

AUSTRALIA
HOUSE OF REPRESENTATIVES
VOTES AND PROCEEDINGS

No. 34

THURSDAY, 31 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 Hunt and Mr Wilson—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.

Dr Cass (Minister for the Environment and Conservation)—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.

Petitions received.

3 QUESTIONS: Questions without notice were asked.

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

Education in the Australian Capital Territory—Governance and Organisation—
Report of the Assessment Panel on the A.C.T. Education Authority, dated 30 May 1973.

Schools in Australia—Letter dated 11 April 1973, from Emeritus Professor P. H. Karmel, C.B.E., Chairman of the Interim Schools Committee for the Australian Schools Commission, to the Honourable K. E. Beazley, M.P., Minister for Education, and reply, dated 13 April 1973.

Wildlife Conservation—Transcript of the proceedings of the conference between Commonwealth and State Ministers with responsibilities for wildlife conservation, held at Melbourne on 9 March 1973.

5 PUBLIC ACCOUNTS COMMITTEE—REPORT—STATEMENT BY MEMBER: Mr Hurford (Chairman) brought up the following report from the Joint Committee of Public Accounts: One hundred and forty-fourth Report—Department of Education and Science.

Ordered—That the report be printed.

Mr Hurford, by leave, made a statement in connection with the report.

6 CONSTITUTIONAL CONVENTION—PARTICIPATION BY AUSTRALIAN PARLIAMENT: Mr Whitlam (Prime Minister) moved, pursuant to notice—

That the House of Representatives, recognizing the desirability of a thorough review of the Australian Constitution in the light of experience since its establishment and of modern day requirements, welcomes the opportunity for the Australian Parliament to participate with the Parliaments of the States in the Constitutional Convention to be convened for this purpose in September of this year, and at such subsequent times as the Convention from time to time determines, and agrees:

(1) That the Australian Parliament join with the Parliaments of the States in the Convention:

- (2) That, for the purposes of the Convention—
- (a) a Delegation from the Australian Parliament consisting of sixteen members of the Parliament take part in the deliberations of the Convention, of whom six shall be appointed by the Senate and ten shall be appointed by the House of Representatives;
 - (b) the ten members appointed by the House of Representatives comprise five members of the Australian Labor Party, three members of the Liberal Party of Australia and two members of the Australian Country Party;
- (3) That the Prime Minister, the Honourable E. G. Whitlam, Q.C., the Honourable K. E. Enderby, Mr R. Jacobi, Dr R. T. Gun and Mr G. G. D. Scholes, being members of the Australian Labor Party, the Leader of the Opposition, the Right Honourable B. M. Snedden, Q.C., the Honourable N. H. Bowen, Q.C., and the Honourable D. J. Killen, being members of the Liberal Party of Australia, and the Right Honourable J. D. Anthony and the Honourable I. M. Sinclair, being members of the Australian Country Party, are appointed members of the Delegation:
- (4) That the Prime Minister be the Leader of the Delegation, and the Leader of the Opposition be the Deputy Leader:
- (5) That a member of the Delegation cease to be such a member if—
- (a) he ceases to be a member of the Australian Parliament;
 - (b) the House of the Parliament by which he has been appointed terminates his appointment; or
 - (c) he resigns as a member of the Delegation by writing addressed to the President of the Senate or the Speaker of the House of Representatives, as the case requires:
- (6) That where, because of illness or other cause, a member of the Delegation is not available to attend a meeting of the Convention, the Leader or senior available member of the Party in the House from which the member was drawn may nominate an alternate member (being a member of the House by which the first mentioned member was appointed) and the member so nominated shall be a member of the Delegation for that meeting:
- (7) That, in the event of the death or resignation of a member of the Delegation, the Leader or senior available member of the Party in the House from which the member was drawn may nominate another member (being a member of the House by which the first-mentioned member was appointed) to replace the first-mentioned member until that House appoints a member in his place:
- (8) That the Leader of the Delegation from time to time make a report for presentation to each House of the Parliament on matters arising out of the Convention, and that the Deputy Leader of the Delegation may make an accompanying report.

Debate ensued.

Question—put and passed.

Mr Whitlam then moved—That a message be sent to the Senate acquainting it of the resolution agreed to by the House of Representatives.

Question—put and passed.

7 **FILM AND TELEVISION SCHOOL BILL 1973:** Mr Whitlam (Prime Minister), pursuant to notice, presented a Bill for an Act to establish a Film and Television School.

Bill read a first time.

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

Debate, by leave, ensued.

Mr Gorton was granted leave to continue his speech when the debate is resumed.

