

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

## HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 4

TUESDAY, 2 DECEMBER 1980

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- 1 The House met, at 2.15 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 Anthony, Mr Fife, Mr Hicks, Mr Hunt, Mr Mountford, Mr O'Keefe, Mr Sinclair and Mr Uren—from certain citizens praying that the Travelling Post Office service be retained in New South Wales.
  - Mr Birney, Mr Bowen, Mr Johnson, Mrs Kelly, Dr Klugman, Mr MacKenzie and Mr J. L. McMahon—from certain citizens praying that steps be taken to allow child-care expenses as a deductible item from taxpayers' assessable income.
  - Dr Blewett, Mr Chapman, Mr Dean, Mr Fry, Mr Garland and Mr Hodges—from certain citizens praying for the prohibition of oil exploration within the Great Barrier Reef region and that the entire region be declared a Marine Park.
  - Mr Johnson and Mr J. L. McMahon—from certain citizens praying that the laws relating to sexual offences against women be revised to give greater protection to victims.
  - Mr Bradfield—from certain citizens praying that goats milk formulae be restored to the Pharmaceutical Benefits Scheme.
  - Mr Bradfield—from certain citizens praying that the Government fulfil its stated policy of self-determination and self-management for Aboriginals and use the powers conferred on it by the 1967 referendum to intervene on behalf of the Aboriginal people in any conflict with any State or Territory government.
  - Mr Cadman—from certain citizens praying that legislation be introduced to eliminate the practice of intensive livestock farming.
  - Mr Carlton—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 Carlton—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 Cunningham—from certain citizens praying that a referendum on immigration policy be held in conjunction with the next elections.
  - Mrs Darling—from certain citizens praying that the decision to close the Social Security office at Sandgate, Qld, be reversed.
  - Mr Ellicott—from certain citizens praying that laws be passed to outlaw discrimination in employment and in the provision of unemployment benefits, based upon race, ethnic origin, marital status and sex.
  - Mr Goodluck—from certain citizens praying that certain religious organisations be investigated with a view to introducing appropriate legislation to restrict their activities.

Mr Innes—from certain citizens praying that work be found for the unemployed in Flemington, Vic., especially school leavers, and that social security and welfare payments be adjusted to a guaranteed minimum income above the poverty line.

Mr C. K. Jones—from certain citizens praying that funding of the Preston Institute of Technology Chiropractic Program be no longer delayed.

Mr MacKellar—from certain members of the Order of the White Cross International praying that any proposal to allow private patent ownership of plant and animal life be rejected.

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

Mr Morris—from certain citizens praying that any proposal to sell Trans-Australia Airlines be rejected.

Mr Shipton—from certain citizens praying that a Lands Commissioner be appointed for Queensland.

Mr Street—from certain citizens praying that steps be taken to secure the release of the South Korean Opposition Leader, Mr Kim Dae Jung and all other political prisoners in Seoul and that support be given to a peaceful, long-term and just settlement of the problems of the Korean Peninsula.

Mr Street—from certain citizens praying that the program of Australian aid to Ethiopia be reviewed and restricted to Eritrea and refugees in Somalia, Djibouti and the Sudan.

Petitions received.

### 3 QUESTIONS: Questions without notice were asked.

### 4 PAPERS: The following papers were presented:

By command of His Excellency the Governor-General:

Aboriginal Hostels Limited—6th Annual Report and financial statements, together with the Auditor-General's Report, for year 1979-80.

Aboriginal Land Rights (Northern Territory) Act—Examination by Mr B. W. Rowland, Q.C.—

Report to the Minister for Aboriginal Affairs, dated 11 August 1980.

Statement by Senator Baume (Minister for Aboriginal Affairs).

Anmatjirra and Alyawarra land claim to Utopia Pastoral Lease—Report to the Minister for Aboriginal Affairs and the Administrator of the Northern Territory by the Aboriginal Land Commissioner, dated 30 May 1980.

Atomic weapons test sites in Australia—Management of former United Kingdom sites—Report of the 1979 work program.

Australian Forestry Council—18th meeting, Hobart, Tas., 1 August 1980—Summary of resolution and recommendations.

Commonwealth Fire Board—Report for year 1979-80.

Demand for sea passenger transport between Tasmania and the Australian mainland—Report by Bureau of Transport Economics, Department of Transport, dated August 1980.

Department of Aboriginal Affairs—Report for year 1979-80.

Department of Science and the Environment—Report for year 1979-80.

Foreign Investment Review Board—Report for year 1979-80.

