

AUSTRALIA

HOUSE OF REPRESENTATIVES
VOTES AND PROCEEDINGS

No. 52

THURSDAY, 20 FEBRUARY 1975

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

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

Mr Connor (Minister for Minerals and Energy), Mr Hayden (Minister for Social Security), Mr C. R. Cameron (Minister for Labor and Immigration), Mr Adermann, Mr Bungey, Mr Cadman, Mr Calder, Mr Connolly, Mr Cross, Mr Drury, Mr Fry, Mr Garrick, Mr Jacobi, Mr L. K. Johnson, Mr Keating and Mr Killen—from certain citizens of Australia praying that the House amend the Family Law Bill.

Mr Lynch (Deputy Leader of the Opposition), Mr Adermann, Mr Bouchier, Mr Jarman and Mr Lamb—from certain citizens of Australia praying that (1) the Metric Conversion Act be repealed and (2) the Government take urgent steps to cause the traditional and familiar units to be restored in those areas where the greatest inconveniences and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 Stewart (Minister for Tourism and Recreation), Mr Lynch, Mr Bouchier, Mr Garrick, Mr Jarman, Mr L. K. Johnson, Mr Luchetti, Mr Lusher and Mr Ruddock—from certain citizens of Australia praying that the House oppose the Family Law Bill.

Mr Cross and Mr E. L. Robinson—from certain citizens of Australia praying for divorce law reform.

Mr Garrick and Dr Gun—from certain citizens of Australia praying that the House pass the Family Law Bill.

Mr Armitage—from certain citizens of Australia praying that the House protect the rights of the people of New South Wales in the election of Senators for that State.

Mr Cadman—from certain citizens of Australia praying that the taxation laws be amended to allow as tax deductions donations made to war and peace memorial funds.

Mr Lamb—from certain citizens of Australia praying that the Government increase child endowment.

Mr Lusher—from certain citizens of Australia praying that the Government prevent any oil drilling on the Great Barrier Reef until scientific evidence is available to prove that such operations will not harm the reef.

Petitions received.

3 QUESTIONS: Questions without notice were asked.

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

- National Law Enforcement Authority—Report to the Attorney-General by Mr A. T. Carmody, Comptroller-General of Customs, dated 17 April 1974.
Open tertiary education in Australia—Committee on Open University—
Final report to the Universities Commission, dated December 1974.
Statement by Mr Beazley (Minister for Education).

5 BUSINESS OF THE HOUSE—MINISTERIAL STATEMENT: Mr Daly (Leader of the House), by leave, made a ministerial statement relating to the proposed sitting of the House on Friday, 28 February 1975, to debate the Family Law Bill.

6 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—MISS MOROSI—APPOINTMENT TO MINISTERIAL STAFFS: Mr Speaker informed the House that Mr Wentworth had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The propriety, having regard to all the circumstances, of the appointment to Ministerial staffs of Miss Morosi, and the propriety similarly of her continuance on Ministerial staffs".

The proposed discussion having received the necessary support—

Mr Wentworth addressed the House.

Discussion ensued.

Mr Nixon rising to address the House—

Mr Daly (Leader of the House) moved—That the business of the day be called on.

Question—put.

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

AYES, 60

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

NOES, 51

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

And so it was resolved in the affirmative.

7 VOTES OF MEMBERS—PROPOSED COMMITTEE: Mr Wentworth moved, pursuant to notice—

- (1) That a committee be set up to inquire into and report upon allegations that some Members of this House are under obligation to give their votes in this House at the direction of an outside body or bodies.

- (2) That such committee consist of 3 Members nominated by the Prime Minister and 3 Members nominated by the Leader of the Opposition, together with the mover.
- (3) That such committee be empowered to sit during sittings of the House, to move from place to place, to send for persons and papers, and require evidence to be given on oath.
- (4) That such committee do elect its Chairman.
- (5) That the quorum for meetings of such committee be four.
- (6) That such committee do report to this House as soon as possible, but at any rate not later than the first sitting of the House occurring after 3 months from the passing of this resolution.
- (7) That so much of the standing orders as would conflict with the above provisions be suspended.

It being two hours after the time fixed for the meeting of the House, the debate was interrupted in accordance with standing order 109.

Ordered—That the time for the discussion of notice No. 1 be extended until fifteen minutes to one o'clock p.m.

Debate ensued.

Mr Staley rising to address the House—

Closure: Mr Daly (Leader of the House) moved—That the question be now put.

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

And the question—That the motion be agreed to—being accordingly put—

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

AYES, 52

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

NOES, 59

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

And so it was negatived.