Debate adjourned, and the resumption of the debate made an order of the day for a later hour this day.

8 ENVIRONMENT AND CONSERVATION—STANDING COMMITTEE: Dr Cass (Minister for the Environment and Conservation) moved, pursuant to notice—

- (1) That a Standing Committee be appointed to inquire into and report on :
 - (a) environmental aspects of legislative and administrative measures which ought to be taken in order to ensure the wise and effective management of the Australian environment and of Australia's natural resources; and
 - (b) such other matters relating to the environment and conservation and the management of Australia's natural resources as are referred to it by—
 - (i) the Minister for the Environment and Conservation, or
 - (ii) resolution of the House.
- (2) That the committee recognise the responsibility of the States in these matters and seek their co-operation in all relevant aspects.
- (3) That the committee consist of seven members, four to be nominated by the Prime Minister, two to be nominated by the Leader of the Opposition and one to be nominated by the Leader of the Australian Country Party.
- (4) That every nomination of a member of the committee be forthwith notified in writing to the Speaker.
- (5) That the members of the committee hold office as a committee until the House of Representatives expires by dissolution or effluxion of time.
- (6) That the committee elect as Chairman of the committee one of the members nominated by the Prime Minister.
- (7) That the Chairman of the committee may, from time to time, appoint another member of the committee to be the Deputy Chairman of the committee, and that the member so appointed act as Chairman of the committee at any time when the Chairman is not present at a meeting of the committee.
- (8) That the committee have power to appoint sub-committees consisting of three or more of its members, and refer to any such sub-committee any matter which the committee is empowered to examine.
- (9) That three members of the committee constitute a quorum of the committee, and a majority of a sub-committee constitute a quorum of that sub-committee.
- (10) That the committee or any sub-committee have power to send for persons, papers and records, to move from place to place, and to sit during any recess or adjournment.
- (11) That the committee have power to authorise publication of any evidence given before it and any document presented to it.
- (12) That the committee be provided with all necessary staff, facilities and resources and have power, with the approval of the Speaker, to appoint persons with specialist knowledge for the purposes of the committee.
- (13) That the committee have leave to report from time to time and that any member of the committee have power to add a protest or dissent to any report.
- (14) That the committee be empowered to confer with a similar committee of the Senate.
- (15) That the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

Debate ensued.

Question—put and passed.

9 GRIEVANCE DEBATE: Pursuant to the provisions of standing order 106, the order of the day having been read—

Question proposed—That grievances be noted.

Debate ensued.

Question—put and passed.

10 INCOME TAX ASSESSMENT 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 Adermann moved, as an amendment—That all words after “That” be omitted with a view to inserting the following words in place thereof: “the Bill be withdrawn and re-drafted so that those sections which relate to dividends and excess distribution shall not have retrospectivity”.

Debate continued.

Amendment negatived.

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

The House resolved itself into a committee of the whole.

In the committee

Clauses 1 to 23, by leave, taken together, and agreed to.

Clause 24—

On the motion of Mr Crean (Treasurer), the following amendment was made, after debate: Page 39, after sub-clause (3) insert the following sub-clause:

“(3A) In relation to assessments in respect of income of the year of income that commenced on 1st July, 1972—

- (a) sub-sections 80B (9) and 80DA (1) of the Principal Act as amended by this Act have effect as if the references in those sub-sections to sub-section 80A (5) of that Act as so amended were references to sub-section 80A (2) of the Principal Act; and
- (b) section 80DA of the Principal Act as amended by this Act has effect for the purposes of the application of that section in relation to a loss, or a part of a loss, incurred by a company as if a reference in that section to continuing shareholders in the company were—
 - (i) in a case to which sub-paragraphs (ii) and (iii) do not apply—a reference to persons referred to in sub-section 80A (1) of the Principal Act;
 - (ii) if section 80C of the Principal Act applies for the purpose of determining whether the loss, or the part of the loss, is to be taken into account for the purposes of section 80 or section 80AA of that Act—a reference to persons referred to in paragraph 80C (1) (b) of the Principal Act; or
 - (iii) if section 80D of the Principal Act applies in relation to section 80A of that Act for the purpose of determining whether the loss, or the part of the loss, is to be so taken into account—a reference to persons referred to in sub-section 80A (1) of the Principal Act as affected by section 80D of that Act.”

