

AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 28

WEDNESDAY, 23 OCTOBER 1974

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

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

Dr J. F. Cairns (Minister for Overseas Trade), Mr C. R. Cameron (Minister for Labor and Immigration), Mr Lynch (Deputy Leader of the Opposition), Mrs Child, Mr Clayton, Mr Kerin and Mr Lamb—from certain citizens of Australia praying that the House take urgent steps to ensure that further mining and export from Australia of uranium, except for bio-medical purposes, be banned and that the Australian Atomic Energy Commission be transformed into an Australian Energy Commission.

Mr Lynch, Mr Lamb and Mr Street—from certain citizens of Australia praying that the House ask the Australian Commission on Advanced Education to consider in its 1976-78 Triennium Report an allocation of funds for the provision of Union Facilities at the Royal Melbourne Institute of Technology.

Mrs Child, Mr Macphee and Mr Staley—from certain citizens of Australia praying that the House take immediate steps to restore education benefits to parents, at least to the 1973-74 level, either by increasing taxation deductions or through taxation rebates.

Mr Hodges and Mr McVeigh—from certain citizens of Australia praying that the Government take no measures to interfere with existing television program standards or to permit easier entry into Australia, or production in Australia, of pornographic material.

Mr Hodges—from certain citizens of Australia praying that the House not admit into the law of this land the principle that marriage is only temporary and the family no longer the fundamental unit of society.

Mr Hodges—from certain citizens of Australia praying that the House urge the Government to amend the Family Law Bill in certain respects and provide funds for family life education, programs preparing people for marriage, the decentralisation of approved guidance facilities and education in marriage courses for young married couples.

Mr Hodges—from certain citizens of Australia praying that the House not proceed with the Human Rights Bill.

Dr Klugman—from certain citizens of Australia praying that the Government hasten to introduce a universal health scheme so that health care services in Australia can function efficiently and economically.

Mr Lusher—from certain electors of the Division of Hume praying that greater consideration be given to those provisions of the Family Law Bill which could place in an unjust and unfair position a woman who performs in a praiseworthy manner her duties of wife, mother and home-maker.

Mr Lusher—from certain citizens of Australia praying that the House urge the Government to accept responsibility for the upgrading and maintenance of the Barton Highway as a main entrance to the National Capital.

Mr McKenzie—from certain citizens of Australia praying that the Government immediately increase, as an interim measure, current grants made to children in non-government schools to at least 50 per cent of the cost of educating children in government schools.

Mr McLeay—from certain citizens of Australia praying that the Government take no measures to interfere with the existing national health scheme.

Mr McLeay—from certain citizens of Australia praying that the Government cease the support of those organizations in southern Africa which are guilty of various acts of terrorism.

Petitions received.

3 QUESTIONS: Questions without notice being asked—

Member named: Mr Speaker named the Right Honourable Member for Richmond (Mr Anthony) for again interjecting after a warning had been given by the Chair.

Mr Bowen (Acting Leader of the House) moved—That the Right Honourable Member for Richmond be suspended from the service of the House.

Mr Snedden (Leader of the Opposition), with the concurrence of Mr Speaker, having intervened, the matter was not further proceeded with.

Questions without notice continued.

4 PAPER: The following paper was presented, pursuant to statute:

Bankruptcy Act—Seventh Annual Report, for year 1973–74.

5 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—FULL EMPLOYMENT: Mr Speaker informed the House that Mr K. M. Cairns had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The failure of the Minister for Labor and Immigration to uphold the 30 year agreement by Australian Governments to maintain full employment”.

The proposed discussion having received the necessary support—

Mr Cairns addressed the House.

Discussion ensued.

Discussion concluded.

6 STATES GRANTS (SPECIAL ASSISTANCE) BILL 1974: Mr Crean (Treasurer), for Mr Hayden (Minister for Social Security), pursuant to notice, presented a Bill for an Act to grant Financial Assistance to Queensland and South Australia.

Bill read a first time.

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

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

7 INTERNATIONAL DEVELOPMENT ASSOCIATION (FURTHER PAYMENT) BILL 1974: Mr Crean (Treasurer), pursuant to notice, presented a Bill for an Act to approve the making by Australia of a further Payment to the International Development Association.

