson
Mr Aldred	Mr Drummond	Mr Jarman	Mr Ruddock
Mr Baillieu	Dr Edwards	Mr Jull	Mr Sainsbury
Mr Baume	Mr Fife	Mr Katter	Mr Shipton
Mr Birney	Mr Fisher	Mr Killen	Mr Simon
Mr Bonnett	Mr Fraser	Mr King	Mr Sinclair
Mr Bouchier	Mr Garland	Mr Lloyd	Mr Staley
Mr Bradfield	Mr Gillard	Mr Lucock	Mr Street
Mr Braithwaite	Mr Goodluck	Mr Lynch	Mr Viner
Mr Brown	Mr Graham	Mr MacKellar	Mr Wentworth
Mr Bungey	Mr Groom	Mr McLeay	Mr Wilson
Mr Burr	Mr Hamer	Mr McVeigh	
Mr Cadman	Mr Haslem	Mr Martyr	
Mr K. M. Cairns	Mr Hodgman	Mr Millar	<i>Tellers:</i>
Mr Calder	Mr Holten	Mr Newman	Mr Corbett
Mr Carige	Mr Howard	Mr Nixon	Mr Cotter

NOES, 21

Mr Armitage	Mr Fry	Dr Klugman	Mr Willis
Mr Beazley	Mr Hayden	Mr Morris	
Mr Bowen	Mr Innes	Mr Scholes	
Mr Bryant	Dr Jenkins	Mr Uren	<i>Tellers:</i>
Mr Crean	Mr Jones	Mr West	Mr James
Mr FitzPatrick	Mr Keating	Mr E. G. Whitlam	Mr L. R. Johnson

And so it was resolved in the affirmative.

7 PUBLIC ACCOUNTS COMMITTEE—REPORTS—STATEMENTS BY MEMBERS: Mr Connolly (Chairman) presented the following reports from the Joint Committee of Public Accounts:

166th Report—Finance Minutes on the 158th and 160th Reports together with summaries of those reports.

167th Report—Report of the Auditor-General—Financial year 1975–76.

168th Report—Expenditure from the Advance to the Treasurer (Appropriation Acts 1976–77).

Severally ordered to be printed.

Mr Connolly and Mr Crean, by leave, made statements in connection with the reports.

8 AUSTRALIAN CAPITAL TERRITORY—JOINT COMMITTEE—REPORTS—STATEMENT BY MEMBER: Mr Fry (Deputy Chairman) presented the following reports from the Joint Committee on the Australian Capital Territory:

Report, dated 4 November 1977, on action taken on the Report of the Joint Committee on the Australian Capital Territory on *Canberra city wastes—A long-term strategy for collection and disposal*.

Report, dated 4 November 1977, that the Committee is unable to complete its inquiry into planning procedures and processes in the Australian Capital Territory.

Severally ordered to be printed.

Mr Fry, by leave, made a statement in connection with the reports.

9 TRADE PRACTICES AMENDMENT BILL (No. 2) 1977: Mr Fife (Minister for Business and Consumer Affairs), pursuant to notice, presented a Bill for an Act relating to Trade Practices.

Bill read a first time.

Mr Fife 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.

10 POSTPONEMENT OF NOTICES: Ordered—That notices Nos. 2 and 3, government business, be postponed until a later hour this day.

11 SOCIAL SERVICES AMENDMENT BILL 1977: 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—*Statement by Minister*: Mr Hunt (Minister representing the Minister for Social Security), by leave, made a statement informing the House of an amendment which he proposed to move during the committee stage of the Bill.

Debate resumed by Dr Klugman, who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “whilst not declining to give the Bill a second reading, the House deplores the failure of the Government to abolish the 7 day waiting period when introducing payment in arrears for unemployment benefits”.

Debate continued.

Mr Bryant addressing the House—

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

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

And the question—That the words proposed to be omitted stand part of the question—was put accordingly, and passed.

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

Messages from the Governor-General: The following messages from His Excellency the Governor-General were announced:

No. 77, dated 20 October 1977, recommending an appropriation of revenue for the purposes of the Bill, and

No. 78, dated 4 November 1977, recommending an appropriation of revenue for the purposes of an amendment to be moved to the Bill by a Minister.

The House resolved itself into a committee of the whole.

