

AUSTRALIA  
HOUSE OF REPRESENTATIVES  
**VOTES AND PROCEEDINGS**

No. 74

WEDNESDAY, 21 MAY 1975

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1 The House met, at ten o'clock a.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 Anthony (Leader of the National Country Party of Australia), Mr Bonnett, Mr Bouchier, Mr K. M. Cairns, Mr D. M. Cameron, Mrs Child, Mr Chipp, Mr Corbett, Mr Drury, Mr Duthie, Mr Erwin, Mr Fisher, Mr Garrick, Mr Gorton, Mr Graham, Mr Jarman, Dr Jenkins, Mr Keogh, Mr Kerin, Mr McMahon, Mr Macphee, Mr Mathews, Mr Oldmeadow, Mr Peacock and Mr Staley—from certain citizens of Australia praying that (1) the Metric Conversion Act be repealed and (2) the Government take urgent steps to cause the traditional and familiar units to be restored in those areas where the greatest inconveniences and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 Crean (Minister for Overseas Trade), Mr D. M. Cameron, Mr Drury, Dr Forbes, Mr Hodges, Mr Jarman and Mr Killen—from certain employees and agents of the Australian insurance industry praying that the House reject the Australian Government Insurance Office Bill.

Mr Sinclair (Deputy Leader of the National Country Party of Australia), Mr McLeay, Mr Oldmeadow and Mr Peacock—from certain citizens of Australia in terms similar to the last preceding petition.

Mr Uren (Minister for Urban and Regional Development), Mr Drury and Dr Forbes—from certain citizens of Australia praying that the House amend the Family Law Bill.

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

Dr Jenkins—from certain citizens of Australia praying that the House initiate international action against the use of nuclear power and implement a program of research into safe sources of energy.

Petitions received.

3 **QUESTIONS:** Questions without notice were asked.

4 **PAPERS:** The following papers were presented, by command of His Excellency the Administrator:

Australian Legal Aid Review Committee—Second report, dated March 1975.

Interpreting—Report of working party to the Committee on Overseas Professional Qualifications dated August 1974.

Emergency relief—Report to the Social Welfare Commission by Mr D. Griffiths, together with recommendations by the Commission on the report.

Rural retreats—Urban investment in rural land for residential purposes—Urban Paper by Claire Wagner.

The following papers were presented, pursuant to statute:

Dried Fruits Research Act—Dried Fruits Research Committee—Third Annual Report, for year 1973-74.

Remuneration Tribunals Act—Remuneration Tribunal—Determination dated 14 April 1975—Holders of public offices on the Australian Defence Force Academy Development Council and the Petroleum and Minerals Authority.

- 5 STATES GRANTS (BEEF INDUSTRY) BILL 1975: Dr Patterson (Minister representing the Minister for Agriculture), pursuant to notice, presented a Bill for an Act to grant Financial Assistance to the States in relation to Beef Producers.

Bill read a first time.

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

Debate adjourned (Mr Sinclair—Deputy Leader of the National Country Party of Australia), and the resumption of the debate made an order of the day for the next sitting.

- 6 SUSPENSION OF STANDING ORDERS MOVED: Mr Sinclair (Deputy Leader of the National Country Party of Australia) moved—That so much of the standing orders be suspended as would prevent order of the day No. 1, government business, for the consideration of the Family Law Bill 1974 being called on forthwith and having precedence until disposed of.

Debate ensued.

Question—put.

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

AYES, 56

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

NOES, 60

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

And so it was negatived.

- 7 STEVEDORING INDUSTRY CHARGE BILL 1975: Mr C. R. Cameron (Minister for Labor and Immigration) presented a Bill for an Act to amend the *Stevedoring Industry Charge Act 1947-1973*.

Bill read a first time.

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

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

- 8 AUSTRALIAN NATIONAL UNIVERSITY BILL 1975: Mr Beazley (Minister for Education), pursuant to notice, presented a Bill for an Act to amend the *Australian National University Act 1946-1973*, and for other purposes.

Bill read a first time.

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

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

- 9 CANBERRA COLLEGE OF ADVANCED EDUCATION BILL 1975: Mr Beazley (Minister for Education), pursuant to notice, presented a Bill for an Act relating to Fees payable to the Canberra College of Advanced Education.

Bill read a first time.

