

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

## HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 168

TUESDAY, 29 APRIL 1980

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1 The House met, at 3.05 p.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 Baume, Dr Blewett, Mr Dawkins, Mr Holding, Mr Innes, Mr James, Mr L. R. Johnson, Mr Kerin and Mr Willis—from certain sports men and women and others praying that the participation of a full Australian contingent at the Moscow Olympic Games be ensured.

Mr J. J. Brown, Mr Burns, Mr L. R. Johnson, Mr Lloyd, Mr MacKenzie, Mr J. L. McMahon, Sir William McMahon and Mr Ruddock—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.

Dr Blewett and Mr C. R. Cameron—from certain citizens praying that tax laws be reformed to allow joint incomes to be equally divided, for taxation purposes, between husband and wife.

Mr Short and Mr Thomson—from certain citizens praying that taxation laws be amended to increase incentives to persons providing for their own retirement benefits.

Dr Blewett—from certain citizens praying that the Government support the Olympic Games in Moscow.

Dr Blewett—from certain citizens praying that the Government urge the South African Government to allow Ken Matime to leave South Africa so that he can resume his studies in Australia.

Mr Braithwaite—from certain citizens praying that the imperial system of weights and measures be restored.

Mr D. M. Cameron—from certain citizens praying that steps be taken to reduce the excise duty on Australian rum.

Mr Dawkins—from certain citizens praying that eligibility for service pensions be extended to include merchant seamen.

Mr Humphreys—from certain citizens praying that taxation laws be amended to achieve effective parity of treatment between the self-employed and employees in the matter of superannuation.

Mr L. R. Johnson—from certain citizens praying that the Human Rights Commission Bill 1979 and the Racial Discrimination Amendment Bill 1979 be re-drafted to ensure that the rights of all ethnic groups are enhanced.

Mr Johnston—from certain residents of Victoria praying that carcass trade be promoted and that exports of live animals for slaughter be banned.

Mr J. L. McMahon—from certain citizens praying that the land currently used by the Australian National Line at Morts Dock, Balmain, N.S.W., be made available immediately for combination development of open space for public use and low cost housing.

Mr J. L. McMahon—from certain citizens praying that there be no extension of Kingsford-Smith Airport, Sydney.

Mr Martyr—from certain citizens praying that the National Women's Advisory Council be abolished.

Mr Morris—from certain residents of New South Wales praying that the 1980 level of education expenditure to Government schools be restored and increased in real terms.

Mr Young—from certain citizens praying that the boycott of the Moscow Olympic Games proposed by the Government be withdrawn and that it take certain other action on the matter.

Petitions received.

3 QUESTIONS: Questions without notice being asked—

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*Distinguished visitor:* Mr Speaker informed the House that Mr S. Dhanabalan, Senior Minister of State for Foreign Affairs, Singapore, was present in the gallery. On behalf of the House, Mr Speaker extended to the visitor a very warm welcome.

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Questions without notice continued.

4 RETIREMENT OF MR E. J. DONNELLY, SECRETARY TO THE JOINT HOUSE DEPARTMENT: Mr Speaker referred to the retirement of Mr E. J. Donnelly, Secretary to the Joint House Department, paid tribute to his work and service, and wished him a long and happy retirement.

5 AUDITOR-GENERAL'S REPORT—PUBLICATION OF PAPER: Mr Speaker, pursuant to statute, presented the following paper:

Audit Act—Report of the Auditor-General upon audits, examinations and inspections carried out under the Audit and other Acts, dated 28 April 1980.

Mr Viner (Leader of the House), by leave, moved—

(1) That this House, in accordance with the provisions of the *Parliamentary Papers Act* 1908, authorises the publication of the report of the Auditor-General upon audits, examinations and inspections under the Audit Act and other Acts—April 1980.

(2) That the paper be printed.

Question—put and passed.

6 PAPER: The following paper was presented, pursuant to statute:

Remuneration Tribunals Act—Academic Salaries Tribunal—Determination and report, dated 17 March 1980—Part-time academic staff of institutions of tertiary education.

7 MINISTERIAL STATEMENT—LEAVE TO MAKE NOT GRANTED: Mr Fraser (Prime Minister) asked leave to make a ministerial statement.

Objection being raised, leave not granted.

