

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

## HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 31

WEDNESDAY, 22 MAY 1985

- 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 **BOUNTY (SHIPS) AMENDMENT BILL 1985:** 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.  
*Message from the Governor-General:* Message No. 42, dated 18 April 1985, from His Excellency the Governor-General 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.

*Proposed new clause—*

Mr Connolly moved—That the following new clause be inserted in the Bill:

**Bounty not payable in respect of construction or modification completed after 30 June 1987**

“7A. Section 6 of the Principal Act is amended by adding at the end the following sub-section:

‘(6) Bounty is not payable in respect of the construction or modification of a vessel where that construction or modification is completed after 30 June 1987.’”

Debate ensued.

Proposed new clause negatived.

On the motion of Mr Jones (Minister Assisting the Minister for Industry, Technology and Commerce), by leave, the following amendments were made together, after debate:

Clause 8, page 9, omit proposed sub-sections 6A (2) and (3), substitute the following sub-sections:

“(2) If the Comptroller-General is of the opinion, in relation to a period referred to in sub-section (1), that the amount (in this sub-section referred to as the “relevant amount”) available for payment of bounty in respect of the construction or modification of bountiable vessels of the kind referred to in sub-section (1) will be or is insufficient to meet all valid claims for bounty in respect of the vessels, amounts of bounty in respect of the claims shall, subject to the regulations, be approved for payment in such order as is determined by the Comptroller-General in writing and, when the aggregate of the amounts of bounty approved for payment in respect of the vessels equals the relevant amount, no further amounts of bounty are payable in respect of the vessels.

'(3) Without limiting the generality of sub-section (2), regulations made for the purpose of that sub-section may make provision for and in relation to—

- (a) the reservation of amounts available, in relation to a period referred to in sub-section (1), for payment of bounty in respect of the construction or modification of bountiable vessels of the kind referred to in that sub-section;
- (b) amounts in respect of amounts of bounty so reserved to be approved for payment before any other amounts of bounty are approved for payment; and
- (c) deeming the construction or modification of vessels that are completed outside such a period to have been completed within such a period.'".

Clause 11—

Page 10, line 1, after "claim," insert "but subject to sub-section 6A (2),".

Page 10, line 41, after "apply," insert "but subject to sub-section 6A (2),".

Clause 15, page 20, omit the clause, substitute the following clause:

**Stock-taking and inspection of production and accounts, &c.**

"15. Section 14 of the Principal Act is amended—

- (a) by omitting from paragraph (1) (a) 'yards; or' and substituting 'premises;';
- (b) by inserting after paragraph (1) (b) the following word and paragraph:  
'; or (ba) premises where there are kept any accounts, books, documents or other records relating to the construction or modification (including the cost of construction or modification) of any bountiable vessel;';
- (c) by omitting paragraph (1) (e) and substituting the following:  
'(e) inspect the accounts, books, documents and other records relating to the construction or modification of any bountiable vessel, and may make and retain copies of, or take and retain extracts from, any such accounts, books, documents and other records'; and
- (d) by omitting from sub-section (2) 'registered yards' and substituting 'registered premises'."

Clause 21—

Page 25, line 21, omit "or".

Page 25, at the end of proposed sub-section 20 (2) add the following paragraphs:

- "(g) if a determination has been made by virtue of sub-section 6A (2) in respect of the construction or modification of the vessel, either—
  - (i) set aside the determination; or
  - (ii) set aside the determination and make a further determination under that sub-section in respect of the construction or modification of the vessel; or
- (h) if a determination has not been made under sub-section 6A (2) in respect of the construction or modification of the vessel, make such a determination."

Bill, as amended, agreed to.

Bill to be reported with amendments.

The House resumed; Mrs Child reported accordingly.

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

3 **BROADCASTING AND TELEVISION AMENDMENT BILL 1985:** 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*

Bill, by leave, taken as a whole.

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

*Amendments—*

Clause 2, page 1, lines 10 and 11, omit “a day to be fixed by Proclamation”, substitute “1 January 1986”.

## Clause 14—

Page 9, line 26, after “area” insert “, having regard to the nature of any broadcasting service provided in that area by the Corporation or the Service and to such other matters as the Tribunal considers relevant”.

Page 9, at the end of the clause add the following sub-clause:

“(3) For the purposes of the application, before 1 January 1986, of section 18A of the Principal Act as amended by this Act—

- (a) references in that section to broadcasting shall be read as including references to television or televising, as the case requires; and
- (b) references in that section to licensees shall be read as references to the holders of licences within the meaning of Part IIIB of the Principal Act as so amended.”.

Clause 96, page 44, lines 17 and 18, omit “the day fixed by Proclamation for the purposes of sub-section 2 (1)”, substitute “1 January 1986”.

Clause 98, page 48, line 13, omit “date of commencement of this Act”, substitute “commencement date”.

*New clause—*

Page 51, after clause 102 insert the following new clause:

**Area inquiries**

“102A. For the purposes of the application of section 18A of the amended Act on or after the commencement date, references in that section to licensees shall be read as including references to the holders of old system licences.”.

*Amendment—*

Schedule, page 53, omit the item relating to sub-section 99 (3).

Bill, as amended, agreed to.

Bill to be reported with amendments.

The House resumed; Mrs Child reported accordingly.

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

**4 BROADCASTING AND TELEVISION (CONSEQUENTIAL AMENDMENTS) BILL 1985:**

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 Duffy (Minister for Communications), the following amendment was made: Clause 2, page 1, lines 7-9, omit “the day fixed by Proclamation for the purposes of sub-section 2 (1) of the *Broadcasting and Television Amendment Act 1985*”, substitute “1 January 1986”.

Bill, as amended, agreed to.

Bill to be reported with an amendment.

The House resumed; Mrs Child reported accordingly.

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

- 5 **BROADCASTING STATIONS LICENCE FEES AMENDMENT BILL 1985:** 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.

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*In the committee*

Bill, by leave, taken as a whole.

On the motion of Mr Duffy (Minister for Communications), the following amendment was made: Clause 2, page 1, lines 9-11, omit "the day fixed by Proclamation for the purposes of sub-section 2 (1) of the *Broadcasting and Television Amendment Act 1985*", substitute "1 January 1986".

Bill, as amended, agreed to.

Bill to be reported with an amendment.

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The House resumed; Mrs Child reported accordingly.

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

- 6 **TELEVISION STATIONS LICENCE FEES AMENDMENT BILL 1985:** 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.

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*In the committee*

Bill, by leave, taken as a whole.

On the motion of Mr Duffy (Minister for Communications), the following amendment was made: Clause 2, page 1, lines 9-11, omit "the day fixed by Proclamation for the purposes of sub-section 2 (1) of the *Broadcasting and Television Amendment Act 1985*", substitute "1 January 1986".

Bill, as amended, agreed to.

Bill to be reported with an amendment.

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The House resumed; Mrs Child reported accordingly.

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

- 7 **QUESTIONS:** Questions without notice were asked.

- 8 **BROADCASTING OF PARLIAMENTARY PROCEEDINGS—JOINT COMMITTEE—SPECIAL REPORT:** