

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 161

WEDNESDAY, 2 APRIL 1980

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- 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 DEATH OF FORMER MEMBER (MR F. COURTNEY): Mr Speaker informed the House of the death, on 31 March 1980, of Mr Frank Courtney, a Member of this House for the Division of Darebin from 1958 to 1969.
As a mark of respect to the memory of the deceased all Members present stood, in silence.
 - 3 PETITIONS: The Clerk announced that the following Members had each lodged petitions for presentation, viz.:
 - Mr Calder—from certain citizens praying that the National Women's Advisory Council be abolished.
 - Mr D. M. Cameron—from certain citizens praying that steps be taken to reduce the excise duty on Australian rum.
 - Mr Chapman—from certain citizens praying that an amendment to the Human Rights Commission Bill 1979 to secure human rights before and after birth be upheld.
 - Mr Falconer—from certain citizens praying that contributions to superannuation funds be removed from the rebate system and made a separate deduction from assessable income.
 - Mr Humphreys—from certain citizens praying that legislation be introduced to require labelling of perfumes, cosmetics and toilet preparations to indicate any use of animal ingredients during manufacture.
 - Mr Humphreys—from certain citizens praying that redevelopment of Brisbane International Airport be postponed until proposals for a cross runway are considered.
 - Mr Humphreys—from certain citizens praying that Aboriginal land rights in the States be recognised in a manner similar to their recognition in the Northern Territory and that certain other action be taken in connection with Aboriginal and Torres Strait Islander affairs in Queensland.
 - Mr Jacobi—from certain citizens praying that Australian sports men and women be able to compete at the Moscow Olympics.
 - Mr O'Keefe—from certain citizens praying that pensions and benefits be increased and adjusted quarterly and that greater taxation relief be given to pensioners and others on low incomes.
 - Mr Porter—from certain electors praying that the Citizen's Band Radio Service known as the High Frequency Band be allowed to continue after 1 July 1982.
 - Mr Short—from certain residents of the Central Highlands region of Victoria praying that action be taken to halt the decline in Victoria's share of the potato market.

Mr Wilson—from certain citizens praying that tax laws be reformed to allow joint incomes to be equally divided, for taxation purposes, between husband and wife. Petitions received.

4 QUESTIONS: Questions without notice were asked.

5 AUSTRALIAN NATIONAL RAILWAYS COMMISSION—FINANCIAL STATEMENTS 1978–79—PAPER—MOTION TO TAKE NOTE OF PAPER: Mr Hunt (Minister for Transport), by command of His Excellency the Governor-General, presented the following paper: Australian National Railways Commission—Financial statements, together with the Auditor-General's Report, for year 1978–79.

Mr Viner (Leader of the House) moved—That the House take note of the paper. Debate adjourned (Mr Morris), and the resumption of the debate made an order of the day for the next sitting.

6 DEPARTMENT OF THE HOUSE OF REPRESENTATIVES—REPORT—STATEMENT BY MR SPEAKER: Mr Speaker presented the following paper:

Department of the House of Representatives—Annual Report for 1979.

Mr Speaker made a statement in connection with the report.

7 SPECIAL ADJOURNMENT: Mr Viner (Leader of the House) moved—That the House, at its rising, adjourn until Tuesday, 15 April next, at 2.15 p.m., unless Mr Speaker shall fix an alternative day or hour of meeting, to be notified by telegram or letter addressed to each Member of the House.

Question—put and passed.

8 SUSPENSION OF STANDING ORDERS—GOVERNMENT BUSINESS: Mr Viner (Leader of the House), by leave, moved—That so much of the standing orders be suspended as would prevent—

(1) order of the day No. 2, government business, Human Rights Commission Bill 1979, taking precedence of order of the day No. 1, grievance debate, and a matter of public importance, and

(2) at the conclusion of consideration of order of the day No. 2, debate on order of the day No. 1 proceeding for a period not exceeding 90 minutes.

Question—put and passed.

9 HUMAN RIGHTS COMMISSION BILL 1979—SENATE'S MESSAGE NO. 407: The House, according to order, resolved itself into a committee of the whole to consider the Senate's message No. 407.

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In the committee

SCHEDULE OF THE AMENDMENTS MADE BY THE HOUSE OF REPRESENTATIVES TO
WHICH THE SENATE HAS DISAGREED

No. 1—Clause 3, page 2, at the end of the definition of "Covenant" add "as that Covenant would have effect if it were amended—

(a) by adding after the words 'human person' in the second recital the words 'before as well as after birth';

(b) by inserting in paragraph 1. of *Article 2* after the words 'the rights' the words 'including those of the child before as well as after birth';

(c) by adding at the end of paragraph 1. of *Article 2* the words ', including mental and physical handicap'; and

(d) by inserting after the word 'life' (first occurring) in paragraph 1. of *Article 6* the words 'before as well as after birth'.

No. 2—Clause 3, page 2, at the end of the definition of "human rights" add "and includes human rights before birth".

*Reasons of the Senate for Disagreeing to the amendments
of the House of Representatives*

1. That the amendments are irrelevant to the major tasks of the Commission and by their obscurity and uncertainty, will not advance the major purposes of the Bill.
2. That such proposals relating to the unborn should, if desired by the community, be achieved by substantive legislation and not by tacking such proposals to a Human Rights Commission Bill.
3. The amendments extending the definition of "human rights" to the unborn and extending the Covenant are not required for the proper operation of the Covenant in Australia and may cast doubts on the validity of the Bill insofar as it may depend on the External Affairs power of the Commonwealth.
4. The imposition on the proposed Human Rights Commission of an obligation to recognize and necessarily to define human rights of the unborn is unnecessary to its proper purposes and is likely to lead to a distortion of its activities.
5. That the amendments, if adopted, are likely to cause the Commission to be inundated with complaints and enmeshed in controversy over abortion issues. The Commission's reports to the Attorney-General and to the Parliament will in no way change the law, but will still heighten controversy and animosity in each House of the Parliament.

Mr Viner (Minister representing the Attorney-General) moved—That the committee insists on its amendments disagreed to by the Senate.

Debate ensued.

Question—put.

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

AYES, 56

Mr Adermann	Mr E. C. Cameron	Mr Hodgman	Mr McLean
Mr Aldred	Mr Carlton	Mr Howard	Mr L. B. McLeay
Mr Armitage	Mr Chapman	Mr Hunt	Mr J. L. McMahon
Mr Baillieu	Mr Connolly	Mr Hurford	Mr McVeigh
Mr Birney	Mr Corbett*	Mr Hyde	Mr Martin
Mr Bourchier*	Mr Cotter	Mr Jarman	Mr Martyr
Mr Bradfield	Mr Falconer	Mr P. F. Johnson	Mr Neil
Mr Braithwaite	Mr Fife	Mr Johnston	Mr Nixon
Mr J. J. Brown	Mr Fisher	Mr Jull	Mr O'Keefe
Mr N. A. Brown	Mr FitzPatrick	Mr Katter	Mr I. L. Robinson
Mr Burns	Mr Gillard	Mr Keating	Mr Ruddock
Mr Cadman	Mr Goodluck	Mr Killen	Mr Shack
Mr Cairns	Mr Groom	Mr Lucock	Mr Short
Mr D. M. Cameron	Mr Haslem	Mr Lusher	Mr Viner

NOES, 50

Mr Baume	Mr Garland	Mr Lloyd	Mr Shipton
Dr Blewett	Mr Giles	Mr MacKellar	Mr Simon
Mr Bowen	Mr Hayden	Mr MacKenzie	Mr Sinclair
Mr Bryant	Mr Hodges*	Mr J. E. McLeay	Mr Staley
Mr Bungey	Mr Holding	Sir William McMahon	Mr Street
Dr Cass	Mr Howe	Mr Macphee	Mr Thomson
Mr Cohen	Mr Humphreys	Mr Moore	Mr Uren
Mr Dean	Mr Jacobi	Mr Morris	Mr Wallis
Mr Dobie	Mr James	Mr Newman	Mr Willis
Mr Drummond	Dr Jenkins	Mr Peacock	Mr Wilson
Mr Ellicott	Mr L. R. Johnson*	Mr Porter	Mr Young
Dr Everingham	Mr B. O. Jones	Mr E. L. Robinson	
Mr Fry	Mr Kerin	Mr Scholes	

* Tellers

And so it was resolved in the affirmative.