8 SUSPENSION OF STANDING ORDERS—MINISTERIAL STATEMENT: Mr Viner (Leader of the House) moved—That so much of the standing orders be suspended as would prevent Mr Fraser (Prime Minister) making a ministerial statement concerning the Chief Justice of the High Court of Australia.

Mr Hurford addressing the House—

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

Question—put.

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

## AYES, 77

Mr Adermann	Mr Dobie	Mr Jull	Mr Peacock
Mr Aldred	Mr Drummond	Mr Katter	Mr Porter
Mr Anthony	Dr Edwards	Mr Killen	Mr E. L. Robinson
Mr Baillieu	Mr Ellicott	Mr Lloyd	Mr I. L. Robinson
Mr Baume	Mr Falconer	Mr Lucock	Mr Ruddock
Mr Bradfield	Mr Fife	Mr Lusher	Mr Sainsbury
Mr Braithwaite	Mr Fraser	Mr Lynch	Mr Shack
Mr N. A. Brown	Mr Garland	Mr MacKenzie	Mr Shipton
Mr Burns	Mr Giles	Mr McLean	Mr Short
Mr Burr	Mr Goodluck	Mr J. E. McLeay	Mr Simon
Mr Cadman	Mr Graham	Sir William McMahon	Mr Sinclair
Mr Cairns	Mr Groom	Mr McVeigh	Mr Staley
Mr Calder	Mr Haslem	Mr Macphee	Mr Street
Mr E. C. Cameron	Mr Hodges*	Mr Martyr	Mr Thomson
Mr Carlton	Mr Hodgman	Mr Millar	Mr Viner
Mr Chapman	Mr Hunt	Mr Moore	Mr Wilson
Mr Connolly	Mr Hyde	Mr Neil	Mr Yates
Mr Corbett*	Mr Jarman	Mr Newman	
Mr Cotter	Mr P. F. Johnson	Mr Nixon	
Mr Dean	Mr Johnston	Mr O'Keefe	

## NOES, 34

Mr Armitage	Mr FitzPatrick	Mr L. R. Johnson*	Mr Morris
Dr Blewett	Mr Fry	Mr B. O. Jones	Mr Scholes
Mr Bowen	Mr Hayden	Mr C. K. Jones	Mr Uren
Mr J. J. Brown	Mr Humphreys	Mr Keating	Mr Wallis
Mr Bryant	Mr Hurford	Mr Kerin	Mr West
Dr Cass	Mr Innes	Dr Klugman	Mr Willis
Mr Cohen	Mr Jacobi	Mr L. B. McLeay	Mr Young
Mr Dawkins	Mr James	Mr J. L. McMahon*	
Dr Everingham	Dr Jenkins	Mr Martin	

\*Tellers

And so it was resolved in the affirmative.

Several Members rising to address the House—

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

Question—That the question be now put—put.

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

## AYES, 76

Mr Adermann	Mr Dean	Mr Johnston	Mr Nixon
Mr Aldred	Mr Dobie	Mr Jull	Mr O'Keefe
Mr Anthony	Mr Drummond	Mr Katter	Mr Peacock
Mr Baillieu	Dr Edwards	Mr Killen	Mr Porter
Mr Baume	Mr Ellicott	Mr Lloyd	Mr E. L. Robinson
Mr Bradfield	Mr Falconer	Mr Lucock	Mr I. L. Robinson
Mr Braithwaite	Mr Fife	Mr Lusher	Mr Ruddock
Mr N. A. Brown	Mr Fraser	Mr Lynch	Mr Sainsbury
Mr Burns	Mr Giles	Mr MacKenzie	Mr Shack
Mr Burr	Mr Goodluck	Mr McLean	Mr Shipton
Mr Cadman	Mr Graham	Mr J. E. McLeay	Mr Short
Mr Cairns	Mr Groom	Sir William McMahon	Mr Simon
Mr Calder	Mr Haslem	Mr McVeigh	Mr Sinclair
Mr E. C. Cameron	Mr Hodges*	Mr Macphee	Mr Staley
Mr Carlton	Mr Hodgman	Mr Macphee	Mr Street
Mr Chapman	Mr Hunt	Mr Martyr	Mr Thomson
Mr Connolly	Mr Hyde	Mr Millar	Mr Viner
Mr Corbett*	Mr Jarman	Mr Moore	Mr Wilson
Mr Cotter	Mr P. F. Johnson	Mr Neil	Mr Yates
		Mr Newman	

