

AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 109

TUESDAY, 28 OCTOBER 1975

1 The House met, at eleven 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 Bonnett, Mr K. M. Cairns, Mr D. M. Cameron, Mr Hodges, Mr Killen, Mr E. L. Robinson and Mr Whan—from certain citizens of Australia praying that the cadet corps be continued.

Mr Cross, Mr Gorton, Mr Morris, Mr O'Keefe and Mr Thorburn—from certain citizens of Australia praying that the House ensure that the Government (1) prohibit the export of mineral sands from Fraser Island and (2) assist the Queensland Government and other bodies to conserve the natural environment of Fraser Island for the benefit of the people of Australia.

Mr Connolly and Mr Macphee—from certain citizens of Australia praying that the House reject the Australian Government Insurance Office Bill.

Mr Hodges and Mr McLeay—from certain citizens of Australia praying that no further measures be taken which will make home ownership unattractive to those who have a home and unachievable for those who have not.

Mr Beazley (Minister for Education)—from certain citizens of Australia praying that Parliament continue and actively promote the school cadet movement.

Mr Riordan (Minister for Housing and Construction)—from certain citizens of Australia praying that (1) pensions be related to average weekly earnings and (2) no charge be made for the installation or rental of telephones for pensioners.

Mr Berinson (Minister for Environment)—from certain citizens of Australia praying that powers to vary income tax be not given to State Governments.

Mr Berinson—from certain citizens of Australia praying that the present system of uniform personal taxation be retained.

Mr Berinson—from certain citizens of Australia praying that proposals to provide local government councils with a fixed share of total personal income tax be not introduced.

Mr Berinson—from certain citizens of Australia praying that proposals to cut back the growth rate of specific purpose payments to the States be not introduced.

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 Fry—from certain citizens of Australia praying that a program of rehabilitation and reconstruction in South Vietnam be supported.

Dr Jenkins—from certain citizens of Australia praying that immediate steps be taken to ensure the removal of all foreign military bases from Australia.

Mr Morris—from certain citizens of Australia praying that a system of double income tax on personal incomes be not re-introduced.

Mr Wentworth—from certain citizens of Australia praying that the House express the opinion that Members of the House who have signed a pledge as a condition of their endorsement by the Australian Labor Party should, when voting, consider that the national interest takes precedence over this pledge.

Petitions received.

3 QUESTIONS: Questions without notice were asked.

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

Industries Assistance Commission—Report—Nitrogenous fertilizers subsidy, dated 5 September 1975.

National rehabilitation and compensation scheme—Reports of working parties on—

Feasibility of a risk-related tax on employers, dated 15 October 1975.

Financial aspects, dated 26 September 1975.

Photo-copy of an article in the *Border Morning Mail* of Albury, dated 8 June 1971, relating to the launching of two ships by Mrs Rosemary Sinclair.

The following papers were presented, pursuant to statute:

Dairy Adjustment Act—Dairy Adjustment Programs—Amending Agreements, dated 2 October 1975, between Australia and—

Queensland.

Victoria.

Gold-Mining Industry Assistance Act—Twenty-first Annual Statement concerning the operation of Act and payment of subsidy, for year 1974–75.

Meat Research Act—Australian Meat Research Committee—Ninth Annual Report, for year 1974–75.

Snowy Mountains Hydro-electric Power Act—Snowy Mountains Hydro-electric Authority—Twenty-sixth Annual Report and financial statements, together with the Auditor-General's Report, for year 1974–75.

States Grants (Science Laboratories) Act—Statement of schools assisted by grants for year 1973–74.

5 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—PARLIAMENTARY DEBATE: Mr Speaker informed the House that Mr Sinclair (Deputy Leader of the National Country Party of Australia) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The failure of the Government to treat the Parliament with proper respect, in not allowing Members proper opportunity for debate".

The proposed discussion having received the necessary support—

Mr Sinclair 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 Scholes, in the Chair)—

AYES, 62

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

NOES, 53

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

And so it was resolved in the affirmative.

