

## AUSTRALIA

## HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 72

MONDAY, 19 MAY 1975

1 The House met, at fifteen minutes past two o'clock p.m., pursuant to adjournment. Mr Speaker (the Honourable G. G. D. Scholes) took the Chair, and read Prayers.

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

Mr Bryant (Minister for the Capital Territory), Mr Bouchier, Mr Cadman, Mr Cross, Dr Edwards, Mr Garrick, Mr Hewson, Mr Hodges, Mr Jarman, Mr Katter, Mr McLeay, Mr Mathews and Mr Staley—from certain citizens of Australia praying that (1) the Metric Conversion Act be repealed and (2) the Government take urgent steps to cause the traditional and familiar units to be restored in those areas where the greatest inconveniences and distress are occurring.

Mr Bouchier, Mrs Child, Mr Chipp, Mr Garrick, Mr Gorton, Mr Hewson, Mr Lamb and Mr Mathews—from certain employees and agents of the Australian insurance industry praying that the House reject the Australian Government Insurance Office Bill.

Mr Connolly, Mr Ellicott, Mr Jarman, Mr King, Mr McLeay and Mr Macphee—from certain citizens of Australia in terms similar to the last preceding petition. Mr Jarman—from certain citizens of Australia praying that the House oppose the Family Law Bill.

Mr Jarman—from certain citizens of Australia praying that the Government increase its humanitarian aid to Vietnam.

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

Petitions received.

3 QUESTIONS: Questions without notice were asked.

4 PAPERS: The following paper was presented, by command of His Excellency the Administrator:

Tertiary education assistance scheme—Report of Committee of Review, dated May 1975.

The following paper was presented, pursuant to statute:

Parliament Act—Proposal to erect four police guard boxes within the Parliamentary zone.

5 MESSAGE FROM THE SENATE—ELECTORAL LAWS AMENDMENT BILL 1974 [No. 2]: The following message from the Senate was reported:

MR SPEAKER,

Message No. 192

The Senate returns to the House of Representatives the Bill for "*An Act to amend the Law relating to Parliamentary Elections*", 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.

JUSTIN O'BYRNE,  
President

The Senate,  
Canberra, 14 May 1975

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

6 MESSAGE FROM THE ADMINISTRATOR—ASSENT TO BILLS: A message from His Excellency the Administrator was announced informing the House that His Excellency, in the name of Her Majesty, had assented to the following Bills:

19 May 1975—Message No. 156—

Social Services 1975.

Repatriation Acts Amendment 1975.

Environment Protection (Impact of Proposals) 1975.

Tasman Bridge Restoration 1975.

7 FAMILY LAW BILL 1974: The House, according to order, resolved itself into a committee of the whole for the further consideration of the Bill.

*In the committee*

Pursuant to the resolution of the House of 15 May 1975 (*see pages 639-40*), clauses 1 to 47 postponed until after clause 48 and debate ensued on clause 48 and on the circulated amendments to that clause.

The debate having concluded, the Chairman proceeded to put questions on the amendments which had been circulated.

Mr McMahon having circulated the following amendment: Page 22, omit sub-clauses (1) and (2), substitute the following sub-clause:

“(1) An application under this Act by a party to a marriage for a decree of dissolution of the marriage shall be based on the ground that the parties separated and thereafter lived separately and apart for a continuous period of not less than 12 months immediately preceding the date of the filing of the application.”—

Mr Ellicott having circulated the following amendment to the amendment circulated by Mr McMahon: Omit all words after “based”, substitute “on the grounds that—

- (a) the parties separated and thereafter lived separately and apart for a continuous period of not less than 24 months immediately preceding the date of the filing of the application for dissolution of marriage; or
- (b) the parties separated and thereafter lived separately and apart for a continuous period of not less than 12 months immediately preceding the date of the filing of the application for dissolution of marriage and each party genuinely desires the application to be granted; or
- (c) having regard to the behaviour of the parties the marriage has in fact broken down irretrievably.”—

Question—That the amendment circulated by Mr Ellicott to the amendment circulated by Mr McMahon be agreed to—put.

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

AYES, 59

|                 |                |              |                   |
|-----------------|----------------|--------------|-------------------|
| Mr Adermann     | Mr Cross       | Mr Jarman    | Mr Nixon          |
| Mr Anthony      | Mr Daly        | Mr Keating   | Mr O'Keefe        |
| Mr Armitage     | Mr Drury       | Mr Kelly     | Mr Reynolds       |
| Mr Barnard      | Dr Edwards     | Mr Keogh     | Mr Riordan        |
| Mr Beazley      | Mr Ellicott    | Mr Killen    | Mr I. L. Robinson |
| Mr Bonnett      | Mr Erwin       | Mr King      | Mr Ruddock        |
| Mr Bouchier     | Mr Fairbairn   | Mr Luchetti  | Mr Snedden        |
| Mr Bowen        | Mr Fisher      | Mr Lucock    | Mr Stewart        |
| Mr Cadman       | Mr FitzPatrick | Mr Lusher    | Mr Street         |
| Mr K. M. Cairns | Mr Fraser      | Mr Lynch     | Mr Sullivan       |
| Mr Calder       | Mr Hewson      | Mr MacKellar | Mr Viner          |
| Mr Connolly     | Mr Hodges      | Mr McLeay    | Mr Wentworth      |
| Mr Connor       | Mr Holten      | Mr McVeigh   | <i>Tellers:</i>   |
| Mr Cope         | Mr Howard      | Mr Martin    | Mr England        |
| Mr Corbett      | Mr Hunt        | Mr Millar    | Mr Giles          |

