

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 95

WEDNESDAY, 3 OCTOBER 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 Cadman, Mr D. M. Cameron, Mr Moore, Mr Ruddock and Mr White—from certain citizens praying that the laws which banned the entry and sale of hard-core and violent pornography be re-enacted.
 - Mr Burr, Mr Cadman, Mr Lusher and Mr Ruddock—from certain citizens praying that the national flag not be changed except by a referendum.
 - Mr Cunningham, Mr Griffiths, Mr Mildren, Mr Peacock and Mr Tuckey—from certain citizens in similar terms to the last preceding petition.
 - Mr Moore, Mr A. A. Morris and Mr Ruddock—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 Cadman and Mr Rocher—from certain citizens praying that chiropractic services be included in Medicare when it is introduced.
 - Mr Hunt and Mr Lusher—from certain citizens praying that the ordinance superseding the ACT Objectionable Publications Ordinance be disallowed and certain other action be taken in relation to censorship matters.
 - Mr Groom—from certain citizens in similar terms to the last preceding petition.
 - Mr Mildren and Mr Rocher—from certain citizens praying that confectionery be exempt from sales tax.
 - Mr Burr—from certain citizens praying that the decision in respect of Mrs Marion Morley's application to sponsor her sister under the family reunion program be reviewed.
 - Dr Charlesworth—from certain citizens praying that a parliamentary committee be established to inquire into and report on the effects of pornography.
 - Mr Cowan—from certain citizens praying that the Army be directed to re-classify the Taree Open Cadet Unit as an open, community-based, regional cadet unit.
 - Mrs Darling—from certain citizens praying that amending legislation be drafted in respect of the ACT Classification of Publications Ordinance.
 - Mrs Darling—from certain residents of Queensland praying that legislation be enacted to ban the advertising of alcohol from commercial television and radio.
 - Mr Groom—from certain residents of Tasmania praying that the decision not to upgrade Wynyard Airport be reversed.
 - Mr Groom—from certain residents of the north-west coast of Tasmania praying that Christian FM broadcasters be granted a permanent licence to broadcast in the north-west region of Tasmania.
 - Mr Kent—from certain citizens praying that the Omega base in Victoria be closed.

Mr Lusher—from certain citizens praying that those laws which automatically increase the excise on beer, following an increase in the consumer price index, be repealed.

Mr Lusher—from certain citizens praying that those laws which automatically increase the price of petrol, following an increase in the consumer price index, be repealed.

Ms McHugh—from certain citizens praying that a Ministry of Peace be established.

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

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

Mr Mildren—from certain citizens praying that any proposal to legislate for the establishment of plant variety rights in Australia be rejected.

Mr Moore—from certain citizens praying that consideration be given to the inclusion of psychological services within Medicare.

Mr Moore—from certain citizens praying that the ACT Classification of Publications Ordinance be repealed.

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

Mr Ruddock—from certain citizens praying that the term of the Costigan Commission be extended, all necessary resources be provided to enable it to conclude its investigations and Parliament not be dissolved until its report has been fully debated by both Houses.

Mr Ruddock—from certain citizens praying that a joint select committee be established to examine aspects of pornography and its effects on children and others.

Petitions received.

3 LOAN (INCOME EQUALIZATION DEPOSITS) AMENDMENT BILL 1984 [NO. 2]: 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 Hawker 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 redrafted to provide for:

- (1) deposits to be deductible in full;
- (2) interest to be payable on the investment component only of deposits where the investment component is equal to the balance of the deposit as if tax had been payable in the year of deposit at the rate applicable to a producer’s average income, and
- (3) interest to be payable at the rate of 9.5 % per annum”.

Debate continued.

Amendment negatived.

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

Message from the Governor-General: Message No. 185, dated 14 September 1984, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Hurford (Minister Assisting the Treasurer), the Bill was read a third time.

4 INCOME TAX ASSESSMENT AMENDMENT (INCOME EQUALIZATION DEPOSITS) BILL 1984 [NO. 2]: 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.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Hurford (Minister Assisting the Treasurer), the Bill was read a third time.

- 5 **INCOME EQUALIZATION DEPOSITS (INTEREST ADJUSTMENT) 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—

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

Message from the Governor-General: Message No. 186, dated 14 September 1984, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Hurford (Minister Assisting the Treasurer), the Bill was read a third time.