6 APPROPRIATION BILL (NO. 1) 1975-76 AND APPROPRIATION BILL (NO. 2) 1975-76—
SENATE'S RESOLUTIONS: The order of the day having been read for the consideration
of Message No. 279 from the Senate transmitting resolutions agreed to by the Senate
during consideration of Message No. 380 of the House of Representatives—

Mr Whitlam (Prime Minister) moved—

(1) That the House of Representatives, having considered Message No. 279 of the
Senate—

- (a) again asserts that the action of the Senate in delaying the passage of the two
Appropriation Bills is contrary to established constitutional convention;
- (b) denounces the blatant attempt by the Senate to violate section 28 of the
Constitution for political purposes by itself endeavouring to force an early
election for the House of Representatives;
- (c) resolves that it will uphold the established right of the Government with
a majority in the House of Representatives to be the Government of the
nation, and
- (d) again calls on the Senate to re-consider and pass the Bills without further
delay in order to avoid the possibility of widespread distress occurring
within the Australian community.

(2) That a message be sent to the Senate acquainting it of this resolution.

Mr Sinclair (Deputy Leader of the National Country Party of Australia) moved, as an
amendment—That all words after "Senate" (first occurring) be omitted with a view
to substituting the following words:

"(a) concurs in the Message from the Senate, and

(b) calls on the Prime Minister to nominate a date for a general election forthwith".

Debate continued.

Mr Killen rising to address the House—

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

Question—That the question be now put—put.

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

AYES, 63

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

NOES, 56

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

And so it was resolved in the affirmative.

And the question—That the words proposed to be omitted stand part of the question—
being accordingly put—

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

AYES, 63

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

NOES, 57

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

And so it was resolved in the affirmative.

Question—That the motion be agreed to—put.

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

AYES, 63

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

NOES, 57

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

And so it was resolved in the affirmative.

7 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:

27 October 1975—Message—

No. 212—Inter-State Commission 1975.

No. 213—

Social Services (No. 3) 1975.

Repatriation Acts Amendment (No. 2) 1975.

8 POSTPONEMENT OF ORDER OF THE DAY: Ordered—That order of the day No. 2, government business, be postponed until a later hour this day.

9 TRAVEL AGENTS 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.

Papers: Mr Wentworth, during his speech, by leave, presented the following papers:

Photo-copies of airline tickets issued by Pan American World Airways, Inc., Nos. 026074671589-94 dated 23 March 1972 and Nos. 026074712600-3 dated 7 March 1974.

Mr Wentworth continuing his speech—

Closure of Member: Mr Cope moved—That the honourable Member be not further heard.

Question—put.

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

AYES, 62

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

NOES, 55

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

And so it was resolved in the affirmative.

Debate continued.

Mr D. M. Cameron rising to address the House—

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

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

And the question—That the Bill be now read a second time—was put accordingly, and passed—Bill read a second time.

The House resolved itself into a committee of the whole.

In the committee

Clause 1 debated and agreed to.

Clause 2 agreed to.

Clause 3—

On the motion of Mr Stewart (Minister for Tourism and Recreation), the following amendment was made, after debate: Page 1, omit the definition of “bank”, substitute the following definition:

“‘bank’ means—

- (a) a bank as defined by section 5 of the *Banking Act 1959-1974*; or
- (b) a bank established by a State Act;”.

Clause, as amended, agreed to.

Clause 4—

On the motion, by leave, of Mr Stewart, the following amendments were made together:

Page 4, line 5, after “meals,” insert “at premises of which he is the owner,”.

Page 4, at the end of the clause add the following sub-clause:

- “(4) For the purposes of this Act, a person is the owner of premises if, and only if, he holds a prescribed interest in the premises.”.

Clause, as amended, agreed to.

Clause 5—

Mr E. L. Robinson, by leave, moved the following amendments together:

Page 5, lines 3 and 4, omit “, by a law of a Territory or by a law of a State”, substitute “or by a law of a Territory”.

Page 5, lines 6 and 7, omit “or a State”.

Debate continued.

Amendments negatived.

Clause agreed to.

Clause 6—

On the motion of Mr Stewart, the following amendment was made, after debate:

Page 5, at the end of the clause add the following sub-clause:

“(2) The Registrar shall be a person employed under, or whose services are made available in accordance with arrangements made under, the *Public Service Act 1922-1975*.”.

Clause, as amended, agreed to.

Clause 7 agreed to.

Clause 8—

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

“8. (1) The Board shall consist of 3 part-time members, namely:— Members.

- (a) a chairman;
- (b) a deputy chairman; and
- (c) 1 other member.

“(2) The chairman and the member referred to in paragraph (1) (c) shall each be appointed by the Minister.