On the motion of Mr Garland, the following further amendment was made, after debate: Page 42, at the end of the clause add the following sub-clause:

“(13) Where, but for this sub-section—

- (a) there would be an undistributed amount in relation to a private company in relation to the year of income that ended on 30th June, 1972; or
- (b) the undistributed amount in relation to a private company in relation to that year of income would be increased,

by reason that the whole or any part of an excess distribution made by the company for an earlier year of income is not, by reason of the amendment made by section 19, included in a notional dividend that is deemed to have been paid by the company during the period that is the prescribed period in relation to the first-mentioned year of income, then, any dividends paid by the company during the period that commenced at the expiration of that prescribed period and ends on 15th June, 1973, to persons who were shareholders in the company at the expiration of that prescribed period and continued to be shareholders in the company until the dividends were paid, shall, if the company elects not later than 30th June, 1973, by notice in writing to the Commissioner, that this sub-section should apply in relation to

the company, be deemed, to the extent to which those dividends do not exceed the undistributed amount or the amount of the increase, as the case may be—

- (c) to have been paid by the company during that prescribed period; and
- (d) not to have been paid by the company in any period that is the prescribed period in relation to another year of income in so far as the time of payment of those dividends is relevant for determining whether the company is deemed, for the purposes of Division 7 of Part III of the Principal Act as amended by this Act, to have made a sufficient distribution, or to have paid in dividends an amount in excess of the lowest amount that would have been a sufficient distribution, in relation to that other year of income.”.

Clause, as amended, agreed to.

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

Bill to be reported with amendments.

The House resumed; Mr Scholes reported accordingly.

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

- 11 INCOME TAX ASSESSMENT BILL (No. 2) 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—

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Crean (Treasurer), the Bill was read a third time.

- 12 INCOME TAX ASSESSMENT BILL (No. 3) 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—

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Crean (Treasurer), the Bill was read a third time.

- 13 SUSPENSION OF STANDING ORDERS—PIPELINE AUTHORITY BILL 1973: Mr Connor (Minister for Minerals and Energy) moved, pursuant to notice—That so much of the standing orders be suspended as would prevent the Minister for Minerals and Energy moving an amendment to clause 13 of the Pipeline Authority Bill during the consideration in committee of the whole of amendments made by the Senate in the Bill.

Question—put and passed.

- 14 MESSAGE FROM THE SENATE—PIPELINE AUTHORITY BILL 1973: The following message from the Senate was reported:

MR SPEAKER,

Message No. 49

The Senate returns to the House of Representatives the Bill for “*An Act to establish a Pipeline Authority*”, 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.

The Senate,
Canberra, 30 May 1973

MAGNUS CORMACK,
President

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

In the committee

Mr Connor (Minister for Minerals and Energy) moved the following amendment to clause 13 of the Bill: Sub-clause (1), after paragraph (c) insert the following paragraphs:

“ (d) to ensure continuity of supplies of natural gas, that is free from impurities;

- (e) to ensure that natural gas supplied by the Authority is available at a gate-valve delivery price that is, at all times, uniform throughout Australia, after making due allowances for differences in the calorific values of natural gas obtained from different sources;
- (f) to ensure that condensate, petroleum gas and other substances derived from natural gas are retained and processed in Australia in order that they may be available to augment supplies of motor spirit and similar fuels obtained from indigenous sources; and
- (g) to secure, control and retain reserves of petroleum adequate to meet the long term needs of the Australian people.”.

Mr Fairbairn moved the following amendment to the proposed amendment: Paragraph (f), after the words “to ensure that” insert the words “sufficient quantities of”.

Debate continued.

Mr Kelly rising to address the committee—

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

Question—That the question be now put—put.

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

AYES, 59

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

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

And so it was resolved in the affirmative.

And the question—That the words proposed to be inserted in paragraph (f) be so inserted—was put accordingly, and negatived.

Question—That the amendment to clause 13 of the Bill be agreed to—put and passed. The committee proceeded to consider the amendments made by the Senate which were as follows:

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE

No. 1—Page 7, after clause 13, insert the following new clause:

“13A. No pipeline work exceeding in cost \$2 million shall be undertaken or constructed by the Authority unless and until it has been referred to the Public Works Committee pursuant to the *Public Works Committee Act 1969-1972* and has been authorised in accordance with that Act.”.

No. 2—Page 8, after clause 16, insert the following new clause:

“16A. (1) The Authority shall be deemed to be a common carrier and to have the obligations of a common carrier.

(2) Without limiting the generality of sub-section (1), the Authority shall, subject to the capacity of its pipelines, be under obligation to accept petroleum at any point on its pipelines for delivery at any other point on its pipelines, and to charge for such service a fee which is not greater than—

- (a) a fee which is reasonable having regard to the costs incurred by the Authority for such service and for the use of its facilities; or
- (b) the fee charged to any other customer for such service; or
- (c) the fee reasonably included or notionally included in its own accounts for comparable services performed on petroleum in its own ownership.”

