

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 64

THURSDAY, 26 OCTOBER 1978

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

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

Mr Cohen, Mr Dobie, Dr Edwards, Mr Fry and Mr James—from certain citizens praying for the prohibition of pornographic material involving children.

Mr Cohen and Mr Street—from certain citizens praying for the award of a medal to members of the World War II *Jaywick* and *Rimau* commando expeditions.

Dr Everingham and Mr P. F. Johnson—from certain citizens praying that pensions be increased twice yearly in line with rises in the consumer price index.

Dr Jenkins and Mr Macphee—from certain citizens praying that a commitment be made to reduce unemployment progressively.

Mr Martin and Mr Wallis—from certain citizens praying for the replacement of the 1978-79 Budget by a budget which increases the level of economic activity, lowers unemployment, assists the disadvantaged and revives business and consumer confidence.

Mr Aldred—from certain citizens praying that Radio 3CR Melbourne be required to adhere to the broadcasting standards laid down for all other radio stations and that legislation be enacted against incitement to racial hatred and violence.

Mr Anthony—from certain citizens praying for the rejection of any legislation introducing annual adjustments of pension rates.

Mr Calder—from certain citizens praying that permission be given for uranium mining in the Northern Territory to commence immediately.

Mr Dobie—from certain citizens praying that no measures be taken to implement those recommendations of the Royal Commission on Human Relationships that will further undermine and weaken marriage, child-care or the family.

Dr Klugman—from certain citizens praying for the establishment of a children's hospital in the Penrith area, N.S.W.

Mr J. L. McMahon—from certain citizens praying that there be no extension of Kingsford-Smith Airport, Sydney.

Mr Staley—from certain electors from the State of Victoria praying that defence service homes rights be granted to all wartime ex-servicewomen.

Mr Street—from certain citizens of Geelong, Vic., praying that action be taken to relieve the distress of the unemployed.

Mr Yates—from certain citizens praying that the Medical Benefits Schedule be amended to preclude payment of benefits for abortions.

Petitions received.

3 QUESTIONS: Questions without notice being asked—

Papers: Mr Garland (Acting Minister for Trade and Resources), by command of His Excellency the Governor-General, presented the following papers:

Export policy for bulk raw materials—Copies of draft—
Guidelines.
Letter.

Questions without notice continued.

4 PARLIAMENT HOUSE COMMITTEE ROOM ACCOMMODATION—STATEMENT BY MR SPEAKER:

Mr Speaker made a statement concerning the accommodation available within Parliament House for the meetings of legislation committees, as raised with him by Dr Jenkins on 10 October 1978.

5 PAPERS: The following papers were presented:

By command of His Excellency the Governor-General:

Australian Institute of Criminology—Board of Management—Interim report for year 1977–78.

Criminology Research Council—Interim report for year 1977–78.

Department of Science—Report for year 1977–78.

Pursuant to statute:

Australian Bureau of Statistics Act—

Australian Bureau of Statistics—3rd Annual Report, for year 1977–78.

Australian Statistics Advisory Council—2nd Annual Report, for year 1977–78.

Australian Institute of Marine Science Act—Council of the Institute of Marine Science—Report and financial statements, together with the Auditor-General's Report, for year 1977–78.

6 ABORIGINAL DEVELOPMENT AGENCY—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE

OF PAPER: Mr Viner (Minister for Aboriginal Affairs), by leave, made a ministerial statement informing the House of the Government's decision to establish an Aboriginal Development Agency, and, by command of His Excellency the Governor-General, presented the following paper:

Aboriginal Development Agency—Ministerial statement, 26 October 1978.

Mr Groom (Minister for Environment, Housing and Community Development) moved—That the House take note of the paper.

Debate ensued.

