

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

## HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 84

THURSDAY, 23 AUGUST 1984

- 1 The House met, at 10 a.m., pursuant to adjournment. Mr Speaker (the Honourable Dr H. A. Jenkins) took the Chair, and read Prayers.
- 2 **PETITIONS:** The Clerk announced that the following Members had each lodged petitions for presentation, viz.:
- Mr Kent, Mr Milton, Mr Saunderson and Mr Wells—from certain citizens praying that there be no increases in State aid to private schools and that the primary obligation to government schools be re-affirmed.
- Dr Blewett, Mr Hawker and Mr Rocher—from certain citizens praying that chiropractic services be included in Medicare when it is introduced.
- Mr Burr, Mr Fife and Mr Newman—from certain citizens praying that the national flag not be changed except by a referendum.
- Mr Carlton, Dr H. R. Edwards and Mr Lusher—from certain citizens in similar terms to the last preceding petition.
- Mr Hawker, Mrs Mayer and Mr Millar—from certain citizens praying that no further action be taken in respect of territorial or local government in the Australian Capital Territory until the findings of the inquiry into ACT finances have been made public and a further referendum of electors has been held.
- Mr Bowen and Mr Carlton—from certain citizens praying that assurances be made that Qantas will not take any action that will lessen the effectiveness of flight attendants in an emergency.
- Mr Carlton and Mr Free—from certain citizens praying that the Sex Discrimination Bill be amended to prevent inconsistencies with the principles of justice and equality and that a conscience vote on the Bill be permitted to all Members of Parliament.
- Mr Dobie and Mr Rocher—from certain citizens praying that regulations amending the Customs (Prohibited Imports) Regulations and Customs (Cinematograph Films) Regulations and the ordinance superseding the ACT Objectionable Publications Ordinance be disallowed and certain other action be taken in relation to censorship matters.
- Mr Blunt—from certain citizens in similar terms to the last preceding petition.
- Mr Milton and Mr Saunderson—from certain citizens praying that the Omega base in Victoria be closed.
- Mr Rocher and Mr Shipton—from certain citizens praying that confectionery be exempt from sales tax.
- Mr Blanchard—from certain citizens praying that certain action be taken to discontinue the mining and supply of uranium.
- Mr Blanchard—from certain citizens praying that any proposal to legislate for the establishment of plant variety rights in Australia be rejected.

Mr Blanchard—from certain citizens praying that prescribed pre-death medication be recorded on all death certificates and that certain other action be taken in relation to the collection, publication and reporting of relative statistics.

Mr Blanchard—from certain citizens praying that all drugs be prescribed and supplied by their generic names only and that information concerning possible side-effects be made freely available.

Mr Blunt—from certain citizens praying that recurrent expenditure for technical and further education be increased.

Mr Braithwaite—from certain citizens praying that moves to change the Australian flag be resisted.

Mr Braithwaite—from certain electors of the Division of Dawson praying that legislation allowing the import and sale of X-rated video films be withdrawn.

Mr Burr—from certain residents of Latrobe, Tas., praying that an agency of Medicare be established at the Latrobe Post Office.

Mrs Darling—from certain citizens praying that amending legislation be drafted in respect of the ACT Classification of Publications Ordinance.

Mr Fry—from certain citizens praying for legislation to stop all trade with South Africa and to downgrade the South African Embassy to a consulate.

Mr Hawker—from certain citizens praying that the Government be responsible for financing and staffing cadet corps at government schools to enable all students to participate.

Mr Hawker—from certain residents of Victoria praying that Victorian parent clubs be recognised as education auxiliaries and be exempted from bank account debits tax.

Mr Lusher—from certain citizens praying that the present Australian flag be retained.

Mr McVeigh—from certain citizens praying that the decision to alter the ACT Classification of Publications Ordinance be abandoned.

Mr Wells—from certain citizens in similar terms to the last preceding petition.

Mr Maher—from certain residents of New South Wales praying that legislation be enacted to ban the advertising of alcohol from commercial television and radio.

Mr Moore—from certain residents of Queensland praying that no action be taken to change the national flag.

Mr Newman—from certain citizens praying that certain action be taken in funding tertiary education.

Mr Newman—from certain electors of the Division of Bass praying that the liquid petroleum gas subsidy to Tasmania be increased to compensate for Bass Strait freight charges.