## NOES, 60

|                  |                  |                   |                  |
|------------------|------------------|-------------------|------------------|
| Mr Bennett       | Mr Duthie        | Mr L. R. Johnson  | Mr Scholes       |
| Mr Bryant        | Mr Enderby       | Mr Jones          | Mr Staley        |
| Mr Bungey        | Mr Fry           | Mr Kerin          | Mr Thorburn      |
| Dr J. F. Cairns  | Mr Fulton        | Dr Klugman        | Mr Uren          |
| Mr C. R. Cameron | Mr Garland       | Mr Lamb           | Mr Wallis        |
| Dr Cass          | Mr Garrick       | Mr Lloyd          | Mr Whan          |
| Mrs Child        | Mr Gorton        | Mr McMahon        | Mr Whitlam       |
| Mr Chipp         | Mr Graham        | Mr Macphee        | Mr Willis        |
| Mr Clayton       | Dr Gun           | Mr Mathews        | Mr Wilson        |
| Mr Coates        | Mr Hayden        | Mr Morris         | Mr Young         |
| Mr Cohen         | Mr Hurford       | Mr Morrison       |                  |
| Mr Collard       | Mr Hyde          | Mr Nicholls       |                  |
| Mr Crean         | Mr Innes         | Mr Oldmeadow      |                  |
| Mr Davies        | Mr Jacobi        | Dr Patterson      | <i>Tellers:</i>  |
| Mr Dawkins       | Dr Jenkins       | Mr Peacock        | Mr D. M. Cameron |
| Mr Drummond      | Mr L. K. Johnson | Mr E. L. Robinson | Mr James         |

And so it was negatived.

Mr D. M. Cameron having circulated the following amendment to the amendment circulated by Mr McMahon: Omit all words after "based", substitute "on the grounds that—

- the parties separated and thereafter lived separately and apart for a continuous period of not less than 24 months immediately preceding the date of the filing of the application for dissolution of marriage; or
- the parties separated and thereafter lived separately and apart for a continuous period of not less than 12 months immediately preceding the date of the filing of the application for dissolution of marriage and each party genuinely desires the application to be granted."

Question—That the amendment circulated by Mr Cameron to the amendment circulated by Mr McMahon be agreed to—put.

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

## AYES, 52

|                 |                |              |                   |
|-----------------|----------------|--------------|-------------------|
| Mr Adermann     | Mr Ellicott    | Mr Killen    | Mr I. L. Robinson |
| Mr Anthony      | Mr Erwin       | Mr King      | Mr Ruddock        |
| Mr Armitage     | Mr Fisher      | Mr Luchetti  | Mr Snedden        |
| Mr Barnard      | Mr FitzPatrick | Mr Lucock    | Mr Stewart        |
| Mr Beazley      | Mr Fraser      | Mr Lusher    | Mr Street         |
| Mr Bouchier     | Mr Giles       | Mr Lynch     | Mr Sullivan       |
| Mr Cadman       | Mr Hewson      | Mr MacKellar | Mr Viner          |
| Mr K. M. Cairns | Mr Hodges      | Mr McLeay    | Mr Wentworth      |
| Mr Calder       | Mr Holten      | Mr McVeigh   |                   |
| Mr Connolly     | Mr Howard      | Mr Martin    |                   |
| Mr Cope         | Mr Hunt        | Mr Millar    |                   |
| Mr Corbett      | Mr Hyde        | Mr Nixon     | <i>Tellers:</i>   |
| Mr Drury        | Mr Jarman      | Mr O'Keefe   | Mr D. M. Cameron  |
| Dr Edwards      | Mr Keating     | Mr Reynolds  | Mr England        |

## NOES, 61

|                  |                  |                  |                   |
|------------------|------------------|------------------|-------------------|
| Mr Bennett       | Mr Davies        | Mr L. R. Johnson | Mr E. L. Robinson |
| Mr Bowen         | Mr Dawkins       | Mr Kelly         | Mr Scholes        |
| Mr Bryant        | Mr Drummond      | Mr Keogh         | Mr Staley         |
| Mr Bungey        | Mr Duthie        | Mr Kerin         | Mr Thorburn       |
| Dr J. F. Cairns  | Mr Enderby       | Dr Klugman       | Mr Uren           |
| Mr C. R. Cameron | Mr Fairbairn     | Mr Lamb          | Mr Wallis         |
| Dr Cass          | Mr Fry           | Mr Lloyd         | Mr Whan           |
| Mrs Child        | Mr Fulton        | Mr McMahon       | Mr Whitlam        |
| Mr Chipp         | Mr Garrick       | Mr Macphee       | Mr Willis         |
| Mr Clayton       | Dr Gun           | Mr Mathews       | Mr Wilson         |
| Mr Coates        | Mr Hayden        | Mr Morris        | Mr Young          |
| Mr Cohen         | Mr Hurford       | Mr Morrison      |                   |
| Mr Collard       | Mr Innes         | Mr Oldmeadow     |                   |
| Mr Crean         | Mr Jacobi        | Dr Patterson     | <i>Tellers:</i>   |
| Mr Cross         | Dr Jenkins       | Mr Peacock       | Mr James          |
| Mr Daly          | Mr L. K. Johnson | Mr Riordan       | Mr Nicholls       |

And so it was negatived.

