

AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 24

THURSDAY, 10 MAY 1973

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

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

Mr Hayden (Minister for Social Security), Mr Daly (Minister for Services and Property), Mr Beazley (Minister for Education), Mr Connor (Minister for Minerals and Energy), Mr Enderby (Minister for the Capital Territory), Dr Everingham (Minister for Health), Mr Lynch (Deputy Leader of the Opposition), Mr Anthony (Leader of the Australian Country Party), Mr Sinclair (Deputy Leader of the Australian Country Party), Mr Adermann, Mr Armitage, Mr Ashley-Brown, Mr Bennett, Mr Bouchier, Mr D. M. Cameron, Mr Collard, Mr Cooke, Mr Corbett, Mr Cross, Mr Doyle, Mr Drummond, Mr Drury, Mr Erwin, Mr Fairbairn, Mr Fisher, Mr FitzPatrick, Mr Fox, Mr Fraser, Mr Fulton, Mr Giles, Mr Graham, Dr Gun, Mr Hallett, Mr Hansen, Mr Holten, Mr Hunt, Mr Hurford, Mr Jacobi, Mr Jarman, Mr Katter, Mr Keating, Mr Kelly, Mr Keogh, Mr Kerin, Mr King, Mr Lloyd, Mr Luchetti, Mr Lucock, Mr MacKellar, Mr McKenzie, Mr McLeay, Mr McVeigh, Mr Maisey, Mr Mathews, Mr Mulder, Mr Nicholls, Mr O'Keefe, Mr Olley, Mr Peacock, Mr Reynolds, Mr Riordan, Mr E. L. Robinson, Mr I. L. Robinson, Mr Scholes, Mr Sherry, Mr Staley, Mr Turner, Mr Viner, Mr Wallis and Mr Whan—from certain citizens of Australia praying that the House should not admit into the law of this land a principle which violates the fundamental right to life.

Mr Daly, Mr Uren (Minister for Urban and Regional Development), Mr Stewart (Minister for Tourism and Recreation), Mr Morrison (Minister for Science), Mr McMahon, Mr Armitage, Mr Ashley-Brown, Sir John Cramer, Mr Edwards, Mr Graham, Dr Klugman, Mr MacKellar, Mr Mulder, Mr Reynolds, Mr Riordan, Mr Turner and Mr Wentworth—from certain citizens of Australia praying that the House will not extend the laws governing abortion and will uphold the right to life of the unborn child.

Mr Enderby—from certain electors of the Division of the Australian Capital Territory; Mr Martin and Mr Turner—from certain citizens of New South Wales; Mr Mulder—from certain nurses of Australia; Mr Olley—from certain electors of the Division of Hume; and Mr Whan—from certain electors of the Division of Eden-Monaro; in terms similar to the last preceding petition.

Mr Snedden (Leader of the Opposition), Mr Bouchier, Mr Jarman, Mr Scholes and Mr Willis—from certain citizens of the Commonwealth praying that the House should maintain the existing laws covering abortion.

Mr Enderby and Mr Calder—from certain residents of Darwin praying that no steps be taken to widen the existing grounds for abortion and that efforts be made to enforce the present law.

Mr Calder—from certain residents of Katherine in terms similar to the last preceding petition.

Mr Hansen—from certain citizens of the Commonwealth praying that the House should not admit into the law the principle that pregnancy may be terminated in its earlier weeks on the request of the woman alone.

Mr Lamb and Mr McKenzie—from certain citizens of the Commonwealth praying that the proposed Medical Practice Clarification Act be passed as originally proposed without amendment.

Mr Enderby—from certain citizens of the Commonwealth praying that the House support the Medical Practice Clarification Bill as part of a programme which should include adequate sex education, free contraceptives, birth control clinics and abortion counselling.

Mr Enderby—from certain citizens of the Commonwealth praying that the House will recognize the recent anti-abortion campaign as ill-conceived and not representative of the community as a whole.

Mr Enderby—from certain citizens of Australia praying that the Government will immediately legislate for a base pension rate of 30 per cent of average weekly male earnings and other health and social service changes, and initiate a public inquiry into Australia's social welfare structure.

Petitions received.

- 3 APOLOGY BY MEMBER: Mr Garland, having entered the Chamber, stated that he had had no desire, yesterday, to challenge the authority of the Chair and apologised to Mr Speaker.

- 4 QUESTIONS: Questions without notice were asked.