Mr O'Neil—from certain electors of the Division of Grey praying that an operation for children suffering from Down's Syndrome be covered by Medicare and that travel costs incurred in obtaining this operation be fully recoverable.

Mr Porter—from certain citizens praying that the railway line between Victor Harbor and Adelaide remain open.

Mr Rocher—from certain citizens praying that the situation concerning the investigation of Dr Martinick by the Department of Health be clarified and the Health Insurance Act be amended if necessary to ensure medical practitioners receive a fair and just hearing.

Mr Rocher—from certain citizens praying that the existing national flag remain sacrosanct.

Mr Shipton—from certain citizens praying that action be taken to institute a retirement income policy which is fair and equitable.

Mr Young—from certain citizens praying that the export of kangaroo products be banned and action be taken to prohibit the commercial killing of kangaroos.

Petitions received.

**3 CONCILIATION AND ARBITRATION AMENDMENT BILL 1984:** The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—*And on the amendment moved thereto by Mr Macphee, viz.*—That all words after “That” be omitted with a view to substituting the following words: “whilst not opposing the provisions of the Bill, the House is of the opinion that the Government should extend the objects of the Bill to take account of all of its proposed amendments in the field of industrial legislation”—

Debate resumed.

Amendment negatived.

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr P. F. Morris (Minister for Transport), the Bill was read a third time.

**4 DEFENCE LEGISLATION AMENDMENT BILL 1984:** 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 Sinclair (Leader of the National Party of Australia) who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “whilst not opposing the passage of the Bill, the House condemns the Government for its failure to keep its promises to the men and women of the Defence Forces, on taxation of lump sum superannuation payments, and for its attack on the ability of defence personnel to accumulate capital to provide for their retirement”.

Debate continued.

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, 65

Mr Baldwin	Mr Dawkins	Mr Keating	Mr Punch
Mr Beddall	Mr Duffy	Mrs Kelly	Mr Reeves
Mr Bilney	Mr R. F. Edwards	Mr Kent	Mr Saunderson
Mr Blanchard	Dr Everingham	Mr Keogh	Mr Scholes
Dr Blewett	Ms Fatin	Dr Klugman	Mr Scott*
Mr Bowen	Mr Free	Mr Lindsay	Mr Simmons
Mr J. J. Brown	Mr Gayler	Ms McHugh	Mr Snow
Mr R. J. Brown	Mr Gear	Mr McLeay	Mr Staples
Mr Brumby	Mr Gorman	Mr Maher	Mr Steedman
Mr Campbell	Mr Hand	Mrs Mayer	Dr Theophanous
Mr Charles	Mr Hayden	Mr Mildren	Mr Tickner
Dr Charlesworth	Mr Holding	Mr Milton	Mr Wells
Mrs Child	Mr Hollis	Mr A. A. Morris	Mr West
Mr Chynoweth	Mr Howe	Mr P. F. Morris	Mr Young
Mr Cohen	Mr Humphreys*	Mr Morrison	
Mr Cross	Mr Hurford	Mr Mountford	
Mrs Darling	Mr Jacobi	Mr O'Neil	

NOES, 46

Mr Adermann	Mr Connolly	Mr Howard	Mr Porter
Mr Aldred	Mr Cowan	Mr Hunt	Mr Robinson
Mr Andrew	Mr Dobie	Mr Katter	Mr Rocher
Mr Blunt	Mr Drummond	Mr Lloyd	Mr Ruddock
Mr Braithwaite	Dr H. R. Edwards	Mr Lusher	Mr Shipton
Mr Burr	Mr Fisher	Mr McArthur	Mr Sinclair
Mr Cadman	Mr Goodluck	Mr McGauran	Mr Spender
Mr D. M. Cameron	Mr Groom	Mr MacKellar	Mr Tuckey
Mr E. C. Cameron*	Mr Hall	Mr McVeigh	Mr White
Mr I. M. D. Cameron	Mr Hawker	Mr Macphee	Mr Wilson
Mr Carlton	Mr Hicks*	Mr Moore	
Mr Coleman	Mr Hodgman	Mr O'Keefe	

\* Tellers

And so it was resolved in the affirmative.