- 6 **AUSTRALIAN NATIONAL UNIVERSITY AMENDMENT BILL 1984—SENATE'S AMENDMENTS:** The House, according to order, resolved itself into a committee of the whole to consider the amendments made by the Senate.

In the committee

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE

No. 1—Page 1, clause 2, line 11, leave out “1984” insert “1985”.

No. 2—Page 1, clause 2, lines 12 and 13, leave out “be deemed to have come into operation on 1 January 1984”, insert “come into operation on 1 January 1985”.

On the motion of Mr Holding (Minister for Aboriginal Affairs), the amendments were agreed to, after debate.

Resolution to be reported.

The House resumed; Mrs Child reported accordingly.

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

- 7 **CANBERRA COLLEGE OF ADVANCED EDUCATION AMENDMENT BILL 1984—SENATE'S AMENDMENTS:** The House, according to order, resolved itself into a committee of the whole to consider the amendments made by the Senate.

In the committee

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE

No. 1—Page 1, clause 2, lines 11 and 12, leave out “be deemed to have come into operation on 1 January 1984”, insert “come into operation on 1 January 1985”.

No. 2—Page 3, clause 7, lines 2 and 3, leave out “commencement of this section”, insert “election of that non-teaching staff member”.

No. 3—Page 3, clause 8, lines 28 and 29, leave out “26 September 1985”, insert “the 26 September in the calendar year next following the calendar year in which those elections were held”.

No. 4—Page 3, clause 9, lines 38 and 39, leave out “date of commencement of this section”, insert “election of that graduate member”.

On the motion of Mr Holding (Minister for Aboriginal Affairs), the amendments were agreed to, after debate.

Resolution to be reported.

The House resumed; Mrs Child reported accordingly.

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

- 8 **POSTPONEMENT OF BUSINESS:** Ordered—That the government business intervening before order of the day No. 12 be postponed until a later hour this day.

9 STATES (WORKS AND HOUSING) ASSISTANCE 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.

Mr Ruddock addressing the House—

Closure of Member moved: Mr Uren (Minister for Territories and Local Government) moved—That the honourable Member be not further heard.

Question—put.

The House proceeding to a division—

Motion—That the honourable Member be not further heard—withdrawn, by leave, and the division not further proceeded with.

Debate continued.

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

Message from the Governor-General: Message No. 187, dated 10 September 1984, from His Excellency the Governor-General was announced recommending an appropriation of revenue and moneys for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Hurford (Minister for Housing and Construction), the Bill was read a third time.

10 HOUSING ASSISTANCE 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—

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

Message from the Governor-General: Message No. 188, dated 21 September 1984, from His Excellency the Governor-General was announced recommending an appropriation of revenue and moneys for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Hurford (Minister for Housing and Construction), the Bill was read a third time.

11 QUESTIONS: Questions without notice were asked.

12 PAPERS: The following papers were presented:

Australian Bureau of Statistics Act—

Australian Bureau of Statistics—Report for year 1983-84.

Australian Statistics Advisory Council—Report for year 1983-84.

National Road Freight Industry—Report of Committee of Inquiry, dated 10 September 1984.

Overseas Telecommunications Act—Overseas Telecommunications Commission (Australia)—Report and financial statements, together with the Auditor-General's Report, for year ended 31 March 1984.

Repatriation Act—Repatriation Commission—Report for year 1983-84.

Seat of Government (Administration) Act—Criminal Injuries Compensation Ordinance—Report on the operation of the Ordinance, for year 1983-84.

Snowy Mountains Engineering Corporation Act—Snowy Mountains Engineering Corporation—14th Annual Report and financial statements, together with the Auditor-General's Report, for year 1983-84.

Telecommunications Act—Australian Telecommunications Commission—9th Annual Report and financial statements, together with the Auditor-General's Report, for year 1983-84.

13 ADMINISTRATIVE REVIEW COUNCIL—STRUCTURE AND FORM OF SOCIAL SECURITY APPEALS—PAPERS—MOTION TO TAKE NOTE OF PAPERS: Mr Bowen (Minister representing the Attorney-General) presented the following papers:

Administrative Review Council—The structure and form of social security appeals—Report to the Attorney-General, dated 12 April 1984 (No. 21), together with statement by Senator Evans, Attorney-General.