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

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

- 10 SHIP CONSTRUCTION BOUNTY BILL 1975: Mr Enderby (Minister representing the Minister for Manufacturing Industry), pursuant to notice, presented a Bill for an Act to provide for the Payment of a Bounty on the Production of certain Ships and other Vessels.

Bill read a first time.

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

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

- 11 NATIONAL HEALTH BILL (No. 3) 1975 [No. 2]: Dr Cass (Acting Minister for Health), pursuant to notice, presented a Bill for an Act relating to the Provision of Information in Respect of Drugs and Medicinal Preparations.

Bill read a first time.

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

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

- 12 SUSPENSION OF STANDING ORDERS MOVED: Mr Fraser (Leader of the Opposition) moved—That so much of the standing orders be suspended as would prevent notices Nos. 6, 7, 9, 10 and 11, government business, relating to proposals for the redistribution of the States of South Australia, Tasmania, Queensland, Victoria and New South Wales into Electoral Divisions, being called on together and debated together in a general debate with separate questions being put on each of the motions at the conclusion of the debate.

Debate ensued.

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

Question—put.

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

AYES, 57

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

## NOES, 61

Mr Armitage	Mr Cope	Mr Jacobi	Dr Patterson
Mr Barnard	Mr Crean	Dr Jenkins	Mr Reynolds
Mr Beazley	Mr Cross	Mr L. K. Johnson	Mr Riordan
Mr Bennett	Mr Daly	Mr L. R. Johnson	Mr Stewart
Mr Berinson	Mr Davies	Mr Jones	Mr Thorburn
Mr Bowen	Mr Dawkins	Mr Keating	Mr Uren
Mr Bryant	Mr Duthie	Mr Keogh	Mr Wallis
Dr J. F. Cairns	Mr Enderby	Mr Kerin	Mr Whan
Mr C. R. Cameron	Mr FitzPatrick	Dr Klugman	Mr Whitlam
Dr Cass	Mr Fry	Mr Lamb	Mr Willis
Mrs Child	Mr Fulton	Mr Luchetti	Mr Young
Mr Clayton	Mr Garrick	Mr Martin	
Mr Coates	Dr Gun	Mr Mathews	
Mr Cohen	Mr Hayden	Mr Morris	<i>Tellers:</i>
Mr Collard	Mr Hurford	Mr Morrison	Mr James
Mr Connor	Mr Innes	Mr Oldmeadow	Mr Nicholls

And so it was negatived.

- 13 ELECTORAL DIVISIONS OF SOUTH AUSTRALIA—PROPOSED REDISTRIBUTION: Mr Daly (Minister for Services and Property) moved, pursuant to notice—That the House of Representatives approves of the redistribution of the State of South Australia into Electoral Divisions as proposed by Messrs A. J. Walsh, G. H. Campbell-Kennedy and F. W. Summers, the Commissioners appointed for the purpose of redistributing the said State into Divisions, in their Report laid before the House of Representatives on 15 April 1975, and that the names of the Divisions suggested in the Report, and indicated in the map referred to therein, be adopted.

Debate ensued.

Question—put.

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

## AYES, 61

Mr Armitage	Mr Cope	Mr Jacobi	Dr Patterson
Mr Barnard	Mr Crean	Dr Jenkins	Mr Reynolds
Mr Beazley	Mr Cross	Mr L. K. Johnson	Mr Riordan
Mr Bennett	Mr Daly	Mr L. R. Johnson	Mr Stewart
Mr Berinson	Mr Davies	Mr Jones	Mr Thorburn
Mr Bowen	Mr Dawkins	Mr Keating	Mr Uren
Mr Bryant	Mr Duthie	Mr Keogh	Mr Wallis
Dr J. F. Cairns	Mr Enderby	Mr Kerin	Mr Whan
Mr C. R. Cameron	Mr FitzPatrick	Dr Klugman	Mr Whitlam
Dr Cass	Mr Fry	Mr Lamb	Mr Willis
Mrs Child	Mr Fulton	Mr Luchetti	Mr Young
Mr Clayton	Mr Garrick	Mr Martin	
Mr Coates	Dr Gun	Mr Mathews	
Mr Cohen	Mr Hayden	Mr Morris	<i>Tellers:</i>
Mr Collard	Mr Hurford	Mr Morrison	Mr James
Mr Connor	Mr Innes	Mr Oldmeadow	Mr Nicholls