Resolution to be reported.

The House resumed; Mr Millar reported accordingly.

On the motion of Mr Viner, the House adopted the report.

10 GRIEVANCE DEBATE: Pursuant to the resolution of the House of 1 April 1980, the order of the day having been read—

Question proposed—That grievances be noted.

Debate ensued.

The time allotted for the grievance debate having expired, the debate was interrupted in accordance with the resolution of the House earlier this day (*see entry No. 8*)

Question—That grievances be noted—put and passed.

11 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—DEFOLIANTS—EFFECTS ON VIETNAM VETERANS—PROPOSED JUDICIAL INQUIRY: Mr Deputy Speaker informed the House that Mr Holding had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The failure of the Government to provide a judicial inquiry into the spraying of defoliants and other chemicals in Vietnam, and the effects of those chemicals on Vietnam veterans and their wives and families”.

The proposed discussion having received the necessary support—

Mr Holding addressing the House—

Mr Fife (Minister for Education) moved—That the business of the day be called on.

Question—put.

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

AYES, 70

Mr Adermann	Mr Corbett*	Mr Jarman	Mr Newman
Mr Aldred	Mr Cotter	Mr P. F. Johnson	Mr O’Keefe
Mr Baume	Mr Dean	Mr Johnston	Mr Porter
Mr Birney	Mr Dobie	Mr Jull	Mr E. L. Robinson
Mr Bouchier	Mr Drummond	Mr Katter	Mr I. L. Robinson
Mr Bradfield	Mr Ellicott	Mr Killen	Mr Ruddock
Mr Braithwaite	Mr Falconer	Mr Lloyd	Mr Shack
Mr N. A. Brown	Mr Fife	Mr Lucock	Mr Shipton
Mr Bungey	Mr Fisher	Mr Lusher	Mr Short
Mr Burns	Mr Garland	Mr MacKellar	Mr Simon
Mr Cadman	Mr Giles	Mr MacKenzie	Mr Sinclair
Mr Cairns	Mr Goodluck	Mr McLean	Mr Staley
Mr Calder	Mr Groom	Mr McVeigh	Mr Street
Mr D. M. Cameron	Mr Haslem	Mr Macphee	Mr Thomson
Mr E. C. Cameron	Mr Hodges*	Mr Martyr	Mr Viner
Mr Carlton	Mr Howard	Mr Millar	Mr Wilson
Mr Chapman	Mr Hunt	Mr Moore	
Mr Connolly	Mr Hyde	Mr Neil	

NOES, 29

Mr Armitage	Mr Fry	Dr Jenkins	Mr Scholes
Dr Blewett	Mr Holding	Mr L. R. Johnson*	Mr Uren
Mr Bowen	Mr Howe	Mr B. O. Jones	Mr Wallis
Mr J. J. Brown	Mr Humphreys	Mr Keating	Mr Willis
Mr Bryant	Mr Hurford	Mr Kerin	Mr Young
Dr Cass	Mr Innes	Mr L. B. McLeay	
Mr Cohen	Mr Jacobi	Mr J. L. McMahan*	
Dr Everingham	Mr James	Mr Morris	

*Tellers

And so it was resolved in the affirmative.

12 COMPANIES (ACQUISITION OF SHARES) BILL 1980: Mr Garland (Minister for Business and Consumer Affairs), pursuant to notice, presented a Bill for an Act relating to the acquisition of shares in companies incorporated in the Australian Capital Territory and matters connected therewith.

Bill read a first time.