Mr Young (Leader of the House) moved—That the House take note of the papers.

Debate adjourned (Mr Sinclair—Leader of the National Party of Australia), and the resumption of the debate made an order of the day for the next sitting.

14 AUSTRALIAN CITIZENSHIP—ANNUAL RETURN—MOTION TO TAKE NOTE OF PAPER:

Mr West (Minister for Immigration and Ethnic Affairs) presented the following paper:

Australian Citizenship Act—Return for year 1982-83.

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

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

15 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ABORIGINAL LAND RIGHTS LEGISLATION:

Mr Speaker informed the House that Mr Porter had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The failure of the Government to clearly state whether it will impose on the States overriding national uniform land rights legislation in accordance with its platform and the 5 non-negotiable principles laid down by the Minister for Aboriginal Affairs".

The proposed discussion having received the necessary support—

Mr Porter addressed the House.

Discussion ensued.

Discussion concluded.

16 PARLIAMENTARY PRIVILEGE—JOINT SELECT COMMITTEE—FINAL REPORT—STATEMENTS BY MEMBERS:

Mr Spender (Chairman) presented the following report from the Joint Select Committee on Parliamentary Privilege:

Parliamentary Privilege—Joint Select Committee—Final report, dated October 1984, incorporating a dissenting report, together with a copy of the minutes of proceedings and a copy of a letter, dated 18 September 1984, from the Secretary of the Attorney-General's Department on one aspect of the inquiry.

Ordered—That the report be printed.

Mr Spender and Mr Jones (Minister for Science and Technology), by leave, made statements in connection with the report.

Ordered—That consideration of the report be made an order of the day for the next sitting.

17 AUSTRALIAN CAPITAL TERRITORY—JOINT COMMITTEE—REPORTS—STATEMENTS BY MEMBERS:

Mrs Kelly presented the following reports from the Joint Committee on the Australian Capital Territory:

Reports on proposed variations of the plan of lay-out of the City of Canberra and its environs, together with a copy of the minutes of proceedings—

78th series—3rd Report.

83rd series—1st Report.

Ordered—That the reports be printed.

Mrs Kelly and Mr Ruddock, by leave, made statements in connection with the reports.

18 BANKS (SHAREHOLDINGS) AMENDMENT BILL 1984:

Mr Keating (Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Banks (Shareholdings) Act 1972*, and for related purposes.

Bill read a first time.

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

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

19 CANNED FRUITS LEVY COLLECTION AMENDMENT BILL 1984—WITHDRAWAL OF BILL AND DISCHARGE OF ORDER OF THE DAY:

Mr Speaker having drawn the

attention of the House to the fact that the Canned Fruits Levy Collection Amendment Bill 1984 did not comply with the provisions of standing order 213—

Mr Kerin (Minister for Primary Industry) moved—That the Bill be withdrawn and that the order of the day, government business, Canned Fruits Levy Collection Amendment Bill 1984: Second reading—Resumption of debate, be discharged.

Debate ensued.

Question—put and passed.

- 20 **CANNED FRUITS LEVY COLLECTION AMENDMENT BILL 1984 [NO. 2]:** Mr Kerin (Minister for Primary Industry) presented a Bill for an Act to amend the *Canned Fruits Levy Collection Act 1979*.

Bill read a first time.

Mr Kerin moved That the Bill be now read a second time

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

- 21 **EXCISE TARIFF PROPOSALS NO. 4 (1984):** Mr J. J. Brown (Minister Assisting the Minister for Industry and Commerce) moved Excise Tariff Proposals No. 4 (1984).

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

- 22 **BROADCASTING AND TELEVISION AMENDMENT BILL 1984:** Mr Duffy (Minister for Communications), pursuant to notice, presented a Bill for an Act to amend the *Broadcasting and Television Act 1942*.

Bill read a first time.

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

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

- 23 **BROADCASTING STATIONS LICENCE FEES AMENDMENT BILL 1984:** Mr Duffy (Minister for Communications) presented a Bill for an Act to amend the *Broadcasting Stations Licence Fees Act 1964*.

Bill read a first time.

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

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

- 24 **TELEVISION STATIONS LICENCE FEES AMENDMENT BILL 1984:** Mr Duffy (Minister for Communications) presented a Bill for an Act to amend the *Television Stations Licence Fees Act 1964*.