- 5 PAPERS: The following papers were presented, by command of His Excellency the Governor-General:

Secondary Education for Canberra—Report of the Working Committee on College Proposals for the Australian Capital Territory.

Tasmania's Interstate Transport Problems—An assessment prepared by the Bureau of Transport Economics, Department of Transport, dated March 1973.

- 6 PUBLIC WORKS COMMITTEE—REPORT: Mr Fulton (Chairman) brought up the following report from the Parliamentary Standing Committee on Public Works:

Report relating to the proposal to construct Wellington telephone exchange at Perth (First report of 1973).

Ordered to be printed.

- 7 SUSPENSION OF STANDING ORDERS MOVED: Mr Snedden (Leader of the Opposition) moved—That so much of the standing orders be suspended as would prevent a motion being moved to vary the decision of the House to limit debate on the second reading of the Medical Practice Clarification Bill so as to give an opportunity to all Members, if they so wish, to express a view on the second reading stage of the Bill.

Debate ensued.

The time allowed by standing order 91 for debate on the motion having expired—
Question—put.

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

AYES, 57

Mr Adermann	Mr Erwin	Mr Kelly	Mr I. L. Robinson
Mr Anthony	Mr Fairbairn	Mr Killen	Mr Sinclair
Mr Bonnett	Mr Fisher	Mr King	Mr Snedden
Mr Bouchier	Dr Forbes	Mr Lloyd	Mr Staley
Mr N. H. Bowen	Mr Fraser	Mr Lucock	Mr Street
Mr Bury	Mr Garland	Mr Lynch	Mr Turner
Mr Calder	Mr Giles	Mr MacKellar	Mr Viner
Mr D. M. Cameron	Mr Gorton	Mr McLeay	Mr Wentworth
Mr Chipp	Mr Graham	Mr McMahon	Mr Whittorn
Mr Cooke	Mr Hallett	Mr McVeigh	Mr Wilson
Mr Corbett	Mr Hamer	Mr Maisey	
Sir J. Cramer	Mr Holten	Mr Nixon	
Mr Drummond	Mr Hunt	Mr O'Keefe	<i>Tellers:</i>
Mr Drury	Mr Jarman	Mr Peacock	Mr England
Mr Edwards	Mr Katter	Mr E. L. Robinson	Mr Fox

NOES, 60

Mr Armitage	Mr Doyle	Mr Jones	Mr Reynolds
Mr Ashley-Brown	Mr Duthie	Mr Keating	Mr Riordan
Mr Beazley	Dr Everingham	Mr Keogh	Mr Scholes
Mr Bennett	Mr FitzPatrick	Mr Kerin	Mr Sherry
Mr Berinson	Mr Fulton	Dr Klugman	Mr Stewart
Mr Birrell	Mr Garrick	Mr Lamb	Mr Thorburn
Mr L. F. Bowen	Mr Grassby	Mr Luchetti	Mr Uren
Mr Bryant	Dr Gun	Mr McKenzie	Mr Wallis
Mr C. R. Cameron	Mr Hayden	Mr Martin	Mr Whan
Dr Cass	Mr Hurford	Mr Mathews	Mr Willis
Mr Coates	Mr Innes	Mr Morris	
Mr Collard	Mr Jacobi	Mr Morrison	
Mr Connor	Mr James	Mr Mulder	
Mr Cross	Dr Jenkins	Mr Oldmeadow	<i>Tellers:</i>
Mr Daly	Mr L. K. Johnson	Mr Olley	Mr Hansen
Mr Davies	Mr L. R. Johnson	Dr Patterson	Mr Nicholls

And so it was negatived.

- 8 MEDICAL PRACTICE CLARIFICATION BILL 1973: Mr McKenzie, pursuant to notice, presented a Bill for an Act for the Clarification and removal of Doubts amongst the Medical Profession within the Australian Capital Territory in the matter of the lawful termination of pregnancy at the request of a Woman or when deemed in appropriate medical judgment to be necessary.

Bill read a first time.

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

Debate ensued.

