

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

## HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 38

FRIDAY, 4 JUNE 1976

1 The House met, at 10.00 a.m., pursuant to adjournment. Mr Speaker (the Right Honourable B. M. Snedden) took the Chair, and read Prayers.

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

Mr Sinclair (Minister for Primary Industry), Mr Viner (Minister for Aboriginal Affairs), Mr Connolly and Mr Short—from certain citizens of Australia praying that a Commission of Inquiry be initiated into the Aurukun Associates Agreement Act, no mining take place on the Aurukun Aboriginal Reserve until a full environmental impact study has been made and an export licence to the consortium concerned be refused until negotiations are held with the Aurukun people and an agreement has been reached.

Mr Jones and Mr Keating—from certain citizens of Australia praying that milk substitutes for children up to 6 years of age be restored to the schedule of pharmaceutical benefits.

Mr E. G. Whitlam (Leader of the Opposition)—from certain citizens of Australia praying that the Health Insurance Commission be empowered to offer all forms of hospital insurance cover.

Mr Bradfield—from certain members and friends of the Bankstown Conservation Society praying that the Australian Heritage Commission be appointed urgently and grants be given to community organisations concerned with conservation.

Mr Carige—from certain electors of the Division of Capricornia praying that the Metric Conversion Act be repealed and the traditional and familiar weights and measures be restored.

Mr Connolly—from certain citizens of Australia praying that all current woodchip export licences be cancelled, more funds be provided for research into the recycling of used packaged material and future applications for woodchip leases be preceded by an environmental inquiry.

Mr Connolly—from certain citizens of Australia praying that the Government remove or substantially increase the \$300 limit on income tax deductibility on personal residential land and water rates.

Mr Falconer—from certain citizens of Australia praying that the Australian Assistance Plan be continued as recommended in the report tabled in Parliament on 4 March 1976.

Mr Falconer—from certain citizens of Australia praying that the Government reverse the decision to cut 1975-76 overseas development assistance and send some of our more productive cows to the Indian sub-continent.

Mr Fry—from certain citizens of Australia praying that the Government reverse the decision to cut 1975-76 overseas development assistance, reaffirm Australia's commitment of assistance of a minimum of 0.7% of G.N.P. and establish an independent statutory authority to administer such assistance.

Mr Haslem—from certain citizens of Australia praying that the Australian National Library be accessible to readers from 9.30 a.m. to 10.00 p.m. daily.

Mr Hurford—from certain citizens of Australia praying that the decision to curtail the home mortgage interest tax deduction scheme be reconsidered and the benefits be upgraded by indexation.

Mr Lusher—from certain citizens of Australia praying that a joint Parliamentary team visit Cambodia and the admission of news teams and the sending of a Red Cross relief team to that country be supported.

Mr J. L. McMahon—from certain citizens of Australia praying that grants to under-privileged schools in the Sydney inner city area be retained.

Mr Morris—from certain citizens of Australia praying that social security payments be adjusted instantly and automatically with increases in the Consumer Price Index and certain other benefits be adjusted.

Dr Richardson—from certain citizens of Australia praying that the means test on all aged pensions be abolished immediately.

Petitions received.

3 QUESTIONS: Questions without notice were asked.

4 PAPERS: The following papers were presented:

By command of His Excellency the Governor-General:

Aboriginal Secondary Grants Scheme—An evaluation of the scheme entitled "Access to Education"—Report by Professor B. H. Watts—  
Report.

Statement by Senator Carrick (Minister for Education), dated 3 June 1976.

International Sugar Agreement, 1973—Resolution of International Sugar Council, dated 30 September 1975, relating to the extension of the Agreement.  
International Wheat Agreement, 1971—Protocols for the third extension of the Wheat Trade Convention, 1971 and the Food Aid Convention, 1971, constituting the International Wheat Agreement, 1971.

National Committee on Social Science Teaching—Research and Development Grants 1973-74 and 1974-75—Report, dated December 1975.

National Highway linking Sydney and Brisbane (Newcastle area)—Report by Commonwealth Bureau of Roads, dated 11 March 1976.

Norfolk Island—Report for year 1974-75.

Poverty—Commission of Inquiry—Third Main Report—Social/Medical Aspects of Poverty in Australia by the Rev. G. S. Martin—  
Books 1 and 2, dated March 1976.

Statement by Senator Guilfoyle (Minister for Social Security).

Royal Australian Air Force—List of V.I.P. flights for period 9 February to 31 May 1976.

Sugar Agreement 1975—Exchange of letters, dated 1 March and 9 April 1976, between the Prime Minister and the Premier of Queensland varying the Agreement.

United Nations—Third Conference on the Law of the Sea, Fourth Session, New York, U.S.A., 15 March to 7 May 1976—Report of Australian Delegation.

Pursuant to statute:

Australia Council Act—Australia Council—Financial statements, together with the Auditor-General's Report, for period 13 March to 30 June 1975.

Education Research Act—Australian Advisory Committee on Research and Development in Education—

Fourth Annual Report, for year 1973-74.

Fifth Annual Report, for year 1974-75.

National Fitness Act—Report for year 1974-75.

