

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

## HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 93

THURSDAY, 5 APRIL 1979

1 The House met, at 10.30 a.m., pursuant to adjournment. Mr Speaker (the Right Honourable Sir Billy Snedden) took the Chair, and read *Prayers*.

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

Mr Armitage, Dr Edwards and Mr Martin—from certain citizens praying that pension payments be restored to twice-yearly adjustments and that pensions and unemployment benefits be raised to 30% of average weekly earnings.

Mr Aldred—from certain citizens praying that the taxation law be amended to permit registered tax agents to trade for a full year and lodge income tax returns at the close of the respective tax year.

Mr Dobie—from certain citizens praying for the prohibition of pornographic material involving children.

Dr Edwards—from certain citizens praying for the establishment of a fund whereby loans can be made to means tested pensioners for the necessary maintenance of their homes.

Mr Holding—from certain citizens praying for the resignation of Members who have not honoured an election undertaking to retain twice-yearly adjustments of social security pensions in accordance with movements in the consumer price index.

Mr L. R. Johnson—from certain citizens praying that Kingsford-Smith Airport, Sydney, not be extended and that no related decisions be taken without consultation with affected communities.

Mr L. R. Johnson—from certain citizens praying that indirect tax measures, such as a retail turnover tax or a value added tax, not be introduced.

Mr Lucock—from certain citizens praying that a protest be sent to the Canadian Government objecting to the slaughter of Harp Seal pups.

Mr Ruddock—from certain Aboriginal citizens praying that the Lionel Rose Hostel and Community Centre, Morwell, and the Meerindoo Hostel, Bairnsdale, Vic., be restored to the local Aboriginal communities.

Petitions received.

3 DEATH OF FORMER PRIME MINISTER OF PAKISTAN (ZULFIKAR ALI BHUTTO): Mr Fraser (Prime Minister) referred to the death of Zulfikar Ali Bhutto, formerly Prime Minister of Pakistan, and moved—That this House notes with regret the death, on 4 April 1979, of Zulfikar Ali Bhutto, formerly Prime Minister of Pakistan.

And Mr Hayden (Leader of the Opposition) having seconded the motion, and other Members having addressed the House in support thereof, and all Members present having risen, in silence—

Question—passed.

4 QUESTIONS: Questions without notice were asked.

5 PAPER: The following paper was presented, by command of His Excellency the Governor-General:

Industries Assistance Commission—Report—Sugar industry, dated 31 March 1979.

6 NEW AND PERMANENT PARLIAMENT HOUSE—JOINT STANDING COMMITTEE—REPORT—  
STATEMENT BY MR SPEAKER: Mr Speaker (Joint Chairman) presented the following  
report from the Joint Standing Committee on the New and Permanent Parliament  
House:

New and Permanent Parliament House, Canberra—4th Report, dated 5 April 1979.  
Ordered to be printed.

Mr Speaker made a statement in connection with the report.

7 SPECIAL ADJOURNMENT: Mr Sinclair (Leader of the House) moved—That the House, at  
its rising, adjourn until Tuesday, 1 May next, at 2.15 p.m., unless Mr Speaker, or, in  
the absence from Australia of Mr Speaker, the Chairman of Committees, shall by  
telegram or letter addressed to each Member of the House, fix an alternative day or  
hour of meeting.

Debate ensued.

Question—put and passed.

8 GRIEVANCE DEBATE: Pursuant to the provisions of standing order 106, the order of the  
day having been read—

Question proposed—That grievances be noted.

Debate ensued.

It being 12.45 p.m., the debate was interrupted in accordance with standing order 106.

Question—That grievances be noted—put and passed.

9 EXPENDITURE—STANDING COMMITTEE—REPORT ON THE DEFENCE SERVICE HOMES SCHEME  
—GOVERNMENT'S RESPONSE—STATEMENT BY MEMBER: Mr Cairns (Chairman), by  
leave, made a statement in connection with the Government's response to the report  
of the Standing Committee on Expenditure on the Defence Service Homes Scheme.

10 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ABORIGINES IN QUEENSLAND: Mr Deputy  
Speaker informed the House that Mr Bowen (Deputy Leader of the Opposition)  
had proposed that a definite matter of public importance be submitted to the House  
for discussion, namely, "The Government's failure to fulfil its obligations to protect  
the human rights and the right to self-determination of Aborigines in Queensland".

The proposed discussion having received the necessary support—

Mr Bowen addressed the House.

Discussion ensued.

Dr Everingham addressing the House—

Mr Bouchier moved—That the business of the day be called on.

Question—put.

The House divided (the Speaker, Sir Billy Snedden, in the Chair)—

AYES, 67

|                  |             |              |                   |
|------------------|-------------|--------------|-------------------|
| Mr Aldred        | Mr Corbett* | Mr Killen    | Mr O'Keefe        |
| Mr Baume         | Mr Cotter   | Mr Lloyd     | Mr Peacock        |
| Mr Birney        | Mr Dobie    | Mr Lucock    | Mr Porter         |
| Mr Bouchier*     | Mr Drummond | Mr Lusher    | Mr E. L. Robinson |
| Mr Bradfield     | Mr Ellicott | Mr Lynch     | Mr I. L. Robinson |
| Mr Braithwaite   | Mr Falconer | Mr MacKellar | Mr Sainsbury      |
| Mr N. A. Brown   | Mr Fisher   | Mr MacKenzie | Mr Shack          |
| Mr Bungey        | Mr Gillard  | Mr McLean    | Mr Shipton        |
| Mr Burns         | Mr Goodluck | Mr McLeay    | Mr Simon          |
| Mr Cadman        | Mr Groom    | Mr McVeigh   | Mr Sinclair       |
| Mr Cairns        | Mr Haslem   | Mr Macphee   | Mr Staley         |
| Mr Calder        | Mr Hodgman  | Mr Martyr    | Mr Street         |
| Mr D. M. Cameron | Mr Howard   | Mr Millar    | Mr Thomson        |
| Mr E. C. Cameron | Mr Hyde     | Mr Moore     | Mr Viner          |
| Mr Carlton       | Mr Jarman   | Mr Neil      | Mr Wilson         |
| Mr Chapman       | Mr Johnston | Mr Newman    | Mr Yates          |
| Mr Connolly      | Mr Jull     | Mr Nixon     |                   |