## NOES, 34

Mr Armitage	Dr Everingham	Dr Jenkins	Mr Morris
Dr Blewett	Mr FitzPatrick	Mr L. R. Johnson*	Mr Scholes
Mr Bowen	Mr Fry	Mr C. K. Jones	Mr Uren
Mr J. J. Brown	Mr Hayden	Mr Keating	Mr Wallis
Mr Bryant	Mr Humphreys	Mr Kerin	Mr West
Mr C. R. Cameron	Mr Hurford	Dr Klugman	Mr Willis
Dr Cass	Mr Innes	Mr L. B. McLeay	Mr Young
Mr Cohen	Mr Jacobi	Mr J. L. McMahon*	
Mr Dawkins	Mr James	Mr Martin	

\* Tellers

And so it was resolved in the affirmative.

And the question—That the motion for the suspension of the standing orders be agreed to—being accordingly put—

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

## AYES, 77

Mr Adermann	Mr Dobie	Mr Jull	Mr Peacock
Mr Aldred	Mr Drummond	Mr Katter	Mr Porter
Mr Anthony	Dr Edwards	Mr Killen	Mr E. L. Robinson
Mr Baillieu	Mr Ellicott	Mr Lloyd	Mr I. L. Robinson
Mr Baume	Mr Falconer	Mr Lucock	Mr Ruddock
Mr Bradfield	Mr Fife	Mr Lusher	Mr Sainsbury
Mr Braithwaite	Mr Fraser	Mr Lynch	Mr Shack
Mr N. A. Brown	Mr Garland	Mr MacKenzie	Mr Shipton
Mr Burns	Mr Giles	Mr McLean	Mr Short
Mr Burr	Mr Goodluck	Mr J. E. McLeay	Mr Simon
Mr Cadman	Mr Graham	Sir William McMahon	Mr Sinclair
Mr Cairns	Mr Groom	Mr McVeigh	Mr Staley
Mr Calder	Mr Haslem	Mr Macphee	Mr Street
Mr E. C. Cameron	Mr Hodges*	Mr Martyr	Mr Thomson
Mr Carlton	Mr Hodgman	Mr Millar	Mr Viner
Mr Chapman	Mr Hunt	Mr Moore	Mr Wilson
Mr Connolly	Mr Hyde	Mr Neil	Mr Yates
Mr Corbett*	Mr Jarman	Mr Newman	
Mr Cotter	Mr P. F. Johnson	Mr Nixon	
Mr Dean	Mr Johnston	Mr O'Keefe	

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Mr Armitage	Dr Everingham	Dr Jenkins	Mr Morris
Dr Blewett	Mr FitzPatrick	Mr L. R. Johnson*	Mr Scholes
Mr Bowen	Mr Fry	Mr C. K. Jones	Mr Uren
Mr J. J. Brown	Mr Hayden	Mr Keating	Mr Wallis
Mr Bryant	Mr Humphreys	Mr Kerin	Mr West
Mr C. R. Cameron	Mr Hurford	Dr Klugman	Mr Willis
Dr Cass	Mr Innes	Mr L. B. McLeay	Mr Young
Mr Cohen	Mr Jacobi	Mr J. L. McMahon*	
Mr Dawkins	Mr James	Mr Martin	

\*Tellers

And so it was resolved in the affirmative by an absolute majority.

- 9 CHIEF JUSTICE OF THE HIGH COURT OF AUSTRALIA—MINISTERIAL STATEMENT—PAPER NOTED: Mr Fraser (Prime Minister) made a ministerial statement concerning the Chief Justice of the High Court of Australia, and, by command of His Excellency the Governor-General, presented the following paper:

Chief Justice of the High Court of Australia—Ministerial statement, 29 April 1980.

Mr Viner (Leader of the House) moved—That the House take note of the paper.

Debate ensued.

*Paper:* Mr Ellicott (Acting Attorney-General), during his speech, by command of His Excellency the Governor-General, presented the following paper:

Mundroola Pty Ltd—Involvement of Chief Justice—Copy of opinion of Mr M. H.

Byers, Q.C., Solicitor-General, dated 29 April 1980.

Debate continued.

Question—put and passed.

- 10 EMPLOYMENT IN THE 1980's—CHALLENGES AND PROSPECTS—MINISTERIAL STATEMENT—  
PAPER NOTED: Mr Viner (Minister for Employment and Youth Affairs), by leave, made a ministerial statement relating to challenges and prospects for employment in the 1980's, and, by command of His Excellency the Governor-General, presented the following paper:

Employment in the 1980's—Challenges and prospects—Ministerial statement, 29 April 1980.

