

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

## HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 143

WEDNESDAY, 1 DECEMBER 1971

1 The House met, at two o'clock p.m., pursuant to adjournment. Mr Speaker (the Honourable Sir William Aston) took the Chair, and read Prayers.

2 WANT OF CONFIDENCE IN THE GOVERNMENT: Mr Crean moved, pursuant to notice—That the Government no longer possesses the confidence of the House because of the failure of its economic policies.

Debate ensued.

Mr Barnard (Deputy Leader of the Opposition) rising to address the House—

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

Question—That the question be now put—put.

The House divided (the Speaker, Sir William Aston, in the Chair)—

## AYES, 63

Mr Anthony	Mr England	Mr L. H. Irwin	Mr O'Keefe
Mr Barnes	Mr G. D. Erwin	Mr Jarman	Mr Peacock
Mr Bate	Mr Fairbairn	Mr Jess	Mr Pettitt
Mr Bonnett	Mr Forbes	Mr Katter	Mr Reid
Mr N. H. Bowen	Mr J. M. Fraser	Mr Kelly	Mr Robinson
Mr Brown	Mr Garland	Mr Killen	Mr Snedden
Mr Buchanan	Mr Giles	Mr King	Mr Solomon
Mr Bury	Mr Gorton	Mr Lloyd	Mr Staley
Mr K. M. K. Cairns	Mr Graham	Mr Lucock	Mr Street
Mr Calder	Mr Hallett	Mr Lynch	Mr Swartz
Mr D. M. Cameron	Mr Hamer	Mr Mackay	Mr Turner
Mr Chipp	Mr Holten	Mr MacKellar	Mr Wentworth
Mr Corbett	Mr Howson	Mr Maisey	Mr Whittorn
Sir J. Cramer	Mr Hughes	Mr McLeay	<i>Tellers:</i>
Mr Dobie	Sir A. Hulme	Mr McMahon	Mr Fox
Mr Drury	Mr Hunt	Mr Nixon	Mr Turnbull

## NOES, 55

Mr Armitage	Mr Cross	Mr Hayden	Mr Morrison
Mr Barnard	Mr Daly	Mr Hurford	Mr Nicholls
Mr Bennett	Mr Davies	Mr Jenkins	Mr Patterson
Mr Berinson	Mr Enderby	Mr L. K. Johnson	Mr Reynolds
Mr Birrell	Mr Everingham	Mr L. R. Johnson	Mr Scholes
Mr L. F. Bowen	Mr FitzPatrick	Mr Jones	Mr Sherry
Mr Bryant	Mr Foster	Mr Keating	Mr Stewart
Mr J. F. Cairns	Mr A. D. Fraser	Mr Kennedy	Mr Uren
Mr Cass	Mr Fulton	Mr Keogh	Mr Wallis
Mr Cohen	Mr Garrick	Mr Kirwan	Mr Webb
Mr Collard	Mr Grassby	Mr Klugman	Mr Whitlam
Mr Connor	Mr Griffiths	Mr Luchetti	<i>Tellers:</i>
Mr Cope	Mr Gun	Mr Martin	Mr Duthie
Mr Crean	Mr Hansen	Mr McIvor	Mr James

And so it was resolved in the affirmative.

And the question—That the motion be agreed to—being accordingly put—  
The House divided (the Speaker, Sir William Aston, in the Chair)—