## NOES, 32

|                  |                |                   |            |
|------------------|----------------|-------------------|------------|
| Mr Armitage      | Dr Everingham  | Dr Jenkins        | Mr Martin  |
| Dr Blewett       | Mr FitzPatrick | Mr L. K. Johnson* | Mr Morris  |
| Mr Bowen         | Mr Fry         | Mr L. R. Johnson* | Mr Schoje  |
| Mr J. J. Brown   | Mr Howe        | Mr B. O. Jones    | Mr Stewart |
| Mr Bryant        | Mr Humphreys   | Mr Keating        | Mr Uren    |
| Mr C. R. Cameron | Mr Hurford     | Mr Kerin          | Mr Wallis  |
| Mr Cohen         | Mr Jacobi      | Dr Klugman        | Mr West    |
| Mr Dawkins       | Mr James       | Mr J. L. McMahon  | Mr Willis  |

\* Tellers

And so it was resolved in the affirmative.

11 DEPARTMENT OF THE HOUSE OF REPRESENTATIVES—REPORT—STATEMENT BY MR SPEAKER—  
MOTION TO TAKE NOTE OF PAPER: Mr Speaker presented the following paper:

Department of the House of Representatives—Annual Report for 1978.

Mr Speaker made a statement in connection with the report.

Mr C. R. Cameron, by leave, moved—That the House take note of the paper.

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

12 TOURISM—SELECT COMMITTEE—REPORT—GOVERNMENT RESPONSE—MINISTERIAL STATEMENT AND PAPER—MOTION TO TAKE NOTE OF PAPERS: Mr Lynch (Minister for Industry and Commerce), by leave, made a ministerial statement informing the House of the Government's response to the report of the Select Committee on Tourism, and, by command of His Excellency the Governor-General, presented the following papers:

Tourism—Select Committee—Report—Government response—  
Ministerial statement, 5 April 1979.

Recommendations of committee and responses.

Mr Groom (Minister for Housing and Construction) moved—That the House take note of the papers.

*Suspension of standing orders—Extended time for speech:* Mr Groom, by leave, moved—

That so much of the standing orders be suspended as would prevent Mr Cohen speaking for a period not exceeding 20 minutes.

Question—put and passed.

Debate ensued.

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

13 PASSENGER VEHICLE EMISSION CONTROLS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER: Mr Nixon (Minister for Transport), by leave, made a ministerial statement informing the House of the Government's views on passenger vehicle emission controls, and, by command of His Excellency the Governor-General, presented the following paper:

Passenger vehicle emission controls—Ministerial statement, 5 April 1979.

Mr Groom (Minister for Housing and Construction) moved—That the House take note of the paper.

*Suspension of standing orders—Extended time for speech:* Mr Groom, by leave, moved—

That so much of the standing orders be suspended as would prevent Mr Morris speaking for a period not exceeding 23 minutes.

Question—put and passed.

Debate ensued.

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

14 NATIONAL ENERGY POLICY—DEVELOPMENT AND IMPLEMENTATION—MINISTERIAL STATEMENT AND PAPER—MOTION TO TAKE NOTE OF PAPERS: Mr Newman (Minister for National Development), by leave, made a ministerial statement informing the House

of action taken by the Government in formulating and implementing its energy policy, and, by command of His Excellency the Governor-General, presented the following papers:

National energy policy—

Development and implementation—Ministerial statement, 5 April 1979.

National energy research development and demonstration program—Priorities and relativities for research development and demonstration support grants, dated March 1979.

Mr Staley (Minister for Post and Telecommunications) moved—That the House take note of the papers.

*Suspension of standing orders—Extended time for speech:* Mr Staley, by leave, moved—

That so much of the standing orders be suspended as would prevent Mr Keating speaking for a period not exceeding 39 minutes.

Question—put and passed.

Debate ensued.

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

15 MESSAGE FROM THE SENATE—PARLIAMENT HOUSE—DECLARED STAGE—DESIGN COMPETITION: The following message from the Senate was reported:

Message No. 229

Mr Speaker,

The Senate transmits to the House of Representatives the following Resolution which was agreed to by the Senate this day: That, in accordance with provisions of section 8 of the *Parliament House Construction Authority Act 1979*, the Senate—

- (a) declares the conducting of a Design Competition to be a declared stage in the design of Parliament House; and
- (b) authorizes commencement of work on that stage.

C. L. LAUCKE  
President

The Senate,  
Canberra, 5 April 1979

16 AUSTRALIAN 1988 BICENTENARY—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER: Mr Fraser (Prime Minister), by leave, made a ministerial statement informing the House of arrangements by which an Australian Bicentennial Authority will be established to plan the commemoration of the 1988 Bicentenary of European settlement in Australia, and, by command of His Excellency the Governor-General, presented the following paper:

Australian 1988 Bicentenary—Ministerial statement, 5 April 1979.

Mr Staley (Minister for Post and Telecommunications) moved—That the House take note of the paper.

Debate ensued.

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

17 MESSAGE FROM THE GOVERNOR-GENERAL, PROPOSED ADDITIONAL EXPENDITURE AND APPROPRIATION FOR PAYMENT OF INCREASES IN SALARIES AND WAGES FOR YEAR, 1978–79—APPROPRIATION BILL (No. 3) 1978–79: Message No. 135, dated 5 April 1979, from His Excellency the Governor-General was announced—

- (a) transmitting to the House of Representatives particulars of proposed additional expenditure from the Consolidated Revenue Fund for the service of the year ending on 30 June 1979, and recommending an appropriation of the Consolidated Revenue Fund accordingly; and
- (b) recommending to the House of Representatives an appropriation of the Consolidated Revenue Fund for the service of the year ending on 30 June 1979, for the payment of such increases in salaries and wages and payments in the nature

of salary, for which provision is made in the attached particulars of proposed expenditure as have become payable or become payable, or have commenced or commence to be paid, during that year in accordance with any law, or in accordance with an award, order or determination made under a law.