No. 3—Page 8, clause 17, line 41, after “land”, insert “or, where such notification is impracticable, shall obtain a Magistrate’s warrant for the purpose”.

No. 4—Page 9, clause 18, line 3, leave out “seven”, insert “thirty”.

Amendment No. 1—

On the motion of Mr Connor, the amendment was disagreed to, after debate.

Amendment No. 2—

Mr Connor moved—That the amendment be disagreed to.

Debate ensued.

Mr Wentworth rising to address the committee—

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

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

And the question—That the amendment be disagreed to—was put accordingly, and passed.

Amendment No. 3—

On the motion of Mr Connor, the following amendment to the Senate’s amendment was made, after debate: Omit the words “a Magistrate’s warrant for the purpose”, substitute the words “a warrant from a Justice of the Peace authorizing him to enter upon the land, being a warrant granted after the Justice has been satisfied, by information on oath, that it is impracticable so to notify the occupier of the land within a reasonable time”.

On the motion of Mr Connor, Senate Amendment No. 3, as amended, was agreed to, after debate.

Amendment No. 4—

On the motion of Mr Connor, the amendment was agreed to.

Resolutions to be reported.

The House resumed; Mr Berinson reported accordingly.

Mr Connor moved—That the report be adopted.

Debate ensued.

Question—put and passed.

Mr Connor moved—That Mr Jacobi, Mr Keating, and the mover be appointed a committee to draw up reasons for the House of Representatives disagreeing to amendments Nos. 1 and 2 of the Senate.

Question—put and passed.

Mr Connor, on behalf of the committee, brought up such reasons, which were circulated, and are as follows:

Reason of the House of Representatives for disagreeing to Amendment No. 1 of the Senate

Because:

The Australian Gas Light Company has entered into a Letter of Agreement, operative from October 1972, with a consortium of natural gas producing companies

at Gidgealpa in the Cooper Basin of South Australia to purchase supplies for its use under its statutory franchise at Sydney. To transmit the gas it established a subsidiary company, East Aust. Pipeline Corporation Limited, whose share capital it wholly owns, and which has already obtained the necessary feasibility study and technical advice and costing to pursue the construction of the pipeline, and has entered into various contracts for that purpose. The said company also entered into a contract with Mitsubishi (Australia) Pty Ltd for the supply of 206,000 tons of 34-inch diameter pipes for the construction of the pipeline. The said company has assigned to the Commonwealth of Australia the benefit of its pipe contract and a substantial proportion of the pipes have been delivered to the custody of the Commonwealth of Australia, and a sum of about \$7 million paid by it for them.

To permit of the construction of the first stage of its national pipeline project, and to also supply to Australian Gas Light Company its natural gas from the Gidgealpa consortium, the Commonwealth of Australia is acquiring the shares of East Aust. Pipeline Corporation Limited, so that it may assume the responsibilities and receive the benefits of that company's contractual arrangements, feasibility studies and technology.

The Commonwealth is also entering into an appropriate contract with Australian Gas Light Company to transmit by the proposed pipeline its contracted supplies of gas from the Gidgealpa consortium.

Under the terms of its contract with the Gidgealpa consortium, Australian Gas Light Company is obliged to complete construction of the pipeline and accept delivery of gas for transmission within 2½ years from the date of the contract. The nine members of the Gidgealpa consortium will be committed to the expenditure of \$330 million for the necessary refining and processing plant, of which \$130 million must be spent to synchronise with the completion of the pipeline. \$100 million of this money must be obtained by bank accommodation on stringent terms, contingent on the early commencement and completion of the pipeline.

Completion of construction has been already delayed for four months, pending completion of an Environmental Impact Inquiry constituted by the Government of New South Wales, and consideration by that Government of its recommendations.

Members of the Gidgealpa consortium are being increasingly obliged to continue operations on borrowed funds, at high rates of interest, pending completion of the pipeline.

Tenders have already been called for the supply of the necessary pipeline gate valves, and the continued employment of 600 men in foundries at Melbourne and Ballarat are dependent on the allocation of the contract to them.

Mr James Donald, who will be the Executive Member of the Pipeline Authority, is in a position to call tenders within three weeks of publication of the recommendations of the Environmental Impact Inquiry, and can award the necessary contract within fifteen weeks thereafter, and commence construction in 27 weeks. The completion of the construction will be either 85 or 110 weeks, dependent on the final route recommended by the Environmental Impact Inquiry.