**AYES, 57**

Mr Armitage	Mr Crean	Mr Hayden	Mr Nicholls
Mr Barnard	Mr Cross	Mr Hurford	Mr Patterson
Mr Beazley	Mr Daly	Mr Jenkins	Mr Reynolds
Mr Bennett	Mr Davies	Mr L. K. Johnson	Mr Scholes
Mr Berinson	Mr Enderby	Mr L. R. Johnson	Mr Sherry
Mr Birrell	Mr Everingham	Mr Jones	Mr Stewart
Mr L. F. Bowen	Mr FitzPatrick	Mr Keating	Mr Uren
Mr Bryant	Mr Foster	Mr Kennedy	Mr Wallis
Mr J. F. Cairns	Mr A. D. Fraser	Mr Keogh	Mr Webb
Mr C. R. Cameron	Mr Fulton	Mr Kirwan	Mr Whitlam
Mr Cass	Mr Garrick	Mr Klugman	
Mr Cohen	Mr Grassby	Mr Luchetti	
Mr Collard	Mr Griffiths	Mr Martin	<i>Tellers:</i>
Mr Connor	Mr Gun	Mr McIvor	Mr Duthie
Mr Cope	Mr Hansen	Mr Morrison	Mr James

**NOES, 63**

Mr Anthony	Mr England	Mr L. H. Irwin	Mr O'Keefe
Mr Barnes	Mr G. D. Erwin	Mr Jarman	Mr Peacock
Mr Bate	Mr Fairbairn	Mr Jess	Mr Pettitt
Mr Bonnett	Mr Forbes	Mr Katter	Mr Reid
Mr N. H. Bowen	Mr J. M. Fraser	Mr Kelly	Mr Robinson
Mr Brown	Mr Garland	Mr Killen	Mr Snedden
Mr Buchanan	Mr Giles	Mr King	Mr Solomon
Mr Bury	Mr Gorton	Mr Lloyd	Mr Staley
Mr K. M. K. Cairns	Mr Graham	Mr Lucock	Mr Street
Mr Calder	Mr Hallett	Mr Lynch	Mr Swartz
Mr D. M. Cameron	Mr Hamer	Mr Mackay	Mr Turner
Mr Chipp	Mr Holten	Mr MacKellar	Mr Wentworth
Mr Corbett	Mr Howson	Mr Maisey	Mr Whittorn
Sir J. Cramer	Mr Hughes	Mr McLeay	<i>Tellers:</i>
Mr Dobie	Sir A. Hulme	Mr McMahon	Mr Fox
Mr Drury	Mr Hunt	Mr Nixon	Mr Turnbull

And so it was negatived.

3 PETITIONS: Mr Killen and Mr Keogh each presented a petition from certain citizens of the Commonwealth praying that the Federal Government take immediate steps to act on behalf of all Australian people to preserve Lake Pedder in its natural state.

Mr Luchetti and Mr L. R. Johnson each presented a petition from certain citizens of Australia praying that this House take immediate steps to ensure that emergency finance from the Commonwealth will be given to the States for their public education services which provide schooling for 78 per cent of Australia's children.

Mr Staley presented a petition from certain citizens of the community of La Trobe University praying that the Government take immediate action to introduce in order of priority (1) universal Commonwealth Scholarships, (2) Commonwealth Scholarships on the basis of need rather than academic ability and (3) the abolition of tertiary fees.

Mr Turnbull presented a petition from certain residents of Swan Hill, Victoria, praying that the Government will immediately increase aid to \$10 million for Pakistani refugee relief.

Mr Reid and Mr Wallis each presented a petition from certain citizens of Australia praying that the Government will provide \$10 million for relief purposes in India and East Pakistan and a further \$50 million over 3 years to help rehabilitate the refugees in East Pakistan.

Mr Wallis also presented a petition from certain citizens of Australia praying that this House should (1) increase monetary aid for refugees in India to at least \$1 per capita immediately and make provision for a further and extra grant for the victims of the famine in East Pakistan, (2) grant tax deductibility to donations of \$2 and over to Australian voluntary agencies working with the refugee problem and (3) ensure that the Australian Government does all in its power to help bring about a political settlement which would be acceptable to the people of East Pakistan.

Mr Lloyd presented a petition from certain citizens of Australia praying that the Government will (1) immediately increase aid, monetary or otherwise, for Pakistani refugee relief to the value of \$10 million, (2) grant as aid, on a continuing basis, a percentage of the gross national product, and (3) use every diplomatic channel possible to ease tension between the Indian and Pakistani Governments.