Bill read a first time.

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

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

8 POSTPONEMENT OF NOTICE: Ordered—That notice No. 3, government business, be postponed until a later hour this day.

9 STATES GRANTS (NATURE CONSERVATION) BILL 1974: Dr Cass (Minister for the Environment and Conservation), pursuant to notice, presented a Bill for an Act to provide Financial Assistance to the States for Purposes connected with Nature Conservation.

Bill read a first time.

Dr Cass moved—That the Bill be now read a second time.

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

- 10 AREA SCHOOL, YIRRKALA, N.T.—APPROVAL OF WORK: Mr L. R. Johnson (Minister for Housing and Construction) moved, pursuant to notice—That, in accordance with the provisions of the *Public Works Committee Act 1969–1974*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Construction of an area school at Yirrkala, N.T.

Question—put and passed.

- 11 CENTRAL HEALTH LABORATORY, WODEN, A.C.T.—APPROVAL OF WORK: Mr L. R. Johnson (Minister for Housing and Construction) moved, pursuant to notice—That, in accordance with the provisions of the *Public Works Committee Act 1969–1974*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Construction of a central health laboratory at Woden, A.C.T.

Question—put and passed.

- 12 TELEPHONE EXCHANGE, HAYMARKET, N.S.W.—APPROVAL OF WORK: Mr L. R. Johnson (Minister for Housing and Construction) moved, pursuant to notice—That, in accordance with the provisions of the *Public Works Committee Act 1969–1974*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Construction of a new telephone exchange at Haymarket, N.S.W.

Question—put and passed.

- 13 LOCAL GOVERNMENT GRANTS BILL 1974: Mr Bowen (Special Minister of State), pursuant to notice, presented a Bill for an Act to grant Financial Assistance in relation to Local Governing Bodies.

Bill read a first time.

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

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

- 14 REPATRIATION ACTS AMENDMENT BILL 1974: 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. 56, dated 16 October 1974, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.

The House resolved itself into a committee of the whole.

In the committee

Bill, by leave, taken as a whole.

New clauses—

On the motion of Mr Bowen (Minister representing the Minister for Repatriation and Compensation), by leave, the following new clauses were together inserted in the Bill, after debate:

“36A. Section 3 of the Principal Act is amended by inserting in sub-^{Interpretation.} section (1), before the definition of ‘Australian Mariner’, the following definitions:—

“‘Appeal Tribunal’ means a War Pensions Entitlement Appeal Tribunal established under the *Repatriation Act 1920–1974*;

“‘Assessment Appeal Tribunal’ means an Assessment Appeal Tribunal established under the *Repatriation Act 1920–1974*;’”.

“37A. After section 8 of the Principal Act the following sections are inserted:—

‘8AA. (1) A person who has claimed a pension or other benefit under this Act arising out of the incapacity or death of an Australian mariner and whose claim has been refused by the Commission on the ground that—

Appeals to
War Pensions
Entitlement
Appeals
Tribunals.

- (a) the mariner is not suffering from any incapacity; or
- (b) the incapacity or death of the mariner is not directly attributable to a war injury sustained by the mariner,

may lodge with the person who is the prescribed person for the purposes of sub-section (1) of section 64 of the *Repatriation Act* 1920–1974 an appeal to an Appeal Tribunal against the determination of the Commission.

‘(2) The person with whom an appeal is lodged under sub-section (1) shall forward the appeal to the Commission, which shall transmit it to the Appeals Tribunal with the records in the possession of the Commission relating to the appellant.

‘(3) Section 64 (other than sub-sections (1), (1A) and (2)) of the *Repatriation Act* 1920–1974 applies in relation to an appeal under sub-section (1) as if that appeal were an appeal under that section.

‘8AB. (1) An Australian mariner—

Appeals to
Assessment
Appeal
Tribunals.