Mr E. L. Robinson (Minister for Finance) presented a Bill for an Act to appropriate a sum out of the Consolidated Revenue Fund, additional to the sum appropriated by the *Appropriation Act (No. 1) 1978-79*, for the service of the year ending on 30 June 1979.

Bill read a first time.

Mr E. L. Robinson moved—That the Bill be now read a second time.

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

18 MESSAGE FROM THE GOVERNOR-GENERAL, CERTAIN PROPOSED ADDITIONAL EXPENDITURE 1978-79—APPROPRIATION BILL (No. 4) 1978-79: Message No. 136, dated 5 April 1979, from His Excellency the Governor-General was announced transmitting to the House of Representatives particulars of certain proposed additional expenditure from the Consolidated Revenue Fund in respect of the year ending on 30 June 1979, and recommending an appropriation of the Consolidated Revenue Fund accordingly.

Mr E. L. Robinson (Minister for Finance) presented a Bill for an Act to appropriate a sum out of the Consolidated Revenue Fund, additional to the sum appropriated by the *Appropriation Act (No. 2) 1978-79*, for certain expenditure in respect of the year ending on 30 June 1979.

Bill read a first time.

Mr E. L. Robinson moved—That the Bill be now read a second time.

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

19 COMMONWEALTH EMPLOYEES (REDEPLOYMENT AND RETIREMENT) BILL 1979: Mr Viner (Minister Assisting the Prime Minister), pursuant to notice, presented a Bill for an Act to make provision with respect to the Redeployment and Retirement of Commonwealth Employees, and for related purposes.

Bill read a first time.

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

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

20 BOUNTY (PAPER) BILL 1979: Mr Fife (Minister for Business and Consumer Affairs), pursuant to notice, presented a Bill for an Act to provide for the payment of bounty on the production of certain paper.

Bill read a first time.

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

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

21 BOUNTY (ROTARY CULTIVATORS) BILL 1979: Mr Fife (Minister for Business and Consumer Affairs), pursuant to notice, presented a Bill for an Act to provide for the payment of bounty on the production of certain prime movers of rotary cultivators, hoes and tillers.

Bill read a first time.

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

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

22 PARLIAMENT HOUSE—DECLARED STAGE—DESIGN COMPETITION: Mr Ellicott (Minister for the Capital Territory), pursuant to notice, moved—

- (1) That, in accordance with the provisions of section 8 of the *Parliament House Construction Authority Act 1979*, the House of Representatives (a) declares the conducting of a Design Competition to be a declared stage in the design of Parliament House and (b) authorises commencement of work on that stage.
- (2) That a message be sent to the Senate acquainting it of the resolution agreed to by the House of Representatives.

Debate ensued.

Question—put and passed.

23 PUBLIC WORKS COMMITTEE—REFERENCE OF WORK—ROYAL AUSTRALIAN NAVY RESEARCH LABORATORIES—RELOCATION TO PYRMONT, N.S.W.: Mr Groom (Minister for Housing and Construction), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for investigation and report: Royal Australian Navy Research Laboratories (RANRL)—Relocation to Pyrmont, N.S.W.

Mr Groom presented plans in connection with the proposed work.

Question—put and passed.

24 NORFOLK ISLAND BILL 1978: 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—*And on the amendment moved thereto by Mr Innes, viz.*—That all words after “That” be omitted with a view to substituting the following words: “the Bill be withdrawn and re-drafted to achieve the following purposes:

- (1) that the powers of the Administrator as proposed in the Bill be reduced by—
  - (a) transferring to the Legislative Assembly the executive government of Norfolk Island, and abolishing the Executive Council;
  - (b) enabling the Legislative Assembly to make Ordinances providing for matters specified in Schedule 2 to the Bill without the need for those Ordinances to be assented to;
  - (c) transferring to the President of the Legislative Assembly the power to fix the dates of elections;
  - (d) transferring to the Legislative Assembly and the President of the Legislative Assembly the power to convene meetings of the Assembly;
  - (e) transferring to the Legislative Assembly the power to accept resignations of Presidents and Deputy Presidents of the Assembly;
  - (f) placing a limit of 60 days upon the period within which the Administrator may consider proposed Ordinances;
  - (g) enabling the Legislative Assembly to appeal to the Minister, and thence to the Parliament, against any action, opinion or decision of the Administrator; and
  - (h) changing the title of the Administrator to one more suitable to the changed status of Norfolk Island;
- (2) that the powers of the Governor-General as proposed in the Bill be reduced by—
  - (a) placing a limit of 90 days upon the period within which the Governor-General may consider proposed Ordinances; and
  - (b) removing the power to disallow, or recommend amendments to, Ordinances made by the Legislative Assembly as proposed in sub-paragraph (1) (b) above or assented to by the Administrator;
- (3) that the powers of the Legislative Assembly as proposed in the Bill be expanded by vesting in the Legislative Assembly the sole power of appointing members of the Executive Council and terminating their appointment, in the event of there being an Executive Council;

- (4) that matters specified in Schedule 2 to the Bill include referendums, electoral law, the recruitment and management of the Norfolk Island Public Service and education;
- (5) that matters specified in Schedule 3 to the Bill include land use and zoning, mining, public hospitals, conservation and national parks, law enforcement and management of historical sites;
- (6) that a Bill of Rights for Norfolk Islanders be included in the Bill, ensuring, in particular, the recognition of the Island as the historical homeland of the Pitcairners and the protection of their remaining rights;
- (7) that the recommendation by the Administrator in respect of a money Bill be required before the Bill is passed by the Legislative Assembly;
- (8) that moneys shall not be lent to Norfolk Island by the Commonwealth except with the agreement of Norfolk Island;
- (9) that members of the Legislative Assembly be elected by a method of proportional representation, the whole of Norfolk Island constituting a single electoral division;
- (10) that the taxation and social security legislation of the Commonwealth be extended to Norfolk Island in full; and
- (11) that Norfolk Island be incorporated into an appropriate electoral division of the Commonwealth of Australia, and that Australian citizens resident on the Island be enrolled in that electoral division”—

Debate resumed.