Mr Mathews moved, as an amendment—That all words after “That” be omitted with a view to inserting the following words in place thereof: “this House is of opinion that a Royal Commission, of which the Chairman shall be a Supreme Court Justice and a majority of members shall be women, should enquire into and report within twelve months upon:

- (1) How many abortions are performed each year in Australia and what are the characteristics of the women who are aborted and the circumstances in which abortions occur.
- (2) What are the consequences of abortion for women who are aborted, practitioners performing abortion procedures, police enforcing the laws on abortion and the community as a whole.
- (3) What are the courses open to women who carry through unwanted pregnancies and what are the consequences of each course for the mother and for the child.
- (4) How effective are the laws on abortion of the Australian Capital Territory, of each State and of countries comparable with Australia, what alternatives to the law in the Australian Capital Territory are offered by laws in other places and what are the likely medical, social and economic effects associated with each alternative.

- (5) In what ways can the incidence of abortion be reduced by improving services and facilities such as sex education in schools, family planning clinics, supply of contraceptives, pregnancy support agencies, adoption agencies and social security payments.
- (6) Other matters which the Commission regards as relevant to abortion and the shortcomings in fertility control of which abortion is an expression.”.

Debate continued.

The time allotted for the debate having expired, the debate was interrupted in accordance with the order of the House of 9 May.

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

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

AYES, 80

Mr Adermann	Mr Doyle	Mr Jacobi	Mr Olley
Mr Anthony	Mr Drummond	Mr Jarman	Dr Patterson
Mr Armitage	Mr Drury	Mr Katter	Mr Reynolds
Mr Ashley-Brown	Mr Edwards	Mr Keating	Mr Riordan
Mr Barnard	Mr England	Mr Kelly	Mr E. L. Robinson
Mr Beazley	Mr Erwin	Mr Keogh	Mr I. L. Robinson
Mr Birrell	Mr Fairbairn	Mr Killen	Mr Sherry
Mr Bonnett	Mr Fisher	Mr King	Mr Sinclair
Mr Bouchier	Mr FitzPatrick	Mr Lloyd	Mr Snedden
Mr L. F. Bowen	Dr Forbes	Mr Luchetti	Mr Staley
Mr N. H. Bowen	Mr Fraser	Mr Lucock	Mr Stewart
Mr Calder	Mr Fulton	Mr Lynch	Mr Street
Mr D. M. Cameron	Mr Garland	Mr MacKellar	Mr Viner
Mr Collard	Mr Giles	Mr McLeay	Mr Wentworth
Mr Connor	Mr Graham	Mr McMahon	Mr Whittorn
Mr Cooke	Mr Grassby	Mr McVeigh	
Mr Corbett	Mr Hallett	Mr Maisey	
Sir J. Cramer	Mr Hamer	Mr Martin	
Mr Cross	Mr Hewson	Mr Mulder	<i>Tellers:</i>
Mr Daly	Mr Holten	Mr Nixon	Mr Fox
Mr Davies	Mr Hunt	Mr O'Keefe	Mr Hansen

NOES, 42

Mr Bennett	Dr Everingham	Mr Kerin	Mr Turner
Mr Berinson	Mr Garrick	Dr Klugman	Mr Uren
Mr Bryant	Mr Gorton	Mr Lamb	Mr Wallis
Mr Bury	Dr Gun	Mr McKenzie	Mr Whan
Mr C. R. Cameron	Mr Hayden	Mr Mathews	Mr Whittlam
Dr Cass	Mr Hurford	Mr Morris	Mr Willis
Mr Chipp	Mr Innes	Mr Morrison	Mr Wilson
Mr Coates	Dr Jenkins	Mr Oldmeadow	
Mr Crean	Mr L. K. Johnson	Mr Peacock	<i>Tellers:</i>
Mr Duthie	Mr L. R. Johnson	Mr Scholes	Mr James
Mr Enderby	Mr Jones	Mr Thorburn	Mr Nicholls

And so it was resolved in the affirmative.

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

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

AYES, 23

Mr Bryant	Dr Everingham	Mr L. K. Johnson	Mr Whan
Mr C. R. Cameron	Mr Garrick	Mr L. R. Johnson	Mr Whittlam
Dr Cass	Dr Gun	Mr Lamb	Mr Willis
Mr Coates	Mr Hayden	Mr McKenzie	<i>Tellers:</i>
Mr Crean	Mr Innes	Mr Oldmeadow	Mr James
Mr Enderby	Dr Jenkins	Mr Uren	Mr Nicholls

