

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 41

TUESDAY, 9 JUNE 1981

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 Armitage, Mr Beazley, Dr Blewett, Mrs Child, Mr Free, Mr Hawke, Mr Humphreys, Dr Jenkins, Mr Johnson, Mr C. K. Jones and Mr Mountford—from certain citizens praying that any proposal to legislate for the establishment of plant breeders' rights in Australia be rejected.

Mrs Child, Mr Free, Mr Kent, Mr J. L. McMahon and Mr Mountford—from certain citizens praying that post-secondary tuition fees not be re-introduced and visa charges upon private overseas students be removed immediately.

Mr Jacobi, Mr C. K. Jones and Mr Morris—from certain citizens praying that any proposal to sell Trans Australia Airlines be rejected.

Mrs Darling and Mr Humphreys—from certain citizens praying that post-secondary tuition fees not be re-introduced, visa charges upon private overseas students be removed, the decision to introduce a loans scheme be reversed and the Tertiary Education Assistance Scheme be increased and extended.

Mrs Darling and Dr Theophanous—from certain citizens praying that post-secondary tuition fees not be introduced, the Tertiary Education Assistance Scheme be extended to meet the financial needs of students, and certain other action be taken in relation to tertiary and adult education.

Mrs Child—from certain citizens praying that sanitary products for women be brought under the scrutiny of the Australian Drug Evaluation Committee and certain other actions be taken in regard to the possible threat posed to the health of women by toxic shock syndrome.

Mrs Darling—from certain citizens praying that no approval be given to the application of Trans Australia Airlines or any other airline for a relaxation or withdrawal of the curfew at Eagle Farm Airport, Qld.

Mrs Darling—from certain citizens praying that the proposed health cost sharing arrangements between the Commonwealth and Queensland be rejected and the present scheme be maintained.

Mrs Darling—from certain citizens praying that Australia's overseas aid and the proportion of aid channelled through recognised non-government organisations be increased.

Mrs Darling—from certain citizens praying that persons under 18 years of age not be denied social security benefits.

Mrs Darling—from certain citizens praying that the means test age limit for service pensioners be reduced from 70 to 65 years.

Mrs Darling—from certain citizens praying that the recent decisions made with respect to tertiary education be rescinded and no steps be taken towards the re-introduction of fees for tertiary education.

Mrs Darling—from certain citizens praying that the decision to close the Rosemount Repatriation Hospital, Qld, be reversed.

- Mrs Darling—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.
- Mrs Darling—from certain members of the Dystrophic Epidermolysis Bullosa Research Association of Australia and others praying that the provision of funds for research into Epidermolysis Bullosa be restored.
- Mr Dobie—from certain citizens praying that certain recommendations of the Law Reform Commission discussion paper on Privacy and Personal Information be rejected and some other means be found to protect children from the excessive abuse of some parents.
- Mr Dobie—from certain citizens praying that in view of the spiritual and moral decline of the nation a national day of prayer and fasting be held in 1981.
- Mr Hall—from certain citizens praying that the payment of medical benefits cease where transcendental meditation is provided by a medical practitioner and the scientific evidence on which it was decided that transcendental meditation is a medically indicated relaxation technique be provided.
- Mr Hawke—from certain citizens praying that the decisions to close the Bendigo Ordnance Factory and to sell or lease the Government Clothing Factory be reversed.
- Mr Humphreys—from certain citizens praying that the effects of health proposals and of the necessity for compulsory health insurance on lower income groups be re-examined and the criteria determining the genuinely needy be redefined.
- 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 requests for export permits covering mineral sand products from Moreton Island, Qld, be refused.
- Mr Humphreys—from certain citizens praying that the decisions arising out of the Review of Commonwealth Functions relating to tertiary education funding be re-considered and an urgent inquiry be initiated into employment in tertiary institutions, the national research effort and the adequacy of tertiary student support systems.
- Mr Humphreys—from certain citizens praying that Service Pensions be extended to all merchant seamen who served in theatres of war.
- Mr Kent—from certain residents of the Northern Territory praying that the offer of Darwin or any other location as a base or depot for American B-52 bombers be withdrawn and any request by the United States Government for the use of bases in Australia be rejected.
- Dr Klugman—from certain citizens praying that all pensions and benefits be adjusted quarterly and items deleted from the pharmaceutical benefits scheme be restored.
- Mr McLean—from certain residents of Western Australia praying that the residents of cottages 11 to 14 on Garden Island, W.A., be allowed to remain and be required to move only when the residents of the remaining northern end cottages do so.
- Mr Morris—from certain citizens praying that the House recognise the importance of the club industry and that any proposal to increase the excise on beer be rejected.
- Mr Morris—from certain citizens praying that the government of the United States of America be urged to cease all military aid to El Salvador and support be given to the freedom of the Salvadorian people against the governing military dictatorship.
- Mr Mountford—from certain citizens praying that the ban placed on Soviet passenger cruise vessels entering Australian ports be lifted.
- Mr Mountford—from certain citizens praying that funding of children's services be restored to at least the real value of funding allocated in the 1975-76 Budget and future allocations be spent in full for the purposes designated.