Dr Klugman having circulated the following amendment to the amendment circulated by Mr McMahon: Omit all words after “based”, substitute “on the grounds that—

- (a) the parties separated and thereafter lived separately and apart for a continuous period of not less than 12 months immediately preceding the date of the filing of the application for dissolution of marriage; or
- (b) the parties separated and thereafter lived separately and apart for a continuous period of not less than 6 months immediately preceding the date of the filing of the application for dissolution of marriage and each party genuinely desires the application to be granted; or
- (c) having regard to the behaviour of the parties the marriage has in fact broken down irretrievably.”—

Question—That the amendment circulated by Dr Klugman to the amendment circulated by Mr McMahon be agreed to—put and negatived.

Mr Hyde having circulated the following amendment to the amendment circulated by Mr McMahon: Omit “12 months”, substitute “24 months”—

Question—That the amendment circulated by Mr Hyde to the amendment circulated by Mr McMahon be agreed to—put and negatived.

Question—That the original amendment circulated by Mr McMahon be agreed to—put and negatived.

Mr Enderby (Attorney-General) having circulated the following amendment: Page 22, omit sub-clause (2), substitute the following sub-clause:

“(2) Subject to sub-section (3), in a proceeding instituted by such an application, the ground shall be held to have been established, and a decree of dissolution of the marriage shall be made, if, and only if, the court is satisfied—

- (a) that the parties separated and thereafter lived separately and apart for a continuous period of not less than 12 months immediately preceding the date of the filing of the application for dissolution of marriage; or
- (b) that the parties separated and thereafter lived separately and apart for a continuous period of not less than 3 months immediately preceding the date of the filing of the application for dissolution of marriage and the parties consent to the making of the decree.”—

Question—That the amendment be agreed to—put and negatived.

Mr Fraser (Leader of the Opposition) having circulated the following amendment:

Page 22, omit sub-clause (2), substitute the following sub-clause:

“(2) Subject to sub-section (3), in a proceeding instituted by such an application, the ground shall be held to have been established, and a decree of dissolution of the marriage shall be made, if, and only if, the court is satisfied—

- (a) that the parties separated and thereafter lived separately and apart for a continuous period of not less than 2 years immediately preceding the date of the filing of the application for dissolution of marriage;
- (b) that the parties separated and thereafter lived separately and apart for a continuous period of not less than 1 year immediately preceding the date of the filing of the application for dissolution of marriage and the respondent does not oppose the making of the decree; or
- (c) the respondent has behaved in such a way that the applicant cannot reasonably be expected to live with the respondent providing that such ground shall not be available if the parties have lived separately and apart for a continuous period of not less than 1 year.”—

Question—That the amendment be agreed to—put.

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

AYES, 55

|                 |                |              |                   |
|-----------------|----------------|--------------|-------------------|
| Mr Adermann     | Mr Drury       | Mr Jarman    | Mr O'Keefe        |
| Mr Anthony      | Dr Edwards     | Mr Keating   | Mr Reynolds       |
| Mr Barnard      | Mr Ellicott    | Mr Kelly     | Mr Riordan        |
| Mr Beazley      | Mr Erwin       | Mr King      | Mr I. L. Robinson |
| Mr Bonnett      | Mr Fairbairn   | Mr Luchetti  | Mr Ruddock        |
| Mr Bouchier     | Mr Fisher      | Mr Lucock    | Mr Snedden        |
| Mr Bowen        | Mr FitzPatrick | Mr Lusher    | Mr Stewart        |
| Mr Cadman       | Mr Fraser      | Mr Lynch     | Mr Street         |
| Mr K. M. Cairns | Mr Giles       | Mr MacKellar | Mr Sullivan       |
| Mr Calder       | Mr Hewson      | Mr McLeay    | Mr Viner          |
| Mr Connolly     | Mr Hodges      | Mr McVeigh   | Mr Wentworth      |
| Mr Cope         | Mr Holten      | Mr Martin    | <i>Tellers:</i>   |
| Mr Corbett      | Mr Howard      | Mr Millar    | Mr England        |
| Mr Daly         | Mr Hunt        | Mr Nixon     | Mr Killen         |