NOES, 98

Mr Adermann	Mr Doyle	Mr Jarman	Mr Olley
Mr Anthony	Mr Drummond	Mr Jones	Dr Patterson
Mr Armitage	Mr Drury	Mr Katter	Mr Peacock
Mr Ashley-Brown	Mr Duthie	Mr Keating	Mr Reynolds
Mr Barnard	Mr Edwards	Mr Kelly	Mr Riordan
Mr Beazley	Mr England	Mr Keogh	Mr E. L. Robinson
Mr Bennett	Mr Erwin	Mr Kerin	Mr I. L. Robinson
Mr Berinson	Mr Fairbairn	Mr Killen	Mr Scholes
Mr Birrell	Mr Fisher	Mr King	Mr Sherry
Mr Bonnett	Mr FitzPatrick	Mr Lloyd	Mr Sinclair
Mr Bouchier	Dr Forbes	Mr Luchetti	Mr Snedden
Mr L. F. Bowen	Mr Fraser	Mr Lucock	Mr Staley
Mr N. H. Bowen	Mr Fulton	Mr Lynch	Mr Stewart
Mr Bury	Mr Garland	Mr MacKellar	Mr Street
Mr Calder	Mr Giles	Mr McLeay	Mr Thorburn
Mr D. M. Cameron	Mr Gorton	Mr McMahon	Mr Turner
Mr Chipp	Mr Graham	Mr McVeigh	Mr Viner
Mr Collard	Mr Grassby	Mr Maisey	Mr Wallis
Mr Connor	Mr Hallett	Mr Martin	Mr Wentworth
Mr Cooke	Mr Hamer	Mr Mathews	Mr Whittorn
Mr Corbett	Mr Hewson	Mr Morris	Mr Wilson
Sir J. Cramer	Mr Holten	Mr Morrison	
Mr Cross	Mr Hunt	Mr Mulder	<i>Tellers:</i>
Mr Daly	Mr Hurford	Mr Nixon	Mr Fox
Mr Davies	Mr Jacobi	Mr O'Keefe	Mr Hansen

And so it was negatived.

- 9 INSURANCE BILL 1973: Mr Crean (Treasurer), pursuant to notice, presented a Bill for an Act relating to Insurance.

Bill read a first time.

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

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

- 10 INSURANCE (DEPOSITS) BILL 1973: Mr Crean (Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Insurance Act 1932–1966*.

Bill read a first time.

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

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

- 11 LIFE INSURANCE BILL 1973: Mr Crean (Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Life Insurance Act 1945–1965*.

Bill read a first time.

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

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

- 12 EXPORT INCENTIVE GRANTS BILL 1973: Mr Crean (Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Export Incentive Grants Act 1971*.

Bill read a first time.

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

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

- 13 PAY-ROLL TAX ASSESSMENT BILL 1973: Mr Crean (Treasurer) presented a Bill for an Act to amend the *Pay-roll Tax Assessment Act 1941–1969* in relation to Rebates of Tax by reference to Exports of Gold.

Bill read a first time.

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

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

- 14 SEAS AND SUBMERGED LANDS BILL 1973: Mr Connor (Minister for Minerals and Energy), pursuant to notice, presented a Bill for an Act relating to Sovereignty in respect of certain Waters of the Sea and in respect of the Airspace over, and the Sea-bed and Subsoil beneath, those Waters and to Sovereign Rights in respect of the Continental Shelf and relating also to the Recovery of Minerals, other than Petroleum, from the Sea-bed and Subsoil beneath those Waters and from the Continental Shelf.

Bill read a first time.

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

Ordered—That Mr Connor be granted an extension of time.

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

- 15 SEAS AND SUBMERGED LANDS (ROYALTY ON MINERALS) BILL 1973: Mr Connor (Minister for Minerals and Energy) presented a Bill for an Act to impose a Royalty upon Minerals other than Petroleum recovered from Submerged Lands adjacent to the Australian Coast or to the Coasts of certain Territories of the Commonwealth.

Bill read a first time.

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

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

- 16 PIPELINE AUTHORITY BILL 1973: Mr Connor (Minister for Minerals and Energy), pursuant to notice, presented a Bill for an Act to establish a Pipeline Authority.

Bill read a first time.

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

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

- 17 AUSTRALIAN CITIZENSHIP BILL 1973: The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—

Debate resumed.

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

The House resolved itself into a committee of the whole.

In the committee

Bill, by leave, taken as a whole.

Mr Sinclair (Deputy Leader of the Australian Country Party) moved the following amendment: Clause 19, page 10, omit the clause, substitute the following clause:

“19. The Second and Third Schedules to the Principal Act are repealed and the following Schedules substituted:—

Second
and Third
Schedules.