Mr Mountford—from certain citizens praying that the Betsy Women's Refuge and the network of women's shelters in Australia be adequately funded.

Mr Ruddock—from certain citizens praying that militant unions not be permitted to hold the country to ransom and that a forceful and resolute stand be taken against union militancy.

Petitions received.

3 MINISTERIAL ARRANGEMENTS: Mr Fraser (Prime Minister) informed the House that, during the respective absences abroad of Mr Anthony (Minister for Trade and Resources), Mr Street (Minister for Foreign Affairs) and Mr Macphee (Minister for Immigration and Ethnic Affairs), Mr Sinclair (Minister for Communications) was acting as Minister for Trade and Resources, Mr MacKellar (Minister for Health) was acting as Minister for Foreign Affairs and Senator Durack (Attorney-General) was acting as Minister for Immigration and Ethnic Affairs. Mr Wilson (Minister for Home Affairs and Environment) was representing the Acting Minister for Immigration and Ethnic Affairs in this House.

4 QUESTIONS: Questions without notice were asked.

5 MESSAGES FROM THE SENATE: Messages from the Senate were reported returning the following Bills without amendment:

5 June 1981—Message—

No. 125—Independent Air Fares Committee 1981.

No. 126—Airlines Equipment Amendment 1981.

No. 127—Australian National Airlines Repeal 1981.

6 ALTERATION OF HOUR OF NEXT MEETING: Mr Sinclair (Leader of the House) moved—That the House, at its rising, adjourn until tomorrow at 10.30 a.m.

Question—put and passed.

7 EXPENDITURE—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS: Mr Lusher (Chairman) presented the following report from the Standing Committee on Expenditure:

Review of the Auditor-General's Efficiency Audit Report on the Department of Administrative Services Australian Property Function—Report, dated 4 June 1981, together with the transcript of evidence and copies of extracts from the minutes of proceedings.

Ordered—That the report be printed.

Mr Lusher, Dr Edwards and Mr R. J. Brown, by leave, made statements in connection with the report.

8 PUBLIC WORKS COMMITTEE—REPORT—STATEMENTS BY MEMBERS: Mr Bungey (Chairman) presented the following report from the Parliamentary Standing Committee on Public Works:

Report relating to the redevelopment of Australian Antarctic bases (5th report of 1981).

Ordered to be printed.

Mr J. L. McMahon and Mr Humphreys, by leave, made statements in connection with the report.

9 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—HOUSING—GOVERNMENT RESPONSIBILITIES:

Mr Speaker informed the House that Mr Uren had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The failure of the Fraser Government to fulfil its national responsibility of meeting the current and emerging housing needs of the Australian people and to ensure an adequate provision of housing finance at affordable interest rates".

The proposed discussion having received the necessary support—

Mr Uren addressed the House.

Discussion ensued.
Discussion concluded.

10 SUSPENSION OF STANDING ORDERS MOVED: Mr West moved—That so much of the standing orders be suspended as would prevent the honourable Member for Cunningham moving general business notice No. 96 standing in his name.

Closure of Member: Mr Howard (Treasurer) moved—That the honourable Member be not further heard.

Question—put.

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

AYES, 64

Mr Adermann	Mr Cowan	Mr Howard	Mr O'Keefe
Mr Baume	Mr Dean	Mr Hunt	Mr Peacock
Mr Birney	Mr Dobie	Mr Hyde	Mr Porter
Mr Bouchier	Mr Drummond	Mr Jull	Mr Robinson
Mr Bradfield	Dr Edwards	Mr Katter	Mr Rocher
Mr Braithwaite	Mr Falconer	Mr Killen	Mr Ruddock
Mr N. A. Brown	Mr Fife	Mr Lloyd	Mr Sainsbury
Mr Bungey	Mr Fisher*	Mr Lusher	Mr Shack
Mr Burr	Mr Giles	Sir Phillip Lynch	Mr Shipton
Mr Cadman	Mr Goodluck	Mr MacKellar	Mr Sinclair
Mr D. M. Cameron	Mr Groom	Mr MacKenzie	Mr Spender
Mr E. C. Cameron	Mr Hall	Mr McLean	Mr Tambling
Mr I. M. D. Cameron	Mr Harris	Mr McVeigh	Mr Thomson
Mr Carlton	Mr Hicks	Mr Millar	Mr Tuckey
Mr Chapman	Mr Hodges*	Mr Moore	Mr White
Mr Coleman	Mr Hodgman	Mr Newman	Mr Wilson