## NOES, 57

Mr Adermann	Mr Erwin	Mr Kelly	Mr E. L. Robinson
Mr Anthony	Mr Fairbairn	Mr Killen	Mr I. L. Robinson
Mr Bonnett	Mr Fisher	Mr King	Mr Ruddock
Mr Bouchier	Dr Forbes	Mr Lloyd	Mr Sinclair
Mr Bungey	Mr Fraser	Mr Lucock	Mr Snedden
Mr Cadman	Mr Garland	Mr Lusher	Mr Staley
Mr K. M. Cairns	Mr Giles	Mr Lynch	Mr Street
Mr Calder	Mr Graham	Mr MacKellar	Mr Viner
Mr Chipp	Mr Hewson	Mr McLeay	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	<i>Tellers:</i>
Dr Edwards	Mr Hyde	Mr Nixon	Mr D. M. Cameron
Mr Ellicott	Mr Jarman	Mr O'Keefe	Mr England

And so it was resolved in the affirmative.

- 14 ELECTORAL DIVISIONS OF TASMANIA—PROPOSED REDISTRIBUTION: Mr Daly (Minister for Services and Property) moved, pursuant to notice—That the House of Representatives approves of the redistribution of the State of Tasmania into Electoral Divisions as proposed by Messrs J. R. Lennard, C. C. A. Butler and P. W. Fletcher, the Commissioners appointed for the purpose of redistributing the said State into Divisions, in their Report laid before the House of Representatives on 17 April 1975, and that the names of the Divisions suggested in the Report, and indicated in the map referred to therein, be adopted.

Debate ensued.

Question—put.

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

AYES, 60

Mr Armitage	Mr Crean	Dr Jenkins	Mr Reynolds
Mr Barnard	Mr Cross	Mr L. K. Johnson	Mr Riordan
Mr Beazley	Mr Daly	Mr L. R. Johnson	Mr Stewart
Mr Bennett	Mr Davies	Mr Jones	Mr Thorburn
Mr Berinson	Mr Dawkins	Mr Keating	Mr Uren
Mr Bowen	Mr Duthie	Mr Keogh	Mr Wallis
Mr Bryant	Mr Enderby	Mr Kerin	Mr Whan
Dr J. F. Cairns	Mr FitzPatrick	Dr Klugman	Mr Whitlam
Mr C. R. Cameron	Mr Fry	Mr Lamb	Mr Willis
Dr Cass	Mr Fulton	Mr Luchetti	Mr Young
Mrs Child	Mr Garrick	Mr Martin	
Mr Clayton	Dr Gun	Mr Mathews	
Mr Coates	Mr Hayden	Mr Morris	
Mr Collard	Mr Hurford	Mr Morrison	
Mr Connor	Mr Innes	Mr Oldmeadow	
Mr Cope	Mr Jacobi	Dr Patterson	

*Tellers:*  
Mr James  
Mr Nicholls

NOES, 55

Mr Adermann	Mr Erwin	Mr Kelly	Mr O'Keefe
Mr Anthony	Mr Fairbairn	Mr Killen	Mr Peacock
Mr Bonnett	Mr Fisher	Mr King	Mr E. L. Robinson
Mr Bourchier	Dr Forbes	Mr Lloyd	Mr I. L. Robinson
Mr Bungey	Mr Fraser	Mr Lucock	Mr Ruddock
Mr Cadman	Mr Giles	Mr Lusher	Mr Sinclair
Mr Calder	Mr Graham	Mr Lynch	Mr Snedden
Mr Chipp	Mr Hewson	Mr MacKellar	Mr Street
Mr Connolly	Mr Hodges	Mr McLeay	Mr Viner
Mr Corbett	Mr Holten	Mr McMahan	Mr Wentworth
Mr Drummond	Mr Howard	Mr McVeigh	Mr Wilson
Mr Drury	Mr Hunt	Mr Macphee	<i>Tellers:</i>
Dr Edwards	Mr Hyde	Mr Millar	Mr D. M. Cameron
Mr Ellicott	Mr Jarman	Mr Nixon	Mr England

And so it was resolved in the affirmative.

- 15 MESSAGES FROM THE SENATE: Messages from the Senate, dated 21 May 1975, were reported—

(a) returning the following Bills without amendment:

Message—

No. 195—Supply (No. 1) 1975–76 (*without requests*).

No. 196—Supply (No. 2) 1975–76.

(b) returning the following Bill and acquainting the House that the Senate does not insist upon its amendments disagreed to by the House:

Message No. 197—Public Service Acts Amendment 1975.