NOES, 62

|                  |             |                  |                   |
|------------------|-------------|------------------|-------------------|
| Mr Armitage      | Mr Dawkins  | Mr James         | Mr Peacock        |
| Mr Bennett       | Mr Drummond | Dr Jenkins       | Mr E. L. Robinson |
| Mr Bryant        | Mr Duthie   | Mr L. K. Johnson | Mr Scholes        |
| Mr Bungey        | Mr Enderby  | Mr L. R. Johnson | Mr Staley         |
| Dr J. F. Cairns  | Mr Fry      | Mr Jones         | Mr Thorburn       |
| Mr C. R. Cameron | Mr Fulton   | Mr Keogh         | Mr Uren           |
| Dr Cass          | Mr Garland  | Mr Kerin         | Mr Wallis         |
| Mrs Child        | Mr Garrick  | Dr Klugman       | Mr Whan           |
| Mr Chipp         | Mr Gorton   | Mr Lamb          | Mr Whitlam        |
| Mr Clayton       | Mr Graham   | Mr Lloyd         | Mr Willis         |
| Mr Coates        | Dr Gun      | Mr McMahan       | Mr Wilson         |
| Mr Cohen         | Mr Hayden   | Mr Macphee       | Mr Young          |
| Mr Collard       | Mr Hurford  | Mr Mathews       |                   |
| Mr Crean         | Mr Hyde     | Mr Morris        | <i>Tellers:</i>   |
| Mr Cross         | Mr Innes    | Mr Morrison      | Mr D. M. Cameron  |
| Mr Davies        | Mr Jacobi   | Mr Oldmeadow     | Mr Nicholls       |

And so it was negatived.

Mr Ellicott having circulated the following amendment: Page 22, omit sub-clause (2), substitute the following sub-clause:

“(2) Subject to sub-sections (3) and (4), in a proceeding instituted by such an application, the ground shall be held to have been established, and a decree of dissolution of the marriage shall be made, if, and only if, the court is satisfied that—

- (a) the parties separated and thereafter lived separately and apart for a continuous period of not less than 24 months immediately preceding the date of the filing of the application for dissolution of marriage; or
- (b) the parties separated and thereafter lived separately and apart for a continuous period of not less than 12 months immediately preceding the date of the filing of the application for dissolution of marriage and each party genuinely desires the application to be granted; or
- (c) having regard to the behaviour of the parties the marriage has in fact broken down irretrievably.”—

Question—That the amendment be agreed to—put.

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

AYES, 56

|                 |                |              |                   |
|-----------------|----------------|--------------|-------------------|
| Mr Adermann     | Mr Drury       | Mr Keating   | Mr Riordan        |
| Mr Anthony      | Dr Edwards     | Mr Kelly     | Mr I. L. Robinson |
| Mr Armitage     | Mr Ellicott    | Mr King      | Mr Ruddock        |
| Mr Barnard      | Mr Erwin       | Mr Luchetti  | Mr Snedden        |
| Mr Beazley      | Mr Fairbairn   | Mr Lucock    | Mr Stewart        |
| Mr Bonnett      | Mr Fisher      | Mr Lusher    | Mr Street         |
| Mr Bouchier     | Mr FitzPatrick | Mr Lynch     | Mr Sullivan       |
| Mr Bowen        | Mr Fraser      | Mr MacKellar | Mr Viner          |
| Mr Cadman       | Mr Giles       | Mr McLeay    | Mr Wentworth      |
| Mr K. M. Cairns | Mr Hewson      | Mr McVeigh   |                   |
| Mr Calder       | Mr Hodges      | Mr Martin    |                   |
| Mr Connolly     | Mr Holten      | Mr Millar    |                   |
| Mr Cope         | Mr Howard      | Mr Nixon     | <i>Tellers:</i>   |
| Mr Corbett      | Mr Hunt        | Mr O'Keefe   | Mr England        |
| Mr Daly         | Mr Jarman      | Mr Reynolds  | Mr Killen         |

## NOES, 61

|                  |             |                  |                   |
|------------------|-------------|------------------|-------------------|
| Mr Bennett       | Mr Dawkins  | Dr Jenkins       | Mr E. L. Robinson |
| Mr Bryant        | Mr Drummond | Mr L. K. Johnson | Mr Scholes        |
| Mr Bungey        | Mr Duthie   | Mr L. R. Johnson | Mr Staley         |
| Dr J. F. Cairns  | Mr Enderby  | Mr Jones         | Mr Thorburn       |
| Mr C. R. Cameron | Mr Fry      | Mr Keogh         | Mr Uren           |
| Mr D. M. Cameron | Mr Fulton   | Mr Kerin         | Mr Wallis         |
| Dr Cass          | Mr Garland  | Dr Klugman       | Mr Whan           |
| Mrs Child        | Mr Garrick  | Mr Lamb          | Mr Whitlam        |
| Mr Chipp         | Mr Gorton   | Mr Lloyd         | Mr Willis         |
| Mr Clayton       | Mr Graham   | Mr McMahon       | Mr Wilson         |
| Mr Coates        | Dr Gun      | Mr Macphee       | Mr Young          |
| Mr Cohen         | Mr Hayden   | Mr Mathews       |                   |
| Mr Collard       | Mr Hurford  | Mr Morris        | <i>Tellers:</i>   |
| Mr Crean         | Mr Hyde     | Mr Morrison      | Mr James          |
| Mr Cross         | Mr Innes    | Mr Oldmeadow     | Mr Nicholls       |
| Mr Davies        | Mr Jacobi   | Mr Peacock       |                   |

And so it was negatived.

Mr K. M. Cairns having circulated the following amendment: Page 22, omit sub-clause (2), substitute the following sub-clause:

“(2) Subject to sub-section (3), in a proceeding instituted by such an application the ground shall be held to have been established if the court is satisfied of any of the following considerations:

- (a) that after a period of at least 12 months during which the parties have lived separately and apart both parties genuinely desire that a decree *nisi* dissolving the marriage be pronounced;
- (b) that during a period of not less than 2 years immediately preceding the filing of the application the parties have lived separately and apart; or
- (c) that the conduct or behaviour of one of the parties constitutes just cause and excuse for the other party to terminate the marital relationship.”—

Question—That the amendment be agreed to—put.