NOES, 42

Dr Blewett	Mr Duffy	Mr C. K. Jones	Mr Morrison
Mr J. J. Brown	Dr Everingham	Mr Keating	Mr Mountford
Mr R. J. Brown	Mr Free	Mrs Kelly	Mr Scholes
Dr Cass	Mr Fry	Mr Kent	Dr Theophanous
Mr Charles	Mr Howe	Mr Kerin	Mr Uren
Mrs Child	Mr Humphreys*	Dr Klugman	Mr Wallis
Mr Cohen	Mr Innes	Mr McLeay	Mr West
Mr Cross	Mr Jacobi	Mr J. L. McMahon	Mr Willis
Mr Cunningham	Dr Jenkins	Mr Mildren	Mr Young
Mrs Darling	Mr Johnson*	Mr Milton	
Mr Dawkins	Mr B. O. Jones	Mr Morris	

*Tellers

And so it was resolved in the affirmative.

Mr Howe (second) addressing the House—

Closure of Member: Mr Sinclair (Leader of the House) moved—That the honourable Member be not further heard.

Question—put and passed.

Question—That the motion for the suspension of the standing orders be agreed to—put.

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

AYES, 42

Dr Blewett	Mr Duffy	Mr C. K. Jones	Mr Morrison
Mr J. J. Brown	Dr Everingham	Mr Keating	Mr Mountford
Mr R. J. Brown	Mr Free	Mrs Kelly	Mr Scholes
Dr Cass	Mr Fry	Mr Kent	Dr Theophanous
Mr Charles	Mr Howe	Mr Kerin	Mr Uren
Mrs Child	Mr Humphreys*	Dr Klugman	Mr Wallis
Mr Cohen	Mr Innes	Mr McLeay	Mr West
Mr Cross	Mr Jacobi	Mr J. L. McMahon	Mr Willis
Mr Cunningham	Dr Jenkins	Mr Mildren	Mr Young
Mrs Darling	Mr Johnson*	Mr Milton	
Mr Dawkins	Mr B. O. Jones	Mr Morris	

NOES, 64

Mr Adermann	Mr Cowan	Mr Howard	Mr O'Keefe
Mr Baume	Mr Dean	Mr Hunt	Mr Peacock
Mr Birney	Mr Dobie	Mr Hyde	Mr Porter
Mr Bouchier	Mr Drummond	Mr Jull	Mr Robinson
Mr Bradfield	Dr Edwards	Mr Katter	Mr Rocher
Mr Braithwaite	Mr Falconer	Mr Killen	Mr Ruddock
Mr N. A. Brown	Mr Fife	Mr Lloyd	Mr Sainsbury
Mr Bungey	Mr Fisher*	Mr Lusher	Mr Shack
Mr Burr	Mr Giles	Sir Phillip Lynch	Mr Shipton
Mr Cadman	Mr Goodluck	Mr MacKellar	Mr Sinclair
Mr D. M. Cameron	Mr Groom	Mr MacKenzie	Mr Spender
Mr E. C. Cameron	Mr Hall	Mr McLean	Mr Tambling
Mr I. M. D. Cameron	Mr Harris	Mr McVeigh	Mr Thomson
Mr Carlton	Mr Hicks	Mr Millar	Mr Tuckey
Mr Chapman	Mr Hodges*	Mr Moore	Mr White
Mr Coleman	Mr Hodgman	Mr Newman	Mr Wilson

*Tellers

And so it was negatived.

- 11 INCOME TAX LAWS AMENDMENT BILL (No. 2) 1981: The order of the day having been read for the further consideration of the Bill in committee, the House resolved itself into a committee of the whole.

In the committee

Bill, as a whole—

Debate resumed on the amendments moved together by Mr Willis (*see pages 361–3*)—

Amendments negatived.

Bill agreed to.

Bill to be reported without amendment.

The House resumed; Mr Giles reported accordingly.

On the motion of Mr Howard (Treasurer), the House adopted the report, and, by leave, the Bill was read a third time.

- 12 INCOME TAX ASSESSMENT AMENDMENT BILL 1981: The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—

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

The House resolved itself into a committee of the whole.

In the committee

Bill, by leave, taken as a whole.