States Grants (Technical and Further Education) Act—Statement of financial assistance granted to the States for year 1974-75.

Tobacco Marketing Act—Australian Tobacco Board—Tenth Annual Report and financial statements, together with the Auditor-General's Report, for 1975.

5 NUCLEAR POWERED WARSHIPS—VISITS TO AUSTRALIA—MINISTERIAL STATEMENT AND PAPERS: Mr Fraser (Prime Minister), by leave, made a ministerial statement informing the House of the Government's decision to allow the resumption of visits to Australian ports by nuclear powered warships, and, by command of His Excellency the Governor-General, presented the following papers:

Nuclear powered warships—Visits to Australia—

Copy of letter from Mr Newman (Acting Minister for Environment, Housing and Community Development) to Mr Killen (Minister for Defence), dated 3 June 1976.

Copy of summary of reasons for granting exemption from environment protection administrative procedures, dated 3 June 1976.

Environmental considerations—Report, dated May 1976.

Mr E. G. Whitlam (Leader of the Opposition), by leave, made a statement with reference to the matter.

Dr J. F. Cairns asked leave to make a statement with reference to the matter.

Objection being raised, leave not granted.

6 MESSAGE FROM THE SENATE: A message from the Senate was reported returning the following Bill without amendment: 3 June 1976—Message No. 74—Conciliation and Arbitration Amendment 1976.

7 LEAVE OF HOUSE FOR INSPECTION AND PRODUCTION OF DOCUMENTS AND ATTENDANCE OF OFFICER AT COURT PROCEEDINGS: Mr Sinclair (Leader of the House), pursuant to notice, moved—That, in response to the petition of Danny Sankey presented to the House on 25 February 1976, this House grants leave—

(1) to the Petitioner and his legal representatives to inspect the documents tabled in this House during the course of its proceedings which took place between 2.55 p.m. and 10.09 p.m. on 9 July 1975,

(2) to the Petitioner and his legal representatives to issue and serve a subpoena for the production of the said documents in the proceedings commenced by the Petitioner in the Queanbeyan Court on or about 20 November 1975 and

(3) to an appropriate officer of the House to attend at the hearings of the said proceedings and to produce the said documents.

*Privilege:* Mr Bowen raised as a matter of privilege, first, that the motion was not in accord with the requests made in the petition and, second, that the production elsewhere of the documents requested would be a breach of the privileges of the House.

Mr Sinclair and Mr Ellicott (Attorney-General) addressed themselves to the matters of privilege raised.

Mr Speaker stated that he could not accept as a ground of a breach of privilege either of the issues raised by the honourable Member.

Debate ensued on original question.

Question—put and passed.

8 CRIMES (INTERNATIONALLY PROTECTED PERSONS) BILL 1976: Mr Ellicott (Attorney-General), pursuant to notice, presented a Bill for an Act relating to the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents.

Bill read a first time.

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

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

9 EXTRADITION (COMMONWEALTH COUNTRIES) AMENDMENT BILL 1976: Mr Ellicott (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Extradition (Commonwealth Countries) Act 1966–1973*.

Bill read a first time.

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

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

- 10 EXTRADITION (FOREIGN STATES) AMENDMENT BILL 1976: Mr Ellicott (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Extradition (Foreign States) Act 1966–1974*.

Bill read a first time.

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

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

- 11 HOMES SAVINGS GRANT AMENDMENT BILL 1976: 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.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Newman (Acting Minister for Environment, Housing and Community Development), the Bill was read a third time.

- 12 DEFENCE FORCES RETIREMENT BENEFITS FUND (DISTRIBUTION OF SURPLUS TO PENSIONERS) BILL 1976: 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. 63, dated 27 May 1976, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Staley (Minister for the Capital Territory), the Bill was read a third time.

- 13 MESSAGES FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS: Messages from His Excellency the Governor-General were announced informing the House that His Excellency, in the name of Her Majesty, had assented to the following Bills:

3 June 1976—Message No. 64—

Stevedoring Industry (Temporary Provisions) Amendment 1976.

Stevedoring Industry Charge Amendment 1976.

4 June 1976—Message No. 65—

Income Tax Assessment Amendment 1976.

Superannuation Amendment (No. 2) 1976.

Income Tax (International Agreements) Amendment 1976.

Health Insurance Levy Assessment 1976.

Health Insurance Levy 1976.

Income Tax (International Agreements) Amendment (No. 2) 1976.

Income Tax Assessment Amendment (No. 2) 1976.

Income Tax (Rates) 1976.

Income Tax (Individuals) 1976.

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

4 June 1976—Message—

No. 75—Customs Tariff Validation 1976 (*without requests*).

No. 76—Northern Territory (Administration) Amendment 1976.

No. 77—Supply (No. 1) 1976–77 (*without requests*).

No. 78—Supply (No. 2) 1976–77.