- 16 CUSTOMS TARIFF PROPOSALS No. 15 (1975): Mr Enderby (Minister for Police and Customs) moved Customs Tariff Proposals No. 15 (1975).

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

17 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*

*Proposed new clause—*

Consideration resumed of new clause 81A moved by Mr Wentworth (*see* page 667).

Proposed new clause negatived.

Clause 82 agreed to.

Clause 83—

Mr Wentworth moved the following amendment: Page 37, line 24, after “ shall ” insert “, in relation to orders made under this Act,”.

Debate continued.

Amendment negatived.

Clause agreed to.

Clauses 84 to 86, by leave, taken together, and agreed to.

Clause 87 agreed to.

Clauses 88 to 93, by leave, taken together, and agreed to.

Clause 94 agreed to.

Clauses 95 to 97, by leave, taken together, and agreed to.

*Proposed new clauses—*

Mr Wentworth moved, by leave—That the following new clauses be inserted in the Bill:

“97A. (1) Except as provided in this section, it shall be an offence for any person to solicit or accept a fee for representing or appearing for a party in a Family Court or a court discharging the functions of a Family Court under this Act. Offence to accept fee for representing a party in a Family Court.

Penalty—\$10.

“(2) Sub-section (1) does not apply to—

(a) the Attorney-General, the Director of Counselling and Welfare or their officers; and

(b) proceedings before the Full Court under the provisions of section 94.

“97B. Where a person has been convicted of an offence under section 97A, a person who has paid money in connection with that offence may recover from him twice the amount so paid, by suing in a court of competent jurisdiction: provided that such court shall not award such payment unless it is reasonably satisfied that the person committing the offence was aware that he was committing an offence. Money to be recoverable from person convicted under section 97A.

“97C. (1) Where a party to a matter before a Family Court or a court discharging the functions of a Family Court so requests, the Director of Counselling and Welfare shall assign an adviser to him. When requested Director of Counselling and Welfare to provide adviser.

“(2) The first duty of an adviser shall be to explore the possibility of reconciliation, failing which he may assist the person to whom he is assigned in his conduct before the court.”.

Debate ensued.

Proposed new clauses negatived.

Clauses 98 and 99, by leave, taken together, and agreed to.

Clause 100—

On the motion of Mr Killen, the following amendment was made, after debate: Page 42, at the beginning of sub-clause (2) insert “In proceedings under this Act,”.

Clause, as amended, agreed to.

Clauses 101 and 102, by leave, taken together, and agreed to.

Clause 103 agreed to.

Clause 104—

On the motion of Mr Enderby (Attorney-General), the following amendment was made: Page 44, line 34, omit “before, on or after the commencing date”, substitute “before or after the commencement of this Act”.

Clause, as amended, agreed to.

Clause 105 agreed to.

Clause 106—

On the motion of Mr McMahon, the clause was omitted, and the following clause substituted, after debate:

“106. The regulations may make provision for and in relation to Methods of enforcement. the enforcement of decrees made under this Act including—

- (a) provision for conferring jurisdiction on courts of the Territories or investing State courts with federal jurisdiction; and
- (b) in the case of a decree being a maintenance order under Part VIII—provision for an officer of a court exercising jurisdiction under this Act or an authority or person specified in the regulations, in his discretion, to take proceedings on behalf of the person entitled to moneys payable under that order for the purpose of enforcing payment of those moneys.”.

Clause 107—

On the motion of Mr Enderby, the following amendment was made: Page 45, line 21, omit “sub-section 114 (3)”, substitute “sub-section 114 (4)”.

Clause, as amended, debated.

Mr Enderby, by leave, again addressed the committee.

Clause, as amended, agreed to.

Clauses 108 to 113, by leave, taken together, and agreed to.

Clause 114—

Mr Stewart (Minister for Tourism and Recreation) moved the following amendment:

Page 47, line 33, omit “or for the protection of the marital relationship”.

Debate continued.

Amendment negatived.

On the motion, by leave, of Mr Enderby, the following amendment was made: Page 48, line 16, omit “this”, substitute “the”.

Clause, as amended, agreed to.

Clause 115—

Mr Giles moved the following amendment: Page 48, after sub-clause (5) insert the following sub-clauses:

“(5A) Subject to sub-section (5B), a member of the Council holds office for such period, not exceeding 3 years, as is specified in the instrument of his appointment, but is eligible for re-appointment.