On the motion of Mr Howard (Treasurer), by leave, the following amendments were made together, after debate:

Clause 7, page 13, lines 42–44 and page 14, lines 1–6, omit proposed sub-section 80AAA (12), substitute the following sub-section:

“(12) For the purpose of determining whether a deduction is allowable to a taxpayer under sub-section (7) and for the purpose of ascertaining the amount of any such deduction, there shall be disregarded so much of the amount of any film loss deemed to have been incurred by the taxpayer as would not have been deemed, for the purposes of this section, to have been incurred by the taxpayer if—

- (a) the condition specified in sub-section 80 (6) were applicable for the purpose of determining whether the taxpayer is deemed, in any year of income, to have incurred a film loss and in determining the amount of any such loss; and
- (b) Part IVA extended to schemes entered into or carried out on or before 27 May 1981.’”.

Clause 13—

Page 26, lines 22 and 23, omit “1 October 1980”, substitute “28 May 1981”.

Page 27, lines 28 and 29, omit “1 October 1980”, substitute “28 May 1981”.

Page 28, after proposed sub-section 124ZAF (2) insert the following sub-sections:

“(2A) Where the Commissioner is satisfied that, if sub-sections (1) and (2) applied in relation to the expenditure of capital moneys under contracts entered into on or after 1 October 1980, an amount would be, or would become, allowable as a deduction to a taxpayer in a year of income under sub-section (1) or (2) in respect of capital moneys expended by the taxpayer under a contract entered into on or after 1 October 1980 and on or before 27 May 1981, that amount shall be allowed as a deduction in the assessment of the taxpayer in respect of income of the year of income in which the moneys were expended.

“(2B) In determining for the purposes of sub-section (2A) whether an amount would be, or would become, allowable as a deduction to a taxpayer in a year of income under sub-section (1) or (2) if those sub-sections applied in relation to the expenditure of capital moneys under contracts entered into on or after 1 October 1980, section 124ZAG shall be read as if references in that section to the relevant amount referred to in that section being expended in producing a film were references to the relevant amount being expended in producing the film before the expiration of the period of 12 months after the end of the year of income in which the relevant amount was expended by the taxpayer.

“(2c) For the purposes of the application of section 124ZAG in accordance with sub-section (2B), where—

- (a) moneys are expended in producing a film; and
- (b) having regard to the benefit in respect of which those moneys are expended, those moneys, or a part of those moneys, could reasonably be expected to have been expended at a later time,

those moneys, or that part of those moneys, as the case may be, shall be taken to have been expended at that later time.

“(2d) Where—

- (a) by reason that the Commissioner was satisfied that, if sub-sections (1) and (2) applied in relation to the expenditure of capital moneys under contracts entered into on or after 1 October 1980, an amount would be, or would become, allowable as a deduction to a taxpayer under sub-section (1) or (2) in respect of capital moneys expended by the taxpayer, a deduction (in this sub-section referred to as the “relevant deduction”) has been allowed to the taxpayer under sub-section (2A) in respect of the expenditure of those moneys; and
- (b) the Commissioner later becomes satisfied that, if sub-sections (1) and (2) applied as mentioned in paragraph (a)—
 - (i) no deduction would be, or would become, allowable to the taxpayer under sub-section (1) or (2) in respect of the expenditure of those moneys; or
 - (ii) the amount of the deduction that would be, or would become, allowable to the taxpayer under sub-section (1) or (2) in respect of the expenditure of those moneys would be greater than or less than the amount of the relevant deduction,

the relevant deduction shall be deemed never to have been allowable or, as the case requires, the greater or lesser deduction referred to in paragraph (b) shall be deemed to have been allowable under sub-section (2A) in lieu of the relevant deduction.”.

Mr B. O. Jones moved the following amendment: Clause 13, page 22, lines 22–26, omit proposed paragraph 124ZAA (1) (b).

Debate continued.

Amendment negatived.

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

The House resumed; Mr Giles reported accordingly.

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

13 HEALTH ACTS AMENDMENT BILL 1981: 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 Dr Blewett who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “the Bill be withdrawn and re-drafted—

- (1) to enable those sections of the Bill dealing with the Isolated Patients Allowance, Pathology Services, Nursing Homes Assistance and Therapeutic Goods to be separately introduced and separately debated;
- (2) to delete all provisions dealing with the Government’s health insurance changes, and
- (3) to provide for a health cover system for Australians which will—
 - (a) guarantee universal cover, rather than the uncertain cover provided in the present Bill;
 - (b) provide a simple system rather than the complexity of the present Bill;
 - (c) remove the necessity for the categorisation of the disadvantaged, so prominent a feature of the present Bill;
 - (d) establish equity through income-related payments rather than the flat rate regressive insurance contribution of the present Bill, and
 - (e) contain costs by effective constraints on the providers of health services, neglected by the concentration on inappropriate and ineffectual restraints on patient usage in the present Bill”.