In the committee

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

Proposed new clause—

Mr Wentworth moved—That the following new clause be inserted in the Bill:

“2A. Section 28 of the Principal Act is amended by omitting from sub-paragraph (i) of paragraph (b) of sub-section (2AA) ‘70’ and substituting ‘65’.”

Rate of age
or invalid
pension

Chairman's ruling: The Chairman ruled that the proposed new clause was out of order as its effect would be to increase the amount of the appropriation required.

New clause—

On the motion of Mr Hunt, the following new clause was inserted in the Bill, after debate:

“2A. (1) Part IV_{AAA} of the Principal Act is repealed and the following Part substituted:

‘PART IV_{AAA}—SUPPORTING PARENTS’ BENEFITS

‘83_{AAA}. (1) In this Part, unless the contrary intention appears—

Interpretation

“beneficiary” means a person in receipt of a benefit;

“benefit” means a benefit under this Part, and includes an allowance by way of supplementary assistance;

“child” means a child under the age of 16 years;

“supporting father” means a man (whether married or unmarried) who—

(a) has the custody, care and control of a child who has attained the age of 6 months, being a child—

(i) of whom that man is the father; or

(ii) in the case of a man who is a married man living apart from his wife or man who has ceased to live with a woman as her husband on a *bona fide* domestic basis although not legally married to her—who was an adopted child of, or in the custody, care and control of, that man on the relevant date;

(b) is not living with, and for a period of at least 6 months has not been living with, a woman as her husband on a *bona fide* domestic basis although not legally married to her; and

(c) in the case of a married man—is living apart from his wife and has been so living apart for a period of at least 6 months,

but does not include a man who is qualified to receive a pension under Part III, or a benefit under Part VII, of this Act, a service pension under the *Repatriation Act 1920* or an allowance under the *Tuberculosis Act 1948* or is in receipt of a benefit provided by a State that, in the opinion of the Director-General, is similar to a benefit provided by the State that is an approved benefit within the meaning of the *States Grants (Deserted Wives) Act 1968*;

“supporting mother” means a woman (whether married or unmarried) who—

(a) has the custody, care and control of a child who has attained the age of 6 months, being a child who—

(i) was born of that woman; or

(ii) in the case of a woman who is a married woman living apart from her husband or a woman who has ceased to live with a man as his wife on a *bona fide* domestic basis although not legally married to him—was an adopted child of, or in the custody, care and control of, that woman on the relevant date;

(b) is not living with, and for a period of at least 6 months has not been living with, a man as his wife on a *bona fide* domestic basis although not legally married to him; and

(c) in the case of a married woman—is living apart from her husband and has been so living apart for a period of at least 6 months,

but does not include a woman who is qualified to receive a pension under Part III or IV, or a benefit under Part VII, of this Act, a service pension under the *Repatriation Act 1920* or an allowance under the *Tuberculosis Act 1948* or is in receipt of a benefit provided by a State that is an approved benefit within the meaning of the *States Grants (Deserted Wives) Act 1968*;

“supporting parent” means a person who is a supporting father or a supporting mother.

(2) For the purposes of the definition of “supporting mother” in sub-section (1)—

(a) the relevant date, in relation to a woman referred to in sub-paragraph (ii) of paragraph (a) of that definition, is whichever of the following dates is applicable to the woman or, if both dates are so applicable, the later date:

(i) the date on which the woman commenced to live apart from her husband;

(ii) the date on which the woman ceased, or last ceased, to live with a man as his wife on a *bona fide* domestic basis although not legally married to him; and

(b) a woman shall be deemed not to be, or not to have been, living with a man as his wife on a *bona fide* domestic basis although not legally married to him, being a man who has been convicted of an offence, during any period during which the man is, or was, imprisoned in connexion with the offence, being a continuous period of not less than 6 months, whether or not the period commenced before the conviction.

(3) For the purposes of the definition of “supporting father” in sub-section (1)—

(a) the relevant date, in relation to a man referred to in sub-paragraph (ii) of paragraph (a) of that definition, is whichever of the following dates is applicable to the man, or if both dates are so applicable, the later date:

(i) the date on which the man commenced to live apart from his wife;

(ii) the date on which the man ceased, or last ceased, to live with a woman as her husband on a *bona fide* domestic basis although not legally married to her; and

(b) a man shall be deemed not to be, or not to have been, living with a woman as her husband on a *bona fide* domestic basis although not legally married to her, being a woman who has been convicted of an offence, during any period during which the woman is, or was, imprisoned in connexion with the offence, being a continuous period of not less than 6 months, whether or not the period commenced before the conviction.