- 15 **CRIMES (AIRCRAFT) AMENDMENT BILL 1976:** 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.  
 Leave granted for third reading to be moved forthwith.  
 On the motion of Mr Ellicott (Attorney-General), the Bill was read a third time.
- 16 **AUSTRALIAN CAPITAL TERRITORY ELECTRICITY SUPPLY AMENDMENT BILL 1976:** 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.  
 Leave granted for third reading to be moved forthwith.  
 On the motion of Mr Staley (Minister for the Capital Territory), the Bill was read a third time.
- 17 **POSTPONEMENT OF ORDERS OF THE DAY:** Ordered—That orders of the day Nos. 5 to 7, government business, be postponed until a later hour this day.
- 18 **AUSTRALIAN HERITAGE COMMISSION AMENDMENT BILL 1976:** Mr Fraser (Prime Minister), pursuant to notice, presented a Bill for an Act to amend the *Australian Heritage Commission Act 1975*.  
 Bill read a first time.  
 Mr Fraser moved—That the Bill be now read a second time.  
 Debate adjourned (Mr Uren—Deputy Leader of the Opposition), and the resumption of the debate made an order of the day for the next sitting.
- 19 **OMBUDSMAN BILL 1976:** Mr Ellicott (Attorney-General), pursuant to notice, presented a Bill for an Act to provide for the Appointment of a Commonwealth Ombudsman, and to Define his Functions and Powers.  
 Bill read a first time.  
 Mr Ellicott moved—That the Bill be now read a second time.  
 Debate adjourned (Mr Bowen), and the resumption of the debate made an order of the day for the next sitting.
- 20 **DEFENCE PROGRAM—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 Sinclair (Leader of the House)—That the House take note of the paper (*presented on 25 May 1976*), viz.:  
 Defence program—Ministerial statement, 25 May 1976—  
 Debate resumed.  
 Dr Cass moved—That the debate be now adjourned.  
 Question—put and negatived.  
 Debate continued.  
 Debate adjourned (Mr Neil), and the resumption of the debate made an order of the day for the next sitting.
- 21 **ABORIGINAL LAND RIGHTS (NORTHERN TERRITORY) BILL 1976:** Mr Viner (Minister for Aboriginal Affairs), pursuant to notice, presented a Bill for an Act providing for the granting of Traditional Aboriginal Land in the Northern Territory for the benefit of Aboriginals, and for other purposes.  
 Bill read a first time.  
 Mr Viner moved—That the Bill be now read a second time.  
 Debate adjourned (Mr Bryant), and the resumption of the debate made an order of the day for the next sitting.

- 22 CONSTITUTIONAL CONVENTION—DELEGATION OF COMMONWEALTH PARLIAMENT: Mr Speaker informed the House that he had received advice from the Prime Minister and the Leader of the Opposition that the following members of the House of Representatives would be members of the Commonwealth Parliament's delegation to the Constitutional Convention:

*Liberal Party of Australia:*

The Right Honourable J. M. Fraser (Prime Minister) (*Leader of the Delegation*)

The Honourable R. J. Ellicott, Q.C.

Mr I. B. C. Wilson.

*National Country Party of Australia:*

The Right Honourable J. D. Anthony.

The Honourable I. McC. Sinclair.

*Australian Labor Party:*

The Honourable E. G. Whitlam, Q.C. (*Leader of the Opposition*) (*Deputy Leader of the Delegation*)

The Honourable L. F. Bowen

Mr R. Jacobi

Mr G. G. D. Scholes

Mr A. P. Whitlam.

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

4 June 1976—Message—

No. 79—Wool Industry Amendment 1976.

No. 80—Wool Tax Amendment (Nos. 1 to 5) 1976 (*without requests*).

No. 81—Papua New Guinea (Staffing Assistance) Termination 1976.

No. 82—Dairy Adjustment Amendment 1976.

No. 83—Dairying Industry Research and Promotion Levy 1976 (*without requests*).

No. 84—Dairying Industry Research and Promotion (Miscellaneous Amendments) 1976.

- 24 SPECIAL ADJOURNMENT: Mr Sinclair (Leader of the House) moved—That the House, at its rising, adjourn until Tuesday, 17 August next, at 2.15 p.m., unless Mr Speaker shall, by telegram or letter addressed to each Member of the House, fix an alternative day of meeting.

Question—put and passed.

- 25 LEAVE OF ABSENCE TO ALL MEMBERS: Mr Sinclair (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.

- 26 ADJOURNMENT: Mr Sinclair (Leader of the House) moved—That the House do now adjourn.

Mr Armitage addressing the House—

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

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

And the question—That the House do now adjourn—was put accordingly, and passed.

- And then the House, at 4.52 p.m., adjourned until Tuesday, 17 August 1976 at 2.15 p.m., unless Mr Speaker shall, by telegram or letter addressed to each Member of the House, fix an alternative day of meeting.

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- PAPERS: The following papers were deemed to have been presented on 4 June 1976, pursuant to statute:

Lands Acquisition Act—

Land acquired for telephone purposes—Wilkatana, S.A.

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

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MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Beazley, Mr Brown, Mr Bungey, Mr C. R. Cameron, Dr Edwards, Mr Graham, Mr Groom, Mr Holten\*, Mr Innes, Mr Jarman, Mr Kelly, Dr Klugman, Mr MacKellar, Mr Macphee, Mr Nicholls, Mr I. L. Robinson, Mr Short and Mr Simon.

\* On leave

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