- 8 PENSIONERS—SUPPLEMENTARY ASSISTANCE: The order of the day having been read for the resumption of the debate on the motion of Mr Wentworth—That, in the opinion of this House, restrictions upon the granting of supplementary assistance to pensioners are too severe—

Mr Wentworth resumed his speech.

The time allotted for precedence to general business having expired, the debate was interrupted, Mr Wentworth was granted leave to continue his speech when the debate is resumed, and the resumption of the debate was made an order of the day for the next sitting.

- 9 MESSAGE FROM THE SENATE—DARWIN RECONSTRUCTION BILL 1975: The following message from the Senate was reported:

MR SPEAKER,

Message No. 161

The Senate returns to the House of Representatives the Bill for "*An Act to establish a Darwin Reconstruction Commission for purposes arising out of the Devastation of Darwin by Cyclone*", 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, 19 February 1975

Ordered—That the amendments be taken into consideration, in committee of the whole House, at a later hour this day.

- 10 AUSTRALIAN NATIONAL RAILWAYS BILL 1975: Mr Jones (Minister for Transport), pursuant to notice, presented a Bill for an Act to amend the *Commonwealth Railways Act 1917-1973*.

Bill read a first time.

Mr Jones 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 SOUTH STUART HIGHWAY—ERLDUNDA TO SOUTH AUSTRALIAN BORDER SECTION—APPROVAL OF WORK: Mr L. R. Johnson (Minister for Housing and Construction) moved, pursuant to notice—That, in accordance with section 18 (8) (b) of the *Public Works Committee Act 1969-1974*, the following proposed work be carried out without having been referred to the committee: South Stuart Highway—Erlunda to South Australian border section.

Debate ensued.

Mr Garland rising to address the House—

Closure: Mr Daly (Leader of the House) moved—That the question be now put.

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

And the question—That the motion be agreed to—was put accordingly, and passed.

- 12 AUSTRALIAN INDUSTRY DEVELOPMENT CORPORATION BILL 1974 [No. 2]: 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 Dr J. F. Cairns (Treasurer), the Bill was read a third time.

- 13 NATIONAL INVESTMENT FUND BILL 1974 [No. 2]: The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—

Question—put.

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

AYES, 60

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

NOES, 52

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

And so it was resolved in the affirmative—Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Dr J. F. Cairns (Treasurer), the Bill was read a third time.

- 14 PUBLIC SERVICE ACTS AMENDMENT BILL 1975: 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.

The House resolved itself into a committee of the whole.

—————

In the committee

Bill, by leave, taken as a whole.

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

After clause 20, page 9, insert the following new Part:

“PART IV—RESTORATION OF OATH OR AFFIRMATION OF ALLEGIANCE

“21. Section 34 of the Principal Act is amended—

(a) by inserting after the word ‘appointment’ the words ‘or to remain in’;

(b) by omitting from paragraph (b) the word ‘and’; and

(c) by inserting after paragraph (c) the following paragraph:—

‘(d) he has made and subscribed, as prescribed, an oath or affirmation in accordance with Schedule 4.’

“22. Section 50 of the Principal Act is amended by inserting after sub-section (5B) the following sub-section:—

‘(5c) Every member of a Promotions Appeal Committee shall before proceeding to perform the duties or exercise the powers of a member of a Promotions Appeal Committee take an oath or make an affirmation in the form in Schedule 6.’

“23. Section 55 of the Principal Act is amended—

(a) by inserting after paragraph (1) (f) the following paragraph:—

‘(g) having made or subscribed an oath or affirmation in the form of Schedule 4, does or says anything in violation of that oath or affirmation; or’; and

(b) by inserting after sub-section (6) the following sub-section:—

‘(7) Every member of an Appeal Board shall, before proceeding to perform the duties or exercise the powers of a member of an Appeal Board, take an oath or make an affirmation in the form of Schedule 5.’

“24. Section 82 of the Principal Act is amended by inserting after sub-section (8) the following sub-sections:—

‘(9) A person shall not be engaged for employment in a temporary capacity under this Act unless he makes and subscribes an oath or affirmation in the form of Schedule 4.

‘(9A) Where it is proposed to engage for employment under this section a person who is not a British subject, or a person who is a British subject but is also a national of another country, the Minister may, after a report from the Board and if it appears to him that the employment of that person would not be prejudicial to the national security, the preservation of official secrecy or any other interest of the Commonwealth, determine that the last preceding sub-section is not to apply in relation to the engagement of that person.