Question—That the words proposed to be omitted stand part of the question—put.
The House divided (the Deputy Speaker, Mr Millar, in the Chair)—

AYES, 63

Mr Adermann	Mr Cowan	Mr Howard	Mr Peacock
Mr Baume	Mr Dean	Mr Hunt	Mr Porter
Mr Birney	Mr Dobie	Mr Hyde	Mr Robinson
Mr Bourchier	Mr Drummond	Mr Jull	Mr Rocher
Mr Bradfield	Dr Edwards	Mr Katter	Mr Ruddock
Mr Braithwaite	Mr Falconer	Mr Killen	Mr Sainsbury
Mr N. A. Brown	Mr Fife	Mr Lloyd	Mr Shack
Mr Bungey	Mr Fisher*	Mr Lusher	Mr Shipton
Mr Burr	Mr Giles	Sir Phillip Lynch	Mr Sinclair
Mr Cadman	Mr Goodluck	Mr MacKellar	Mr Spender
Mr D. M. Cameron	Mr Groom	Mr MacKenzie	Mr Tambling
Mr E. C. Cameron	Mr Hall	Mr McLean	Mr Thomson
Mr I. M. D. Cameron	Mr Harris	Mr McVeigh	Mr Tuckey
Mr Carlton	Mr Hicks	Mr Moore	Mr White
Mr Chapman	Mr Hodges*	Mr Newman	Mr Wilson
Mr Coleman	Mr Hodgman	Mr O’Keefe	

NOES, 43

Mr Armitage	Mr Dawkins	Mr B. O. Jones	Mr Morris
Mr Beazley	Mr Duffy	Mr C. K. Jones	Mr Morrison
Dr Blewett	Dr Everingham	Mr Keating	Mr Mountford
Mr J. J. Brown	Mr Free	Mrs Kelly	Mr Scholes
Mr R. J. Brown	Mr Fry	Mr Kent	Dr Theophanous
Dr Cass	Mr Holding	Mr Kerin	Mr Uren
Mr Charles	Mr Howe	Dr Klugman	Mr Wallis
Mrs Child	Mr Humphreys*	Mr McLeay	Mr West
Mr Cohen	Mr Jacobi	Mr J. L. McMahon	Mr Willis
Mr Cross	Dr Jenkins	Mr Mildren	Mr Young
Mr Cunningham	Mr Johnson*	Mr Milton	

*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 Millar, in the Chair)—

AYES, 63

Mr Adermann	Mr Cowan	Mr Howard	Mr Peacock
Mr Baume	Mr Dean	Mr Hunt	Mr Porter
Mr Birney	Mr Dobie	Mr Hyde	Mr Robinson
Mr Bouchier	Mr Drummond	Mr Jull	Mr Rocher
Mr Bradfield	Dr Edwards	Mr Katter	Mr Ruddock
Mr Braithwaite	Mr Falconer	Mr Killen	Mr Sainsbury
Mr N. A. Brown	Mr Fife	Mr Lloyd	Mr Shack
Mr Bungey	Mr Fisher*	Mr Lusher	Mr Shipton
Mr Burr	Mr Giles	Sir Phillip Lynch	Mr Sinclair
Mr Cadman	Mr Goodluck	Mr MacKellar	Mr Spender
Mr D. M. Cameron	Mr Groom	Mr MacKenzie	Mr Tambling
Mr E. C. Cameron	Mr Hall	Mr McLean	Mr Thomson
Mr I. M. D. Cameron	Mr Harris	Mr McVeigh	Mr Tuckey
Mr Carlton	Mr Hicks	Mr Moore	Mr White
Mr Chapman	Mr Hodges*	Mr Newman	Mr Wilson
Mr Coleman	Mr Hodgman	Mr O'Keefe	

NOES, 44

Mr Armitage	Mr Dawkins	Mr Johnson*	Mr Milton
Mr Beazley	Mr Duffy	Mr B. O. Jones	Mr Morris
Dr Blewett	Dr Everingham	Mr C. K. Jones	Mr Morrison
Mr J. J. Brown	Mr Free	Mr Keating	Mr Mountford
Mr R. J. Brown	Mr Fry	Mrs Kelly	Mr Scholes
Dr Cass	Mr Holding	Mr Kent	Dr Theophanous
Mr Charles	Mr Howe	Mr Kerin	Mr Uren
Mrs Child	Mr Humphreys*	Dr Klugman	Mr Wallis
Mr Cohen	Mr Innes	Mr McLeay	Mr West
Mr Cross	Mr Jacobi	Mr J. L. McMahon	Mr Willis
Mr Cunningham	Dr Jenkins	Mr Mildren	Mr Young

*Tellers

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

Message from the Administrator: Message No. 56, dated 3 June 1981, from His Excellency the Administrator 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.