Industries Assistance Commission—Reports—

Certain goods made from carbon or graphite, dated 6 June 1980.

Electric motors, generators and rotary converters, dated 5 March 1980.

Musical instruments and parts and accessories therefor, dated 22 June 1980.

International trade law—7th Seminar organised by the Attorney-General's Department, Canberra, 28-29 June 1980—Papers and summary of discussions.

*My child was born disabled*—Report by the National Women's Advisory Council, dated October 1980.

National Women's Advisory Council—2nd Annual Report, for year 1979-80.

Pursuant to statute:

- Aboriginal Land Fund Act—Aboriginal Land Fund Commission—6th Annual Report and financial statements, together with the Auditor-General's Report, for year 1979–80 (final).
- Australia Council Act—Australia Council—Report and financial statements, together with the Auditor-General's Report, for year 1979–80.
- Australian Institute of Aboriginal Studies Act—Council of the Australian Institute of Aboriginal Studies—Report and financial statements, together with the Auditor-General's Report, for year 1979–80.
- Australian National University Act—Council of the Australian National University—Report for 1979.
- Commonwealth Legal Aid Commission Act—Commonwealth Legal Aid Commission—3rd Annual Report, for year 1979–80.
- Commonwealth Serum Laboratories Act—Commonwealth Serum Laboratories Commission—19th Annual Report and financial statements, together with the Auditor-General's Report, for year 1979–80.
- Department of Employment and Youth Affairs—Report for year 1979–80, including the report of the National Director of the Commonwealth Employment Service pursuant to the Commonwealth Employment Service Act.
- Industries Assistance Commission Act—Temporary Assistance Authority—Report for year 1979–80.
- National Railway Network (Financial Assistance) Act—Agreement relating to financial assistance to Western Australia for a project by way of the improvement of a main railway line, dated 17 October 1980.
- Oilseeds Levy Collection and Research Act—Oilseeds Research Committee—3rd Annual Report, for year 1979–80.
- Pipeline Authority Act—Pipeline Authority—7th Annual Report and financial statements, together with the Auditor-General's Report, for year 1979–80.

- 5 PARLIAMENTARY LIBRARY—MEMBERS' ACCESS TO BOOK—STATEMENT BY MR SPEAKER: Mr Speaker made a statement informing the House that, consequent upon a decision of the High Court, he and the President of the Senate had directed the Parliamentary Library to make the book *Documents on Australian Defence and Foreign Policy, 1968–1975* available to Senators and Members on condition that the book not be copied or removed from the Library.
- 6 PRIVILEGE: Mr Holding raised as a matter of privilege the conditions under which the book *Documents on Australian Defence and Foreign Policy, 1968–1975* would be made available in the Parliamentary Library for the use of Senators and Members. Mr Speaker stated that, in his opinion, no *prima facie* case of breach of privilege existed which would allow the matter to take precedence over other business.
- 7 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—NATIONAL RESOURCES ALLOCATION: Mr Speaker informed the House that Mr Keating had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The failure of the Fraser Government to ensure the most effective allocation of national resources by the use of its foreign investment and public infrastructure financial powers, as exemplified by the misallocation of resources in respect of the ALCOA project in Victoria and the subsidisation of the project by the community". The proposed discussion having received the necessary support—Mr Keating addressed the House. Discussion ensued. Discussion concluded.
- 8 NATIONAL COMPANIES AND SECURITIES COMMISSION AMENDMENT BILL 1980: Mr Moore (Minister for Business and Consumer Affairs), pursuant to notice, presented a Bill for an Act to amend the *National Companies and Securities Commission Act 1979*. Bill read a first time.

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

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

- 9 COMPANIES (ACQUISITION OF SHARES) AMENDMENT BILL 1980: Mr Moore (Minister for Business and Consumer Affairs), pursuant to notice, presented a Bill for an Act to amend the *Companies (Acquisition of Shares) Act 1980*.

Bill read a first time.

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

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

- 10 SECURITIES INDUSTRY AMENDMENT BILL 1980: Mr Moore (Minister for Business and Consumer Affairs), pursuant to notice, presented a Bill for an Act to amend the *Securities Industry Act 1980*.

Bill read a first time.

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

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

- 11 COMPANIES AND SECURITIES (INTERPRETATION AND MISCELLANEOUS PROVISIONS) AMENDMENT BILL 1980: Mr Moore (Minister for Business and Consumer Affairs), pursuant to notice, presented a Bill for an Act to amend the *Companies and Securities (Interpretation and Miscellaneous Provisions) Act 1980*.

Bill read a first time.