'(4) For the purposes of this Part, a child who is being maintained by a person shall be deemed to be a child of whom the person has, and had at any time when the person was maintaining the child, the custody, care and control.

'(5) In this Part—

- (a) a reference to a woman who is living apart from her husband shall be read as a reference to a woman who is so living apart by reason that she and her husband are estranged; and
- (b) a reference to a man who is living apart from his wife shall be read as a reference to a man who is so living apart by reason that he and his wife are estranged.

'(6) For the purposes of the application of a provision of Part IV in relation to a supporting parent in accordance with section 83AAE or 83AAG, that provision shall be read as if—

- (a) the benefit of the supporting parent were a pension under that Part;
- (b) any reference to sub-section (4) of section 59 were a reference to sub-section (4) of this section;
- (c) any reference to section 59A were a reference to section 83AAB;
- (d) any reference in section 61 to sub-section (1) of section 60 were a reference to section 83AAC;
- (e) any reference to a payment under Part IV were a reference to a benefit; and
- (f) any reference to sub-section (5) of section 74 included a reference to section 83AAH.

'(7) A reference in this Part to a period of residence in Australia shall be read as including a reference to a period of residence in an area that was, at the time of the residence, an external Territory, other than Norfolk Island.

'83AAB. Where a person (in this section referred to as "the dependant") who is wholly or substantially dependent on another person (in this section referred to as "the parent")—

Student
children
over the age
of 16 years

- (a) has attained the age of 16 years;
- (b) is receiving full-time education at a school, college or university; and
- (c) is not in receipt of an invalid pension under Part III,

this Part applies in relation to the parent as if the dependant—

- (d) were a child;
- (e) were in the custody, care and control of the parent; and
- (f) had been in the custody, care and control of the parent at any time when the dependant was wholly or substantially dependent on the parent.

'83AAC. (1) Subject to this Part, a supporting parent is qualified to receive a benefit if the parent is residing in, and is physically present in, Australia on the date on which the supporting parent lodges a claim for the benefit and—

Qualifications
for benefit

- (a) in the case of a woman who is a supporting mother in relation to a child born of her—that child was born while she was residing in Australia;
- (b) in the case of a man who is a supporting father in relation to a child of whom he is the father—that child was born in Australia and that man was residing in Australia at the time of that birth;
- (c) in the case of a married person living apart from his or her spouse—the married person was residing in Australia immediately before he or she so commenced to live apart;
- (d) in the case of a woman who has ceased to live with a man as his wife on a *bona fide* domestic basis although not legally married to him—she was residing in Australia immediately before she so ceased or last so ceased;

- (e) in the case of a man who has ceased to live with a woman as her husband on a *bona fide* domestic basis although not legally married to her—he was residing in Australia immediately before he so ceased or last so ceased;
- (f) the supporting parent has been continuously resident in Australia for a period of not less than 5 years immediately preceding the date on which the claim for the benefit is lodged; or
- (g) the supporting parent has, at any time, been continuously resident in Australia for a period of not less than 10 years.

‘(2) A reference in paragraph (a), (b), (c), (d) or (e) of sub-section (1) to residence in Australia shall be read as including a reference to residence in an area that was, at the time of the residence, an external Territory, other than Norfolk Island.

‘83AAD. A benefit shall not be granted to a person who is a supporting parent unless the Director-General considers that it is reasonable that the supporting parent should have taken action to obtain maintenance from the person or persons who is or are the father or fathers, or the mother or mothers, as the case may be, of the child or children in relation to whom the first-mentioned person is the supporting parent and that that person has taken such action to obtain such maintenance as the Director-General considers reasonable.

‘83AAE. The rate of a benefit is a rate equal to the rate of the pension (excluding supplementary assistance) that would be payable under Part IV to the supporting parent if the supporting parent were a class A widow for the purposes of that Part.

‘83AAF. Where a benefit is granted, it shall be paid from a date determined by the Director-General, but the date so determined shall not be prior to the date on which the claim for the benefit was lodged or later than the day that, for the purposes of Part III, is the first pension pay-day occurring after the date on which the claim was lodged, except where the determination of the claim has been delayed by neglect or default on behalf of the claimant, in which case the Director-General shall fix such later date of commencement as he considers reasonable in the circumstances.