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

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

- 13 COMPANIES (ACQUISITION OF SHARES—FEES) BILL 1980: Mr Garland (Minister for Business and Consumer Affairs), pursuant to notice, presented a Bill for an Act relating to fees payable for the purposes of the *Companies (Acquisition of Shares) Act 1980*.
Bill read a first time.
Mr Garland moved—That the Bill be now read a second time.
Debate adjourned (Mr Hurford), and the resumption of the debate made an order of the day for the next sitting.
- 14 SECURITIES INDUSTRY BILL 1980: Mr Garland (Minister for Business and Consumer Affairs), pursuant to notice, presented a Bill for an Act relating to the securities industry in the Australian Capital Territory.
Bill read a first time.
Mr Garland moved—That the Bill be now read a second time.
Debate adjourned (Mr Hurford), and the resumption of the debate made an order of the day for the next sitting.
- 15 SECURITIES INDUSTRY (FEES) BILL 1980: Mr Garland (Minister for Business and Consumer Affairs), pursuant to notice, presented a Bill for an Act relating to fees payable for the purposes of the *Securities Industry Act 1980*.
Bill read a first time.
Mr Garland moved—That the Bill be now read a second time.
Debate adjourned (Mr Hurford), and the resumption of the debate made an order of the day for the next sitting.
- 16 COMPANIES AND SECURITIES (INTERPRETATION AND MISCELLANEOUS PROVISIONS) BILL 1980: Mr Garland (Minister for Business and Consumer Affairs), pursuant to notice, presented a Bill for an Act relating to the interpretation of certain legislation relating to corporations and the securities industry, and for certain other matters.
Bill read a first time.
Mr Garland moved—That the Bill be now read a second time.
Debate adjourned (Mr Hurford), and the resumption of the debate made an order of the day for the next sitting.
- 17 CUSTOMS AMENDMENT BILL (No. 3) 1980: Mr Garland (Minister for Business and Consumer Affairs) presented a Bill for an Act to amend the *Customs Act 1901*, and for other purposes.
Bill read a first time.
Mr Garland moved—That the Bill be now read a second time.
Debate adjourned (Mr Hurford), and the resumption of the debate made an order of the day for the next sitting.
- 18 MUSEUM OF AUSTRALIA BILL 1980: Mr Ellicott (Minister for Home Affairs), pursuant to notice, presented a Bill for an Act to make provision for the establishment of a Museum of Australia.
Bill read a first time.
Mr Ellicott moved—That the Bill be now read a second time.
Debate adjourned (Mr Wallis), and the resumption of the debate made an order of the day for the next sitting.
- 19 CONCILIATION AND ARBITRATION AMENDMENT BILL (No. 2) 1980: Mr Street (Minister for Industrial Relations), pursuant to notice, presented a Bill for an Act to amend the *Conciliation and Arbitration Act 1904*.
Bill read a first time.
Mr Street moved—That the Bill be now read a second time.
Debate adjourned (Mr Martin), and the resumption of the debate made an order of the day for the next sitting.

20 PUBLICATIONS COMMITTEE—14TH REPORT: Mr Chapman presented the 14th Report from the Publications Committee (sitting in conference with the Publications Committee of the Senate). The report is as follows:

14TH REPORT

The Publications Committee has the honour to report that it has met in conference with the Publications Committee of the Senate.

The Joint Committee, having considered petitions and papers presented to Parliament since the last meeting of the Committee, recommends that the following be printed:

- Antarctic Research Policy Advisory Committee—Initial Report to the Government.
- Bounty (Paper) Act—Return, for period 6 February 1979 to 5 February 1980.
- Bounty (Rotary Cultivators) Act—Return, for period 5 February 1979 to 4 February 1980.
- Commonwealth Police Act—Commonwealth Police Force—Annual Report, for year 1978–79.
- Defence Forces Retirement Benefits Act and Defence Force Retirement and Death Benefits Act—Sixth Supplement to the Twenty-fifth and Final Report of the Defence Forces Retirement Benefits Board, for period 1 July 1972 to 30 September 1972, and the Seventh Report of the Defence Force Retirement and Death Benefits Authority, other than on Part III of the Act, for year 1978–79.
- Department of the House of Representatives—Annual Report, for year 1979.
- Department of Transport—Australian Transport 1978–79—Annual Report, together with those matters on which the Minister is required to report pursuant to section 29 of the Air Navigation Act, for year 1978–79.
- Egg Export Control Act—Australian Egg Board—Annual Report (Thirty-second), together with financial statements and the Auditor-General's Report thereon, for year 1978–79.
- Finance and Government Operations—Senate Standing Committee—Report on the financial, accounting and audit provisions of the Commonwealth Serum Laboratories Amendment Bill 1980.
- Honey Industry Act—Australian Honey Board—Annual Report (Sixteenth), together with financial statements and the Auditor-General's Report thereon, for year 1978–79.
- Industrial Research and Development Incentives Act—Australian Industrial Research and Development Incentives Board—Annual Report, for year 1978–79.
- Industries Assistance Commission—Report—Dental Materials, dated 6 December 1979.
- National Consultative Council on Social Welfare—Report (First), for the period December 1976 to 30 June 1980.
- Non-Government Schools (Loans Guarantee) Act—Non-Government Schools Loans Guarantee Scheme—Annual Report, for 1979.
- Stevedoring Industry Finance Committee Act—Stevedoring Industry Finance Committee—Annual Report, together with financial statements and the Auditor-General's Report thereon, for year 1978–79.