Mr L. R. Johnson also presented a petition from certain citizens of Australia praying that this House will (1) take immediate steps to make emergency finance available to the States for State school education and (2) divert the large sums of public money being spent on private schools to the government school system for which the Government is truly responsible.

Mr Howson (Minister for the Environment, Aborigines and the Arts) presented a petition from certain citizens of the Commonwealth praying that this House should urge that the Government cease all aid to the West Pakistan Government, either directly or through SEATO where this may be used for military purposes, and that such aid be applied for the relief of the refugees.

Mr Enderby presented a petition from certain citizens of the Australian Capital Territory praying that the words "or for preventing conception" be deleted from sub-section (1.) of section 46 of the A.C.T. Pharmacy Ordinance.

Mr Enderby also presented a petition from certain residents of the Australian Capital Territory praying that a committee of inquiry, on which are represented the Department of Education and Science, institutions of tertiary education, practising educators, and the Canberra community, be instituted to inquire into the form that an Australian Capital Territory Education Authority should take, the educational principles and philosophy that should underly it, and its mode of operation and administration.

Petitions severally received.

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

30 November 1971—Message—

No. 237—Export Incentive Grants 1971.

No. 238—States Grants (Housing) 1971.

No. 239—Homes Savings Grant 1971.

No. 240—Excise Tariff 1971 (*without requests*).

No. 241—Diesel Fuel Tax (No. 1) 1971 (*without requests*).

No. 242—Diesel Fuel Tax (No. 2) 1971 (*without requests*).

No. 243—Customs Tariff (No. 2) 1971 (*without requests*).

No. 244—Customs Tariff (No. 3) 1971 (*without requests*).

5 MESSAGE FROM THE GOVERNOR-GENERAL—ASSENT TO BILL: A message from His Excellency the Governor-General was announced informing the House that His Excellency, in the name of Her Majesty, had assented to the following Bill:

30 November 1971—Message No. 180—Pay-roll Tax (State Taxation of Commonwealth Authorities) 1971.

6 RESTRICTIVE TRADE PRACTICES BILL 1971: 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 and 2, by leave, taken together, and agreed to.

Clause 3 postponed until after Part IV.

Clauses 4 to 33, by leave, taken together, and agreed to.

Clause 34 postponed.

Part IV. (clauses 35 and 36) taken as a whole, by leave, and debated.

Question—That Part IV. be agreed to—put.

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

**AYES, 46**

Mr Armitage	Mr Cope	Mr Hayden	Mr Nicholls
Mr Barnard	Mr Crean	Mr Hurford	Mr Patterson
Mr Beazley	Mr Cross	Mr Jenkins	Mr Reynolds
Mr Bennett	Mr Daly	Mr L. R. Johnson	Mr Scholes
Mr Berinson	Mr Enderby	Mr Jones	Mr Sherry
Mr Bryant	Mr Everingham	Mr Keating	Mr Stewart
Mr J. F. Cairns	Mr FitzPatrick	Mr Kennedy	Mr Wallis
Mr C. R. Cameron	Mr Foster	Mr Keogh	Mr Webb
Mr Cass	Mr A. D. Fraser	Mr Kirwan	
Mr Cohen	Mr Garrick	Mr Klugman	<i>Tellers:</i>
Mr Collard	Mr Grassby	Mr Martin	Mr Duthie
Mr Connor	Mr Gun	Mr Morrison	Mr James

**NOES, 53**

Mr Bate	Mr Fairbairn	Mr Jess	Mr Pettitt
Mr N. H. Bowen	Mr J. M. Fraser	Mr Katter	Mr Reid
Mr Brown	Mr Garland	Mr Kelly	Mr Robinson
Mr Buchanan	Mr Giles	Mr Killen	Mr Solomon
Mr Bury	Mr Gorton	Mr King	Mr Staley
Mr K. M. K. Cairns	Mr Graham	Mr Lloyd	Mr Street
Mr Calder	Mr Hallett	Mr Lynch	Mr Swartz
Mr D. M. Cameron	Mr Hamer	Mr Mackay	Mr Turner
Mr Chipp	Mr Holten	Mr MacKellar	Mr Wentworth
Mr Corbett	Mr Howson	Mr Maisey	
Sir J. Cramer	Mr Hughes	Mr McLeay	<i>Tellers:</i>
Mr Dobie	Mr Hunt	Mr Nixon	Mr Fox
Mr Drury	Mr L. H. Irwin	Mr O'Keefe	Mr Turnbull
Mr G. D. Erwin	Mr Jarman	Mr Peacock	

And so it was negatived.

Postponed clause 3—

On the motion of Mr N. H. Bowen (Minister representing the Attorney-General), the following amendment was made: Page 1, line 14, omit "Part IV.—Predatory Pricing and Monopolization (Sections 35–36).".

Clause, as amended, agreed to.

Clause 37—

Mr Connor moved the following amendment: Page 15, at the end of the clause add the following sub-clause:

"(6.) Every examinable agreement shall be deemed unlawful until the contrary is proved and shall not be put into operation until the Trade Practices Tribunal has declared that it is not contrary to the public interest."

Debate continued.

Question—That the amendment be agreed to—put.

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

AYES, 45

Mr Armitage	Mr Cope	Mr Hayden	Mr Patterson
Mr Barnard	Mr Crean	Mr Hurford	Mr Reynolds
Mr Beazley	Mr Cross	Mr Jenkins	Mr Scholes
Mr Bennett	Mr Daly	Mr L. R. Johnson	Mr Sherry
Mr Berinson	Mr Enderby	Mr Jones	Mr Stewart
Mr Bryant	Mr Everingham	Mr Keating	Mr Wallis
Mr J. F. Cairns	Mr FitzPatrick	Mr Kennedy	Mr Webb
Mr C. R. Cameron	Mr Foster	Mr Keogh	
Mr Cass	Mr A. D. Fraser	Mr Kirwan	
Mr Cohen	Mr Garrick	Mr Klugman	<i>Tellers:</i>
Mr Collard	Mr Grassby	Mr Martin	Mr Duthie
Mr Connor	Mr Gun	Mr Morrison	Mr James

NOES, 50

Mr Bate	Mr G. D. Erwin	Mr Jess	Mr Reid
Mr N. H. Bowen	Mr Fairbairn	Mr Katter	Mr Robinson
Mr Brown	Mr J. M. Fraser	Mr Kelly	Mr Solomon
Mr Buchanan	Mr Garland	Mr Killen	Mr Staley
Mr Bury	Mr Giles	Mr King	Mr Street
Mr K. M. K. Cairns	Mr Hallett	Mr Lloyd	Mr Swartz
Mr Calder	Mr Hamer	Mr Lynch	Mr Turner
Mr D. M. Cameron	Mr Holten	Mr Mackay	Mr Wentworth
Mr Chipp	Mr Howson	Mr MacKellar	Mr Whittorn
Mr Corbett	Mr Hughes	Mr McLeay	
Sir J. Cramer	Mr Hunt	Mr O'Keefe	<i>Tellers:</i>
Mr Dobie	Mr L. H. Irwin	Mr Peacock	Mr Fox
Mr Drury	Mr Jarman	Mr Pettitt	Mr Turnbull

And so it was negatived.

Clause agreed to.

Clause 38—

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

Page 15, line 35, after "person" insert "by any express or implied threat or promise".

Page 16, lines 1–7, omit paragraph (b).

Clause, as amended, agreed to.

Clauses 39 to 41, by leave, taken together, and agreed to.