- (a) who is in receipt of a pension under this Act; or
- (b) who is not in receipt of a pension under this Act but as to whom—
 - (i) the Commission, a Pensions Committee or an Appeal Tribunal has determined that he has an incapacity that is directly attributable to a war injury sustained by the mariner; and
 - (ii) the Commission or a Pensions Committee has decided that the incapacity is so slight that it does not warrant a pension assessment, may, within 3 months after—
- (c) the date of the notification of the assessment by the Commission or a Pensions Committee of his pension or the date of the notification of the refusal by the Commission or a Pensions Committee to alter the existing assessment; or
- (d) the date of the notification by the Commission or a Pensions Committee that the incapacity of the mariner did not warrant a pension assessment, or, if the appellant was at any time during that period a resident of the Torres Strait Islands, within a further 3 months after the expiration of that period, lodge with the person who is the prescribed person for the purposes of sub-section (1) of section 67 of the *Repatriation Act* 1920–1974 an appeal against the current assessment of the rate of his pension or against the decision that a pension assessment is not warranted, as the case may be.

‘(2) The person with whom an appeal is lodged under sub-section (1) shall forward it to an Assessment Appeal Tribunal with all the records relative to the assessment appealed against or to the decision that a pension assessment was not warranted, as the case may be.

‘(3) Sections 68, 69 and 71 of the *Repatriation Act* 1920–1974 apply in relation to an appeal under sub-section (1) as if that appeal were an appeal by a member of the Forces under section 67 of that Act.

‘(4) For the purposes of the application, by virtue of sub-section (3) of this section, of the provisions of the *Repatriation Act* 1920–1974 referred to in that sub-section—

- (a) a reference in those provisions to a Repatriation Board shall be read as a reference to a Pensions Committee;

- (b) a reference in those provisions to Division 3 of Part III of the *Repatriation Act 1920–1974* shall be read as a reference to this section;
- (c) a reference in those provisions to the *Repatriation Act 1920–1974* shall be read as a reference to this Act; and
- (d) a reference in those provisions to a pension shall be read as a reference to a pension under this Act.

‘8AC. (1) Division 4 of Part III of the *Repatriation Act 1920–1974*— Application of certain provisions of the Repatriation Act.

- (a) applies in relation to an appeal under section 8AA of this Act as if that appeal were an appeal under section 64 of that Act; and
- (b) applies in relation to an appeal under section 8AB of this Act as if that appeal were an appeal under section 67 of that Act.

‘(2) For the purposes of the application, by virtue of sub-section (1) of this section, of Division 4 of Part III of the *Repatriation Act 1920–1974*—

- (a) a reference in that Division to a Repatriation Board shall be read as a reference to a Pensions Committee;
- (b) a reference in that Division to a pension shall be read as a reference to a pension under this Act; and
- (c) a reference in that Division to a member of the Forces shall be read as a reference to an Australian mariner.’.

‘37B. Section 8A of the Principal Act is amended— Form of determination.

(a) by adding at the end of sub-section (1) the following paragraphs:—

- ‘(c) the Appeal Tribunals;
- (d) the Assessment Appeal Tribunals.’; and
- (b) by inserting in the definition of ‘claimant’ in sub-section (4), after the word ‘appellant’, the words ‘(including a person who is to be treated as an appellant by virtue of sub-section (4B) of section 72 of the *Repatriation Act 1920–1974* as applied by virtue of section 8AC of this Act)’.

‘37C. Section 14 of the Principal Act is repealed and the following section substituted:—

‘14. (1) A medical practitioner shall, in reporting on any claim in Medical reports. relation to an Australian mariner, set out in his report his opinion—

- (a) in the case of a claim in respect of the death of the mariner—as to the cause of the death; and
- (b) in the case of a claim in respect of the incapacity of the mariner—as to the nature, cause and extent of the incapacity.

‘(2) Where a medical practitioner entertains a doubt concerning a matter upon which he is required, under sub-section (1), to report, he shall state in his report that he entertains that doubt and shall indicate, so far as practicable, the nature and extent of that doubt.

‘(3) This section applies in relation to a medical practitioner, whether an officer of the Department of Repatriation and Compensation or not, who is required by the Commission, a Pensions Committee or an Appeal Tribunal to report on a claim.’.”.

“38A. Section 32 of the Principal Act is repealed.”. Medical certificates.

Bill, as amended, agreed to.

Bill to be reported with amendments.

The House resumed; Mr Scholes 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.