Mr MacKellar (Minister for Health), by leave, moved the following amendments together:

Amendments—

Clause 2, page 1, line 7, omit “and 20”, substitute “, 20, 23A to 23H (inclusive), 24A and 24B”.

Clause 4, page 2, lines 30–34, omit paragraph (b) of the definition of “dependant”, substitute the following paragraph:

“(b) in relation to a disadvantaged person in respect of whom there is in force a declaration under section 5 or 5B—a person who is a dependant, within the meaning of section 5B, of the disadvantaged person or would be such a dependant if section 5B applied in relation to the disadvantaged person; or”.

Clause 6—

Page 4, line 32, omit “(other than a person who is a dependant of any person)”.

Page 5, lines 24–27, omit sub-section (7) of proposed section 5, substitute the following sub-section:

“(7) In this section, “applicant”, in relation to an application under sub-section (1), means the eligible person to whom the application relates.”.

Page 6, line 5, omit “(other than a person who is a dependant of any person)”.

Pages 11 and 12, omit paragraph (b) of sub-section (1) of proposed section 5E, substitute the following paragraph:

“(b) the Director-General of Social Services is satisfied that, in respect of a period of 2 weeks commencing on the date of the grant, the person will not be a prescribed person within the meaning of section 83CA of the *Social Services Act 1947*.”.

Page 12, line 23, omit “2”, substitute “3”.

Page 13, line 25, omit “(2)”, substitute “(3)”.

Page 13, lines 27 and 28, omit “(3) or (4)”, substitute “(4) or (5)”.

Page 13, line 30, omit “(2), (3) or (4)”, substitute “(3), (4) or (5)”.

Page 14, at the end of the clause add the following proposed section:

Declaration not to be made in respect of dependant

“5J. Nothing in section 5 or 5B permits the making of a declaration with respect to a person under either of those sections in respect of any day on which the person—

- (a) is, or was, a dependant, within the meaning of section 5B, of any person; or
- (b) is, or was, wholly or substantially dependent on a resident of a country other than Australia.’.”.

New clauses—

Page 23, after clause 23, insert the following new clauses:

Interpretation

“23A. Section 79 of the Principal Act is amended by inserting in sub-section (1) after the definition of ‘Deputy Chairman’ the following definition:

“‘document’ includes—

- (a) a book, plan, paper, parchment, film or other material on which there is writing or printing, or on which there are marks, symbols or perforations having a meaning for persons qualified to interpret them;
- (b) a disc, tape, paper, film or other device from which sounds or images are capable of being reproduced; and
- (c) any other record of information;’.

Appointment to vacant office

“23B. Section 88 of the Principal Act is amended by omitting from sub-section (2) ‘the Minister shall appoint a medical practitioner to that office and, before making that appointment, shall consult the Australian Medical Association’ and substituting ‘the Minister shall not appoint a person to that office for a period of more than 3 months except after consultation with the Australian Medical Association’.

“23C. Section 96 of the Principal Act is repealed and the following sections are substituted:

Summons to practitioner to attend hearing, &c.

‘96. (1) For the purposes of this Act, a member may, by writing under his hand, summon the practitioner, or any of the practitioners, concerned to attend a hearing and to produce such documents (if any) as are referred to in the summons and to appear at the hearing to give evidence for the purpose only of identifying any such documents.

‘(2) Where a summons is served on a practitioner under sub-section (1) at least 10 days before a hearing specifying the time and place of the hearing and giving particulars of the matter to which the hearing relates, the Committee is not required to cause a notice to be given to the practitioner under section 95.

‘(3) A summons under this section may be served on the practitioner personally or by post.

Attendance of practitioner at hearing

'96A. (1) Where a practitioner is summoned under section 96 to attend a hearing, he shall attend in person, and may be represented by another person, at the hearing.

(2) Where a notice has been served on a practitioner under section 95 in relation to a hearing and the practitioner has not been summoned under section 96 to attend the hearing, he may appear in person, or may be represented by another person, at the hearing.

Rights of practitioner at hearing

'96B. Where a practitioner attends, appears or is represented at a hearing in accordance with sub-section 96A (1) or (2), he or his representative, as the case requires, shall be given the opportunity to give evidence, and to call witnesses, on behalf of the practitioner, to examine other witnesses appearing at the hearing and to address the Committee.'

Conduct of hearing

'23D. Section 97 of the Principal Act is amended by omitting from sub-section (4) ' , book or writing' (wherever occurring).

Summons to give evidence, &c.

'23E. Section 99 of the Principal Act is amended by omitting from sub-section (1) 'document, book or writing as is' and substituting 'document (if any) as are'.

'23F. (1) Sections 100 and 101 of the Principal Act are repealed and the following sections are substituted:

Allowances for witnesses at hearing

'100. A person summoned (otherwise than under section 96) to appear as a witness at a hearing before the Committee is entitled to be paid allowances, fixed by or in accordance with the regulations, for expenses in respect of his attendance.