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

*Messages from the Governor-General:* The following messages from His Excellency the Governor-General were announced:

No. 170, dated 7 May 1984, recommending an appropriation of revenue for the purposes of the Bill, and

No. 171, dated 21 August 1984, recommending an appropriation of revenue for the purposes of an amendment and new clauses to be moved to the Bill by a Minister.

The House resolved itself into a committee of the whole.

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In the committee

Bill, by leave, taken as a whole.

Mr Scholes (Minister for Defence), by leave, moved the following amendments together:

*Amendments—*

Clause 2, page 2, omit sub-clause (5), substitute the following sub-clauses:

“(5) The provisions of Part VI, other than sections 83A and 84A, shall be deemed to have come into operation on 1 July 1983.

“(5A) Sections 83A and 84A shall be deemed to have come into operation on 1 October 1972.”.

Clause 35, page 18, line 34, omit “Subject to the regulations, a chief of staff”, substitute “A chief of staff”.

Clause 36—

Page 19, line 10, omit “Subject to the regulations, a chief of staff”, substitute “A chief of staff”.

Page 19, before proposed section 68B insert the following section:

**Disallowance, &c., of rules relating to certain punishments**

“68AA. Sections 48, 49 and 50 of the *Acts Interpretation Act 1901* apply in relation to rules made under sub-section 68 (2) or 68A (2) of this Act as if references in those sections of that Act to regulations were references to rules made under those sub-sections.”.

*Proposed new clauses—*

Page 64, after clause 83 insert the following new clause:

**Rate of retirement pay applicable to certain existing contributors**

“83A. Section 25 of the Principal Act is amended—

(a) by omitting from paragraph (a) of the definition of ‘previous pension percentage of pay’ in sub-section (1) all the words after ‘sub-paragraph (2) (d) (i)—’ and substituting—

‘(i) in the case of a person who was, on 30 September 1972, an officer of the Permanent Forces—he had, on that date, attained the retiring age for the rank held by him on that date; or

(ii) in the case of a person who was, on that date, a non-Permanent Forces officer as defined in section 54A of the previous Act—he had, on that date—

(A) retired with the rank held by him on that date; and

(B) reached the age that was his age on the date of his retirement,

and had, on 30 September 1972, completed a number of years of service for pension equal to the number of years of service for pension completed by him on his retirement; or’;

(b) by omitting from sub-section (1) the definition of ‘retiring age for the rank held’ and substituting the following definition:

“‘retiring age for the rank held’ has the same meaning as it would have in the definition of “retiring age for the rank held” in sub-section 4 (1) of the previous Act if the reference in that definition to the date of a member’s retirement were a reference to 30 September 1972;”;

- (c) by omitting from the definition of 'service for pension' in sub-section (1) 'Defence Forces Retirement Benefits Act 1948-1971' and substituting 'previous Act';
- (d) by inserting after sub-section 25 (2) the following sub-section:
  - '(2AA) For the purposes of sub-paragraph (2) (d) (ii)—
  - (a) a reference in sub-paragraph 39 (2) (b) (ii) or (2) (c) (ii) of the previous Act to the rank held by an officer shall be read as a reference to the rank held by the officer on 30 September 1972;
  - (b) the reference in sub-paragraph 39 (2) (c) (i) of the previous Act to the rank of an officer at the date of his retirement shall be read as a reference to the rank of the officer on 30 September 1972; and
  - (c) a reference in sub-paragraph 39 (2) (b) (ii) or (2) (c) (ii) of the previous Act to the retiring age for the rank held shall be read as a reference to the retiring age for the rank held within the meaning of this section.'; and
- (e) by omitting sub-section (5) and substituting the following sub-section:
  - '(5) In the application of this section to a person who was, on 30 September 1972, a non-Permanent Forces officer as defined by section 54A of the previous Act, the retiring age for the rank held shall be the age that would be deemed, for the purposes referred to in sub-section 54A (2) of that Act, to be the retiring age for the rank held by the person on his retirement if he had retired on 30 September 1972.'"