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

7 LEGAL AID—REVISED GUIDELINES AND SOLICITORS' FEES—MINISTERIAL STATEMENT AND

PAPERS—MOTION TO TAKE NOTE OF PAPERS: Mr Viner (Minister representing the Attorney-General), by leave, made a ministerial statement informing the House of changes to the guidelines of the Australian Legal Aid Office and of a new scale of associated solicitors' fees, to take effect from 30 October 1978, and, by command of His Excellency the Governor-General, presented the following papers:

Legal aid—Revised guidelines and solicitors' fees—

Australian Legal Aid Office—

Means and needs test and contributions guidelines, dated 30 October 1978.

Solicitors' fees in matters under *Family Law Act* 1975, dated 30 October 1978.

Ministerial statement, 26 October 1978.

Mr Groom (Minister for Environment, Housing and Community Development) moved—That the House take note of the papers.

Debate ensued.

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

- 8 SPECIAL ADJOURNMENT: Mr Fife (Acting Leader of the House) moved—That the House, at its rising, adjourn until Tuesday, 7 November next, at 2.15 p.m., unless Mr Speaker shall, by telegram or letter addressed to each Member of the House, fix an alternative day or hour of meeting.
Question—put and passed.
- 9 MESSAGE FROM THE SENATE: A message from the Senate was reported returning the following Bill without amendment:
25 October 1978—Message No. 142—National Health Amendment (No. 2) 1978.
- 10 TOURISM—SELECT COMMITTEE—REPORT—STATEMENTS BY MEMBERS: Mr Jull (Chairman) presented the final report from the Select Committee on Tourism, dated October 1978, together with the minutes of proceedings and transcript of evidence of the committee.
Ordered—That the report be printed.
Mr Jull, Mr Cohen, Mr Goodluck, Mr Stewart, Mr Short, Mr C. K. Jones, Mr D. M. Cameron and Mr I. L. Robinson, by leave, made statements in connection with the report.
- 11 ENVIRONMENT AND CONSERVATION—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS: Mr Hodges (Chairman) presented the following report from the Standing Committee on Environment and Conservation:
Oil spills—Prevention and control of oil pollution in the marine environment—
Report, dated 21 September 1978, together with copies of extracts from the minutes of proceedings and transcript of evidence of the committee.
Ordered—That the report be printed.
Mr Hodges, Mr Howe and Mr Baillieu, by leave, made statements in connection with the report.
- 12 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ENVIRONMENTAL RESPONSIBILITIES: Mr Deputy Speaker informed the House that both Mr Cohen and Mr E. C. Cameron 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, Mr Speaker had given priority to the matter proposed by Mr Cohen, namely, “The abrogation by the Fraser Government of its national responsibilities for environmental matters”.
The proposed discussion having received the necessary support—
Mr Cohen addressed the House.
Discussion ensued.
Discussion concluded.
- 13 PUBLIC SERVICE AMENDMENT BILL 1978—LEGISLATION COMMITTEE—REPORT: Mr Giles (Chairman) reported that the Public Service Amendment Bill 1978 had been considered in legislation committee and agreed to with amendments. (*See Minutes of Proceedings, page 507*).
Ordered—That consideration of the report be made an order of the day for the next sitting.
- 14 AIRLINE EQUIPMENT (LOAN GUARANTEE) BILL (No. 2) 1978: Mr Nixon (Minister for Transport), pursuant to notice, presented a Bill for an Act relating to the provision of certain equipment for a domestic airline.
Bill read a first time.
Mr Nixon moved—That the Bill be now read a second time.
Debate adjourned (Mr Morris), and the resumption of the debate made an order of the day for the next sitting.