Postponed clause 34 and clause 42, by leave, taken together.

Mr Connor, by leave, moved the following amendments together:

Clause 34, page 12, at the end of the clause add the following sub-clause:

"(6.) The references in this section to the Register shall be read as references to the special section of the Register established in accordance with section 42 of this Act, and nothing in this section applies in relation to information contained in the portion of the Register other than the special section of the Register."

Clause 42, page 18, at the end of the clause add the following sub-clauses:

"(3.) The regulation shall provide for the maintenance of a special section of the Register, and for the filing in that section of such particulars as the Commissioner may direct, being—

(a) particulars containing information the publication of which would, in the opinion of the Commissioner, be contrary to the public interest; or

(b) particulars containing information as to any secret process of manufacture or as to the presence, absence or situation of any mineral or other deposits or as to any other similar matter, being information the publication of which, in the opinion of the Commissioner, would substantially damage the legitimate business interests of any person.

(4.) The Register, other than the special section, shall be open to public inspection during such hours and subject to payment of such fee as may be prescribed by the regulations.

(5.) Any person may, upon payment of such fee as may be prescribed by the regulations, require the Commissioner to supply to him a copy of, or extract from, any particulars filed in the Register, other than the special section, certified by the Commissioner to be a true copy or extract."

Debate continued.

Question—That the amendments be agreed to—put.

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

#### AYES, 44

Mr Armitage	Mr Crean	Mr Hurford	Mr Reynolds
Mr Barnard	Mr Cross	Mr Jenkins	Mr Scholes
Mr Beazley	Mr Daly	Mr L. R. Johnson	Mr Sherry
Mr Bennett	Mr Enderby	Mr Jones	Mr Stewart
Mr Berinson	Mr Everingham	Mr Keating	Mr Wallis
Mr Bryant	Mr FitzPatrick	Mr Kennedy	Mr Webb
Mr J. F. Cairns	Mr Foster	Mr Keogh	
Mr Cass	Mr A. D. Fraser	Mr Kirwan	
Mr Cohen	Mr Garrick	Mr Klugman	
Mr Collard	Mr Grassby	Mr Martin	<i>Tellers:</i>
Mr Connor	Mr Gun	Mr Morrison	Mr Duthie
Mr Cope	Mr Hayden	Mr Patterson	Mr James

#### NOES, 50

Mr Bate	Mr G. D. Erwin	Mr Jess	Mr Reid
Mr N. H. Bowen	Mr Fairbairn	Mr Katter	Mr Robinson
Mr Brown	Mr J. M. Fraser	Mr Kelly	Mr Solomon
Mr Buchanan	Mr Garland	Mr Killen	Mr Staley
Mr Bury	Mr Giles	Mr King	Mr Street
Mr K. M. K. Cairns	Mr Hallett	Mr Lloyd	Mr Swartz
Mr Calder	Mr Hamer	Mr Lynch	Mr Turner
Mr D. M. Cameron	Mr Holten	Mr Mackay	Mr Wentworth
Mr Chipp	Mr Howson	Mr MacKellar	Mr Whittorn
Mr Corbett	Mr Hughes	Mr McLeay	
Sir J. Cramer	Mr Hunt	Mr O'Keefe	<i>Tellers:</i>
Mr Dobie	Mr L. H. Irwin	Mr Peacock	Mr Fox
Mr Drury	Mr Jarman	Mr Pettitt	Mr Turnbull

And so it was negatived.

Postponed clause 34 and clause 42 agreed to.

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

Bill to be reported with amendments.

The House resumed; Mr Lucock reported accordingly.

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

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

##### 1 December 1971—Message—

No. 245—States Grants (Universities) (No. 2) 1971.

No. 246—Australian Universities Commission 1971.

No. 247—States Grants (Advanced Education) 1971.

No. 248—Australian Commission on Advanced Education 1971.

No. 249—States Grants (Secondary Schools Libraries) 1971.