‘(10) A person who is employed in a temporary capacity at the date of the commencement of this sub-section, or who is transferred to such employment by virtue of any provision of this Act, shall not be continued in that employment unless, when required by the Board so to do, he makes and subscribes an oath or affirmation in the form of Schedule 4.’

“25. For the purposes of section 34 of the Principal Act a person appointed to the Service between the nineteenth day of December 1973 and the date when this Act comes into operation shall forthwith after this Act comes into operation make and subscribe as prescribed an oath or affirmation in accordance with the Fourth Schedule to this Act.

“26. For the purpose of section 82 (9) of the Principal Act a person engaged for employment in a temporary capacity between the nineteenth day of December 1973 and the date upon which this Act comes into operation shall forthwith when required by the Board so to do make and subscribe an oath or affirmation in the form of Schedule 4.”

Schedule 1, page 11, after proposed Schedule 3, add the following new Schedules:

“ SCHEDULE 4

OATH

I, . . . do swear that I will be faithful and bear true allegiance to the Queen of Australia her heirs and successors according to law and that I will loyally as in duty bound uphold the Constitution and the laws of Australia.

AFFIRMATION

I, . . . do solemnly and sincerely affirm and declare that I will be faithful and bear true allegiance to the Queen of Australia her heirs and successors according to law and that I will loyally as in duty bound uphold the Constitution and laws of Australia.

“ SCHEDULE 5

OATH

I, . . . do swear that I will well and truly serve our Sovereign Lady the Queen as a member of the Appeal Board constituted under the *Public Service Act 1922–19* , for the purpose of the appeal made by (here insert name of appellant) (or in the case of the Chairman or elected representative of the Division to which the appellant belongs as a member of any Appeal Board constituted under the *Public Service Act 1922–19* , of which I may be a member) and that I will perform the duties and exercise the powers imposed or conferred upon me as such member without fear or favour affection or ill-will.

AFFIRMATION

I, . . . do solemnly and sincerely affirm and declare that I will well and truly serve our Sovereign Lady the Queen as a member of the Appeal Board constituted under the *Public Service Act 1922–19* , for the purpose of the appeal made by (here insert name of appellant) (or in the case of the Chairman or elected representative of the Division to which the appellant belongs as a member of any Appeal Board constituted under the *Public Service Act 1922–19* , of which I may be a member) and that I will perform the duties and exercise the powers imposed or conferred upon me as such member without fear or favour affection or ill-will.

“ SCHEDULE 6

OATH

I, . . . do swear that I will well and truly serve our Sovereign Lady the Queen as a member of a Promotions Appeal Committee constituted under the *Public Service Act 1922–19* and that I will perform the duties and exercise the powers imposed or conferred upon me as such member without fear or favour affection or ill-will.

AFFIRMATION

I, . . . do solemnly and sincerely affirm and declare that I will well and truly serve our Sovereign Lady the Queen as a member of a Promotions Appeal Committee constituted under the *Public Service Act 1922–19* and that I will perform the duties and exercise the powers imposed or conferred upon me as such member without fear or favour affection or ill-will.’.”

Debate continued.

Question—That the amendments be agreed to—put.

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

AYES, 53

Mr Adermann	Mr Fisher	Mr Katter	Mr Peacock
Mr Anthony	Dr Forbes	Mr Kelly	Mr E. L. Robinson
Mr Bonnett	Mr Fraser	Mr Killen	Mr I. L. Robinson
Mr Bourchier	Mr Garland	Mr King	Mr Ruddock
Mr Bungey	Mr Giles	Mr Lucock	Mr Sinclair
Mr Cadman	Mr Gorton	Mr Lynch	Mr Staley
Mr K. M. Cairns	Mr Graham	Mr MacKellar	Mr Street
Mr Calder	Mr Hewson	Mr McLeay	Mr Sullivan
Mr Connolly	Mr Hodges	Mr McMahon	Mr Viner
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 Erwig	Mr Jarman	Mr O’Keefe	Mr England

NOES, 60

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

And so it was negatived.

Bill agreed to.

Bill to be reported without amendment.

The House resumed; Mr Luchetti reported accordingly.

On the motion of Mr Bowen (Minister assisting the Prime Minister in matters relating to the Public Service), the House adopted the report, and, by leave, the Bill was read a third time.

- 15 AUSTRALIAN FILM COMMISSION BILL 1975: 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 Morrison (Minister representing the Minister for the Media), the Bill was read a third time.

- 16 APPROPRIATION (DEVELOPMENT BANK) BILL 1975: 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. 119, dated 13 February 1975, 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 Stewart (Minister assisting the Treasurer), the Bill was read a third time.