- 15 PRIMARY INDUSTRY BANK AMENDMENT BILL (NO. 2) 1978: Mr Howard (Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Primary Industry Bank Act 1977* in relation to the Income Equalization Deposits Trust Account.
Bill read a first time.
Mr Howard moved—That the Bill be now read a second time.
Debate adjourned (Dr Cass), and the resumption of the debate made an order of the day for the next sitting.
- 16 STATES GRANTS (SCHOOLS ASSISTANCE) BILL 1978: Mr Staley (Minister representing the Minister for Education), pursuant to notice, presented a Bill for an Act relating to the grant of financial assistance to the States for and in relation to schools.
Bill read a first time.
Mr Staley moved—That the Bill be now read a second time.
Debate adjourned (Dr Cass), and the resumption of the debate made an order of the day for the next sitting.
- 17 TRADE PRACTICES AMENDMENT BILL (NO. 2) 1978: 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 (Dr Cass), and the resumption of the debate made an order of the day for the next sitting.
- 18 COCOS (KEELING) ISLANDS AMENDMENT BILL 1978: Mr MacKellar (Minister for Immigration and Ethnic Affairs), for Mr Ellicott (Minister for Home Affairs), pursuant to notice, presented a Bill for an Act to amend the *Cocos (Keeling) Islands Act 1955*.
Bill read a first time.
Mr MacKellar moved—That the Bill be now read a second time.
Debate adjourned (Dr Klugman), and the resumption of the debate made an order of the day for the next sitting.
- 19 MESSAGE FROM THE SENATE—HEALTH INSURANCE AMENDMENT BILL (NO. 2) 1978: The following message from the Senate was reported:

Message No. 143

Mr Speaker,

The Senate returns to the House of Representatives the Bill for "*An Act to amend the 'Health Insurance Act 1973', and for other purposes*", and acquaints the House that the Senate has agreed to the Bill with the Amendments indicated by the annexed Schedule, in which Amendments the Senate requests the concurrence of the House of Representatives.

C. L. LAUCKE
President

The Senate,
Canberra, 25 October 1978

Ordered—That the amendments be taken into consideration, in committee of the whole House, forthwith.

In the committee

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE

No. 1—Page 18, clause 40, paragraph (a), line 4, leave out "and".

No. 2—Page 18, clause 40, after paragraph (a), insert the following new paragraph:
“(aa) by omitting from paragraph 7 ‘privately insured persons’ and substituting ‘hospital insured persons’; and”.

No. 3—Page 18, clause 43, line 24, leave out “in such manner as the Minister determines”.

No. 4—Page 18, clause 43, at end of clause, add the following new sub-clause:

“(2) Subject to section 8D of the *Health Insurance Commission Act 1973*, the payment of claims referred to in sub-section (1) shall be made in such manner as the Minister determines.”

On the motion of Mr Hunt (Minister for Health), the amendments were agreed to, after debate.

Resolution to be reported.

The House resumed; Mr Armitage reported accordingly.

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

20 MESSAGE FROM THE SENATE—HEALTH INSURANCE COMMISSION AMENDMENT BILL 1978:
The following message from the Senate was reported:

Message No. 144

Mr Speaker,

The Senate returns to the House of Representatives the Bill for “*An Act to amend the ‘Health Insurance Commission Act 1973’, and for related purposes*”, and acquaints the House that the Senate has agreed to the Bill with the Amendment indicated by the annexed Schedule, in which Amendment the Senate requests the concurrence of the House of Representatives.

C. L. LAUCKE
President

The Senate,
Canberra, 25 October 1978

Ordered—That the amendment be taken into consideration, in committee of the whole House, forthwith.

In the committee

SCHEDULE OF THE AMENDMENT MADE BY THE SENATE

Page 3, clause 10, proposed PART IIB—ADDITIONAL FUNCTIONS OF THE COMMISSION, proposed sections 8c and 8d, lines 4 to 18, leave out the proposed sections, insert the following proposed sections and proposed new sections:

- | | |
|--|--|
| “8c. The functions conferred on the Commission by this Part are in addition to the functions conferred on the Commission by Part IIA. | Additional functions |
| “8d. Until a date to be fixed by Proclamation for the purposes of this section, the Commission shall receive, deal with and, on behalf of the Commonwealth, pay claims for medical benefits referred to in section 43 of the <i>Health Insurance Amendment Act (No. 2) 1978</i> . | Commission to pay certain claims for medical benefit |
| “8dA. (1) The Commission shall perform such functions in relation to health insurance as are prescribed. | Prescribed functions |
| “(2) The regulations may prescribe the manner in which the Commission is to carry out a function prescribed under sub-section (1). | |
| “8dB. (1) Where a function is prescribed under section 8dA, the Minister may, on behalf of the Commonwealth, enter into an agreement with the Commission under which the Commonwealth agrees to pay to the Commission such administrative expenses arising out of the performance of the function by the Commission, or the performance of the function by the Commission in so far as it relates to an objective specified in the agreement, as are provided for by or under the agreement. | Agreement with the Commission concerning certain administrative expenses |
| “(2) The Minister shall lay a copy of each agreement entered into under this section before each House of the Parliament within 15 sitting days of that House after the entering into of the agreement.” | |

On the motion of Mr Hunt (Minister for Health), the amendment was agreed to, after debate.

Resolution to be reported.

The House resumed; Mr Armitage reported accordingly.

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

- 21 APPROPRIATION BILL (NO. 1) 1978-79: The House, according to order, resolved itself into a committee of the whole for the further consideration of the Bill.

In the committee

Schedule 2—

Proposed expenditure—Department of Defence, \$2,329,185,000—further debated and agreed to.

Proposed expenditure—Postal and Telecommunications Department, \$178,180,000—further debated and agreed to.

Proposed expenditure—Attorney-General's Department, \$78,604,000—debated and agreed to.

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

Bill to be reported without amendment.

The House resumed; Dr Jenkins reported accordingly.

On the motion of Mr Viner (Minister for Aboriginal Affairs), the House adopted the report, and, by leave, the Bill was read a third time.

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

26 October 1978—Message—

No. 145—Dried Vine Fruits Stabilization Amendment 1978.

No. 146—Dried Vine Fruits Levy Amendment 1978 (*without requests*).

No. 147—Defence Service Homes Amendment 1978.

- 23 PUBLICATIONS COMMITTEE—4TH REPORT: Mr Hodges (Chairman) presented the 4th Report from the Publications Committee (sitting in conference with the Publications Committee of the Senate). The report is as follows:

4TH REPORT

The Publications Committee has the honour to report that it has met in conference with the Publications Committee of the Senate.

The Joint Committee, having considered Petitions and Papers presented to Parliament since the last meeting of the Committee, recommends that the following be printed:

Agricultural Tractors Bounty Act—Return for year 1977-78.

Albury-Wodonga Development Act—Albury-Wodonga Development Corporation—4th Annual Report and financial statements, together with the Auditor-General's Report, for year 1976-77.

Australia's international civil aviation policy—Report of review committee, 1978—

Volume 1—Report.

Volume 2—Annexes.

Australian Bureau of Statistics Act—

Australian Bureau of Statistics—3rd Annual Report, for year 1977-78.

Australian Statistics Advisory Council—2nd Annual Report, for year 1977-78.

Australian Citizenship Act—Return for year 1977-78.

Australian Industry Development Corporation Act—Australian Industry Development Corporation—8th Annual Report and financial statements, together with the auditor's report, for year 1977-78.

- Australian Institute of Marine Science Act—Council of the Australian Institute of Marine Science—Report and financial statement, together with the Auditor-General's Report, for year 1977-78.
- Australian Plague Locust Commission—Annual Report, for year 1976-77.
- Australian Shippers' Council—6th Annual Report, for year 1977-78, together with financial statements.
- Book Bounty Act—Return for year 1977-78.
- Bounty (Drilling Machines) Act—Return for year 1977-78.
- Broadcasting and Television Act—Australian Broadcasting Commission—46th Annual Report and financial statement, for year 1977-78.
- Commonwealth Teaching Service Act—Commonwealth Teaching Service Commissioner—Report for 1977.
- Department of Business and Consumer Affairs—Report for year 1977-78.
- Department of Science—Report for year 1977-78.
- Dried Fruits Export Control Act—Australian Dried Fruits Control Board—54th Annual Report, for year 1977-78.
- Industrial Research and Development Grants Act and Industrial Research and Development Incentives Act—Australian Industrial Research and Development Incentives Board—Report for year 1977-78.
- Industries Assistance Commission—
Interim reports—
Asbestos—Short term assistance, dated 20 August 1978.
Carpets, carpeting, etc., dated 4 July 1978.
Reports—
Conditions for eligibility for bed sheeting bounty, dated 7 August 1978.
Hosiery, undergarments and knitted sleepwear: Short term additional assistance, dated 11 August 1978.
Products of the printing industry, dated 31 July 1978.
- Industries Assistance Commission Act—Temporary Assistance Authority—Annual Report, for year 1977-78, accompanied by a statement by the Minister pursuant to sub-section 30k (3) of the Act.
- Industries Assistance Commission Act—Temporary Assistance Authority—
Reports—
Carbon coated film, dated 7 July 1978.
Gearboxes, gears and shaft couplings, dated 7 August 1978.
- Insurance Act—Insurance Commissioner—4th Annual Report, for year 1977-78.
- Metal Working Machine Tools Bounty Act—Return for year 1977-78.
- National communications satellite system—Report of Commonwealth Government task force, dated July 1978.
- Nitrogenous Fertilizers Subsidy Act—Return for year 1977-78.
- Norfolk Island—Report for year 1977-78.
- Nurse education and training—Report of committee of inquiry to the Tertiary Education Commission, dated August 1978.
- Patent, Trade Marks and Designs Office—Report for year 1977-78.
- Phosphate Fertilizers Bounty Act—Return for year 1977-78.
- Poultry Industry Assistance Act—13th Annual Report, for year 1977-78.
- Science and Industry Endowment Act—Report by Auditor-General on accounts of Science and Industry Endowment Fund, for year 1977-78.
- Services Trust Funds Act—Services Canteens Trust Fund—30th Annual Report by the Trustees, together with the Auditor-General's Report, for 1977.
- Snowy Mountains Engineering Corporation Act—Snowy Mountains Engineering Corporation—8th Annual Report and financial statements, together with the Auditor-General's Report, for year 1977-78.
- States Grants (Dwellings for Pensioners) Act—4th Annual Statement by Minister, for year 1977-78.

Telecommunications Act—Australian Telecommunications Commission—
Report and financial statements, together with the Auditor-General's
Report, for year 1977–78.

Tertiary Education Commission—Report on study leave in universities and
colleges of advanced education, dated August 1978.

Tobacco Industry Act—23rd Annual Report, for year 1977–78.

United Nations General Assembly Special Session on Disarmament—
23 May–1 July 1978—Report of the Australian Delegation.

26 October 1978

JOHN HODGES,
Chairman

Mr Hodges, by leave, moved—That the report be agreed to.

Question—put and passed.

24 APPROPRIATION BILL (NO. 2) 1978–79: 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 Viner (Minister for Aboriginal Affairs), the Bill was read a third
time.

25 REMUNERATION AND ALLOWANCES AMENDMENT BILL 1978: 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. 82, dated 21 September 1978, from
His Excellency the Governor-General was announced recommending an appro-
priation of revenue for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Viner (Minister Assisting the Prime Minister), the Bill was read
a third time.

26 ADJOURNMENT: Mr Viner (Minister for Aboriginal Affairs) moved—That the House do
now adjourn.

Debate ensued.

Debate extended: It being 11 p.m., the debate was interrupted.

Mr Viner required the debate to be extended.

The debate continuing until 11.10 p.m., Mr Deputy Speaker adjourned the House until
Tuesday, 7 November next, at 2.15 p.m., unless Mr Speaker shall, by telegram or
letter addressed to each Member of the House, fix an alternative day or hour of meeting.