SCHEDULE 2

Section 15

OATH OF ALLEGIANCE

I, A.B., renouncing all other allegiance, swear by Almighty God that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second of Australia, Her heirs and successors according to law, and that I will faithfully observe the laws of Australia and fulfil my duties as an Australian citizen.

AFFIRMATION OF ALLEGIANCE

I, A.B., renouncing all other allegiance, solemnly and sincerely promise and declare that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second of Australia, Her heirs and successors according to law, and that I will faithfully observe the laws of Australia and fulfil my duties as an Australian citizen.

SCHEDULE 3

Section 26A

OATH OF ALLEGIANCE

I, A.B., renouncing all other allegiance, swear by Almighty God that I will be faithful and bear true allegiance to Her Majesty, Queen Elizabeth the Second of Australia, Her heirs and successors according to law.

AFFIRMATION OF ALLEGIANCE

I, A.B., renouncing all other allegiance, solemnly and sincerely promise and declare that I will be faithful and bear true allegiance to Her Majesty, Queen Elizabeth the Second of Australia, Her heirs and successors according to law."

Debate continued.

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

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

AYES, 60

Mr Ashley-Brown	Mr Davies	Mr L. K. Johnson	Mr Olley
Mr Barnard	Mr Doyle	Mr L. R. Johnson	Dr Patterson
Mr Beazley	Mr Duthie	Mr Jones	Mr Riordan
Mr Bennett	Mr Enderby	Mr Keating	Mr Sherry
Mr Berinson	Dr Everingham	Mr Keogh	Mr Stewart
Mr Birrell	Mr FitzPatrick	Mr Kerin	Mr Thorburn
Mr L. F. Bowen	Mr Fulton	Dr Klugman	Mr Uren
Mr Bryant	Mr Garrick	Mr Lamb	Mr Wallis
Mr C. R. Cameron	Mr Grassby	Mr Luchetti	Mr Whan
Dr Cass	Dr Gun	Mr McKenzie	Mr Willis
Mr Coates	Mr Hayden	Mr Martin	
Mr Collard	Mr Hurford	Mr Mathews	
Mr Connor	Mr Innes	Mr Morris	
Mr Crean	Mr Jacobi	Mr Morrison	<i>Tellers:</i>
Mr Cross	Mr James	Mr Mulder	Mr Hansen
Mr Daly	Dr Jenkins	Mr Oldmeadow	Mr Nicholls

NOES, 46

Mr Anthony	Mr Fisher	Mr Kelly	Mr Sinclair
Mr Bonnett	Dr Forbes	Mr King	Mr Staley
Mr Bouchier	Mr Garland	Mr Lloyd	Mr Street
Mr Bury	Mr Gorton	Mr Lucock	Mr Turner
Mr D. M. Cameron	Mr Graham	Mr Lynch	Mr Viner
Mr Cooke	Mr Hallett	Mr MacKellar	Mr Wentworth
Sir J. Cramer	Mr Hamer	Mr McVeigh	Mr Whittorn
Mr Drummond	Mr Hewson	Mr Maisey	Mr Wilson
Mr Drury	Mr Holten	Mr Nixon	
Mr Edwards	Mr Hunt	Mr O'Keefe	<i>Tellers:</i>
Mr Erwin	Mr Jarman	Mr Peacock	Mr England
Mr Fairbairn	Mr Katter	Mr E. L. Robinson	Mr Giles

And so it was resolved in the affirmative.

Bill agreed to.

Bill to be reported without amendment.

The House resumed; Mr Scholes reported accordingly.

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

18 CITIES COMMISSION BILL 1973: The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—

Debate resumed.

Mr Garland addressing the House—

ADJOURNMENT: It being fifteen minutes past ten o'clock p.m.—The question was proposed—That the House do now adjourn.
Debate ensued.

The House continuing to sit until eleven o'clock p.m.—Mr Speaker adjourned the House until Tuesday next at ten o'clock a.m., or such time thereafter as Mr Speaker may take the Chair.

PAPER: The following paper was deemed to have been presented on 10 May 1973, pursuant to statute:

Commonwealth Railways Act—Commonwealth Railways Commissioner balance sheet as at 30 June 1972 (*in substitution for balance sheet included in Report of Commissioner for year 1971–72 presented on 8 March 1973*).

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Dr Cairns and Mr Cohen.

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