“(5B) The appointment of a member of the Council may, at any time, be terminated by the Attorney-General.”.

Debate continued.

Amendment negatived.

Clause agreed to.

Clause 116 agreed to.

Clause 117 debated and agreed to.

Clauses 118 to 120, by leave, taken together, and agreed to, after debate.

Clause 121—

Mr Wentworth moved the following amendment: Page 51, after paragraph (5) (b) insert the following paragraph:

“(ba) the printing or publishing of a judgement of a court;”.

Debate continued.

Amendment negatived.

On the motion, by leave, of Mr Enderby, the following amendment was made: Page 51, lines 32 and 33, omit all words after “regulations”.

Clause, as amended, agreed to.

Clauses 122 and 123 agreed to.

Title debated and agreed to.

Clause 50 reconsidered, by leave.

On the motion of Mr K. M. Cairns, the following amendment was made, after debate:

Page 22, lines 38 and 39, omit "up to the date of the commencement of the hearing of the application", substitute "up to the date of the filing of the application".

Clause, as amended, agreed to.

Bill to be reported with amendments.

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The House resumed; Mr Berinson reported accordingly.

On the motion of Mr Enderby, by leave, the House adopted the report.

Mr Enderby moved, by leave—That the Bill be now read a third time.

Debate ensued.

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

- 18 AUSTRALIAN GOVERNMENT INSURANCE CORPORATION BILL 1975: The House, according to order, resolved itself into a committee of the whole for the further consideration of the Bill.

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*In the committee*

Clauses 3 to 7, as amended, together further debated, and agreed to.

Clauses 8 to 13, as amended, by leave, taken together, and agreed to, after debate.

Clause 14, as amended, debated and agreed to.

Clause 15, as amended—

On the motion of Mr Bowen (Minister representing the Minister for Repatriation and Compensation), the clause was omitted, and the following clause substituted, after debate:

"15. (1) Subject to this Act, the *Insurance Acts* 1973 apply in relation to the Corporation in accordance with this section. Application of  
Insurance  
Acts.

"(2) The Corporation shall be deemed to be authorized under the *Insurance Acts* 1973 to carry on insurance business within the meaning of those Acts.

"(3) The *Insurance Acts* 1973 apply in relation to the general insurance business carried on by the Corporation as if that business were the only business carried on by the Corporation.

"(4) Section 46 of the *Insurance Acts* 1973 does not apply in relation to the Corporation.

"(5) In this section, 'general insurance business' means business of insurance other than—

(a) life insurance business; and

(b) business in relation to contracts of insurance referred to in section 14."

*New clause—*

On the motion of Mr Bowen, the following new clause was inserted in the Bill:

"15A. (1) Subject to this Act, the *Life Insurance Act* 1945–1973 applies in relation to the Corporation in accordance with this section. Application of  
Life Insurance  
Act.

"(2) The Corporation shall be deemed to be registered under the *Life Insurance Act* 1945–1973.

"(3) The *Life Insurance Act* 1945–1973 applies in relation to the life insurance business carried on by the Corporation as if that business were the only business carried on by the Corporation.

"(4) Section 47, and Division 8 of Part III, of the *Life Insurance Act* 1945–1973 do not apply in relation to the Corporation.

"(5) In this section, 'life insurance business' does not include business in relation to contracts of insurance referred to in section 14."



Clauses 16 to 32, as amended, by leave taken together, and agreed to, after debate.  
 Clause 33, as amended—

On the motion of Mr Bowen, the following further amendment was made: Page 11, omit sub-clause (2).

Clause, as amended, agreed to.

Clauses 34 to 41, as amended, by leave, taken together, and agreed to, after debate.

Clause 42, as amended—

On the motion of Mr Bowen, the following further amendment was made: Page 14, omit sub-clause (3).

Clause, as amended, debated and agreed to.

Remainder of Bill, as amended, by leave, taken as a whole, and agreed to, after debate.  
 Bill to be reported with amendments, and with an amended title.

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The House resumed; Mr Drury 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.

- 19 ADMINISTRATIVE APPEALS TRIBUNAL BILL 1975: The House, according to order, resolved itself into a committee of the whole for the further consideration of the Bill.

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*In the committee*

Clauses 1 to 7, by leave, taken together, and agreed to.

Clause 8—

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

Page 3, line 35, omit “the Governor-General determines”, substitute “prescribed”.