PAPERS: The following papers were deemed to have been presented on 26 October 1978,
pursuant to statute:

Air Force Act—Regulation—Statutory Rules 1978, No. 198.

Bed Sheeting Bounty Act—Return for year ended 31 August 1978.

Broadcasting and Television Act—Regulations—Statutory Rules 1978, No. 202.

Christmas Island Act—

Ordinances—1978—

No. 7—Removal of Mental Patients (Amendments).

No. 8—Gambling (Clubs).

Regulations—1978—No. 1 (Police Force Ordinance).

Defence Act—Regulation—Statutory Rules 1978, No. 197.

Defence (Re-establishment) Act—Regulation—Statutory Rules 1978, No. 204.

Departure Tax Collection Act—Regulations—Statutory Rules 1978, No. 194.

- Dried Fruits Levy Act—Regulation—Statutory Rules 1978, No. 203.
Excise Act—Regulations—Statutory Rules 1978, No. 196.
Lands Acquisition Act—Land acquired for—
 Customs purposes—Kwinana, W.A.
 Defence purposes—
 Greenbank, Qld.
 Townsville, Qld.
 Marine navigational aid purposes—Kangaroo Island, S.A.
 Navigational aid purposes—West Swan, W.A.
 Telecommunications purposes—
 Calburra, N.S.W.
 Dalmeny, N.S.W.
 Medowie, N.S.W.
Norfolk Island Act—Ordinance—1978—No. 9—Census and Statistics (Amendment).
Public Service Act—Regulation—Statutory Rules 1978, No. 205.
Seat of Government (Administration) Act—Ordinance—1978—No. 33—Health Commission (Amendment).
Student Assistance Act—Regulations—Statutory Rules 1978, No. 200.
Superannuation Act—Regulations—Statutory Rules 1978, No. 201.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Anthony, Mr Braithwaite, Mr Bryant*, Mr Calder, Mr Cotter, Mr Dawkins, Mr Innes, Mr Jacobi*, Mr Keating, Mr Lloyd, Mr Lucock*, Mr Lynch, Mr Macphee, Mr Shipton* and Mr Sinclair.

* On leave

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

1978

HOUSE OF REPRESENTATIVES

SUPPLEMENT TO VOTES AND PROCEEDINGS No. 64

LEGISLATION COMMITTEE

ON

PUBLIC SERVICE AMENDMENT BILL 1978

MINUTES OF PROCEEDINGS

WEDNESDAY, 25 OCTOBER 1978

(Bill having been read a second time and referred to a legislation committee on the motion of Mr Viner (Minister Assisting the Prime Minister), for Mr Sinclair (Leader of the House), on 17 October 1978.)

The Committee was constituted as follows:
Mr Giles had been appointed Chairman.

GOVERNMENT MEMBERS:

Mr Viner (Member in charge of the Bill)
Mr D. M. Cameron
Mr Dobie
Mr Falconer
Mr Fisher
Mr Haslem
Mr Hodgman
Mr Katter
Mr MacKenzie
Mr Simon
Mr Wilson

OPPOSITION MEMBERS:

Mr Humphreys
Mr L. K. Johnson
Mr J. L. McMahon
Mr Martin
Mr Young

The committee met at 8.03 p.m.

Clauses 1 to 8 agreed to.

Clauses 9 to 11, by leave, taken together, and agreed to.

Clauses 12 to 14 agreed to.

Clause 15 debated.

Mr L. K. Johnson moved—That the clause be postponed.

Debate ensued.

Question—put and passed.

Clauses 16 to 19 agreed to.

Clause 20—

On the motion of Mr Viner, the following amendment was made: Page 10, line 26, omit “Sections 55 to 63”, substitute “Sections 55 to 62”.

Debate continued.