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

## AYES, 52

|                 |                |              |                   |
|-----------------|----------------|--------------|-------------------|
| Mr Adermann     | Mr Drury       | Mr Keating   | Mr O’Keefe        |
| Mr Anthony      | Dr Edwards     | Mr Kelly     | Mr Riordan        |
| Mr Barnard      | Mr Ellicott    | Mr Killen    | Mr I. L. Robinson |
| Mr Beazley      | Mr Erwin       | Mr King      | Mr Ruddock        |
| Mr Bonnett      | Mr Fairbairn   | Mr Luchetti  | Mr Stewart        |
| Mr Bouchier     | Mr Fisher      | Mr Lucock    | Mr Street         |
| Mr Bowen        | Mr FitzPatrick | Mr Lusher    | Mr Sullivan       |
| Mr Cadman       | Mr Fraser      | Mr Lynch     | Mr Wentworth      |
| Mr K. M. Cairns | Mr Hewson      | Mr MacKellar |                   |
| Mr Calder       | Mr Hodges      | Mr McLeay    |                   |
| Mr Connolly     | Mr Holten      | Mr McVeigh   |                   |
| Mr Cope         | Mr Howard      | Mr Martin    | <i>Tellers:</i>   |
| Mr Corbett      | Mr Hunt        | Mr Millar    | Mr England        |
| Mr Daly         | Mr Jarman      | Mr Nixon     | Mr Viner          |

## NOES, 66

|                  |             |                  |                   |
|------------------|-------------|------------------|-------------------|
| Mr Armitage      | Mr Drummond | Mr James         | Mr Reynolds       |
| Mr Bennett       | Mr Duthie   | Dr Jenkins       | Mr E. L. Robinson |
| Mr Bryant        | Mr Enderby  | Mr L. K. Johnson | Mr Scholes        |
| Mr Bungey        | Dr Forbes   | Mr L. R. Johnson | Mr Snedden        |
| Dr J. F. Cairns  | Mr Fry      | Mr Jones         | Mr Staley         |
| Mr C. R. Cameron | Mr Fulton   | Mr Keogh         | Mr Thorburn       |
| Dr Cass          | Mr Garland  | Mr Kerin         | Mr Uren           |
| Mrs Child        | Mr Garrick  | Dr Klugman       | Mr Wallis         |
| Mr Chipp         | Mr Giles    | Mr Lamb          | Mr Whan           |
| Mr Clayton       | Mr Gorton   | Mr Lloyd         | Mr Whitlam        |
| Mr Coates        | Mr Graham   | Mr McMahon       | Mr Willis         |
| Mr Cohen         | Dr Gun      | Mr Macphee       | Mr Wilson         |
| Mr Collard       | Mr Hayden   | Mr Mathews       | Mr Young          |
| Mr Crean         | Mr Hurford  | Mr Morris        |                   |
| Mr Cross         | Mr Hyde     | Mr Morrison      | <i>Tellers:</i>   |
| Mr Davies        | Mr Innes    | Mr Oldmeadow     | Mr D. M. Cameron  |
| Mr Dawkins       | Mr Jacobi   | Mr Peacock       | Mr Nicholls       |

And so it was negatived.

Dr Klugman having circulated the following amendment: Page 22, omit sub-clause (2), substitute the following sub-clause:

“(2) Subject to sub-section (3), in a proceeding instituted by such an application, the ground shall be held to have been established, and a decree of dissolution of the marriage shall be made, if the court is satisfied that—

- (a) the parties separated and thereafter lived separately and apart for a continuous period of not less than 12 months immediately preceding the date of the filing of the application for dissolution of marriage; or
- (b) the parties separated and thereafter lived separately and apart for a continuous period of not less than 6 months immediately preceding the date of the filing of the application for dissolution of marriage and each party genuinely desires the application to be granted; or
- (c) having regard to the behaviour of the parties the marriage has in fact broken down irretrievably.”—

Question—That the amendment be agreed to—put and negatived.

Mr Wentworth having circulated the following amendment: Page 22, line 21, omit “12 months”, substitute “24 months”—

Question—That the amendment be agreed to—put and negatived.

Question—That clause 48 be agreed to—put.