“(3) The Minister may appoint a person to be a deputy member of the Board, or persons, not exceeding 7 in number, to be deputy members of the Board, in relation to the member referred to in paragraph (1) (c).

“(4) A person is not eligible to be appointed as the chairman unless he is enrolled as a legal practitioner of the High Court, of another federal court or of the Supreme Court of a State or Territory and has been so enrolled for not less than 5 years.

“(5) A person is not eligible to be appointed as the deputy chairman unless he is an officer of the Department of Tourism and Recreation.

“(6) A person is not eligible to be appointed as the member referred to in paragraph (1) (c) or as a deputy member unless he has a knowledge of, and experience concerning, the business of travel agents.

“(7) The chairman, the member referred to in paragraph (1) (c) and a deputy member each holds office, subject to this Part, for such period, not exceeding 3 years, as the Minister specifies in the instrument of his appointment, but is eligible for re-appointment.

“(8) A person who has attained the age of 65 years shall not be appointed or re-appointed as a member or deputy member, and a person shall not be appointed or re-appointed as a member or deputy member for a period that extends beyond the date on which he will attain the age of 65 years.

“(9) The deputy chairman shall be appointed by the Minister and holds office during his pleasure.”.

Clause 9—

On the motion of Mr Stewart, the following amendment was made: Page 7, omit sub-clause (2), substitute the following sub-clauses:

“(1A) A deputy member of the Board shall be paid, in respect of his attendance at a meeting of the Board, such remuneration as is determined by the Remuneration Tribunal, but if no determination by that Tribunal is in operation, he shall be paid such remuneration as is prescribed.

“(2) A member (other than the deputy chairman) and a deputy member of the Board shall be paid such allowances as are prescribed.”.

Clause, as amended, agreed to.

Clause 10 agreed to.

Clauses 11 to 15, by leave, taken together.

On the motion, by leave, of Mr Stewart, the following amendments were made together, after debate:

Clause 11, page 7, lines 8 and 9, omit "a member other than the deputy chairman", substitute "a member (other than the deputy chairman) or a deputy member of the Board".

Clause 12, page 7, line 10, after "member" insert ", or a deputy member of the Board,".

Clause 13—

Page 7, line 26, omit "not less", substitute "more".

Page 7, after sub-clause (2) insert the following sub-clauses:

"(2A) If a deputy member of the Board—

- (a) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors or compounds with his creditors or makes an assignment of his remuneration for their benefit; or
- (b) fails to comply with his obligations under sub-section (2B), the Minister shall terminate the appointment of the deputy member.

"(2B) A deputy member of the Board who is present at a meeting of the Board at which there is under consideration by the Board—

- (a) an application for registration under Part IV;
- (b) any matter concerning a registered travel agent manager; or
- (c) a licence granted or proposed to be granted under Part IV, being an application, matter or licence in which he is directly or indirectly interested, otherwise than as a member of, and in common with the other members of, an incorporated company that consists of more than 25 persons and of which he is not a director, shall, as soon as possible after the relevant facts have come to his knowledge, disclose the nature of his interest to the Board."

Page 7, lines 30 and 31, omit "A disclosure under sub-section (2) shall be recorded in the minutes of the Board, and the member", substitute "A disclosure under sub-section (2) or (2B) shall be recorded in the minutes of the Board and the member or deputy member of the Board".

Clause 15, page 8, at the end of the clause add the following sub-clauses:

"(9) Where—

- (a) the member referred to in paragraph 8 (1) (c) has notified the chairman or the deputy chairman that he expects to be unable to attend a meeting of the Board; or
- (b) the office of the member so referred to is vacant on a day on which a meeting of the Board is held,

the chairman or deputy chairman who was so notified or convened the meeting, as the case may be, shall, unless it is impracticable to do so, cause a deputy member of the Board to be notified of the date, time and place fixed for holding the meeting and to be invited to attend the meeting.

"(10) A deputy member of the Board who has been invited to do so under sub-section (9) may attend a meeting of the Board at which the member referred to in paragraph 8 (1) (c) is absent or that is held during a vacancy in the office of that member, and, if he does so, he has all the powers of that member at the meeting and shall, for the purposes of this section, be deemed to be that member."

Clauses, as amended, agreed to.

Clauses 16 to 19, by leave, taken together, and agreed to.