The Australian Gas Light Company is the oldest and most experienced company in gas production and pipeline engineering in Australia, and, prior to the arrangement with the Commonwealth, was proceeding to construction in accordance with the feasibility study and the cost estimates associated therewith. Consequently the construction involves the substitution of the Commonwealth as constructing authority for the project, taking over from Australian Gas Light Company through ownership of East Aust. Pipeline Corporation Limited, under an arrangement whereby the Commonwealth would stand in the shoes of Australian Gas Light Company Limited, who would not be disadvantaged by the Commonwealth assumption of responsibility.

In these circumstances, the proposed investigation by the Public Works Committee would result in delay and serious financial loss to all parties concerned, and would only confirm the already established economic and commercial viability of the project.

No other statutory authority, constituted and functioning under Commonwealth legislation, has been subjected to the provisions of the Public Works Committee Act, as would result under the terms of the Senate amendment.

Reason of the House of Representatives for disagreeing to Amendment No. 2 of the Senate

Because:

Clause 16A would reduce the Pipeline Authority to the status of a common carrier, and substitute public investment for what would otherwise be a substantial private obligation to invest in its own pipeline.

The Senate amendment, imposing the obligation on the Authority to accept petroleum at any point on its pipelines, for delivery to any other point on such pipelines, would completely frustrate operation of the pipeline by the Pipeline Authority, and in particular its powers under Clause 13 to buy and sell natural gas on its own account.

The objective of the Government is to establish a national pipeline grid for the transmission of natural gas at a uniform price, and ensuring continuity of supply.

Each Australian producer of natural gas claiming its rights from the Pipeline Authority as a common carrier could set up a rival and excessive pricing structure, according to its whim and belief as to what maximum return it could obtain.

In its conduct of the pipeline, the Authority would need to regulate most carefully the British thermal content of the natural gas which varies greatly from the different Australian production basins.

The entry of natural gas into the pipeline without power to enforce the removal of undesirable associated gases would also produce chaos in the system. With the unregulated commingling of natural gas on a common carrier basis, rival producers would seek to pass through the pipeline gas with such a wide variety of impurities that it would be impossible to ascertain and enforce a common pricing structure, and uniformity of quality for consumers.

Mr Connor moved—That the committee's reasons be adopted.

Question—put and passed.

Mr Connor moved—That in the message returning the Bill to the Senate, the Senate be requested to reconsider the Bill in respect of the amendment made by the House of Representatives to clause 13.

Question—put and passed.

15 INTERNATIONAL AFFAIRS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER: The order of the day having been read for the resumption of the debate on the motion of Mr Enderby (Minister for the Capital Territory)—That the House take note of the paper (*presented on 24 May*), viz.:

International affairs—Ministerial statement, 24 May 1973—

Suspension of standing orders—Extended time for speech: Mr Daly (Leader of the House) moved, by leave—That so much of the standing orders be suspended as would prevent Mr N. H. Bowen speaking for a period not exceeding 45 minutes.

Question—put and passed.

Debate resumed.

Debate adjourned (Mr Morrison—Minister for Science), and the resumption of the debate made an order of the day for a later hour this day.

16 MESSAGE FROM THE SENATE—CITIES COMMISSION BILL 1973: The following message from the Senate was reported:

Message No. 50

MR SPEAKER,

The Senate returns to the House of Representatives the Bill for "*An Act to amend the 'National Urban and Regional Development Authority Act 1972'*", 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.

MAGNUS CORMACK,
President

The Senate,
Canberra, 31 May 1973

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 1, clause 1, leave out sub-clause (1), insert the following sub-clause:
“(1) This Act may be cited as the *Cities and Regional Development Commission Act 1973*.”.
- No. 2—Page 1, clause 1, sub-clause (3), leave out “*Cities Commission Act 1972–1973*”, insert “*Cities and Regional Development Commission Act 1972–1973*”.
- No. 3—Page 1, clause 3, line 12, leave out “‘Cities Commission’”, insert “‘Cities and Regional Development Commission’”.
- No. 4—Page 2, clause 4, line 5, leave out “‘Part II—The Cities Commission (sections 5–14).’”, insert “‘Part II—The Cities and Regional Development Commission (sections 5–14).’”.
- No. 5—Page 2, clause 5, line 11, leave out “‘Commission’ means the Cities Commission established by this Act;”, insert “‘Commission’ means the Cities and Regional Development Commission established by this Act;”.
- No. 6—Page 2, clause 6, line 19, leave out “‘Part II—THE CITIES COMMISSION’”, insert “‘Part II—THE CITIES AND REGIONAL DEVELOPMENT COMMISSION’”.
- No. 7—Page 2, clause 7, line 23, leave out “*Cities Commission Act 1973–*”, insert “*Cities and Regional Development Commission Act 1973–*”.
- No. 8—Page 2, clause 7, line 26, leave out “‘Cities Commission’”, insert “‘Cities and Regional Development Commission’”.
- No. 9—Page 6, clause 11, line 17, leave out “‘Cities Commission Advisory Committee’”, insert “‘Cities and Regional Development Commission Advisory Committee’”.
- No. 10—Page 6, clause 13, sub-clause (2), line 36, leave out “‘Cities Commission Advisory Committee’”, insert “‘Cities and Regional Development Commission Advisory Committee’”.
- No. 11—Page 7, clause 14, line 1, leave out “‘Cities Commission’”, insert “‘Cities and Regional Development Commission’”.