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

AYES, 66

|                  |             |                  |                   |
|------------------|-------------|------------------|-------------------|
| Mr Bennett       | Mr Drummond | Dr Jenkins       | Mr E. L. Robinson |
| Mr Bryant        | Mr Duthie   | Mr L. K. Johnson | Mr Scholes        |
| Mr Bungey        | Mr Enderby  | Mr L. R. Johnson | Mr Snedden        |
| Dr J. F. Cairns  | Dr Forbes   | Mr Jones         | Mr Staley         |
| Mr C. R. Cameron | Mr Fry      | Mr Keogh         | Mr Street         |
| Mr D. M. Cameron | Mr Fulton   | Mr Kerin         | Mr Thorburn       |
| Dr Cass          | Mr Garland  | Dr Klugman       | Mr Uren           |
| Mrs Child        | Mr Garrick  | Mr Lamb          | Mr Wallis         |
| Mr Chipp         | Mr Giles    | Mr Lloyd         | Mr Whan           |
| Mr Clayton       | Mr Gorton   | Mr McMahon       | Mr Whitlam        |
| Mr Coates        | Mr Graham   | Mr Macphee       | Mr Willis         |
| Mr Cohen         | Dr Gun      | Mr Mathews       | Mr Wilson         |
| Mr Collard       | Mr Hayden   | Mr Morris        | Mr Young          |
| Mr Crean         | Mr Hurford  | Mr Morrison      |                   |
| Mr Cross         | Mr Hyde     | Mr Oldmeadow     | <i>Tellers:</i>   |
| Mr Davies        | Mr Innes    | Mr Peacock       | Mr James          |
| Mr Dawkins       | Mr Jacobi   | Mr Riordan       | Mr Nicholls       |

NOES, 52

|                 |                |              |                   |
|-----------------|----------------|--------------|-------------------|
| Mr Adermann     | Mr Daly        | Mr Jarman    | Mr O'Keefe        |
| Mr Anthony      | Mr Drury       | Mr Keating   | Mr Reynolds       |
| Mr Armitage     | Dr Edwards     | Mr Kelly     | Mr I. L. Robinson |
| Mr Barnard      | Mr Ellicott    | Mr King      | Mr Ruddock        |
| Mr Beazley      | Mr Erwin       | Mr Luchetti  | Mr Stewart        |
| Mr Bonnett      | Mr Fairbairn   | Mr Lucock    | Mr Sullivan       |
| Mr Burchier     | Mr Fisher      | Mr Lusher    | Mr Viner          |
| Mr Bowen        | Mr FitzPatrick | Mr Lynch     | Mr Wentworth      |
| Mr Cadman       | Mr Fraser      | Mr MacKellar |                   |
| Mr K. M. Cairns | Mr Hewson      | Mr McLeay    |                   |
| Mr Calder       | Mr Hodges      | Mr McVeigh   |                   |
| Mr Connolly     | Mr Holten      | Mr Martin    | <i>Tellers:</i>   |
| Mr Cope         | Mr Howard      | Mr Millar    | Mr England        |
| Mr Corbett      | Mr Hunt        | Mr Nixon     | Mr Killen         |

And so it was resolved in the affirmative.

Clauses 1 to 20, by leave, postponed until after clause 21.

Clause 21 debated.

Question—That the clause be agreed to—put.

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

AYES, 85

|                  |                |                  |                   |
|------------------|----------------|------------------|-------------------|
| Mr Anthony       | Mr Drummond    | Mr L. K. Johnson | Mr Peacock        |
| Mr Armitage      | Mr Duthie      | Mr L. R. Johnson | Mr Reynolds       |
| Mr Barnard       | Mr Enderby     | Mr Jones         | Mr Riordan        |
| Mr Bennett       | Mr Fisher      | Mr Keating       | Mr E. L. Robinson |
| Mr Bouchier      | Mr FitzPatrick | Mr Kelly         | Mr Scholes        |
| Mr Bowen         | Dr Forbes      | Mr Keogh         | Mr Snedden        |
| Mr Bryant        | Mr Fry         | Mr Kerin         | Mr Staley         |
| Dr J. F. Cairns  | Mr Fulton      | Mr King          | Mr Thorburn       |
| Mr C. R. Cameron | Mr Garland     | Dr Klugman       | Mr Uren           |
| Mr D. M. Cameron | Mr Garrick     | Mr Lamb          | Mr Viner          |
| Dr Cass          | Mr Giles       | Mr Lloyd         | Mr Wallis         |
| Mrs Child        | Mr Gorton      | Mr Luchetti      | Mr Wentworth      |
| Mr Chipp         | Dr Gun         | Mr McMahon       | Mr Whan           |
| Mr Clayton       | Mr Hayden      | Mr McVeigh       | Mr Whitlam        |
| Mr Coates        | Mr Hewson      | Mr Macphee       | Mr Willis         |
| Mr Cohen         | Mr Holten      | Mr Martin        | Mr Wilson         |
| Mr Collard       | Mr Hurford     | Mr Mathews       | Mr Young          |
| Mr Crean         | Mr Hyde        | Mr Millar        |                   |
| Mr Cross         | Mr Innes       | Mr Morris        |                   |
| Mr Daly          | Mr Jacobi      | Mr Morrison      | <i>Tellers:</i>   |
| Mr Davies        | Mr Jarman      | Mr Nixon         | Mr James          |
| Mr Dawkins       | Dr Jenkins     | Mr Oldmeadow     | Mr Nicholls       |

NOES, 26

|             |             |                   |                 |
|-------------|-------------|-------------------|-----------------|
| Mr Adermann | Mr Corbett  | Mr Hunt           | Mr Stewart      |
| Mr Beazley  | Mr Drury    | Mr Killen         | Mr Street       |
| Mr Bonnett  | Mr Ellicott | Mr Lusher         | Mr Sullivan     |
| Mr Cadman   | Mr Erwin    | Mr McLeay         |                 |
| Mr Calder   | Mr Graham   | Mr O'Keefe        | <i>Tellers:</i> |
| Mr Connolly | Mr Hodges   | Mr I. L. Robinson | Mr England      |
| Mr Cope     | Mr Howard   | Mr Ruddock        | Mr MacKellar    |

And so it was resolved in the affirmative.