Clause 20—

On the motion of Mr Stewart, the following amendment was made: Page 11, omit sub-clause (3), substitute the following sub-clause:

"(3) Sub-sections (1) and (2) do not apply in relation to the business of a travel agent carried on at premises otherwise than under the immediate control of a registered travel agent manager—

- (a) if the business is so carried on with the approval of the Board; or

- (b) if the business is so carried on in prescribed circumstances and the prescribed conditions (if any) applicable in respect of those circumstances are complied with.”.

Clause, as amended, agreed to.

Clauses 21 to 24, by leave, taken together, and agreed to, after debate.

Clause 25—

Mr E. L. Robinson, by leave, moved the following amendments together:

Page 14, sub-clause (2), after paragraph (b) insert the following paragraph:

“(ba) shall set out, or be accompanied by a document setting out, particulars of the premises or of each of the premises, as the case may be, at which the applicant proposes to carry on business as a travel agent, being particulars furnished with a view to satisfying the Board that the premises, or each of the premises, are suitable premises in which to carry on the business of a travel agent;”.

Page 15, at the end of the clause add the following sub-clause:

“(5) An applicant for the grant of a licence or licences shall, at least 7 days before furnishing his application to the Registrar in accordance with this section, cause a notice of his intention to make the application containing the prescribed particulars of the application to be published in a newspaper or in newspapers, as prescribed.”.

Debate continued.

Amendments negatived.

Clause agreed to.

Clause 26—

Mr E. L. Robinson moved the following amendment: Page 15, line 18, after “25 (2) (b)” insert “and that the premises or each of the premises so specified are suitable premises in which to carry on the business of a travel agent”.

Amendment negatived.

Clause agreed to.

Clauses 27 and 28, by leave, taken together, and agreed to.

Clause 29—

On the motion of Mr Stewart, the following amendment was made: Page 17, omit sub-clause (3).

Clause, as amended, agreed to.

Clauses 30 to 33, by leave, taken together, and agreed to.

Clause 34—

On the motion of Mr Stewart, the following amendment was made, after debate:

Page 20, line 10, omit “14”, substitute “28”.

Clause, as amended, agreed to.

Clauses 35 and 36, by leave, taken together, and agreed to.

Proposed new clause—

Mr E. L. Robinson moved—That the following new clause be inserted in the Bill:

“36A. (1) An applicant, within the meaning of Division 2 of this Part, may, in such manner and within such time as are prescribed, appeal to the Supreme Court of a State or Territory from a decision of the Board to refuse to grant an application made by him under that Division. Appeal
to the
Supreme
Court.

“(2) The Registrar shall be respondent in the appeal.

“(3) The Supreme Court of each State is invested with federal jurisdiction, and jurisdiction is conferred on the Supreme Court of each Territory, to hear and determine appeals under this section.

“(4) Where an applicant appeals to a Supreme Court under this section, the Court shall hear and determine the appeal and may make such order as it thinks appropriate by reason of its decision, including an order directing the Board to grant the application.

“(5) Where a Supreme Court makes an order directing the Board to grant an application, the Board shall give effect to the direction.”.

Debate ensued.

Proposed new clause negatived.

Clause 37 agreed to.

Clause 38—

Mr Wentworth addressing the committee after proposing the following amendment:

Page 22, after sub-clause (1) insert the following sub-clause:

“(1A) A licensed travel agent shall keep a register showing details of all concessional or free fares granted to his employees or their dependants on his application or in consequence of employment by him, and such register shall be open to inspection by persons authorized by the Board.”—

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

Question—That the question be now put—put.

The committee divided (the Chairman, Dr Jenkins, in the Chair)—

AYES, 61

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

NOES, 53

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

And so it was resolved in the affirmative.

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

Clause 39—

On the motion of Mr Stewart, the following amendment was made: Page 22, at the end of sub-clause (2) add the following paragraph:

“(c) to a bank that is the holder of a licence.”.

Clause, as amended, agreed to.

Clause 40—

On the motion of Mr Stewart, the following amendment was made: Page 23, line 23, after “agent” insert “to whom section 39 applies”.

Clause, as amended, agreed to.

Clauses 41 and 42, by leave, taken together, and agreed to.