On the motion of Mr Uren (Minister for Urban and Regional Development), the amendments were together disagreed to, after debate.

Resolution to be reported.

The House resumed; Mr Scholes reported accordingly.

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

Mr Uren moved—That Mr Daly (Minister for Services and Property), Mr Enderby (Minister for the Capital Territory), and the mover be appointed a committee to draw up reasons for the House of Representatives disagreeing to the amendments of the Senate.

Question—put and passed.

Mr Uren, on behalf of the committee, brought up such reasons, which were read, and are as follows:

Reasons of the House of Representatives for disagreeing to the Amendments of the Senate.

Because the Cities Commission is an independent arm of the Department of Urban and Regional Development.

The Cities Commission as an arm of the Department will be concerned with cities, old and new. It will be concerned with *new cities in regions*. The Cities Commission will assist the promotion of regional development by the establishment of new cities.

A major role of the Cities Commission will be to go out to State and Local Governments as a promoter of better ways of achieving urban and regional development. The name "Cities Commission" provides a sharp focus for its activities and one which gives it a separate identity from the Department. The suggested amendment would leave the Commission with a lengthy and cumbersome title and one which would cause the Commission and the Department to be confused.

Mr Uren moved—That the committee's reasons be adopted.

Question—put and passed.

- 17 PAPER: The following paper was presented, by command of His Excellency the Governor-General:

Criminal extremist activities—Progress report by the Minister for Immigration on the investigation of residents associated with criminal extremist activities, dated May 1973.

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

31 May 1973—Message—

No. 51—Appropriation (No. 5) 1972–73 (*without requests*).

No. 52—Appropriation (No. 6) 1972–73.

- 19 PUBLIC ACCOUNTS COMMITTEE: Mr Daly (Leader of the House) moved, by leave—That Mr I. L. Robinson be discharged from attendance on the Joint Committee of Public Accounts, and that, in his place, Mr Adermann be appointed a member of the Committee.

Question—put and passed.

- 20 SPECIAL ADJOURNMENT: Mr Daly (Leader of the House) moved—That the House, at its rising, adjourn until a date and hour to be fixed by Mr Speaker, which time of meeting shall be notified by Mr Speaker to each Member by telegram or letter.

Question—put and passed.

- 21 LEAVE OF ABSENCE TO ALL MEMBERS: Mr Daly (Leader of the House) moved—That leave of absence be given to every Member of the House of Representatives from the determination of this sitting of the House to the date of its next sitting.

Question—put and passed.

- 22 WORK OF THE SESSION AND GOVERNMENT ACHIEVEMENTS—MINISTERIAL STATEMENT—PAPER NOTED: Mr Whitlam (Prime Minister), by leave, made a ministerial statement relating to the work of the session and the achievements of the Government, and, by command of His Excellency the Governor-General, presented the following paper:

Work of the session and Government achievements—Ministerial statement, 31 May 1973.

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

Mr Snedden (Leader of the Opposition) moved, as an amendment—That the following words be added to the motion: "and that the apology be accepted".

Debate continued.

Mr Daly addressing the House—

Closure: Mr Lucock 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 added be so added—being accordingly put—

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

AYES, 41

Mr Adermann	Mr Fisher	Mr Lucock	Mr Street
Mr Anthony	Mr Garland	Mr Lynch	Mr Turner
Mr Bonnett	Mr Gorton	Mr McMahon	Mr Viner
Mr Bourchier	Mr Graham	Mr McVeigh	Mr Wentworth
Mr Calder	Mr Hallett	Mr Maisey	Mr Whittorn
Mr D. M. Cameron	Mr Hewson	Mr Nixon	Mr Wilson
Mr Drummond	Mr Holten	Mr O'Keefe	
Mr Drury	Mr Hunt	Mr E. L. Robinson	
Mr Edwards	Mr Kelly	Mr Sinclair	<i>Tellers:</i>
Mr Erwin	Mr Killen	Mr Snedden	Mr England
Mr Fairbairn	Mr King	Mr Staley	Mr Giles