Failure to attend

'101. (1) A person served with a summons to appear at a hearing shall not, without reasonable excuse—

- (a) fail to attend as required by the summons; or
- (b) fail to appear and report himself from day to day unless excused, or released from further attendance, by a member.

(2) A practitioner served with a summons to attend a hearing shall not, without reasonable excuse—

- (a) fail to attend as required by the summons; or
- (b) fail to attend and report himself from day to day unless excused, or released from further attendance, by a member.

Penalty: \$1,000.'

'(2) Regulations in force at the commencement of this section for the purposes of section 100 of the Principal Act continue in force as if made for the purposes of section 100 of the Principal Act as amended by this Act.

Refusal to be sworn or to answer questions

'23G. Section 102 of the Principal Act is amended—

- (a) by omitting from paragraph (1) (c) ' , book or writing';
- (b) by omitting the penalty set out at the foot of sub-section (1) and substituting the following penalty:

'Penalty: \$1,000.';

- (c) by inserting after sub-section (1) the following sub-section:
 '(1A) A practitioner attending before the Committee shall not, without reasonable excuse, refuse or fail to produce a document that he is required to produce by a summons under section 96.
 Penalty: \$1,000.';
- (d) by inserting after sub-section (2) the following sub-section:
 '(2A) A document produced at a hearing by a practitioner is not admissible in evidence against him in criminal proceedings except in a prosecution under or arising out of this Act or the regulations or the *National Health Act 1953* or regulations made under that Act.'; and
- (e) by omitting from sub-section (3) ' , book or writing' (wherever occurring).

Recommendation by Committee

"23H. Section 105 of the Principal Act is amended—

- (a) by inserting after paragraph (2) (c) the following paragraph:
 '(ca) that the practitioner be counselled;'; and
- (b) by inserting after paragraph (3) (a) the following paragraph:
 '(aa) that the practitioner be counselled;'. "

Page 23, after clause 24, insert the following new clauses:

Establishment of Optometrical Services Committees of Inquiry

"24A. Section 106B of the Principal Act is amended by omitting from sub-section (5) 'and, before making that appointment, shall consult the Australian Optometrical Association' and substituting 'but he shall not so appoint an optometrist to that office for a period of more than 3 months except after consultation with the Australian Optometrical Association'.

Recommendation by Committee

"24B. Section 106F of the Principal Act is amended by inserting after sub-paragraph (2) (b) (i) the following sub-paragraph:
 '(ia) that the participating optometrist be counselled;'. "

Debate continued.

Progress to be reported, and leave asked to sit again.

The House resumed; Dr Jenkins reported accordingly.

Ordered—That the House will, at a later hour this day, again resolve itself into the said committee.

14 POSTPONEMENT OF ORDER OF THE DAY: Ordered—That order of the day No. 4, government business, be postponed until a later hour this day.

15 CHRISTMAS ISLAND AGREEMENT AMENDMENT BILL 1981: Mr Newman (Minister for Administrative Services), pursuant to notice, presented a Bill for an Act relating to the Christmas Island Agreement.

Bill read a first time.

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

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

16 HEALTH ACTS AMENDMENT BILL 1981: The House, according to order, again resolved itself into a committee of the whole for the further consideration of the Bill.

In the committee

Bill, as a whole—

Debate resumed on the amendments moved together by Mr MacKellar (Minister for Health) (*see entry No. 13*).

Amendments agreed to.
 Bill, as amended, agreed to.
 Bill to be reported with amendments.

The House resumed; Mr Giles reported accordingly.
 Mr MacKellar, by leave, moved—That the report be adopted.
 Question—put.
 The House divided (the Deputy Speaker, Mr Millar, in the Chair)—

AYES, 61

Mr Adermann	Mr Cowan	Mr Howard	Mr Porter
Mr Baume	Mr Dean	Mr Hyde	Mr Robinson
Mr Birney	Mr Dobie	Mr Jull	Mr Ruddock
Mr Bouchier	Mr Drummond	Mr Katter	Mr Sainsbury
Mr Bradfield	Dr Edwards	Mr Killen	Mr Shack
Mr Braithwaite	Mr Falconer	Mr Lloyd	Mr Shipton
Mr N. A. Brown	Mr Fife	Mr Lusher	Mr Sinclair
Mr Bungey	Mr Fisher*	Sir Phillip Lynch	Mr Spender
Mr Burr	Mr Giles	Mr MacKellar	Mr Tambling
Mr Cadman	Mr Goodluck	Mr MacKenzie	Mr Thomson
Mr D. M. Cameron	Mr Groom	Mr McLean	Mr Tuckey
Mr E. C. Cameron	Mr Hall	Mr McVeigh	Mr White
Mr I. M. D. Cameron	Mr Harris	Mr Moore	Mr Wilson
Mr Carlton	Mr Hicks	Mr Newman	
Mr Chapman	Mr Hodges*	Mr O'Keefe	
Mr Coleman	Mr Hodgman	Mr Peacock	