#### 8 APPROPRIATION BILL (NO. 3) 1971–72: 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 by Mr Patterson who moved, as an amendment—That all words after “That” be omitted with a view to inserting the following words in place thereof: “whilst not declining to give the Bill a second reading the House is of the opinion that complementary legislation should be introduced without delay to establish a single statutory marketing authority to acquire, appraise and market the entire wool clip and that this authority should encompass the functional responsibilities of the Australian Wool Board and the Australian Wool Commission”.

Debate continued.

The House continuing to sit until after midnight—

## THURSDAY, 2 DECEMBER 1971

Debate continued.

Question—That the words proposed to be omitted stand part of the question—put.  
The House divided (the Deputy Speaker, Mr Lucock, in the Chair)—

### AYES, 44

Mr Bate	Mr J. M. Fraser	Mr King	Mr Solomon
Mr N. H. Bowen	Mr Garland	Mr Lloyd	Mr Staley
Mr Brown	Mr Giles	Mr Lynch	Mr Street
Mr K. M. K. Cairns	Mr Hallett	Mr Mackay	Mr Swartz
Mr Calder	Mr Hamer	Mr MacKellar	Mr Wentworth
Mr D. M. Cameron	Mr Holten	Mr McLeay	Mr Whittorn
Mr Chipp	Mr Howson	Mr Nixon	
Mr Corbett	Mr Hughes	Mr O'Keefe	
Mr Dobie	Mr Hunt	Mr Peacock	
Mr Drury	Mr Jarman	Mr Pettitt	<i>Tellers:</i>
Mr G. D. Erwin	Mr Katter	Mr Reid	Mr Fox
Mr Fairbairn	Mr Kelly	Mr Robinson	Mr Turnbull

### NOES, 41

Mr Armitage	Mr Cope	Mr Hurford	Mr Patterson
Mr Barnard	Mr Crean	Mr Jenkins	Mr Reynolds
Mr Beazley	Mr Cross	Mr L. R. Johnson	Mr Scholes
Mr Bennett	Mr Enderby	Mr Jones	Mr Sherry
Mr Berinson	Mr Everingham	Mr Keating	Mr Stewart
Mr Bryant	Mr FitzPatrick	Mr Kennedy	Mr Wallis
Mr J. F. Cairns	Mr Foster	Mr Keogh	
Mr Cass	Mr Garrick	Mr Kirwan	
Mr Cohen	Mr Grassby	Mr Klugman	<i>Tellers:</i>
Mr Collard	Mr Gun	Mr Martin	Mr Duthie
Mr Connor	Mr Hayden	Mr Morrison	Mr James

And so it was resolved in the affirmative.

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Nixon (Acting Minister for Primary Industry), the Bill was read a third time.

9 ADJOURNMENT: Mr Chipp (Deputy Leader of the House) moved—That the House do now adjourn.

Question—put and passed.

And then the House, at twenty-eight minutes past twelve o'clock midnight, adjourned until this day at ten o'clock a.m.

PAPERS: The following papers were deemed to have been presented on 1 December 1971, pursuant to statute:

Air Force Act—Regulations—Statutory Rules 1971, No. 153.

High Commissioner (United Kingdom) Act—Regulations—Statutory Rules 1971, No. 151.

Income Tax Assessment Act—Regulation—Statutory Rules 1971, No. 148.

National Health Act—Regulations—Statutory Rules 1971, No. 154.

Naval Defence Act—Regulations—Statutory Rules 1971, No. 149.

Navigation Act—Regulations—Statutory Rules 1971, No. 152.

Public Service Act—Regulation—Statutory Rules 1971, No. 150.

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MEMBERS PRESENT: All Members were present (at some time during the sitting) except Sir Charles Adermann, Mr Calwell, Mr Jacobi and Mr Sinclair.

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A. G. TURNER,  
Clerk of the House of Representatives