On the motion of Mr Viner, the following further amendments were made:

Page 11, lines 27–37, omit proposed sub-paragraphs (i) and (ii), substitute the following sub-paragraphs:

“(i) if, at any time after he last performed duty in the Service, he has, in accordance with section 87G, become the holder of an office in the Service—the last office of which he so became the holder;

- (ii) if he is not a person to whom sub-paragraph (i) applies but was the holder of an office when he last performed duty in the Service before his dismissal—that office; or
- (iii) if he is not a person to whom sub-paragraph (i) applies but was an unattached officer performing duty in a Department when he last performed duty in the Service before his dismissal—an office in that Department the duties of which correspond to the duties he was performing, and the classification of which is the same as the classification applicable to him, when he last performed duty in the Service before his dismissal;”.

Page 19, lines 13–16, omit proposed sub-section (3), substitute the following sub-section:

- “(3) An officer charged under sub-section (2) may request the Chief Officer to furnish copies of the charge to either or both of the following, that is to say—
- (a) to an organization specified by the officer, being an organization within the meaning of the *Conciliation and Arbitration Act 1904*; or
 - (b) to a person specified by the officer, being a person whom the officer wishes to assist him in relation to the charge,
- and, if the officer makes such a request, the Chief Officer shall comply with the request.”.

Page 29, lines 38–40, omit proposed sub-section (4), substitute the following sub-section:

- “(4) A person shall not be appointed as the Chairman of a Disciplinary Appeal Board unless he is or has been a Magistrate or is enrolled as a legal practitioner of the High Court, of another federal court or of the Supreme Court of a State or Territory and has been so enrolled for not less than 5 years.”.

Debate continued.

Clause, as amended, agreed to.

New clause—

On the motion of Mr Viner, the following new clause was inserted in the Bill:

“20A. Section 63 of the Principal Act is renumbered 63U.”.

Renumbering

Clauses 21 to 30, by leave, taken together, and agreed to.

Clause 31—

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

Page 73, line 18, after “section 16” insert “or sub-paragraph 19 (2) (b) (iv)”.

Page 96, line 9, after “section 16” insert “or sub-paragraph 19 (2) (b) (iv)”.

On the motion of Mr Viner, the following further amendment was made, after debate: Page 99, line 28, after sub-section (3) insert the following sub-section:

“(3A) Where—

- (a) a person who was a person to whom Division 2 applied—
 - (i) ceased to be such a person by reason of his having retired from employment by a public authority in order to become a candidate for election as a member of a House of the Parliament of the Commonwealth or of a State or of the Legislative Assembly of the Northern Territory or a prescribed legislative or advisory body for another Territory;
 - (ii) retired also from the Service;
 - (iii) was a candidate at the election; and
 - (iv) failed to be elected;
- (b) those retirements took effect not earlier than 1 month before the date on which nominations for the election closed; and
- (c) the person has, upon applications made within 2 months after the declaration of the result of the election, been re-employed by that public authority and re-appointed to the Service under section 47C,

he shall be deemed to have continued in the employment of that public authority as if he had not retired and had been on leave of absence without pay during the period from

and including the day on which his retirement became effective to and including the day on which he was so re-employed.”.

On the motion of Mr Viner, the following further amendment was made: Page 99, line 30, omit “applies”, substitute “applied”.

Clause, as amended, debated and agreed to.

Clauses 32 to 44, by leave, taken together, and agreed to.

Clause 45—

On the motion of Mr Viner, the following amendment was made: Page 106, line 5, after sub-clause (1) insert the following sub-clause:

“(1A) Section 22 of the *Commonwealth Legal Aid Commission Act 1977* is amended by omitting sub-section (2).”.

Clause, as amended, agreed to.

Clauses 46 to 50, by leave, taken together, and agreed to.

Schedule agreed to.

Postponed clause 15 further debated, and agreed to.

Title agreed to.

Debate, by leave, ensued.

Bill to be reported with amendments.

The committee adjourned at 9.55 p.m.

A. R. BROWNING,
Clerk to the committee