NOES, 63

Mr Armitage	Mr Daly	Dr Jenkins	Mr Oldmeadow
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 Scholes
Mr Berinson	Dr Everingham	Mr Keogh	Mr Sherry
Mr Birrell	Mr FitzPatrick	Mr Kerin	Mr Stewart
Mr L. F. Bowen	Mr Fulton	Dr Klugman	Mr Thorburn
Mr Bryant	Mr Garrick	Mr Lamb	Mr Uren
Dr Cairns	Mr Grassby	Mr Luchetti	Mr Wallis
Dr Cass	Dr Gun	Mr McKenzie	Mr Whan
Mr Coates	Mr Hayden	Mr Martin	Mr Whitlam
Mr Cohen	Mr Hurford	Mr Mathews	Mr Willis
Mr Connor	Mr Innes	Mr Morris	<i>Tellers:</i>
Mr Crean	Mr Jacobi	Mr Morrison	Mr Hansen
Mr Cross	Mr James	Mr Mulder	Mr Nicholls

And so it was negatived.

Question—That the House take note of the paper—put and passed.

- 23 **SUSPENSION OF STANDING ORDERS—PRIVY COUNCIL BILLS:** Mr Daly (Leader of the House) moved, by leave—That so much of the standing orders be suspended as would prevent a Privy Council Appeals Abolition Bill 1973 and a Privy Council (Appeals from the High Court) Bill 1973—

(a) being presented and read a first time together and one motion being moved without delay and one question being put in regard to, respectively, the second readings, the committee's report stage, and the third readings, of the Bills together, and

(b) the consideration of the Bills in one committee of the whole.

Debate ensued.

Question—put and passed.

- 24 **PRIVY COUNCIL APPEALS ABOLITION AND PRIVY COUNCIL (APPEALS FROM THE HIGH COURT) BILLS 1973:** Mr Whitlam (Prime Minister) presented the following Bills:

A Bill for an Act for the Abolition of certain Appeals from Courts in Australia to the Privy Council and of References of Australian matters by the Queen to the Privy Council; and

A Bill for an Act to limit further the matters in which Special Leave of Appeal from the High Court of Australia to Her Majesty in Council may be asked.

Bills together read a first time.

Mr Whitlam moved—That the Bills be now read a second time.

Debate adjourned (Mr Snedden—Leader of the Opposition), and the resumption of the debate made an order of the day for the next sitting.

25 PUBLICATIONS COMMITTEE—FOURTH REPORT: Mr McKenzie (Chairman) brought up the Fourth Report from the Publications Committee (sitting in conference with the Publications Committee of the Senate). The report is as follows:

FOURTH 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:

Academic Salaries—Report of the Committee of Inquiry into Academic Salaries, dated 16 May 1973.

Administrative Discretions—Interim Report of the Committee on Administrative Discretions, dated 19 January 1973.

Australian Arbitration Inspectorate—First Annual Report on the activities of the Australian Arbitration Inspectorate, for 1972.

Australian Council for the Arts—Draft Report to the Prime Minister by the Australian Council for the Arts.

Australian Schools Commission—Report of the Interim Committee for the Australian Schools Commission, dated May 1973.

Bureau of Transport Economics—Report on Freight Transport to North West Australia, 1975–1990, by the Bureau of Transport Economics, dated May 1973.

Commonwealth Teaching Service Act—Commonwealth Teaching Service Commission—Report for period 12 October to 31 December 1972.

Design for the Governance and Organisation of Education in the Australian Capital Territory—Report of the Assessment Panel on the A.C.T. Education Authority, dated 30 May 1973.

Egg Export Control Act—Twenty-fifth Annual Report of the Australian Egg Board, together with financial statements and the Auditor-General's Report thereon, for year 1971–72.

Foreign Affairs and Defence—Standing Committee—Statement by the Foreign Minister relating to the Senate Standing Committee on Foreign Affairs and Defence Report on Japan, dated 29 May 1973.

International Labour Organisation—Report of the Australian Government, Employers' and Workers' Delegates to the 56th Session of the International Labour Conference, Geneva, June 1971.

International Labour Organisation—Report of the Australian Government, Employers' and Workers' Delegates to the 57th Session of the International Labour Conference, Geneva, June 1972.

International Monetary Agreements Act—Report on operations of the Act, and insofar as they relate to Australia, of the International Monetary Fund Agreement and the International Bank Agreement, for year 1971–72.