Page 65, after clause 84 insert the following new clause:

**Rate of invalidity pay applicable to certain existing contributors**

"84A. Section 33 of the Principal Act is amended—

- (a) by omitting from the definition of 'previous pension percentage of pay' in sub-section (1) all the words after 'duties' and substituting the following—
  - 'and—
  - (a) in the case of a person who was, on 30 September 1972, an officer of the Permanent Forces—he had, on that date, attained the retiring age for the rank held by him on that date; or
  - (b) in the case of a person who was, on that date, a non-Permanent Forces officer as defined in section 54A of the previous Act—he had, on that date—
    - (i) retired with the rank held by him on that date; and
    - (ii) reached the age that was his age on the date of his retirement, and had, on 30 September 1972, completed a number of years of service for pension equal to the number of years of service for pension completed by him on his retirement;';
- (b) by omitting from sub-section (1) the definition of 'retiring age for the rank held' and substituting the following definition:
  - "retiring age for the rank held" has the same meaning as it would have in the definition of "retiring age for the rank held" in sub-section 4 (1) of the previous Act if the reference in that definition to the date of a member's retirement were a reference to 30 September 1972;";
- (c) by omitting from the definition of 'service for pension' in sub-section (1) 'Defence Forces Retirement Benefits Act 1948-1971' and substituting 'previous Act'; and
- (d) by omitting sub-section (6) and substituting the following sub-section:
  - '(6) In the application of this section to a person who was, on 30 September 1972, a non-Permanent Forces officer as defined by section 54A of the previous Act, the retiring age for the rank held shall be the age that would be deemed, for the purposes referred to in sub-section 54A (2) of that Act, to be the retiring age for the rank held by the person on his retirement if he had retired on 30 September 1972.'"

Debate continued.

It being 12.45 p.m., in accordance with sessional order 106A—Progress to be reported.

The House resumed; Mrs Child reported accordingly.

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

5 **GRIEVANCE DEBATE:** Pursuant to the provisions of standing order 106, as amended by sessional order, the order of the day having been read—

Question proposed—That grievances be noted.

Debate ensued.

It being 2 p.m., the debate was interrupted in accordance with standing order 106, as amended by sessional order.

Question—That grievances be noted—put and passed.

6 **QUESTIONS:** Questions without notice were asked.

7 **SUSPENSION OF STANDING AND SESSIONAL ORDERS—MOTION OF CENSURE OF THE MINISTER FOR FOREIGN AFFAIRS:** Mr Sinclair (Leader of the National Party of Australia), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent Mr Sinclair moving forthwith a motion of censure of the Minister for Foreign Affairs.

Question—put and passed.

8 **MINISTER FOR FOREIGN AFFAIRS—MOTION OF CENSURE:** Mr Sinclair (Leader of the National Party of Australia) moved—That this House censures the Minister for Foreign Affairs for his intemperate and bigoted introduction of racism into the proceedings of this Parliament.

Debate ensued.

*Paper:* Mr MacKellar, by leave, presented the following paper:

Migrants and employment—News release by Mr Macphee and Mr Hodgman entitled “Australia needs more business migrants to boost employment”, dated 5 August 1984.

Debate continued.

*Closure:* Mr Holding (Minister for Aboriginal Affairs) moved—That the question be now put.

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

And the question—That the motion be agreed to—being accordingly put—

The House divided (the Deputy Speaker, Mrs Child, in the Chair)—

AYES, 46

Mr Adermann	Mr Cowan	Mr Hunt	Mr Peacock
Mr Aldred	Mr Dobie	Mr Lloyd	Mr Porter
Mr Andrew	Mr Drummond	Mr Lusher	Mr Rocher
Mr Blunt	Dr H. R. Edwards	Mr McArthur	Mr Ruddock
Mr Braithwaite	Mr Fisher	Mr McGauran	Mr Shipton
Mr Cadman	Mr Goodluck	Mr MacKellar	Mr Sinclair
Mr D. M. Cameron	Mr Groom	Mr McVeigh	Mr Spender
Mr E. C. Cameron*	Mr Hall	Mr Macphee	Mr Tuckey
Mr I. M. D. Cameron	Mr Hawker	Mr Millar	Mr White
Mr Carlton	Mr Hicks*	Mr Moore	Mr Wilson
Mr Coleman	Mr Hodgman	Mr Newman	
Mr Connolly	Mr Howard	Mr O'Keefe	