Mr E. L. Robinson (Minister for Finance) moved—That the House take note of the paper.

*Suspension of standing orders—Extended time for speech:* Mr E. L. Robinson, by leave, moved—That so much of the standing orders be suspended as would prevent Mr Young speaking for a period not exceeding 40 minutes.

Question—put and passed.

Debate ensued.

Mr B. O. Jones addressing the House—

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*Adjournment negated:* It being 10.30 p.m.—The question was proposed—That the House do now adjourn.

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

Question—put and negated.

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Mr B. O. Jones continued his speech.

Question—put and passed.

- 11 MESSAGE FROM THE GOVERNOR-GENERAL—ASSENT TO BILL: A message from His Excellency the Governor-General was announced informing the House that His Excellency, in the name of Her Majesty, had assented to the following Bill:  
23 April 1980—Message No. 257—Racial Discrimination Amendment 1980.
- 12 MESSAGES FROM THE SENATE: Messages from the Senate were reported returning the following Bills without amendment:  
28 April 1980—Message—  
No. 424—Local Government (Personal Income Tax Sharing) Amendment 1980.  
No. 425—States (Personal Income Tax Sharing) Amendment 1980.
- 13 COMMITTEE OF PRIVILEGES: Mr Viner (Leader of the House), by leave, moved—That the Committee of Privileges, when considering the matter referred to it on 23 April 1980, have power to send for persons, papers and records.  
Question—put and passed.
- 14 MESSAGE FROM THE SENATE—ABORIGINAL DEVELOPMENT COMMISSION BILL 1980: Message No. 422, dated 23 April 1980, from the Senate was reported transmitting for the concurrence of the House a Bill for "*An Act to establish an Aboriginal Development Commission, and to provide for related matters*".  
Bill read a first time.  
Mr Viner (Minister representing the Minister for Aboriginal Affairs) moved—That the Bill be now read a second time.  
Leave granted for debate to ensue.  
Mr West moved, as an amendment—That all words after "That" be omitted with a view to substituting the following words: "whilst not opposing the Bill, the House is of the opinion—  
(1) that, while not opposing the integration of the lands fund, loans fund and grants in aid (enterprises program), the Parliament must have access to the submissions which led to the proposed integration of such programs;  
(2) that the appointment of the members of the Aboriginal Development Commission should be made by the Minister acting on the advice of the National Aboriginal Conference and the various land councils, and

(3) that the Government should assure the House of its commitment to maintain and increase its financial assistance to the Commission”.

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—ABORIGINAL LAND RIGHTS (NORTHERN TERRITORY) AMENDMENT BILL 1980: Message No. 423, dated 23 April 1980, from the Senate was reported transmitting for the concurrence of the House a Bill for “*An Act to amend the ‘Aboriginal Land Rights (Northern Territory) Act 1976’*”.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting.

16 ADJOURNMENT: Mr Viner (Leader of the House) moved—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 11.21 p.m., adjourned until tomorrow at 2.15 p.m.

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PAPERS: The following papers were deemed to have been presented on 29 April 1980, pursuant to statute:

Bounty (Commercial Motor Vehicles) Act—Regulations—Statutory Rules 1980, No. 77.

Customs Act—Regulation—Statutory Rules 1980, Nos. 78, 82.

Defence Act, Naval Defence Act and Air Force Act—Regulations—Statutory Rules 1980, No. 83.

Defence Amendment Act—Interim Determination—Statutory Rules 1980, No. 81.

Federal Court of Australia Act—Rules—Statutory Rules 1980, No. 87.

Income Tax Assessment Act—Regulations—Statutory Rules 1980, No. 86.

National Health Act—Regulations—Statutory Rules 1980, No. 84.

Navigation Act—Regulations—Statutory Rules 1980, Nos. 79, 80.

Nursing Homes Assistance Act—Regulations—Statutory Rules 1980, No. 85.

Public Service Act—Appointment—Department of Aboriginal Affairs—S. K. Stack.

Seat of Government (Administration) Act—Regulations—1980—No. 6 (Motor Traffic Ordinance).

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MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Birney, Mr D. M. Cameron, Mr Fisher, Mr Gillard, Mr Holding, Mr Howard, Mr Howe and Mr L. K. Johnson.

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