- 17 AUSTRALIA COUNCIL 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.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Bowen (Special Minister of State), the Bill was read a third time.

- 18 SUSPENSION OF STANDING ORDERS—DARWIN RECONSTRUCTION BILL 1975: Dr Patterson (Minister for the Northern Territory) moved, by leave—That so much of the standing orders be suspended as would prevent the Minister for the Northern Territory moving an amendment to clause 61 of the Darwin Reconstruction Bill 1975 during consideration in committee of the whole of amendments made by the Senate in the Bill.
Question—put and passed.

19 DARWIN RECONSTRUCTION BILL 1975—SENATE'S AMENDMENTS: The House, according to order, resolved itself into a committee of the whole to consider the amendments made by the Senate.

In the committee

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE

No. 1—Page 2, clause 3, sub-clause (1), line 5, leave out "60", insert "40".

No. 2—Page 3, after clause 6, insert the following new clause:

"6A. (1) Where a person suffers loss or damage as a result of a decision or determination of the Commission or of the Minister or of a person acting under the authority of the Commission or of the Minister affecting land or the use of land or the performance of any contract entered into before the commencement of this Act such person may apply to the Court for an award of compensation.

(2) Upon any such application the Court may assess and award compensation for any loss or damage suffered by a person as a result of any such decision or determination and shall determine by whom any compensation so awarded shall be paid.

(3) 'The Court' means the Supreme Court of the Northern Territory."

No. 3—Page 3, after clause 7, insert the following new clause:

"7A. (1) The Commission may, from time to time, prepare proposals with respect to general planning and development schemes in relation to development and construction in the Darwin Area and shall cause those proposals to be made available for inspection by the public at all reasonable times in the Darwin Area, and in such other places as the Commission determines, for a period of one month.

Proposals, and objections to proposals, for planning and development schemes.

(2) At any time during the period during which any proposals are made available for public inspection under sub-section (1), a person who has an interest in land in the Darwin Area that is affected by those proposals may object to the proposals.

(3) An objection under sub-section (2) shall be in writing, shall set out the reasons for the objection and shall be delivered or sent by post to the Commission.

(4) Where an objection is made under sub-section (2), the Commission may, by notice in writing sent to the person making the objection, afford that person an opportunity to make submissions to the Commission, either orally or in writing, in connexion with the objection, within such period as is specified by the Commission.

(5) After the expiration of the period within which a person may make submissions under sub-section (4) in connexion with an objection, the Commission may alter the proposals that are the subject of the objection in such manner as it thinks fit, and may recommend to the Minister that those proposals, or those proposals as so altered, be adopted."

No. 4—Page 4, clause 8, sub-clause (1), lines 3 and 4, leave out "recommendations of the Commission", insert "any recommendations of the Commission under section 7A".

No. 5—Page 4, clause 9, lines 15 to 17, leave out the clause, insert the following clause:

"9. (1) The Commission shall keep the Minister informed of the decisions of the Commission with respect to matters of policy in relation to the performance of its functions.

(2) In the event of a difference of opinion between the Minister and the Commission as to the policy which should be followed by the Commission in relation to any matter, the Minister and the Commission shall endeavour to reach agreement.