Bill read a first time.

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

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

- 25 **PUBLIC WORKS COMMITTEE—REFERENCE OF WORK—TERMINAL AREA REDEVELOPMENT—TOWNSVILLE AIRPORT:** Mr Hurford (Minister for Housing and Construction), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Terminal area redevelopment, Townsville Airport.

Mr Hurford presented plans in connection with the proposed work.

Debate ensued.

Question—put and passed.

- 26 **HMAS WATSON, SOUTH HEAD, NSW—SUBMARINE WARFARE SYSTEMS CENTRE—APPROVAL OF WORK:** Mr Hurford (Minister for Housing and Construction), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following

proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Construction of a Submarine Warfare Systems Centre, HMAS Watson, South Head, NSW.

Debate ensued.

Question—put and passed.

- 27 **AUSTRALIAN EMBASSY COMPLEX, BEIJING, PEOPLE'S REPUBLIC OF CHINA—APPROVAL OF WORK:** Mr Hurford (Minister for Housing and Construction), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Construction of Australian Embassy Complex at Beijing, People's Republic of China.

Debate ensued.

Question—put and passed.

- 28 **PUBLIC WORKS COMMITTEE—REFERENCE OF WORK—AUSTRALIAN FRIGATE PROJECT, WILLIAMSTOWN DOCKYARD, VIC., PHASE B:** Mr Hurford (Minister for Housing and Construction), by leave, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Construction of facilities for the Australian Frigate Project, Williamstown Dockyard, Vic.—Phase B.

Mr Hurford presented plans in connection with the proposed work.

Debate ensued.

Question—put and passed.

- 29 **COMMONWEALTH AND FAMILY COURTS, PERTH—APPROVAL OF WORK:** Mr Hurford (Minister for Housing and Construction), by leave, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Construction of Commonwealth and Family Courts, Perth.

Debate ensued.

Question—put and passed.

- 30 **HEALTH 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 Carlton who moved, as an amendment—That all words after "That" be omitted with a view to substituting the following words: "whilst not declining to give the Bill a second reading, the House is of the opinion that the Bill does not deal adequately with the serious problems faced by the long-term sick and elderly caused by the Medicare 35-day rule, and calls on the Government to withdraw the 35-day rule until proper arrangements have been made to care for patients affected by the rule".

Debate continued.

Question—That the words proposed to be omitted stand part of the question—put.

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

AYES, 62

Mr Baldwin	Mr Duffy	Mrs Kelly	Mr Punch
Mr Beazley	Mr R. F. Edwards	Mr Kent	Mr Reeves
Mr Beddall	Dr Everingham	Mr Keogh	Mr Saunderson
Mr Bilney	Ms Fatin	Mr Kerin	Mr Scholes
Dr Blewett	Mr Free	Dr Klugman	Mr Scott*
Mr Bowen	Mr Gayler	Mr Lindsay	Mr Simmons
Mr J. J. Brown	Mr Gear	Ms McHugh	Mr Snow
Mr R. J. Brown	Mr Gorman	Mr Maher	Mr Staples
Mr Brumby	Mr Griffiths	Mrs Mayer	Mr Tickner
Mr Campbell	Mr Hand	Mr Mildren	Mr Uren
Mr Charles	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 Willis
Mr Cross	Mr Hurford	Mr Morrison	Mr Young
Mr Cunningham*	Mr Jones	Mr Mountford	
Mrs Darling	Mr Keating	Mr O'Neil	

NOES, 32

Mr Adermann	Mr Carlton	Mr Hawker	Mr Moore
Mr Aldred	Mr Coleman	Mr Hicks*	Mr Porter
Mr Andrew	Mr Cowan	Mr Hodgman	Mr Robinson
Mr Braithwaite	Mr Fife	Mr Lloyd	Mr Ruddock
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

* 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.

Message from the Governor-General: Message No. 189, dated 14 September 1984, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

On the motion of Dr Blewett (Minister for Health), the Bill was read a third time.

31 SOCIAL SECURITY AND REPATRIATION LEGISLATION AMENDMENT BILL (NO. 2) 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—

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

Message from the Governor-General: Message No. 190, dated 14 September 1984, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

Dr Blewett (Minister representing the Minister for Social Security) moved—That the Bill be now read a third time.

Debate ensued.