NOES, 42

Mr Armitage	Mr Dawkins	Mr B. O. Jones	Mr Morris
Mr Beazley	Mr Duffy	Mr C. K. Jones	Mr Morrison
Dr Blewett	Dr Everingham	Mr Keating	Mr Mountford
Mr J. J. Brown	Mr Free	Mrs Kelly	Mr Scholes
Mr R. J. Brown	Mr Fry	Mr Kent	Dr Theophanous
Dr Cass	Mr Holding	Mr Kerin	Mr Wallis
Mr Charles	Mr Howe	Dr Klugman	Mr West
Mrs Child	Mr Humphreys*	Mr McLeay	Mr Willis
Mr Cohen	Mr Jacobi	Mr J. L. McMahon	Mr Young
Mr Cross	Dr Jenkins	Mr Mildren	
Mr Cunningham	Mr Johnson*	Mr Milton	

*Tellers

And so it was resolved in the affirmative.
 Mr MacKellar, by leave, moved—That the Bill be now read a third time.
 Question—put.
 The House divided (the Deputy Speaker, Mr Millar, in the Chair)—

AYES, 61

Mr Adermann	Mr Cowan	Mr Howard	Mr Porter
Mr Baume	Mr Dean	Mr Hyde	Mr Robinson
Mr Birney	Mr Dobie	Mr Jull	Mr Ruddock
Mr Bouchier	Mr Drummond	Mr Katter	Mr Sainsbury
Mr Bradfield	Dr Edwards	Mr Killen	Mr Shack
Mr Braithwaite	Mr Falconer	Mr Lloyd	Mr Shipton
Mr N. A. Brown	Mr Fife	Mr Lusher	Mr Sinclair
Mr Bungey	Mr Fisher*	Sir Phillip Lynch	Mr Spender
Mr Burr	Mr Giles	Mr MacKellar	Mr Tambling
Mr Cadman	Mr Goodluck	Mr MacKenzie	Mr Thomson
Mr D. M. Cameron	Mr Groom	Mr McLean	Mr Tuckey
Mr E. C. Cameron	Mr Hall	Mr McVeigh	Mr White
Mr I. M. D. Cameron	Mr Harris	Mr Moore	Mr Wilson
Mr Carlton	Mr Hicks	Mr Newman	
Mr Chapman	Mr Hodges*	Mr O'Keefe	
Mr Coleman	Mr Hodgman	Mr Peacock	

NOES, 42

Mr Armitage	Mr Dawkins	Mr B. O. Jones	Mr Morris
Mr Beazley	Mr Duffy	Mr C. K. Jones	Mr Morrison
Dr Blewett	Dr Everingham	Mr Keating	Mr Mountford
Mr J. J. Brown	Mr Free	Mrs Kelly	Mr Scholes
Mr R. J. Brown	Mr Fry	Mr Kent	Dr Theophanous
Dr Cass	Mr Holding	Mr Kerin	Mr Wallis
Mr Charles	Mr Howe	Dr Klugman	Mr West
Mrs Child	Mr Humphreys*	Mr McLeay	Mr Willis
Mr Cohen	Mr Jacobi	Mr J. L. McMahan	Mr Young
Mr Cross	Dr Jenkins	Mr Mildren	
Mr Cunningham	Mr Johnson*	Mr Milton	

*Tellers

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

17 ADJOURNMENT: Mr MacKellar (Minister for Health) moved—That the House do now adjourn.

Mrs Kelly rising to address the House—

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

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

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

And then the House, at 11.27 p.m., adjourned until tomorrow at 10.30 a.m.

PAPERS: The following papers were deemed to have been presented on 9 June 1981, pursuant to statute:

Defence Amendment Act—Interim Determinations—Statutory Rules 1981, Nos. 120, 121, 122, 123.

Public Service Act—Appointments—Department of Employment and Youth Affairs—D. Curtis, J. H. von Senden, T. Tilmouth.

States Grants (Petroleum Products) Act—Amendments of the schedules to the subsidy schemes in relation to the States of Queensland, South Australia, Tasmania and Victoria, dated 28 May 1981.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Anthony, Mr Bowen, Mr Campbell, Mr Connolly, Mr Hawke, Mr Jarman, Sir William McMahon, Mr Macphee, Mr Nixon, Mr Scott, Mr Street and Mr Viner.

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