## NOES, 68

Mr Baldwin	Mr Dawkins	Mr Hurford	Mr Mountford
Mr Beazley	Mr Duffy	Mr Jacobi	Mr O'Neil
Mr Beddall	Mr R. F. Edwards	Mr Jones	Mr Punch
Mr Bilney	Dr Everingham	Mrs Kelly	Mr Reeves
Mr Blanchard	Ms Fatin	Mr Kent	Mr Saunderson
Dr Blewett	Mr Free	Mr Keogh	Mr Scholes
Mr Bowen	Mr Gayler	Dr Klugman	Mr Scott*
Mr J. J. Brown	Mr Gear	Mr Lindsay	Mr Simmons
Mr R. J. Brown	Mr Gorman	Ms McHugh	Mr Snow
Mr Brumby	Mr Griffiths	Mr McLeay	Mr Staples
Mr Campbell	Mr Hand	Mr Maher	Mr Steedman
Mr Charles	Mr Hawke	Mrs Mayer	Dr Theophanous
Dr Charlesworth	Mr Hayden	Mr Mildren	Mr Tickner
Mr Chynoweth	Mr Holding	Mr Milton	Mr Wells
Mr Cohen	Mr Hollis	Mr A. A. Morris	Mr West
Mr Cross	Mr Howe	Mr P. F. Morris	Mr Willis
Mrs Darling	Mr Humphreys*	Mr Morrison	Mr Young

\* Tellers

And so it was negatived.

9 PAPER: The Deputy Speaker presented the following paper:

Reserve Bank Act—Reserve Bank of Australia—Report and financial statements, together with the Auditor-General's Report, for year 1983-84.

10 PAPERS: The following papers were presented:

Acts Interpretation Act—Statement relating to extension of specified period for presentation of periodic report—Council of the Canberra College of Advanced Education, report for 1983 (statement by Minister only).

Australian Capital Territory Schools Authority—Financial statements, together with the Auditor-General's Report, for year 1981-82, and statement by Senator Ryan, Minister for Education and Youth Affairs.

Canberra College of Advanced Education Act—Council of the Canberra College of Advanced Education—Report for 1983 (Part 2)—Financial statements, together with Auditor-General's Report.

Commonwealth Tertiary Education Commission—Report for 1983.

Defence Act—Royal Military College of Australia—Report for period 1 February 1983 to 31 January 1984.

Industries Assistance Commission—Reports—

Agricultural wheeled tractors and certain parts—

Interim report, dated 16 February 1984 (No. 340).

Report, dated 18 June 1984 (No. 348).

Computer hardware and software, typewriters, calculating and other office machines, parts and accessories, recording media; Metal working machine tools; Robots, dated 7 February 1984 (No. 338).

Electric motors—Interim report, dated 16 April 1984 (No. 346).

Industrial overalls, dated 18 July 1984 (No. 350).

Rural adjustment, dated 15 March 1984 (No. 344).

Southern bluefin tuna, dated 28 June 1984 (No. 349).

Tableware and other goods of ceramics—Interim report, dated 24 February 1984 (No. 341).

Industries Assistance Commission Act—Temporary Assistance Authority—Report—Filament lamps, dated 14 June 1984 (No. 64).

Maritime College Act—Council of the Australian Maritime College—5th Annual Report, for 1983, together with statement by Senator Ryan, Minister for Education and Youth Affairs—

Volume 1—Report.

Volume 2—Financial statements, together with Auditor-General's Report.

Vietnam Veterans' Counselling Service—Report of Evaluation Committee—Part 1, dated 13 January 1984, together with statement by Senator Gietzelt, Minister for Veterans' Affairs.

**11 PARLIAMENTARY COMMITTEES—GOVERNMENT GUIDELINES FOR OFFICIAL WITNESSES—PAPER AND MINISTERIAL STATEMENT:** Mr Dawkins (Minister Assisting the Prime Minister for Public Service Matters) presented the following paper:

Parliamentary committees—Government guidelines for official witnesses and related matters—

and, by leave, made a ministerial statement in connection with the paper.

Mr Sinclair (Leader of the National Party of Australia), by leave, also made a statement in connection with the paper.

**12 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—AUSTRALIA-UNITED STATES RELATIONS:** The Deputy Speaker informed the House that Mr MacKellar had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The damage to Australia-United States relations caused by Government policy and statements of the Foreign Minister".