Page 3, omit sub-clause (4).

Debate continued.

Amendments negatived.

Clause agreed to.

Clauses 9 to 11, by leave, taken together, and agreed to, after debate.

Clause 12—

Mr Howard moved the following amendment: Page 5, lines 36 and 37, omit “, except with the approval of the Minister,”.

Debate continued.

Amendment negatived.

Clause agreed to.

Clauses 13 and 14, by leave, taken together, and agreed to.

Clause 15—

On the motion, by leave, of Mr Enderby (Attorney-General), the following amendments were made together, after debate:

Pages 6 and 7, omit sub-clauses (1) to (3), substitute the following sub-clause:

“(1) Where a member is, or is to be, a member of the Tribunal as constituted for the purposes of a proceeding and he has or acquires any interest, pecuniary or otherwise, that could conflict with the proper performance of his functions in relation to that proceeding—

- (a) he shall disclose the interest to the parties to the proceeding; and
- (b) except with the consent of all the parties to the proceeding, he shall not take part in the proceeding or exercise any powers in relation to the review by the Tribunal of the decision to which the proceeding relates.”.

Page 7, omit sub-clause (5).

Clause, as amended, agreed to.

Clauses 16 to 25, by leave, taken together, and agreed to.

## Clause 26—

Mr Howard moved the following amendment: Page 10, before sub-clause (1) insert the following sub-clauses:

“(1A) Subject to sub-section (1B) an application may be made to the Tribunal for the review of a decision made by a person in exercise of a power conferred on that person by a provision specified in Parts I to VI of the Schedule to this Act.

“(1B) The review by the Tribunal of a decision shall be subject to the limitations or extensions (if any) contained in the Schedule and set opposite the provisions by which the power to exercise that decision is conferred.

“(1C) The right to apply to the Tribunal for the review of a decision made by a person in exercise of a power conferred by a provision specified in Parts I, II, IV and V of the Schedule shall be in substitution for any right of appeal against or review of that decision whether by a court or other body given by that provision or by the enactment of which that provision forms part.

“(1D) Nothing in sub-sections (1A), (1B) and (1C) shall affect any right of appeal or review which any person has at the date of commencement of this Act in respect of a decision referred to in sub-section (1A).”

Debate continued.

Amendment negatived.

Mr Howard moved the following amendment: Pages 10 and 11, omit sub-clause (2).

Debate continued.

Amendment negatived.

On the motion of Mr Enderby, the following amendment was made, after debate: Page 11, omit sub-clause (6), substitute the following sub-clause:

“(6) Where an enactment provides for applications to the Tribunal—

- (a) that enactment, or another enactment having effect under that enactment, may also include a provision that a non-presidential member shall not exercise, or participate in the exercise of, the powers of the Tribunal in relation to such applications unless he was appointed as a non-presidential member in accordance with a procedure, or has special qualifications, specified in the provision, and sub-section 21 (1) has effect subject to any provision so included; and
- (b) that enactment, or another enactment having effect under that enactment, may also include provisions adding to, excluding or modifying the operation of any of the provisions of sections 22, 23, 27, 29, 32, 33 and 35 or of sub-section 43 (1) or (2) in relation to such applications, and those sections and sub-sections have effect subject to any provisions so included.”

Clause, as amended, agreed to.

## Clause 27—

Mr Howard moved the following amendment: Page 11, line 42, omit “an” (first occurring), substitute “this Act or any other”.

Amendment negatived.

Clause agreed to.

## Clause 28—

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

Page 12, line 18, omit “a Minister”, substitute “the Attorney-General”.

Page 12, omit paragraph (c).

Debate continued.

Amendments negatived.

Clause agreed to.

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

The House resumed; Mr Berinson reported accordingly.

20 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 ten o'clock a.m.

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PAPERS: The following papers were deemed to have been presented on 21 May 1975, pursuant to statute:

Australian Capital Territory Supreme Court Act—Rules of Court—Statutory Rules 1975, No. 81.

Lands Acquisition Act—

Land acquired for—

Defence purposes—Amberley, Queensland.

Migrant hostel purposes—Pennington, South Australia.

Office accommodation purposes—Ipswich, Queensland.

Post office purposes—Mangalore, Queensland.

Statement of lands, etc., acquired by agreement authorised under section 7 (1) of the Act.

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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, Mr Sherry and Mr Sullivan.

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N. J. PARKES,

Clerk of the House of Representatives