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

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

- 12 CUSTOMS TARIFF PROPOSALS NOS. 18 TO 20 (1980): Mr Moore (Minister for Business and Consumer Affairs) moved Customs Tariff Proposals Nos. 18, 19 and 20 (1980).

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

- 13 ABORIGINAL AFFAIRS—PROPOSED STANDING COMMITTEE: Mr Sinclair (Leader of the House), pursuant to notice, moved—

- (1) That a Standing Committee be appointed to inquire into and report on such matters relating to the circumstances of Aboriginal and Torres Strait Island people and the effect of policies and programs on them as are referred to it by—
  - (a) resolution of the House, or
  - (b) the Minister for Aboriginal Affairs.
- (2) That the committee recognise the responsibility of the States and the Northern Territory in these matters and seek their co-operation in all relevant aspects.
- (3) That the committee consist of 8 members, 5 to be nominated by either the Prime Minister, the Leader of the House or the Government Whip and 3 to be nominated by the Leader of the Opposition, the Deputy Leader of the Opposition or the Opposition Whip.
- (4) That every nomination of a member of the committee be forthwith notified in writing to the Speaker.
- (5) That the members of the committee hold office as a committee until the House of Representatives is dissolved or expires by effluxion of time.
- (6) That the committee elect as Chairman of the committee one of the members nominated either by the Prime Minister, the Leader of the House or the Government Whip.
- (7) That the committee elect a Deputy Chairman who shall perform the duties of the Chairman of the committee at any time when the Chairman

is not present at a meeting of the committee and at any time when the Chairman and Deputy Chairman are not present at a meeting of the committee the members present shall elect another member to perform the duties of the Chairman at that meeting.

- (8) That the committee have power to appoint sub-committees consisting of 3 or more of its members and refer to any such sub-committee any matter which the committee is empowered to examine.
- (9) That the committee appoint the Chairman of each sub-committee who shall have a casting vote only, and at any time when the Chairman of a sub-committee is not present at a meeting of the sub-committee the members of the sub-committee present shall elect another member of that sub-committee to perform the duties of the Chairman at that meeting.
- (10) That a majority of the members of a sub-committee constitute a quorum of that sub-committee.
- (11) That members of the committee who are not members of a sub-committee may take part in the public proceedings of that sub-committee but shall not vote or move any motion or constitute a quorum.
- (12) That the committee or any sub-committee have power to send for persons, papers and records.
- (13) That the committee have power to move from place to place.
- (14) That any sub-committee have power to move from place to place, adjourn from time to time and to sit during any sittings or adjournment.
- (15) That the committee or any sub-committee have power to authorise publication of any evidence given before it and any document presented to it.
- (16) That the committee be provided with necessary staff, facilities and resources.
- (17) That the committee in selecting particular matters for investigation take account of the investigations of other Parliamentary committees and avoid duplication.
- (18) That the committee have leave to report from time to time and that any member of the committee have power to add a protest or dissent to any report.
- (19) That the committee or any sub-committee have power to consider and make use of the evidence and records of the Standing Committees on Aboriginal Affairs appointed during previous Parliaments.
- (20) That the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

Mr Bowen (Deputy Leader of the Opposition), by leave, moved the following amendments together:

- (1) Omit paragraph (1), substitute the following paragraph:

“(1) That a Standing Committee be appointed to inquire into, take evidence and report on:

- (a) the present circumstances of Aboriginal and Torres Strait Island people and the effect of policies and programs on them, and
- (b) such other matters relating to the Aboriginal and Torres Strait Island people as are referred to it by—
  - (i) resolution of the House, or
  - (ii) the Minister for Aboriginal Affairs.”.

- (2) Omit paragraph (3), substitute the following paragraph:

“(3) That the committee consist of 9 members, 5 to be nominated by either the Prime Minister, the Leader of the House or the Government Whip and 4 to be nominated by the Leader of the Opposition, the Deputy Leader of the Opposition or the Opposition Whip.”.

Debate continued.

Debate adjourned (Mr Connolly), and the resumption of the debate made an order of the day for a later hour this day.

- 14 POSTPONEMENT OF NOTICES: Ordered—That notices Nos. 6 to 11, government business, be postponed until a later hour this day.
- 15 POSTPONEMENT OF ORDER OF THE DAY: Ordered—That order of the day No. 1, government business, be postponed until a later hour this day.
- 16 CRIMES (TAXATION OFFENCES) BILL 1980: The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—  
Debate resumed.  
Question—put and passed—Bill read a second time.  
The House resolved itself into a committee of the whole.