The proposed discussion having received the necessary support—

Mr MacKellar rising to address the House—

Mr Young (Leader of the House) moved—That the business of the day be called on.

Question—put.

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

AYES, 69

Mr Baldwin	Mr Dawkins	Mr Jones	Mr Punch
Mr Beazley	Mr Duffy	Mrs Kelly	Mr Reeves
Mr Beddall	Mr R. F. Edwards	Mr Kent	Mr Saunderson
Mr Bilney	Dr Everingham	Mr Keogh	Mr Scholes
Mr Blanchard	Ms Fatin	Mr Kerin	Mr Scott*
Dr Blewett	Mr Free	Dr Klugman	Mr Simmons
Mr Bowen	Mr Gayler	Mr Lindsay	Mr Snow
Mr J. J. Brown	Mr Gear	Ms McHugh	Mr Staples
Mr R. J. Brown	Mr Gorman	Mr McLeay	Mr Steedman
Mr Brumby	Mr Griffiths	Mr Maher	Dr Theophanous
Mr Campbell	Mr Hand	Mrs Mayer	Mr Tickner
Mr Charles	Mr Hayden	Mr Mildren	Mr Wells
Dr Charlesworth	Mr Holding	Mr Milton	Mr West
Mrs Child	Mr Hollis	Mr A. A. Morris	Mr Willis
Mr Chynoweth	Mr Howe	Mr P. F. Morris	Mr Young
Mr Cohen	Mr Humphreys*	Mr Morrison	
Mr Cross	Mr Hurford	Mr Mountford	
Mrs Darling	Mr Jacobi	Mr O'Neil	

NOES, 42

Mr Adermann	Mr Connolly	Mr Hodgman	Mr Porter
Mr Aldred	Mr Cowan	Mr Howard	Mr Rocher
Mr Andrew	Mr Dobie	Mr Lloyd	Mr Ruddock
Mr Blunt	Mr Drummond	Mr Lusher	Mr Shipton
Mr Braithwaite	Dr H. R. Edwards	Mr McArthur	Mr Sinclair
Mr Cadman	Mr Fisher	Mr McGauran	Mr Spender
Mr D. M. Cameron	Mr Goodluck	Mr MacKellar	Mr Tuckey
Mr E. C. Cameron*	Mr Groom	Mr McVeigh	Mr White
Mr I. M. D. Cameron	Mr Hall	Mr Macphee	Mr Wilson
Mr Carlton	Mr Hawker	Mr Newman	
Mr Coleman	Mr Hicks*	Mr O'Keefe	

\* Tellers

And so it was resolved in the affirmative.

- 13 **DEFENCE LEGISLATION AMENDMENT BILL 1984:** The House, according to order, again resolved itself into a committee of the whole for the further consideration of the Bill.

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*In the committee*

Bill as a whole—

Debate resumed on the amendments moved together by Mr Scholes (Minister for Defence) (*see* pages 798-9).

Amendments agreed to.

*Proposed new clause—*

Mr Sinclair (Leader of the National Party of Australia) moved—That the following new clause be inserted in the Bill:

**Application of income tax rebate in respect of termination payments for Defence Force personnel**

“86A. For the purposes of the application of section 160AA of the *Income Tax Assessment Act 1936* in relation to eligible termination payments within the meaning of section 160AA made pursuant to the provisions of the *Defence Force Retirement and Death Benefits Act 1973*, the reference in paragraph (b) of the definition of ‘residual amount’ in sub-section (2) of that section to the age of 55 years shall be read as a reference to the age of 45 years.”

Debate continued.

Proposed new clause negatived.

Bill, as amended, agreed to.

Bill to be reported with amendments.

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The House resumed; Mrs Child reported accordingly.

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

- 14 **PASSPORTS AMENDMENT BILL 1984:** Mr Hayden (Minister for Foreign Affairs), pursuant to notice, presented a Bill for an Act to amend the *Passports Act 1938*.

Bill read a first time.

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

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

- 15 **REPATRIATION LEGISLATION AMENDMENT BILL 1984:** The order of the day having been read for the second reading—

Mr Holding (Minister representing the Minister for Veterans' Affairs) moved—That the Bill be now read a second time.