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

32 CUSTOMS TARIFF AMENDMENT BILL (NO. 3) 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.

Paper: Mr Cadman, by leave, presented the following paper:

Hot stamping machines—Customs regulations—Statutory declaration by Ian Richard Rodda, tariff consultant, dated 25 September 1984.

Mr Cadman moved, as an amendment—That all the words after “That” be omitted with a view to substituting the following words: “whilst not declining to give the Bill a second reading, this House notes with concern the decision made by the Australian

Customs Service in reclassifying the duty on hot stamping machines without following the proper procedures”.

Debate continued.

Question—That the words proposed to be omitted stand part of the question—put.

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

AYES, 57

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

NOES, 32

Mr Adermann	Mr I. M. D. Cameron	Mr Hawker	Mr Porter
Mr Aldred	Mr Carlton	Mr Hicks*	Mr Robinson
Mr Andrew	Mr Coleman	Mr Hodgman	Mr Ruddock
Mr Blunt	Mr Fife	Mr Howard	Mr Shipton
Mr Braithwaite	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 Moore	Mr White

* 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.

Leave granted for third reading to be moved forthwith.

On the motion of Mr J. J. Brown (Minister Assisting the Minister for Industry and Commerce), the Bill was read a third time.

- 33 **EXCISE TARIFF AMENDMENT BILL (NO. 2) 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—

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr J. J. Brown (Minister Assisting the Minister for Industry and Commerce), the Bill was read a third time.

- 34 **CUSTOMS TARIFF (COAL EXPORT DUTY) 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 Moore who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “whilst not declining to give the Bill a second reading, the House is of the opinion that, while the Government’s decision to remove the duty on blended coal is to be welcomed, the severe economic circumstances affecting the coal industry and the discriminatory nature of the remaining levy, warrant an immediate and total removal of this duty, as proposed by the policy of the Liberal/National coalition”.

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 J. J. Brown (Minister Assisting the Minister for Industry and Commerce), the Bill was read a third time.

- 35 **OVERSEAS STUDENTS CHARGE 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.

The House continuing to sit until after 12 midnight—

THURSDAY, 4 OCTOBER 1984

Debate continued.

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Bowen (Minister for Trade), the Bill was read a third time.

- 36 **INTERNATIONAL DEVELOPMENT ASSOCIATION (FURTHER PAYMENT) 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—

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

Message from the Governor-General: Message No. 191, dated 10 September 1984, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

On the motion of Mr West (Minister for Immigration and Ethnic Affairs), the Bill was read a third time.

- 37 **QANTAS AIRWAYS LIMITED (LOAN GUARANTEE) 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.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Beazley (Minister for Aviation), the Bill was read a third time.

- 38 **AIR NAVIGATION (CHARGES) 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.

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

The House resolved itself into a committee of the whole.

In the committee

Clauses 1 to 3, by leave, taken together, and agreed to.

Clause 4—

Mr Spender moved the following amendment: Page 2, lines 6 and 7, omit paragraph (c), substitute the following paragraph:

“(c) by omitting from sub-section (2) ‘1%’ and substituting ‘1% or such other amount as is prescribed’; and”.

Debate continued.

Amendment negatived.

Clause agreed to.

Clause 5—

On the motion of Mr Spender, by leave, the following amendments were made together:

Page 2, line 25, omit “5C, 5D, 5E and 5F”, substitute “5BA, 5C, 5D, 5E, 5F and 5FA”.

Page 3, line 10, omit “Where”, substitute “Subject to section 5BA, where”.

Mr Spender moved the following amendment: Page 3, lines 25-34, proposed section 5B, omit sub-section (6), substitute the following sub-section:

“(6) For the purposes of priorities amongst creditors and the purposes of the distribution of proceeds of a sale made under sub-section (9), the statutory lien has effect as a security interest in respect of the aircraft ranking in priority—

- (a) after any security interests in respect of the aircraft created before the time of registration of the statutory lien (together with interest accruing on any such interest after the time of registration of the statutory lien);
- (b) after any unsecured debt coming into existence before the time of the registration of a statutory lien;
- (c) before any secured interest not falling within paragraph (a); and
- (d) before any unsecured debt not falling within paragraph (c).”

Debate continued.

Mr Spender, who had already spoken twice, again addressed the committee, by leave.

Debate continued.