Question—That the words proposed to be omitted stand part of the question—put.

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

AYES, 66

|                  |                  |              |                   |
|------------------|------------------|--------------|-------------------|
| Mr Aldred        | Mr Cotter        | Mr Johnston  | Mr Nixon          |
| Mr Baume         | Mr Dean          | Mr Jull      | Mr O'Keefe        |
| Mr Birney        | Mr Dobie         | Mr Killen    | Mr Peacock        |
| Mr Bouchier      | Dr Edwards       | Mr Lloyd     | Mr Porter         |
| Mr Bradfield     | Mr Ellicott      | Mr Lucock    | Mr E. L. Robinson |
| Mr Braithwaite   | Mr Falconer      | Mr Lusher    | Mr Sainsbury      |
| Mr N. A. Brown   | Mr Fife          | Mr MacKellar | Mr Shack          |
| Mr Bungey        | Mr Fisher        | Mr MacKenzie | Mr Shipton        |
| Mr Burns         | Mr Gillard       | Mr McLean    | Mr Simon          |
| Mr Cadman        | Mr Goodluck      | Mr McLeay    | Mr Sinclair       |
| Mr Cairns        | Mr Groom         | Mr McVeigh   | Mr Street         |
| Mr Calder        | Mr Hodges*       | Mr Macphee   | Mr Thomson        |
| Mr D. M. Cameron | Mr Hodgman       | Mr Martyr    | Mr Viner          |
| Mr E. C. Cameron | Mr Howard        | Mr Millar    | Mr Wilson         |
| Mr Carlton       | Mr Hyde          | Mr Moore     | Mr Yates          |
| Mr Connolly      | Mr Jarman        | Mr Neil      |                   |
| Mr Corbett*      | Mr P. F. Johnson | Mr Newman    |                   |

NOES, 26

|                  |              |                   |            |
|------------------|--------------|-------------------|------------|
| Mr Armitage      | Mr Fry       | Mr James          | Mr Scholes |
| Dr Blewett       | Mr Holding   | Mr L. K. Johnson* | Mr Stewart |
| Mr J. J. Brown   | Mr Howe      | Mr L. R. Johnson* | Mr Wallis  |
| Mr Bryant        | Mr Humphreys | Mr Kerin          | Mr West    |
| Mr C. R. Cameron | Mr Hurford   | Mr J. L. McMahon  | Mr Willis  |
| Mr Dawkins       | Mr Innes     | Mr Martin         |            |
| Dr Everingham    | Mr Jacobi    | Mr Morris         |            |

\*Tellers

And so it was resolved in the affirmative.

Question—That the Bill be now read a second time—put.

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

AYES, 67

|                  |             |                  |                   |
|------------------|-------------|------------------|-------------------|
| Mr Aldred        | Mr Cotter   | Mr P. F. Johnson | Mr Newman         |
| Mr Baume         | Mr Dean     | Mr Johnston      | Mr Nixon          |
| Mr Birney        | Mr Dobie    | Mr Jull          | Mr O'Keefe        |
| Mr Bourchier     | Dr Edwards  | Mr Killen        | Mr Peacock        |
| Mr Bradfield     | Mr Ellicott | Mr Lloyd         | Mr Porter         |
| Mr Braithwaite   | Mr Falconer | Mr Lucock        | Mr E. L. Robinson |
| Mr N. A. Brown   | Mr Fife     | Mr Lusher        | Mr Sainsbury      |
| Mr Bungey        | Mr Fisher   | Mr MacKellar     | Mr Shack          |
| Mr Burns         | Mr Gillard  | Mr MacKenzie     | Mr Shipton        |
| Mr Cadman        | Mr Goodluck | Mr McLean        | Mr Simon          |
| Mr Cairns        | Mr Groom    | Mr McLeay        | Mr Sinclair       |
| Mr Calder        | Mr Hodges*  | Mr McVeigh       | Mr Street         |
| Mr D. M. Cameron | Mr Hodgman  | Mr Macphee       | Mr Thomson        |
| Mr E. C. Cameron | Mr Howard   | Mr Martyr        | Mr Viner          |
| Mr Carlton       | Mr Hunt     | Mr Millar        | Mr Wilson         |
| Mr Connolly      | Mr Hyde     | Mr Moore         | Mr Yates          |
| Mr Corbett*      | Mr Jarman   | Mr Neil          |                   |

NOES, 27

|                  |              |                   |            |
|------------------|--------------|-------------------|------------|
| Mr Armitage      | Mr Fry       | Mr James          | Mr Morris  |
| Dr Blewett       | Mr Holding   | Mr L. K. Johnson* | Mr Scholes |
| Mr J. J. Brown   | Mr Howe      | Mr L. R. Johnson* | Mr Stewart |
| Mr Bryant        | Mr Humphreys | Mr B. O. Jones    | Mr Wallis  |
| Mr C. R. Cameron | Mr Hurford   | Mr Kerin          | Mr West    |
| Mr Dawkins       | Mr Innes     | Mr J. L. McMahon  | Mr Willis  |
| Dr Everingham    | Mr Jacobi    | Mr Martin         |            |

\*Tellers

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

The House resolved itself into a committee of the whole.

#### *In the committee*

Clauses 1 to 22, by leave, taken together, and debated.