‘83AAG. Section 61 and Divisions 3A, 4, 5 (other than section 68), 6 and 7 of Part IV apply in relation to a beneficiary as if the beneficiary were a widow for the purposes of that Part.

‘83AAH. In the event of—

- (a) a beneficiary, being a married person, ceasing to live apart from his or her spouse;
 - (b) a beneficiary, being a woman, commencing to live with a man as his wife on a *bona fide* domestic basis although not legally married to him; or
 - (c) a beneficiary, being a man, commencing to live with a woman as her husband on a *bona fide* domestic basis although not legally married to her,
- the beneficiary shall, within 14 days after the occurrence of the event, notify a Director accordingly.

Penalty: \$40.’

“(2) A benefit in force under Part IV^{AAA} of the Principal Act immediately before the commencement of this section continues in force, after the commencement of this section, as if it had been granted under the Part substituted for that first-mentioned Part by sub-section (1) of this section.”

Clauses 3 to 12, by leave, taken together, and agreed to, after debate.

Clause 13 debated.

Question—That the clause be agreed to—put.

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

AYES, 58

Mr Abel	Mr Calder	Mr Howard	Mr I. L. Robinson
Mr Adermann	Mr Chapman	Mr Hunt	Mr Ruddock
Mr Aldred	Mr Connolly	Mr Hyde	Mr Sainsbury
Mr Baillieu	Mr Drummond	Mr Jarman	Mr Shipton
Mr Baume	Dr Edwards	Mr Katter	Mr Simon
Mr Birney	Mr Fife	Mr Killen	Mr Sinclair
Mr Bonnett	Mr Fisher	Mr King	Mr Staley
Mr Bouchier	Mr Garland	Mr Lloyd	Mr Street
Mr Bradfield	Mr Gillard	Mr MacKellar	Mr Viner
Mr Braithwaite	Mr Goodluck	Mr McLeay	Mr Wentworth
Mr Brown	Mr Graham	Mr Martyr	Mr Wilson
Mr Bungey	Mr Groom	Mr Millar	
Mr Burr	Mr Haslem	Mr Moore	<i>Tellers:</i>
Mr Cadman	Mr Hodgman	Mr Newman	Mr Corbett
Mr K. M. Cairns	Mr Holten	Mr Peacock	Mr Cotter

NOES, 15

Mr Armitage	Mr Fry	Dr Klugman	Mr Young
Mr Beazley	Mr Hayden	Mr Scholes	<i>Tellers:</i>
Mr Bowen	Dr Jenkins	Mr West	Mr James
Mr Crean	Mr Jones	Mr Willis	Mr L. R. Johnson

And so it was resolved in the affirmative.

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

Bill to be reported with an amendment.

The House resumed; Mr Lucock reported accordingly.

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

- 12 FOREIGN COMPANIES—BRANCH PROFITS TAX—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER: Mr Viner (Minister Assisting the Treasurer), by leave, made a ministerial statement informing the House of the Government's decision to introduce a branch profits tax on foreign-resident companies deriving taxable income in Australia, and, by command of His Excellency the Governor-General, presented the following paper:

Foreign companies—Branch profits tax—Ministerial statement, 4 November 1977.

Mr Sinclair (Leader of the House) moved—That the House take note of the paper.

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

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

4 November 1977—Message—

No. 113—Commonwealth Electoral Amendment (No. 2) 1977.

No. 114—Commonwealth Electoral (Redistribution) 1977.

No. 115—Public Service (Permanent Head—Dual Appointment) 1977.

No. 116—Coal Research Assistance 1977.

No. 117—Excise Tariff Amendment (No. 2) 1977 (*without requests*).

No. 118—States Grants (Coal Mining Industry Long Service Leave) Amendment 1977.

- 14 ADJOURNMENT: Mr Sinclair (Leader of the House) moved—That the House do now adjourn.

Mr E. G. Whitlam (Leader of the Opposition) addressing the House—

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

Question—That the question be now put—put.