2 April 1980

H. G. P. CHAPMAN,
for Chairman

Mr Chapman, by leave, moved—That the report be agreed to.

Question—put and passed.

- 21 ACQUISITION OF 4TH FFG FRIGATE—MINISTERIAL STATEMENT: Mr Killen (Minister for Defence), by leave, made a ministerial statement informing the House of an agreement reached with the Government of the United States of America for the acquisition of a 4th guided missile frigate of the FFG 7 class for the Royal Australian Navy. Mr Scholes, by leave, also made a statement with reference to the matter.
- 22 PHARMACEUTICAL BENEFITS—EXCESS PAYMENTS—MINISTERIAL STATEMENT AND PAPERS—MOTION TO TAKE NOTE OF STATEMENT: Mr MacKellar (Minister for Health), by leave, made a ministerial statement relating to excess payments to chemists for the supply of pharmaceutical benefits, and, by command of His Excellency the Governor-General, presented the following papers:
 Pharmaceutical benefits—Excess payments—
 Letters, dated 2 April 1980, from Mr MacKellar to—
 Mr D. R. Steele Craik, C.B., O.B.E., Auditor-General.
 Mr D. M. Connolly, M.P., Chairman of Joint Committee of Public Accounts.
 Ministerial statement, 2 April 1980.
 Dr Blewett, by leave, also made a statement with reference to the matter.
 Mr Fife (Minister for Education) moved—That the House take note of the statement. Debate adjourned (Mr Bourchier), and the resumption of the debate made an order of the day for the next sitting.
- 23 POSTPONEMENT OF ORDER OF THE DAY: Ordered—That order of the day No. 3 government business, be postponed until a later hour this day.
- 24 AUSTRALIA—RELATIONS WITH THE THIRD WORLD—MINISTERIAL STATEMENT—PAPER NOTED: The order of the day having been read for the resumption of the debate on the motion of Mr Viner (Leader of the House)—That the House take note of the paper (*presented on 26 March 1980*), viz.:
 Australia—Relations with the third world—Ministerial statement, 26 March 1980—
 Debate resumed.
 Dr Blewett addressing the House—
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- Adjournment negatived:* It being 10.30 p.m.—The question was proposed—That the House do now adjourn.
 Mr Fife (Minister for Education) requiring the question to be put forthwith without debate—
 Question—put and negatived.
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- Dr Blewett continued his speech.
 Question—put and passed.
- 25 ADJOURNMENT: Mr Fife (Minister for Education) moved—That the House do now adjourn.
 Debate ensued.
Debate extended: It being 11 p.m., the debate was interrupted.
 Mr Macphee (Minister for Immigration and Ethnic Affairs) required the debate to be extended.
- The debate continuing until 11.05 p.m., Mr Deputy Speaker adjourned the House until Tuesday, 15 April next, at 2.15 p.m., unless Mr Speaker shall fix an alternative day or hour of meeting, to be notified by telegram or letter addressed to each Member of the House.
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PAPERS: The following papers were deemed to have been presented on 2 April 1980, pursuant to statute:

Defence Act—Determinations—1980—

No. 9—Diving Allowance.

No. 13—Confined Spaces Allowance.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Anthony, Mr Burr, Mr C. R. Cameron, Mr Dawkins, Dr Edwards, Mr Graham, Mr L. K. Johnson, Mr C. K. Jones, Mr Lynch, Mr Sainsbury and Mr West.

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