- (3) If the Minister and the Commission are unable to reach agreement, the Governor-General may, by order, determine the policy to be adopted by the Commission in relation to the matter.
- (4) The Commission shall thereupon give effect to the policy determined by the order and shall, if the order so requires, continue to give effect to that policy while the order remains in operation."
- No. 6—Page 5, clause 13, sub-clause (1), line 6, leave out "Territory", insert "Darwin Area".
- No. 7—Page 6, clause 16, sub-clause (1), line 39, leave out "by oral direction", insert "by direction in writing specifying the reasons therefor".
- No. 8—Pages 6 and 7, clause 16, sub-clause (1), line 41 (page 6) and line 1 (page 7), leave out "in the opinion of the Commission or of the authorized person, as the case may be,".
- No. 9—Page 7, clause 18, sub-clause (1), paragraph (c), line 21, leave out "the General Manager", insert "1 member nominated by the Darwin Citizens' Council".
- No. 10—Page 7, clause 18, sub-clause (2), lines 27 and 28, leave out "other than the member referred to in paragraph (1) (c)".
- No. 11—Page 7, clause 18, sub-clause (3), lines 30 and 31, leave out "the General Manager or an Acting General Manager,".
- No. 12—Page 7, clause 18, sub-clause (3), line 31, leave out "2", insert "3".
- No. 13—Page 7, clause 19, sub-clause (1), line 35, after "(b),", insert "(c),".
- No. 14—Page 8, clause 22, sub-clause (3), lines 12 to 14, leave out the sub-clause.
- No. 15—Page 8, clause 24, sub-clause (1), line 27, after "(b),", insert "(c),".
- No. 16—Page 8, clause 24, sub-clause (2), line 29, after "(b),", insert "(c),".
- No. 17—Page 9, clause 27, after sub-clause (3), insert the following new sub-clause:
 "(3A) Meetings shall be called by reasonable notice to all members of the Commission."
- No. 18—Page 10, clause 28, sub-clause (1), line 3, leave out "Governor-General", insert "Commission".
- No. 19—Page 10, clause 28, sub-clause (2), lines 4 and 5, leave out "shall be the executive member of the Commission and".
- No. 20—Page 10, clause 28, sub-clause (3), line 9, leave out "Governor-General", insert "Commission".
- No. 21—Page 10, clause 30, sub-clause (1), line 20, leave out "is prescribed", insert "determined by the Commission".
- No. 22—Page 10, clause 30, sub-clause (2), lines 21 and 22, leave out "are prescribed", insert "determined by the Commission".
- No. 23—Page 10, clause 31, lines 25 to 27, leave out the clause.
- No. 24—Page 10, clause 32, line 29, leave out "Governor-General", insert "Commission".
- No. 25—Page 10, clause 33, sub-clause (1), line 30, leave out "Minister", insert "Commission".
- No. 26—Page 11, clause 33, sub-clause (2), line 1, leave out "Minister", insert "Commission".
- No. 27—Page 11, clause 33, sub-clause (3), line 8, leave out "Minister", insert "Commission".
- No. 28—Page 11, clause 33, sub-clause (4), line 13, leave out "Minister", insert "Commission".
- No. 29—Page 11, clause 34, sub-clause (1), line 21, leave out "Governor-General" insert "Commission".
- No. 30—Page 11, clause 34, sub-clause (2), paragraph (a), line 25, leave out "Minister", insert "Commission".
- No. 31—Page 11, clause 34, sub-clause (2), paragraph (b), line 26, leave out "Minister", insert "Commission".
- No. 32—Page 11, clause 34, sub-clause (2), paragraph (c), lines 28 to 30, leave out the paragraph.

No. 33—Page 11, clause 34, sub-clause (2), line 36, leave out “Governor-General”, insert “Commission”.

No. 34—Page 13, clause 44, sub-clause (2), paragraph (a), line 37, after “to do so,” insert “or at the request of the Commission,”.

Ordered—That the amendments be considered in the following groups and order: Amendments Nos. 1, 3, 4, 6, 7, 8, 11, 12, 17 and 34 together, 2, 5 and 9 separately, 10 and 14 together, 13, 15 and 16 separately, 18 to 33 together and proposed new amendment to clause 61.

Amendments Nos. 1, 3, 4, 6, 7, 8, 11, 12, 17 and 34—

On the motion of Dr Patterson (Minister for the Northern Territory), the amendments were together agreed to, after debate.

Amendment No. 2—

Dr Patterson moved—That the Senate’s amendment be disagreed to, but that, in place thereof, the following amendments be made:

Clause 61—

Page 18, lines 36–38, omit paragraph (d).

Page 19, after sub-clause (1) insert the following sub-clause:

“(1A) Without limiting the generality of sub-section (1), provision shall be made by the regulations for and in relation to the payment of compensation by the Commission or by Australia in respect of matters to which this Act or the regulations relate.”.

Debate ensued.

Question—put and passed.

Amendment No. 5—

Dr Patterson moved—That the amendment be disagreed to.

Debate ensued.

Mr Sinclair (Deputy Leader of the Australian Country Party) addressing the committee—

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

The House resumed; Mr Scholes 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 Deputy Speaker adjourned the House until Tuesday next at fifteen minutes past two o’clock p.m.

PAPERS: The following papers were deemed to have been presented on 20 February 1975, pursuant to statute:

Commonwealth Banks Act—Appointment certificates—R. G. McKenzie, J. F. Sentance.

Post and Telegraph Act—Regulations—Statutory Rules 1975, No. 16.

Public Service Act—Regulations—Statutory Rules 1975, Nos. 17, 18.

Trade Practices Act—Regulation—Statutory Rules 1975, No. 15.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Chipp, Mr Ellicott, Mr Fairbairn, Mr Fulton, Mr Lloyd, Mr Lusher and Mr Wilson.

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