Clause 43—

On the motion, by leave, of Mr Stewart, the following amendments were made together:

Page 27, omit sub-clause (5), substitute the following sub-clause:

“(5) Where a licensed travel agent is carrying on business otherwise than as a travel agent under this Act in addition to carrying on business as such a travel agent—

- (a) it is sufficient compliance with sub-section (1) in relation to a financial year if, subject to sub-section (8), the agent lodges with the Registrar within a period of 4 months after the end of that financial year, for consideration by the Board—
 - (i) a profit and loss account and a balance-sheet in respect of the business of the agent as a travel agent under this Act and the other business of the agent; and
 - (ii) a financial statement, in accordance with a form approved by the Board, in respect of the business of the agent as a travel agent under this Act; and
- (b) if the agent has not lodged a profit and loss account and balance-sheet referred to in paragraph (a) with the Registrar in respect of a financial year—the Board may, by notice in writing served on the agent, require the agent to lodge with the Registrar, within a reasonable period specified in the notice, a profit and loss account and balance-sheet in respect of that other business carried on by the travel agent in that financial year.”

Page 27, omit sub-clause (8), substitute the following sub-clause:

“(8) A licensed travel agent—

- (a) shall not be taken to have lodged a profit and loss account and balance-sheet with the Registrar for the purposes of paragraph (5) (a) or for the purpose of complying with a notice given to the agent under paragraph (5) (b) unless the profit and loss account and balance-sheet have been audited by the auditor of the agent and the agent has also lodged with the Registrar a certificate, or copy of a certificate, by the auditor stating whether the auditor is satisfied that the profit and loss account and balance-sheet agree with the financial records of the agent and appear to the auditor truly to represent the financial position and transactions of the agent in respect of the financial year and businesses to which they relate and, if any of them appear to fail so to represent the transactions and financial position, also stating particulars of the failure; and
- (b) shall not be taken to have lodged a financial statement for the purpose of sub-paragraph (5) (a) (ii) unless the statement has been audited by the auditor of the agent and the agent has also lodged with the Registrar a certificate by the auditor in relation to that financial statement of such a kind as would comply with sub-section 46 (3) if—
 - (i) references in that sub-section to a profit and loss account and balance-sheet were references to that financial statement;
 - (ii) references in that sub-section to the accounting records of the agent were references to the accounting records of the agent that relate to the business of a travel agent carried on by the agent under this Act; and
 - (iii) references in that sub-section to the transactions and financial position of the agent were references to the transactions and financial position of the agent in relation to the business of a travel agent carried on by the agent under this Act.”

Clause, as amended, agreed to.

Clause 44 agreed to.

Clause 45—

On the motion of Mr Stewart, the following amendment was made: Page 28, at the end of the clause add the following sub-clause:

“(6) Where the accounts and records of financial transactions of a licensed travel agent are audited by the Auditor-General of Australia or of a State, this section does not apply to or in relation to that travel agent.”

Clause, as amended, agreed to.

Clauses 46 to 51, by leave, taken together, and agreed to.

Clause 52—

On the motion, by leave, of Mr Stewart, the following amendments were made together:

Page 32, sub-clause (3), omit paragraph (a), substitute the following paragraph:

“(a) shall, in respect of each financial year of the agent to which this paragraph applies by virtue of sub-section (5), comply with section 46 in relation to the business of a travel agent carried on by the agent under this Act during that financial year as if he had carried on that business and the reference in sub-section 43 (1) to the period of 4 months after the end of that financial year were a reference to the period of 4 months after the day on which the agent died;”

Page 33, lines 10–13, omit “he has not lodged with the Registrar a profit and loss account, a balance-sheet and the certificate referred to in sub-section 46 (2) relating to that profit and loss account and balance-sheet”, substitute “he has not complied with section 43”.

Clause, as amended, agreed to.

Clauses 53 to 55, by leave, taken together, and agreed to.

Clause 56—

Mr E. L. Robinson moved the following amendment: Page 35, line 22, omit “by delivering it to the Registrar”, substitute “by delivering the complaint to the Registrar together with a statutory declaration of a person having personal knowledge of the facts specified in the complaint verifying those facts”.

Debate continued.

Amendment negatived.

Clause agreed to.

Clauses 57 to 71, by leave, taken together, and agreed to.

Clause 72—

Mr E. L. Robinson moved the following amendment: Page 43, sub-clause (2), omit paragraph (b).

Debate continued.

Amendment negatived.

Clause agreed to.

Clauses 73 to 79, by leave, taken together, and agreed to.

Clause 80—

On the motion of Mr Stewart, the following amendment was made: Page 49, line 24, omit “or expires”.

Clause, as amended, agreed to.