Clauses 1 to 3 agreed to.

Clause 4—

Mr Jarman moved the following amendment: Page 4, lines 14 and 15, omit "in circumstances arising out of a marital relationship", substitute "with respect to the personal protection of a party to the marriage or of a child of the marriage, or the property of a party to the marriage, which are in relation to any matrimonial cause then before the court".

Amendment negatived.

Mr Peacock moved the following amendment: Page 3, line 43, at the end of paragraph (a) add "or (iii) judicial separation;".

Debate continued.

Question—That the amendment be agreed to—put.

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

AYES, 30

|                |             |                   |                 |
|----------------|-------------|-------------------|-----------------|
| Mr Adermann    | Mr Hodges   | Mr McVeigh        | Mr Snedden      |
| Mr Bonnett     | Mr Howard   | Mr Martin         | Mr Sullivan     |
| Mr Cadman      | Mr Hunt     | Mr Millar         | Mr Wentworth    |
| Mr Calder      | Mr Hurford  | Mr O'Keefe        | Mr Wilson       |
| Mr Corbett     | Mr King     | Mr Peacock        |                 |
| Mr Fisher      | Mr Luchetti | Mr Riordan        | <i>Tellers:</i> |
| Mr FitzPatrick | Mr Lucock   | Mr E. L. Robinson | Mr England      |
| Mr Hewson      | Mr Lusher   | Mr I. L. Robinson | Mr Killen       |



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|                  |             |                  |                  |
|------------------|-------------|------------------|------------------|
| Mr Armitage      | Mr Cross    | Mr Jacobi        | Mr Nixon         |
| Mr Barnard       | Mr Daly     | Mr Jarman        | Mr Oldmeadow     |
| Mr Beazley       | Mr Davies   | Dr Jenkins       | Mr Reynolds      |
| Mr Bennett       | Mr Dawkins  | Mr L. K. Johnson | Mr Ruddock       |
| Mr Burchier      | Mr Drummond | Mr L. R. Johnson | Mr Scholes       |
| Mr Bowen         | Mr Drury    | Mr Jones         | Mr Staley        |
| Mr Bryant        | Dr Edwards  | Mr Keating       | Mr Stewart       |
| Mr Bungey        | Mr Ellicott | Mr Kelly         | Mr Street        |
| Dr J. F. Cairns  | Mr Enderby  | Mr Keogh         | Mr Thorburn      |
| Mr K. M. Cairns  | Mr Erwin    | Mr Kerin         | Mr Uren          |
| Mr C. R. Cameron | Mr Fry      | Dr Klugman       | Mr Viner         |
| Dr Cass          | Mr Fulton   | Mr Lamb          | Mr Wallis        |
| Mrs Child        | Mr Garland  | Mr Lloyd         | Mr Whan          |
| Mr Clayton       | Mr Garrick  | Mr MacKellar     | Mr Whitlam       |
| Mr Coates        | Mr Giles    | Mr McLeay        | Mr Willis        |
| Mr Cohen         | Mr Gorton   | Mr McMahon       | Mr Young         |
| Mr Collard       | Dr Gun      | Mr Macphee       |                  |
| Mr Connolly      | Mr Hayden   | Mr Mathews       | <i>Tellers:</i>  |
| Mr Cope          | Mr Hyde     | Mr Morris        | Mr D. M. Cameron |
| Mr Crean         | Mr Innes    | Mr Morrison      | Mr Nicholls      |

And so it was negatived.

It being past half-past ten o'clock p.m.—Progress to be reported.

The House resumed; Mr Berinson reported accordingly.

8 ADJOURNMENT: The question was accordingly 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 tomorrow at fifteen minutes past two o'clock p.m.

PAPERS: The following papers were deemed to have been presented on 19 May 1975, pursuant to statute:

Public Service Arbitration Act—Public Service Arbitrator—Determinations accompanied by statements regarding possible inconsistency with the law—1975—

No. 214—Association of Architects, Engineers, Surveyors and Draughtsmen of Australia and others.†

No. 221—Australian Public Service Association (Fourth Division Officers).

No. 222—Hospital Employees Federation of Australia.

No. 223—Australian Public Service Artisans' Association and another.

No. 224—Amalgamated Metal Workers' Union and others.†

No. 225—Telecommunication Technical Officer's Association, Postmaster-General's Department.

No. 226—Australian Public Service Association (Fourth Division Officers).

No. 227—Association of Architects, Engineers, Surveyors and Draughtsmen of Australia.

Nos. 228 to 230—Hospital Employees Federation of Australia.

No. 231—Australian Theatrical and Amusement Employees Association.

No. 232—Australian Broadcasting Commission Staff Association.

No. 233—Australian Public Service Association (Fourth Division Officers).

No. 234—Transport Workers' Union of Australia.

No. 235—Transport Workers' Union of Australia.†

No. 236—Australian Public Service Association (Fourth Division Officers).

No. 237—Federal Firefighters' Union.