15 SOCIAL SERVICES BILL (No. 3) 1974: 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 Wentworth moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “prior to the second reading of this Bill this House requests the Government to consent to the incorporation in it of a provision making widowers and deserted husbands with dependent children eligible for benefit on the same basis as widows and deserted wives”.

Debate continued.

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, 57

Mr Armitage	Mr Davies	Mr Jones	Mr Reynolds
Mr Barnard	Mr Dawkins	Mr Keating	Mr Riordan
Mr Bennett	Mr Duthie	Mr Keogh	Mr Scholes
Mr Berinson	Dr Everingham	Mr Kerin	Mr Sherry
Mr Bowen	Mr FitzPatrick	Dr Klugman	Mr Thorburn
Mr Bryant	Mr Fry	Mr Lamb	Mr Uren
Mr C. R. Cameron	Mr Fulton	Mr Luchetti	Mr Wallis
Dr Cass	Mr Garrick	Mr McKenzie	Mr Whan
Mr Clayton	Dr Gun	Mr Martin	Mr Willis
Mr Coates	Mr Hayden	Mr Mathews	Mr Young
Mr Cohen	Mr Hurford	Mr Morris	
Mr Collard	Mr Innes	Mr Morrison	
Mr Connor	Mr Jacobi	Mr Mulder	<i>Tellers:</i>
Mr Crean	Dr Jenkins	Mr Oldmeadow	Mr James
Mr Cross	Mr L. R. Johnson	Dr Patterson	Mr Nicholls

NOES, 52

Mr Adermann	Mr Fairbairn	Mr Kelly	Mr I. L. Robinson
Mr Anthony	Mr Fisher	Mr Killen	Mr Ruddock
Mr Bonnett	Dr Forbes	Mr King	Mr Sinclair
Mr Bungey	Mr Garland	Mr Lloyd	Mr Staley
Mr K. M. Cairns	Mr Giles	Mr Lucock	Mr Sullivan
Mr Calder	Mr Graham	Mr Lusher	Mr Viner
Mr Chipp	Mr Hewson	Mr MacKellar	Mr Wentworth
Mr Connolly	Mr Hodges	Mr McMahon	Mr Wilson
Mr Corbett	Mr Holten	Mr McVeigh	
Mr Drummond	Mr Howard	Mr Macphee	
Mr Drury	Mr Hunt	Mr Millar	
Dr Edwards	Mr Hyde	Mr O’Keefe	<i>Tellers:</i>
Mr Ellicott	Mr Jarman	Mr Peacock	Mr D. M. Cameron
Mr Erwin	Mr Katter	Mr E. L. Robinson	Mr England

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.

Message from the Governor-General: Message No. 57, dated 16 October 1974, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.

The House resolved itself into a committee of the whole.

In the committee

Bill, by leave, taken as a whole, and agreed to, after debate.
Bill to be reported without amendment.

The House resumed; Mr Scholes reported accordingly.

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

- 16 APPROPRIATION BILL (NO. 1) 1974-75: 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 Agriculture, \$49,418,000—debated.
Progress to be reported, and leave asked to sit again.

The House resumed; Mr Scholes reported accordingly.

Ordered—That the House will, at the next sitting, again resolve itself into the said committee.

- 17 ADJOURNMENT: Dr Patterson (Minister for Northern Development) moved—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 tomorrow at ten o'clock a.m.

PAPERS: The following papers were deemed to have been presented on 23 October 1974, pursuant to statute:

Northern Territory (Administration) Act—Ordinances—1974—

No. 36—Compensation (Fatal Injuries).

No. 37—Age of Majority.

No. 38—Control of Roads.

No. 39—Police and Police Offences (No. 2).

No. 40—Housing (No. 2).

No. 41—Housing (No. 3).

No. 42—Housing (No. 5).

No. 43—Firearms.

No. 44—Ports.

No. 45—Ports (No. 2).

No. 46—Parole of Prisoners.

No. 47—Wildlife Conservation and Control (No. 3).

No. 48—Firearms (No. 2).

No. 49—Local Government (No. 3).

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Beazley, Mr Bouchier, Mrs Child, Mr Daly, Mr L. K. Johnson, Mr Nixon and Mr Stewart.

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