Question—That the amendment be agreed to—put.

The committee divided (the Chairman, Mrs Child, in the Chair)—

AYES, 27

Mr Aldred	Mr Carlton	Mr Hicks*	Mr Ruddock
Mr Andrew	Mr Coleman	Mr Hodgman	Mr Shipton
Mr Blunt	Mr Drummond	Mr Howard	Mr Sinclair
Mr Braithwaite	Mr Fife	Mr McArthur	Mr Spender
Mr Cadman	Mr Fisher	Mr MacKellar	Mr Tuckey
Mr D. M. Cameron	Mr Hall	Mr Porter	Mr White
Mr E. C. Cameron*	Mr Hawker	Mr Rocher	

NOES, 57

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

* Tellers

And so it was negatived.

Mr Spender again addressed the committee, by leave, and, by leave, moved the following amendments together:

Page 4, lines 7 and 8, omit proposed paragraph 5B (8) (a), substitute the following paragraph:

- “(a) shall take reasonable steps to give notice of the seizure to—
- (i) such persons as, in the opinion of an authorized officer, have a security interest in the aircraft;
 - (ii) each person who is any of the following, namely, an owner, operator, lessee, hirer, charterer or pilot in command, of the aircraft; and
 - (iii) such other persons as are prescribed; and”.

Page 4, after proposed section 5B insert the following section:

Certificates

“5BA. (1) Upon a request made in writing in respect of an aircraft by a prescribed person, an authorized officer shall issue a certificate on the prescribed form, stating whether or not, as at a specified date and time, any charge is payable

and unpaid in respect of the aircraft and, in respect of any such charge, the amount of the charge and the date upon which it became payable.

‘(2) Where a certificate has been issued under sub-section (1) in respect of an aircraft, any statutory lien in respect of the aircraft, whether imposed before or after the time to which the certificate relates, does not cover any charge in respect of the aircraft that was payable and unpaid as at that time but was not specified in the certificate or any penalty relating to any such charge.’.

Page 5, line 2, omit “while”, substitute “knowing that”.

Page 5, at the end of proposed section 5D add the following sub-section:

“(4) Sub-section (1) does not apply to an act done as required by or under the Air Navigation Regulations.”.

Page 5, after proposed section 5F insert the following section:

Insurance of aircraft

“5FA. (1) Where an aircraft is to be seized in accordance with sub-section 5B (8), the Commonwealth shall insure the aircraft, and keep it insured, against the loss of, or any damage to, the aircraft during its seizure or while it is in the custody, possession or control of the Commonwealth or of an officer, employee or agent of the Commonwealth.

‘(2) Insurance effected under sub-section (1) shall be for the benefit of the person or persons prescribed.

‘(3) Where an amount of a premium of insurance effected under sub-section (1) is paid by the Commonwealth, an equivalent amount becomes a debt due to the Commonwealth by the person by whom amounts covered by the statutory lien in respect of the aircraft are payable, and, until paid, shall, for the purposes of section 5B, be deemed to be an outstanding amount covered by the lien.’.

Debate continued.

Amendments agreed to.

Clause, as amended, agreed to.

Remainder of Bill, by leave, taken as a whole, and agreed to.

Bill to be reported with amendments.

The House resumed; Mrs Child reported accordingly.

On the motion of Mr Beazley (Minister for Aviation), by leave, the House adopted the report, and, by leave, the Bill was read a third time.

39 **AIR NAVIGATION AMENDMENT BILL (NO. 2) 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—

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Beazley (Minister for Aviation), the Bill was read a third time.

40 **ADJOURNMENT:** Mr Young (Leader of the House) moved—That the House do now adjourn.

Question—put and passed.

And then the House, at 1.38 a.m., adjourned until this day at 10 a.m.

PAPER: The following paper was deemed to have been presented on 3 October 1984:
Remuneration Tribunals Act—Remuneration Tribunal—Determination—
1984/24—Sex Discrimination Commissioner and holders of public offices on
other bodies.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Blanchard, Dr H. R. Edwards, Mr Fry, Mr Hayden, Mr Humphreys, Mr Hunt, Mr Jacobi, Mr Katter, Mr Millar, Mr Newman, Mr O'Keefe, Dr Theophanous and Mr Wilson.

D. M. BLAKE

Clerk of the House of Representatives