Life Insurance Act—Twenty-seventh Annual Report of the Insurance Commissioner for 1972.

National Health Act—Second Annual Report on the operations of the Registered Medical Benefits and Hospital Benefits Organizations, for year 1971–72.

National Hospitals and Health Services Commission Interim Committee—Report on a Community Health Program for Australia, dated 28 May 1973.

Prerogative Writ Procedures—Report of the Committee established to review Prerogative Writ Procedures.

Recreation in Australia—Report by Professor J. Bloomfield on the Role, Scope and Development of Recreation in Australia, dated May 1973.

Superannuation Act—Superannuation Board—Fiftieth Annual Report, for year 1971–72.

Wheat Research Act—Fifteenth Annual Report by the Minister on the operation of the Act for 1972.

Wildlife Conservation—Plenipotentiary Conference on Trade in Certain Species of Wildlife, held at Washington, D.C., 12 February–2 March 1973—Summary Report of Australian Delegation.

DAVID MCKENZIE,
Chairman.

31 May 1973

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

Question—put and passed.

- 26 INTERNATIONAL AFFAIRS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER: The order of the day having been read for the resumption of the debate on the motion of Mr Enderby (Minister for the Capital Territory)—That the House take note of the paper (*presented on 24 May*), viz.:

International affairs—Ministerial statement, 24 May 1973—

Debate resumed.

Ordered—That Mr Snedden (Leader of the Opposition) be granted an extension of time.

Ordered—That Mr Barnard (Minister for Defence) be granted an extension of time.

Debate adjourned (Mr Sinclair—Deputy Leader of the Australian Country Party), and the resumption of the debate made an order of the day for a later hour this day.

- 27 DISTRIBUTION COMMISSIONERS FOR WESTERN AUSTRALIA—MINISTERIAL STATEMENT: Mr Daly (Minister for Services and Property), by leave, made a ministerial statement informing the House of the names of the proposed Distribution Commissioners for Western Australia.

- 28 ENVIRONMENT AND CONSERVATION—STANDING COMMITTEE: Mr Deputy Speaker informed the House of the following nominations of Members to be members of the Standing Committee on Environment and Conservation:

Dr Jenkins, Mr Kerin, Mr Lamb and Mr Sherry had been nominated by the Prime Minister, Mr Bouchier and Mr Fox had been nominated by the Leader of the Opposition and Mr I. L. Robinson had been nominated by the Leader of the Australian Country Party.

- 29 POSTPONEMENT OF GOVERNMENT BUSINESS: Ordered—That government business be postponed until after notice No. 1, general business.

- 30 LAND ACQUISITION, DARWIN—MOTION TO DECLARE VOID: Mr Calder moved, pursuant to notice—That, in accordance with the provisions of section 12 (2) of the *Lands Acquisition Act 1955–1966*, this House resolves that the notice of the acquisition of land by the Commonwealth in the Hundred of Bagot, County of Palmerston, Northern Territory, for the purpose of the planned development and control of the City of Darwin and its adjacent areas, which appeared in *Gazette* No. 59 of 24 May 1973, and which was laid before the House on 24 May 1973, shall be void and of no effect.

Debate ensued.

Question—put.

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

AYES, 39

Mr Adermann	Mr Erwin	Mr Kelly	Mr Sinclair
Mr Anthony	Mr Fairbairn	Mr Killen	Mr Staley
Mr Bonnett	Mr Fisher	Mr King	Mr Street
Mr Bouchier	Mr Garland	Mr Lucock	Mr Turner
Mr N. H. Bowen	Mr Gorton	Mr Lynch	Mr Viner
Mr Calder	Mr Graham	Mr McMahon	Mr Wentworth
Mr D. M. Cameron	Mr Hallett	Mr McVeigh	Mr Wilson
Mr Drummond	Mr Hewson	Mr Maisey	<i>Tellers:</i>
Mr Drury	Mr Holten	Mr Nixon	Mr England
Mr Edwards	Mr Hunt	Mr E. L. Robinson	Mr Giles

NOES, 58

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

And so it was negatived.

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

Debate ensued.

Question—put and passed.

And then the House, at eleven minutes to eleven o'clock p.m., adjourned until a date and hour to be fixed by Mr Speaker, and to be notified by him to each Member by telegram or letter as determined by resolution of the House at this sitting.

PAPER: The following paper was deemed to have been presented on 31 May 1973, pursuant to statute:

Northern Territory (Administration) Act—Social Welfare Ordinance (No. 2) 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 C. R. Cameron, Mr Chipp, Mr Collard, Mr Cooke, Mr Katter, Mr Peacock and Mr Reynolds.

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