On the motion, by leave, of Mr Ellicott (Minister for Home Affairs), the following amendments were made together, after debate:

Clause 4—

Page 2, line 14, omit "section 8", substitute "this Act".

Page 2, after the definition of "Deputy President" insert the following definition:  
" 'enactment' means—

- (a) a law (however described or entitled) passed by the Legislative Assembly and assented to under this Act;
- (b) an Ordinance made by the Governor-General under section 27 or in pursuance of section 68; or
- (c) an Ordinance continued in force by this Act;".

Page 2, lines 23 and 24, omit the definition of "Ordinance".

Page 2, lines 32 and 33, omit the definition of "Territory", substitute the following definition:

" 'Territory' means Norfolk Island, that is to say, the Territory of Norfolk Island as described in Schedule 1."

Clause 5, page 3, lines 2 and 3, omit "Territory of the Commonwealth", substitute "Territory under the authority of the Commonwealth".

Clause 7—

Page 3, line 38, omit " , whether before or after the giving of that advice", substitute "in accordance with sub-section (3)".

Pages 3 and 4, omit sub-clause (3), substitute the following sub-clause:

"(3) For the purposes of sub-section (2), the Minister may give the Administrator instructions in respect of advice tendered to the Administrator for the purposes of paragraph (1) (b), and may give the Administrator instructions in respect of the referral to the Minister of any such advice."



Clause 11—

Page 5, after sub-clause (3) insert the following sub-clause:

“(3A) If the Administrator is not present at a meeting of the Executive Council, the members of the Executive Council present shall elect one of their number to preside.”

Page 5, after sub-clause (5) insert the following sub-clause:

“(5A) The Administrator may convene a meeting of the Executive Council at any time, and shall convene a meeting whenever requested to do so by 3 or more members of the Executive Council.”

Clause 17—

Page 6, line 37, omit “Ordinance”, substitute “enactment”.

Page 6, line 38, omit “Ordinance”, substitute “enactment”.

Page 7, line 2, omit “Ordinance”, substitute “enactment”.

Page 7, line 3, omit “Ordinance”, substitute “enactment”.

Clause 18, page 7, line 8, omit “Ordinance”, substitute “enactment”.

Clause 19—

Page 7, line 14, omit “Ordinances”, substitute “laws”.

Page 7, line 17, omit “Ordinances” (twice occurring), substitute “laws”.

Page 7, line 24, omit “Ordinances”, substitute “laws”.

Clause 20, page 7, line 28, omit “Ordinances” (twice occurring), substitute “laws”.

Clause 21—

Page 7, line 37, omit “Ordinance”, substitute “law”.

Page 7, line 39, omit “Ordinance”, substitute “law”.

Page 7, line 41, omit “Ordinance”, substitute “law”.

Page 8, line 1, omit “Ordinance”, substitute “law”.

Page 8, line 2, omit “Ordinance”, substitute “law”.

Page 8, line 3, omit “Ordinance”, substitute “law”.

Page 8, line 5, omit “Ordinance”, substitute “law”.

Page 8, line 8, omit “Ordinance”, substitute “law”.

Page 8, line 9, omit “shall”, substitute “may”.

Page 8, line 11, omit “Ordinance”, substitute “law”.

Page 8, line 16, omit “Ordinance”, substitute “law”.

Clause 22—

Page 8, line 21, omit “Ordinance”, substitute “law”.

Page 8, line 24, omit “Ordinance”, substitute “law”.

Page 8, line 25, omit “Ordinance”, substitute “law”.

Page 8, line 26, omit “Ordinance”, substitute “law”.

Page 8, line 27, omit “Ordinance”, substitute “law”.

Page 8, line 28, omit “Ordinance”, substitute “law”.

Page 8, line 31, omit “Ordinance”, substitute “law”.

Page 8, line 35, omit “Ordinance”, substitute “law”.

Page 8, line 38, omit “Ordinance”, substitute “law”.

Page 8, line 39, omit “Ordinance”, substitute “law”.

Page 8, line 40, omit “Ordinance”, substitute “law”.

Clauses, as amended, agreed to.

Clause 23—

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

Page 8, line 43, omit “Ordinance”, substitute “law”.

Page 8, line 44, omit “Ordinance” (twice occurring), substitute “law”.

Page 9, line 2, omit “Ordinance”, substitute “law”.

Page 9, line 4, omit “Ordinance”, substitute “law”.

Page 9, line 5, omit “an Ordinance”, substitute “a law”.

Page 9, line 8, omit “Ordinance” (twice occurring), substitute “law”.

Page 9, line 10, omit “an Ordinance”, substitute “a law”.

Page 9, line 11, omit “an Ordinance”, substitute “a law”.

Page 9, line 13, omit "Ordinance" (twice occurring), substitute "law".

Page 9, line 14, omit "Ordinance", substitute "law".

Page 9, line 15, omit "an Ordinance", substitute "a law".

Clause, as amended, agreed to, after debate.

Clause 24—

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

Page 9, lines 21 and 22, omit "or disallows an Ordinance or part of an Ordinance".

Page 9, lines 23 and 24, omit ", or for the disallowance, as the case may be".

Page 9, line 26, omit "or the date of the disallowance, as the case may be".

Amendments negatived.

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

Page 9, line 20, omit "Ordinance", substitute "law".

Page 9, line 21, omit "Ordinance" (first and second occurring), substitute "law".

Page 9, line 21, omit "an Ordinance", substitute "a law".

Page 9, line 22, omit "an Ordinance", substitute "a law".

Clause, as amended, agreed to.

Clauses 25 and 26, by leave, taken together—

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

Clause 25, page 9, line 37, omit "Ordinance", substitute "enactment".

Clause 26, page 9, line 44, omit "Ordinance", substitute "law".

Clauses, as amended, agreed to.

Clause 27—

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

Page 10, lines 19–32, omit sub-clauses (3) and (4).