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

- 16 **AUSTRALIAN CAPITAL TERRITORY—JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS:** Mr Fry (Chairman) presented the following report from the Joint Committee on the Australian Capital Territory:

82nd series of proposals for variations of the plan of lay-out of the City of Canberra and its environs, 3rd Report, together with extracts from the minutes of proceedings.

Ordered—That the report be printed.

Mr Fry and Mr Ruddock, by leave, made statements in connection with the report.

- 17 **BIOLOGICAL CONTROL BILL 1984:** 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.

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

**18 PARLIAMENTARY COMMITTEES—GOVERNMENT GUIDELINES FOR OFFICIAL WITNESSES—STATEMENT BY MEMBER:** Mr Sinclair (Leader of the National Party of Australia), by leave, made a statement relating to the paper on Government guidelines for official witnesses appearing before parliamentary committees presented this day.

**19 POSTPONEMENT OF ORDER OF THE DAY:** Ordered—That order of the day No. 6, government business, be postponed until a later hour this day.

**20 APPROPRIATION BILL (NO. 1) 1984-85—BUDGET DEBATE:** 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.

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

**21 BIOLOGICAL CONTROL BILL 1984:** 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.

On the motion of Mr Kerin (Minister for Primary Industry), by leave, the following amendments were made together, after debate:

Clause 36—

Page 17, line 25, omit “No”, substitute “Subject to sub-section (3), no”.

Page 18, at the end of the clause add the following sub-clause:

“(3) Nothing in sub-section (1) prevents the institution or continuation in any court of an action or other proceeding to recover damages in respect of any loss incurred, or any damage suffered, by reason of the release of agent organisms of a particular kind in accordance with section 35 where—

- (a) the loss incurred or the damage suffered was the result of the release having had a significant effect on other organisms;
- (b) at the time of the release, the persons in Australia having a reputation for special knowledge of the biology of organisms of that kind knew, or had reasonable grounds to expect, that such a release could have such an effect; and
- (c) in making the declaration declaring organisms of that kind to be agent organisms, the Authority did not take into account (whether because of the state of scientific knowledge or otherwise) the factor that such a release could have such an effect.”.

Clause 37—

Page 18, line 5, omit “No”, substitute “Subject to sub-section (4), no”.

Page 18, line 9, omit “No”, substitute “Subject to sub-section (4), no”.

Page 18, at the end of the clause add the following sub-clause:

- “(4) Nothing in sub-section (1) or (2) prevents the institution or continuation in any court of an action or other proceeding to recover damages in respect of any loss incurred, or any damage suffered, by reason of the release of organisms of a particular kind in accordance with a relevant State law where—
- (a) the loss incurred or the damage suffered was the result of the release having had a significant effect on other organisms;
  - (b) at the time of the release, the persons in Australia having a reputation for special knowledge of the biology of organisms of that kind knew, or had reasonable grounds to expect, that such a release could have such an effect; and
  - (c) in making the declaration by virtue of which organisms of that kind became organisms that could be released in accordance with the relevant State law, the authority established by that law did not take into account (whether because of the state of scientific knowledge or otherwise) the factor that such a release could have such an effect.”.

Clause 53, page 23, line 31, omit “the population of”.

Clause 56—

Page 24, line 30, omit “or”.

Page 24, after paragraph (1) (g) insert the following paragraph:

- “(ga) a decision of the Authority for the purposes of section 33 not to hold an inquiry; or”.

Bill, as amended, agreed to.

Bill to be reported with amendments.

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The House resumed; Mrs Child reported accordingly.

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

- 22 **APPROPRIATION BILL (NO. 1) 1984-85—BUDGET DEBATE:** 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.

Ms Fatin 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 Hurford (Minister for Housing and Construction) requiring the question to be put forthwith without debate—

Question—put and negatived.

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Debate continued.

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

- 23 **ADJOURNMENT:** Mr Hurford (Minister for Housing and Construction) moved—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 11 p.m.—Mr Speaker adjourned the House until tomorrow at 10 a.m.

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**PAPER:** The following paper was deemed to have been presented on 23 August 1984:  
States Grants (Petroleum Products) Act—Amendment of the schedules to the  
subsidy schemes in relation to the States, dated 13 August 1984.

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**MEMBERS PRESENT:** All Members were present (at some time during the sitting) except Mr  
Cunningham and Mr Uren.

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**D. M. BLAKE**  
Clerk of the House of Representatives