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

AYES, 58

Mr Abel	Mr Chapman	Mr Hunt	Mr Peacock
Mr Aldred	Mr Connolly	Mr Hyde	Mr I. L. Robinson
Mr Baillieu	Dr Edwards	Mr Jarman	Mr Ruddock
Mr Baume	Mr Fife	Mr Katter	Mr Sainsbury
Mr Bonnett	Mr Fisher	Mr Killen	Mr Shipton
Mr Bouchier	Mr Garland	Mr King	Mr Simon
Mr Bradfield	Mr Gillard	Mr Lloyd	Mr Sinclair
Mr Braithwaite	Mr Goodluck	Mr Lucock	Mr Staley
Mr Brown	Mr Graham	Mr MacKellar	Mr Street
Mr Bungey	Mr Groom	Mr McLeay	Mr Viner
Mr Burr	Mr Hamer	Mr McVeigh	Mr Wilson
Mr Cadman	Mr Haslem	Mr Martyr	
Mr K. M. Cairns	Mr Hodgman	Mr Millar	<i>Tellers:</i>
Mr Calder	Mr Holten	Mr Moore	Mr Corbett
Mr Carige	Mr Howard	Mr Newman	Mr Cotter

NOES, 17

Mr Armitage	Mr Hayden	Mr Morris	
Mr Beazley	Mr Innes	Mr Scholes	
Mr Bryant	Dr Jenkins	Mr West	<i>Tellers:</i>
Mr Crean	Mr Jones	Mr E. G. Whitlam	Mr James
Mr Fry	Dr Klugman	Mr Willis	Mr L. R. Johnson

And so it was resolved in the affirmative.

And the question—That the House do now adjourn—was put accordingly, and passed. And then the House, at 4.33 p.m., adjourned until Monday next at 11 a.m.

PAPERS: The following papers were deemed to have been presented on 4 November 1977:

By command of His Excellency the Governor-General:

Treaties—Text of—

- (1) Exchange of letters, dated 30 March 1977, between Australia and New Zealand constituting an Agreement extending the Interim Agreement on Tariffs and Tariff Preferences of 7 May 1973.
- (2) Exchange of letters, dated 29 and 30 June 1977, between Australia and New Zealand constituting an Agreement concerning the Extension of the Assured Duration of the Australia-New Zealand Free Trade Agreement signed at Wellington on 31 August 1965.
- (3) Exchange of letters, dated 29 September 1977, between Australia and New Zealand constituting an Agreement extending the Interim Agreement on Tariffs and Tariff Preferences of 7 May 1973.
- (4) Cultural Agreement between Australia and the Philippines, signed at Manila on 15 April 1977.
- (5) Cultural Agreement between Australia and the French Republic, signed at Paris on 20 June 1977.
- (6) Agreement between Australia and the Hashemite Kingdom of Jordan regarding Co-operation, signed at Sydney on 21 October 1977.
- (7) Agreement for the Creation in Paris of an International Wine Office, signed at Paris on 29 November 1924.
- (8) Regional Co-operative Agreement for Research Development and Training related to Nuclear Science and Technology which entered into force on 12 June 1972.
- (9) Universal Copyright Convention as revised at Paris on 24 July 1971 and Protocols 1 and 2 annexed thereto.
- (10) Berne Convention for the Protection of Literary and Artistic Works of 9 September 1886, as revised from time to time and at Paris on 24 July 1971.
- (11) Constitution of the Asia-Pacific Telecommunity, adopted by the Economic and Social Commission for Asia and the Pacific on 27 March 1976.

Pursuant to statute:

Northern Territory (Administration) Act—Administrative Actions (Investigation)
Ordinance 1972, together with statement of reasons for withholding assent to
the Ordinance.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Anthony, Dr J. F. Cairns, Mr C. R. Cameron, Mr D. M. Cameron, Dr Cass, Mr Chipp, Mr Cohen, Mr Dobie, Mr Ellicott, Mr Falconer, Mr Garrick, Mr Giles, Mr Hodges, Mr Hurford, Mr Jacobi, Mr L. K. Johnson, Mr P. F. Johnson, Mr Kelly, Mr MacKenzie, Mr McLean, Mr J. L. McMahon, Sir William McMahon, Mr Macphee, Mr Martin, Mr Neil, Mr O'Keefe, Mr Porter, Dr Richardson, Mr Short, Mr Stewart, Mr Sullivan, Mr Thomson, Mr Wallis, Mr A. P. Whitlam and Mr Yates.

J. A. PETTIFER,
Clerk of the House of Representatives