Page 11, lines 1–3, omit sub-clause (7), substitute the following sub-clause:

"(7) Notwithstanding the preceding provisions of this section, the Governor-General shall not make an Ordinance providing for the raising of revenues or for the expenditure of moneys out of the Public Account of Norfolk Island."

It being 10.30 p.m.—Progress to be reported.

The House resumed; Mr Millar reported accordingly.

*Adjournment negatived:* The question was accordingly proposed—That the House do now adjourn.

Mr Ellicott requiring the question to be put forthwith without debate—

Question—put and negatived.

The House again resolved itself into a committee of the whole.

*In the committee*

Debate continued.

Amendments negatived.

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

Page 10, line 3, omit "Ordinance", substitute "law".

Page 10, line 6, omit "Ordinance", substituted "law".

Page 10, line 8, omit "Ordinance", substitute "law".

Page 10, line 12, omit "Ordinance", substitute "law".

Page 10, line 14, omit "an Ordinance", substitute "a law".

Page 10, line 15, omit "an Ordinance", substitute "a law".

Page 10, line 18, omit "the Ordinance", substitute "an Ordinance".

Page 10, lines 24 and 25, omit "an Ordinance", substitute "a law".

Page 10, line 27, omit "such".

Clause, as amended, agreed to.

Clauses 28 to 61, by leave, taken together—

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

Clause 29—

Page 12, line 20, omit "Ordinance", substitute "enactment".

Page 12, line 23, omit "Ordinances", substitute "an enactment and an Ordinance".

Page 12, lines 26 and 27, omit sub-clause (2), substitute the following sub-clause:

"(2) A reference in this section to an enactment or to an Ordinance shall be read as including a reference to a law made under an enactment or under an Ordinance, as the case may be."

Clause 30—

Page 12, line 28, omit "Ordinance", substitute "enactment".

Page 12, line 30, omit "Ordinance" (twice occurring), substitute "enactment".

Clause 31—

Page 12, line 35, omit "The", substitute "Subject to the regulations, the".

Page 12, line 37, omit "Ordinance", substitute "enactment".

Clause 38—

Page 13, line 36, omit "Ordinance", substitute "enactment".

Page 13, line 37, omit "Ordinance", substitute "enactment".

Clause 39, page 14, line 23, omit "or honorarium", substitute " , honorarium or reward".

Clause 40, page 14, line 42, omit "Ordinance", substitute "enactment".

Clause 42, page 16, line 2, omit "Ordinance", substitute "enactment".

Clause 44, page 16, line 22, omit "Ordinance", substitute "enactment".

Clause 46—

Page 16, line 28, omit "Ordinance", substitute "enactment".

Page 16, line 29, omit "Ordinance", substitute "enactment".

Clause 47—

Page 16, line 34, omit "Ordinance", substitute "enactment".

Page 16, line 35, omit "Ordinance" (twice occurring), substitute "enactment".

Page 16, line 37, omit "Ordinance", substitute "enactment".

Page 17, line 1, omit "Ordinance", substitute "enactment".

Page 17, line 2, omit "Ordinance", substitute "enactment".

Page 17, line 5, omit "Ordinance" (twice occurring), substitute "enactment".

Page 17, line 11, omit "Ordinance", substitute "enactment".

Page 17, line 12, omit "Ordinance", substitute "enactment".

Page 17, line 14, omit "Ordinance", substitute "enactment".

Page 17, line 16, omit "Ordinance" (twice occurring), substitute "enactment".

Clause 48—

Page 17, line 22, omit "Ordinance", substitute "enactment".

Page 17, line 24, omit "Ordinance", substitute "enactment".

Clause 50—

Page 17, lines 29 and 30, omit " , from time to time,".

Page 17, line 41, omit "Ordinance", substitute "enactment".

Clause 53, page 18, at the end of the clause add the following sub-clause:

"(2) Before tendering advice to the Governor-General for the purposes of sub-section (1), the Minister shall give the Executive Council the opportunity of furnishing comments to him and shall consider any comments so furnished."

Clause 58—

Page 19, line 3, omit "Ordinance", substitute "enactment".

Page 19, line 4, omit " , from time to time,".

Clause 59, page 19, line 15, omit "Ordinance", substitute "enactment".

Clause 60, page 19, line 17, omit "Ordinance", substitute "enactment".

Clause 61, page 19, line 19, omit "Ordinance", substitute "enactment".

Clauses, as amended, agreed to.

*Proposed new clause—*

Mr Innes moved—That the following new clause be inserted in the Bill:

“61A. (1) There shall be a Conciliation and Arbitration Commission of Norfolk Island, constituted by a member of the Australian Conciliation and Arbitration Commission designated by the President of the last-mentioned Commission. Conciliation  
and  
Arbitration

“(2) There shall be an Industrial Court of Norfolk Island, constituted by a Judge of the Australian Industrial Court designated by the Chief Judge of the last-mentioned Court.

“(3) The *Conciliation and Arbitration Act* 1904, subject to such exceptions, modifications and adaptations as are prescribed, applies in the Territory by force of this section—

(a) in relation to—

(i) disputes (including threatened, impending or probable disputes) as to industrial matters relating to industries carried on in the Territory; and

(ii) situations likely to give rise to such disputes; and

(b) in relation to the registration of organizations in the Territory.”.

Debate ensued.

Proposed new clause negatived.

Remainder of Bill, by leave, taken as a whole.

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

*Amendment—*

Clause 63, page 19, line 24, omit “Ordinance”, substitute “enactment”.

*New clause—*

Page 20, after clause 65 insert the following new clause:

“65A. (1) The Governor-General, acting with the advice of the Attorney-General, may, by warrant under his hand, grant to a person convicted by a court of the Territory exercising criminal jurisdiction a pardon, either free or conditional, or a remission or commutation of sentence, or a respite, for such period as he thinks fit, of the execution of sentence, and may remit any fines, penalties and forfeitures imposed or incurred under a law in force in the Territory. Grant of  
pardon,  
remission, &c.