Clauses 81 to 95, by leave, taken together, and agreed to.

Clause 96—

Mr E. L. Robinson moved the following amendment: Page 59, at the end of the clause add the following sub-clauses:

“(4) Where the Board decides not to make a payment to the claimant from the Fund under this Part and also decides that the claim was frivolous or vexatious, the Board may direct the claimant—

(a) to pay to the travel agent concerned, on account of the expenses incurred by him in connexion with the claim, a sum determined by the Board, being a sum not exceeding the amount of those expenses; or

(b) to pay to a person who has appeared before the Board as a witness in connexion with the claim a sum, by way of fees and allowances for expenses in respect of his attendance, fixed by the Board in accordance with the regulations.

“(5) Where a claimant is directed by the Board under sub-section (4) to pay a sum to a person, the sum is recoverable from the claimant in a court of competent jurisdiction as a debt due by the claimant to the person.”

Debate continued.

Amendment negatived.

Clause agreed to.

Clause 87 reconsidered, by leave, and agreed to, after debate.
 Remainder of Bill, by leave, taken as a whole, and agreed to.
 Bill to be reported with amendments.

The House resumed; Mr L. K. Johnson reported accordingly.

Mr Stewart moved, by leave—That the report be adopted.

Mr Wentworth rising to address the House—

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

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

And the question—That the report be adopted—was put accordingly, and passed.

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

Mr Wentworth rising to address the House—

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

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

And the question—That the Bill be now read a third time—was put accordingly, and passed—Bill read a third time.

- 10 TRAVEL AGENTS (DEPOSITS AND LEVIES) 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—

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 Wentworth addressing the committee—

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 Bill be agreed to—was put accordingly, and passed.

Bill to be reported without amendment.

The House resumed; Mr L. K. Johnson reported accordingly.

Mr Stewart (Minister for Tourism and Recreation) moved—That the report be adopted.

Mr Wentworth rising to address the House—

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

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

And the question—That the report be adopted—was put accordingly, and passed.

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

Mr Wentworth rising to address the House—

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

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

And the question—That the Bill be now read a third time—was put accordingly, and passed—Bill read a third time.

- 11 POSTPONEMENT OF ORDERS OF THE DAY: Ordered—That orders of the day Nos. 5 to 12, government business, be postponed until a later hour this day.

- 12 STATES GRANTS (CAPITAL ASSISTANCE) 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.

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

- 13 ADJOURNMENT: Mr Daly (Leader of the House) moved—That the House do now adjourn. Several Members rising to address the House—

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

Question—That the question be now put—put.

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

AYES, 61

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

NOES, 54

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

And so it was resolved in the affirmative.

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

And then the House, at two minutes past six o'clock p.m., adjourned until tomorrow at ten o'clock a.m.

PAPERS: The following papers were deemed to have been presented on 28 October 1975:

By command of His Excellency the Governor-General:

Paris Convention of 20 March 1883 for the Protection of Industrial Property as last revised at Stockholm on 14 July 1967—Declaration, dated 10 May 1975, extending instrument of accession deposited by Australia.

Pursuant to statute:

Defence Force Retirement and Death Benefits Act—Regulations—Statutory Rules 1975, No. 195.

Film and Television School Acts—Regulations—Statutory Rules 1975, No. 196.

Postal Services Act—Australian Postal Commission—By-laws—

Postal—1975—Amendment No. 2.

Postal (Staff)—1975—Amendment No. 2.

Postal Staff (Salaries)—1975—Amendment No. 2.

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

No. 630—Commonwealth Foremen's Association of Australia, Commonwealth Public Service.

No. 631—Federated Engine Drivers' and Firemen's Association of Australasia. †

No. 632—Australian Workers' Union. †

- No. 633—Amalgamated Metal Workers' Union and others.†
No. 635—Amalgamated Metal Workers' Union and others.
No. 640—Australian Broadcasting Commission Staff Association.
No. 641—Professional Musicians Union of Australia.
No. 642—Federated Engine Drivers' and Firemen's Association of Austral-
asia.†
No. 643—Amalgamated Metal Workers' Union and others.†
No. 647—Postal Telecommunication Technicians Association (Australia).
(† Not accompanied by statement)

MEMBERS PRESENT: All Members were present (at some time during the sitting) except
Mr England*, Mr Hewson, Mr Hunt and Mr Luchetti*.

* On leave

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