Nos. 238 and 239—Association of Architects, Engineers, Surveyors and Draughtsmen of Australia.

No. 240—Australian Broadcasting Commission Staff Association.

No. 241—Transport Workers' Union of Australia.†

- No. 242—Amalgamated Metal Workers' Union and others.  
 No. 243—Australian Workers' Union.  
 No. 244—Australian Broadcasting Commission Senior Officers' Association and another.  
 No. 247—Australian Broadcasting Commission Staff Association.  
 No. 248—Australian Federated Union of Locomotive Enginemen.  
 No. 249—Amalgamated Metal Workers' Union and others.  
 No. 250—Australian Public Service Association (Fourth Division Officers).  
 No. 251—Vehicle Builders Employees Federation of Australia.  
 No. 252—Federated Miscellaneous Workers Union of Australia.†  
 No. 253—Hospital Employees Federation of Australia.†  
 No. 254—Federated Storemen and Packers Union of Australia.†  
 No. 255—Federated Engine Drivers' and Firemen's Association of Australasia.†  
 Nos. 256 and 257—Australian Workers' Union.†  
 Nos. 258 to 260—Amalgamated Metal Workers' Union and others.†  
 Nos. 261 and 262—Australian Public Service Association (Fourth Division Officers).  
 Nos. 263 and 264—Commonwealth Police Officers' Association.  
 No. 265—Association of Architects, Engineers, Surveyors and Draughtsmen of Australia.  
 No. 266—Professional Officers' Association, Commonwealth Public Service.  
 No. 267—Association of Railway Professional Officers of Australia and Association of Professional Engineers, Australia.  
 Nos. 268 and 269—Administrative and Clerical Officers' Association, Commonwealth Public Service.  
 No. 270—Electrical Trades Union of Australia.†  
 No. 271—Australian Federated Union of Locomotive Enginemen.  
 No. 272—Amalgamated Metal Workers' Union and others.  
 No. 273—Commonwealth Medical Officers Association.  
 No. 274—Amalgamated Metal Workers' Union and others.†  
 Nos. 275 and 276—Amalgamated Metal Workers' Union and others.  
 No. 277—Federated Miscellaneous Workers' Union of Australia.  
 No. 278—Amalgamated Postal Workers Union of Australia and others.†  
 No. 279—Amalgamated Metal Workers' Union and others.†  
 No. 280—Administrative and Clerical Officers' Association, Commonwealth Public Service.  
 No. 281—Australian Public Service Artisans' Association.  
 No. 282—Association of Railway Professional Officers of Australia and Association of Professional Engineers, Australia.  
 No. 283—Australian Federated Union of Locomotive Enginemen.  
 No. 284—Amalgamated Metal Workers' Union and another.  
 No. 285—Federated Miscellaneous Workers Union of Australia.  
 No. 286—Australian Broadcasting Commission Senior Officers' Association and another.  
 Nos. 287 and 288—Australian Broadcasting Commission Staff Association.  
 No. 289—Repatriation Department Medical Officers Association.  
 No. 290—Professional Officers' Association, Commonwealth Public Service.  
 No. 292—Australian Government Lawyers Association.  
 No. 293—Professional Officers' Association, Commonwealth Public Service.  
 No. 294—Administrative and Clerical Officers' Association, Commonwealth Public Service.  
 No. 295—Postmaster-General's Department Heads of Divisions and Branches Association.  
 Nos. 296 and 297—Association of Professional Engineers, Australia.  
 No. 298—Federated Clerks Union of Australia.

- No. 299—Repatriation Department Medical Officers Association.  
No. 300—Australian Broadcasting Commission Staff Association.  
No. 301—Federated Clerks Union of Australia.  
No. 302—Australian Broadcasting Commission Senior Officers' Association and another.  
Nos. 303 and 304—Hospital Employees Federation of Australia.  
No. 305—Professional Radio Employees' Institute of Australasia.  
No. 306—Association of Architects, Engineers, Surveyors and Draughtsmen of Australia and Professional Officers' Association, Commonwealth Public Service.  
Nos. 307 and 308—Professional Radio Employees' Institute of Australasia.  
No. 309—Commonwealth Foremen's Association of Australia, Commonwealth Public Service.  
No. 310—Australian Theatrical and Amusement Employees Association.  
No. 311—Customs Officers' Association of Australia, Fourth Division.  
No. 312—Federated Storemen and Packers Union of Australia and Federated Ironworkers' Association of Australia.  
No. 313—Australian Theatrical and Amusement Employees Association.  
No. 314—Association of Architects, Engineers, Surveyors and Draughtsmen of Australia.  
No. 318—Australian Broadcasting Commission Senior Officers' Association and another.  
No. 319—Australian Broadcasting Commission Staff Association.  
No. 320—Australian Public Service Artisans' Association.  
No. 321—Australian Public Service Association (Fourth Division Officers).  
No. 328—Postal Telecommunication Technicians Association (Australia).

(† Not accompanied by statement)

- Seat of Government (Administration) Act—Ordinances—1975—  
No. 11—Workmen's Compensation.  
No. 12—Rates.

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**MEMBERS PRESENT:** All Members were present (at some time during the sitting) except Dr Everingham, Mr Katter, Mr McKenzie, Mr Mulder and Mr Sherry.

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