“(2) Without limiting the powers of the Governor-General under sub-section (1), provision may be made by enactment for the remission, for good conduct, of part of the sentence of a person serving a sentence of imprisonment in the Territory.

“(3) Where an offence has been committed in the Territory, or where an offence has been committed outside the Territory for which the offender may be tried in the Territory, the Governor-General, acting with the advice of the Attorney-General, may, by warrant under his hand, grant a pardon to an accomplice who gives evidence that leads to the conviction of the principal offender, or of any of the principal offenders.”.

*Amendments—*

Clause 66—

Page 20, lines 16 and 17, omit “the senior Judge”, substitute “a Judge”.

Page 20, lines 23–25, omit paragraph (a), substitute the following paragraph:

“(a) regulations repealing or altering an item in Schedule 2 shall not be made except after—

(i) a copy of the proposed regulations has been laid before the Legislative Assembly; and

(ii) the Legislative Assembly has passed a resolution approving the proposed regulations; and”.

Page 20, line 27, omit “shall not”, substitute “do not”.

Page 20, at the end of the clause add the following sub-clause:

“(3) A reference in sub-section (2) to a Schedule shall be read as including a reference to that Schedule as varied from time to time by regulations made by virtue of that sub-section.”.

Clause 68—

Page 20, line 34, omit “extends”, substitute “extend”.

Page 20, line 35, at the end of the sub-clause add “and with respect to matters relating to the Legislative Assembly”.

Clause 70, page 21, line 22, after “were” insert “a law”.

Clause 71, page 21, line 28, omit “Ordinance”, substitute “enactment”.

Clause 72, page 21, line 29, omit “Ordinance” (second occurring), substitute “enactment”.

Clause 73—

Page 21, line 42, omit “by virtue of any contract or agreement”, substitute “arising out of the investment of any moneys in pursuance of section 17 of that Ordinance”.

Page 22, line 1, after “liabilities” insert “(other than rights and liabilities referred to in paragraph (a) or (b))”.

Page 22, lines 4 and 5, omit “, other than a contract or agreement referred to in paragraph (a) or (b),”.

*New clauses—*

Page 22, after clause 74 add the following new clauses:

“75. The reference in section 63 to the accounts of the Territory Audit shall be read as including a reference to accounts prepared before the commencing date and to accounts prepared on or after the commencing date in respect of any period before the commencing date.

“76. (1) The regulations may make provision (including pro- Regulations vision by way of modifications and adaptations of any Act) for and in relation to any matter arising from, consequential upon or otherwise connected with the establishment of the Administration of Norfolk Island as a body politic.

“(2) The power to make regulations by virtue of sub-section (1) extends to the making of regulations expressed to take effect on and from a date earlier than the date of the making of the regulations, not being a date earlier than the commencing date.

“(3) Regulations shall not be made by virtue of this section after 30 June 1980.”.

*Amendment—*

Preamble, page 1, lines 1-8, omit the preamble, substitute the following preamble:

“WHEREAS by an Act of the Parliament of the United Kingdom, made and passed in the sixth and seventh years of the reign of Her Majesty Queen Victoria intituled ‘An Act to amend so much of an Act of the last Session, for the Government of New South Wales and Van Diemen’s Land, as relates to Norfolk Island,’ it was, amongst other things, enacted that it should be lawful for Her Majesty, by Letters Patent under the Great Seal of the United Kingdom, to sever Norfolk Island from the Government of New South Wales and to annex it to the Government and Colony of Van Diemen’s Land:

“AND WHEREAS Her Majesty Queen Victoria, in exercise of the powers vested in Her by the said Act, by a Commission under the Great Seal of the United Kingdom bearing date the twenty-fourth day of October, 1843, appointed that from and after the twenty-ninth day of September, 1844, Norfolk Island should be severed from the Government of New South Wales and annexed to the Government and Colony of Van Diemen’s Land:

“AND WHEREAS by an Act of the Parliament of the United Kingdom, called the Australian Waste Lands Act 1855, it was amongst other things, provided that it

should be lawful for Her Majesty at any time, by Order in Council, to separate Norfolk Island from the Colony of Van Diemen's Land and to make such provision for the Government of Norfolk Island as might seem expedient:

“AND WHEREAS on 8 June 1856 persons who had previously inhabited Pitcairn Island settled on Norfolk Island:

“AND WHEREAS by an Order in Council dated the twenty-fourth day of June, 1856, made by Her Majesty in pursuance of the last-mentioned Act, it was ordered and declared, amongst other things, that from and after the date of the proclamation of the Order in New South Wales Norfolk Island should be thereby separated from the said Colony of Van Diemen's Land (now called Tasmania) and that from that date all power, authority, and jurisdiction of the Governor, Legislature, Courts of Justice, and Magistrates of Tasmania over Norfolk Island should cease and determine, and that from the said date Norfolk Island should be a distinct and separate Settlement, the affairs of which should until further Order in that behalf by Her Majesty be administered by a Governor to be for that purpose appointed by Her Majesty with the advice and consent of Her Privy Council: and it was thereby further ordered that the Governor and Commander-in-Chief for the time being of the Colony of New South Wales should be, and he thereby was, constituted Governor of Norfolk Island, with the powers and authorities in the said Order mentioned:

“AND WHEREAS the said Order in Council was proclaimed in New South Wales on 1 November 1856:

“AND WHEREAS by an Order in Council dated the fifteenth day of January, 1897, made in pursuance of the said last-mentioned Act, Her Majesty, after reciting that it was expedient that other provision should be made for the government of Norfolk Island, and that, in prospect of the future annexation of Norfolk Island to the Colony of New South Wales or to any Federal body of which that Colony might thereafter form part, in the meantime the affairs of Norfolk Island should be administered by the Governor of New South Wales as therein provided, was pleased to revoke the said Order in Council of the twenty-fourth day of June, One thousand eight hundred and fifty-six, and to order that the affairs of Norfolk Island should thenceforth, and until further Order should be made in that behalf by Her Majesty, be administered by the Governor and Commander-in-Chief for the time being of the Colony of New South Wales and its Dependencies:

“AND WHEREAS the said Order in Council was published in the New South Wales *Government Gazette* on 19 March 1897, and took effect at that date:

“AND WHEREAS by an Order in Council dated the eighteenth day of October, One thousand nine hundred, made in pursuance of the said last-mentioned Act, Her Majesty was pleased to revoke the said Order in Council of the fifteenth day of January, One thousand eight hundred and ninety-seven, and to order that the affairs of Norfolk Island should thenceforth, and until further Order should be made in that behalf by Her Majesty, be administered by the Governor for the time being of the State of New South Wales and its Dependencies:

“AND WHEREAS the said Order in Council was published in the New South Wales *Government Gazette* on 1 January 1901, and took effect at that date:

“AND WHEREAS by an Order in Council dated the 30th day of March, 1914, His Majesty King George V, by virtue and in exercise of the power in that behalf by the said last-mentioned Act or otherwise in His Majesty vested, after reciting that the Parliament had passed an Act No. 15 of 1913, entitled 'An Act to provide for the acceptance of Norfolk Island as a territory under the authority of the Commonwealth, and for the government thereof' and that it was expedient that the said Order in Council of 18th of October, 1900, should be revoked and that Norfolk Island should be placed under the authority of the Commonwealth

of Australia, was pleased to revoke the said Order in Council of 18th of October, 1900, and to order that Norfolk Island be placed under the authority of the Commonwealth of Australia:

“AND WHEREAS the said Order in Council was published in the *Gazette* on 17 June 1914, and took effect from 1 July 1914, being the date of commencement of the *Norfolk Island Act 1913*:

“AND WHEREAS Norfolk Island was, by the *Norfolk Island Act 1913*, declared to be accepted by the Commonwealth as a Territory under the authority of the Commonwealth:

“AND WHEREAS Norfolk Island has been governed by the Commonwealth initially under the provisions of the *Norfolk Island Act 1913*, and subsequently under the provisions of the *Norfolk Island Act 1957*:

“AND WHEREAS the residents of Norfolk Island include descendants of the settlers from Pitcairn Island:

“AND WHEREAS the Parliament recognises the special relationship of the said descendants with Norfolk Island and their desire to preserve their traditions and culture:

“AND WHEREAS the Parliament considers it to be desirable and to be the wish of the people of Norfolk Island that Norfolk Island achieve, over a period of time, internal self-government as a Territory under the authority of the Commonwealth and, to that end, to provide, among other things, for the establishment of a representative Legislative Assembly and of other separate political and administrative institutions on Norfolk Island:

“AND WHEREAS the Parliament intends that within a period of 5 years after the coming into operation of this Act consideration will be given to extending the powers conferred by or under this Act on the Legislative Assembly and the other political and administrative institutions of Norfolk Island, and that provision be made in this Act to enable the results of such consideration to be implemented:”.

Remainder of Bill, as amended, agreed to.  
Bill to be reported with amendments.

The House resumed; Mr Millar reported accordingly.

On the motion of Mr Ellicott, by leave, the House adopted the report, and, by leave, the Bill was read a third time.

25 REMUNERATION TRIBUNALS AMENDMENT BILL 1979: 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.

*Message from the Governor-General*: Message No. 137, dated 21 February 1979, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.

The House resolved itself into a committee of the whole.

*In the committee*

Bill, by leave, taken as a whole.

On the motion of Mr Ellicott (Minister for Home Affairs), the following amendment was made: Clause 3, omit the clause, substitute the following clause:

“3. Section 3 of the Principal Act is amended by inserting after sub-section (3) the following sub-section: Interpretation

“(3A) A reference in this Part to an office includes a reference to an office that, within the meaning of the *Norfolk Island Act 1979*, is an office of member

of the Legislative Assembly, member of the Executive Council or executive member and a reference to any office in or in connection with that Assembly that can be held only by a member of that Assembly.'”.

Bill, as amended, agreed to.

Bill to be reported with an amendment.

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The House resumed; Mr Millar reported accordingly.

On the motion of Mr Ellicott, by leave, the House adopted the report, and, by leave, the Bill was read a third time.

26 NORFOLK ISLAND—GOVERNMENT POLICY—PAPER—PAPER NOTED: The order of the day having been read for the resumption of the debate on the motion of Mr MacKellar (Minister for Immigration and Ethnic Affairs)—That the House take note of the paper (*presented on 11 May 1978*), viz.:

Norfolk Island—Government policy—Statement by Mr Ellicott (Minister for Home Affairs), with attachment—

Question—put and passed.

27 ADJOURNMENT: Mr Ellicott (Minister for Home Affairs) moved—That the House do now adjourn.

Debate ensued.

*Debate extended:* It being 11 p.m., the debate was interrupted.

Mr Street (Minister for Industrial Relations) required the debate to be extended.

The debate continuing until 11.08 p.m., Mr Deputy Speaker adjourned the House until Tuesday, 1 May next at 2.15 p.m., unless Mr Speaker, or, in the absence from Australia of Mr Speaker, the Chairman of Committees, shall by telegram or letter addressed to each Member of the House, fix an alternative day or hour of meeting.

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PAPERS: The following papers were deemed to have been presented on 5 April 1979, pursuant to statute:

Canberra College of Advanced Education Act—Statute—No. 40—Courses and Awards.

Commonwealth Banks Act—Appointment certificate—E. P. Hobson.

Customs Act and Commerce (Trade Descriptions) Act—Regulations—Statutory Rules 1979, No. 58.

Naval Defence Act—Regulations—Statutory Rules 1979, Nos. 56, 57.

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MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Adermann, Mr Anthony, Mr Burr, Mr Garland, Mr Giles, Mr Graham, Mr C. K. Jones, Mr Katter, Mr Ruddock and Mr Young.

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J. A. PETTIFER,  
Clerk of the House of Representatives