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*In the committee*

Bill, by leave, taken as a whole, and agreed to, after debate.  
Bill to be reported without amendment.

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The House resumed; Mr Millar reported accordingly.

On the motion of Mr Viner (Minister for Employment and Youth Affairs), the House adopted the report, and, by leave, the Bill was read a third time.

- 17 INCOME TAX ASSESSMENT AMENDMENT BILL (NO. 6) 1980: 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 by Mr Willis who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “the Bill be withdrawn until the Treasurer provides the House with:
- (a) the (i) reasons for and (ii) cost of the amendments proposed;
  - (b) evidence that such measures (i) will result in greater efficiency in the industries concerned and a better allocation of our national resources and (ii) will not have an adverse effect on the environment, and
  - (c) an explanation as to why the proposed benefits to primary producers (i) are provided on an inequitable basis and (ii) should be provided by way of income tax concession rather than by direct grant”.
- Amendment negatived.  
Question—That the Bill be now read a second time—put and passed—Bill read a second time.  
The House resolved itself into a committee of the whole.

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*In the committee*

Bill, by leave, taken as a whole.

On the motion of Mr Viner (Minister for Employment and Youth Affairs), by leave, the following amendments were made together, after debate:

*Amendments—*

Clause 8, page 6, line 15, insert “or (g)” after “paragraph (f)”.

Clause 9—

Page 7, line 3, omit “or”.

Page 7, line 5, after paragraph (1) (f) of proposed section 75D insert the following word and paragraph:

“; or (g) an operation consisting of the construction on the land, for the purpose of controlling salinity or assisting in drainage control, of surface drainage works or sub-surface drainage works.”.

*New clause—*

Page 10, after clause 9, insert the following new clause:

**Gifts, calls on afforestation shares, pensions, &c.**

“9A. Section 78 of the Principal Act is amended—

- (a) by inserting after sub-paragraph (lviii) of paragraph (a) of sub-section (1) the following sub-paragraph:

‘; (lix) a public fund established and maintained exclusively for the relief of persons affected by earthquakes in Italy;’;

and

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

‘(6AB) A gift to a fund to which sub-paragraph (lix) of paragraph (a) of sub-section (1) applies is not an allowable deduction unless the gift was or is made on or after 1 July 1980 and on or before 30 June 1981.’”.

Bill, as amended, agreed to.

Bill to be reported with amendments.

The House resumed; Mr Millar reported accordingly.

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

- 18 POSTPONEMENT OF ORDER OF THE DAY: Ordered—That order of the day No. 3, government business, be postponed until a later hour this day.
- 19 PUBLIC SERVICE AND STATUTORY AUTHORITIES AMENDMENT BILL 1980: The House, according to order, resolved itself into a committee of the whole for the further consideration of the Bill.

*In the committee*

Clause 17 agreed to.

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

Mr Hawke addressing the committee—

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 Viner (Minister Assisting the Prime Minister) 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*

Mr Hawke continued his speech.

Remainder of Bill agreed to.

Bill to be reported without amendment.

The House resumed; Mr Millar reported accordingly.

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

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

Debate ensued.

Question—put and passed—Bill read a third time.

- 20 PAPER: The following paper was presented, pursuant to statute:

Taxation—Taxation Statistics 1978–79 (Supplement to the 58th Report of the Commissioner of Taxation).

Ordered to be printed.

21 **INTEREST RATES—MINISTERIAL STATEMENT:** Mr Howard (Treasurer), by leave, made a ministerial statement informing the House of Government decisions regarding interest rates affecting certain loans charged by trading and savings banks.

Mr Hayden (Leader of the Opposition), by leave, also made a statement with reference to the matter.

22 **ADJOURNMENT:** Mr Howard (Treasurer) moved—That the House do now adjourn.

Question—put and passed.

And then the House, at 11.18 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 2 December 1980, pursuant to statute:

Administrative Appeals Tribunal Act—Regulations—Statutory Rules 1980, No. 335.

Continental Shelf (Living Natural Resources) Act—Regulations—Statutory Rules 1980, No. 337.

Homes Savings Grant Act—Regulations—Statutory Rules 1980, No. 336.

Lands Acquisition Act—Statements (4) of lands acquired by agreement authorised under sub-section 7 (1).

Seat of Government (Administration) Act—Ordinances—1980—

No. 41—Church of England in Australia.

No. 42—Anglican Church of Australia.

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**MEMBERS PRESENT:** All Members were present (at some time during the sitting) except Dr Cass and Mr J. E. McLeay.

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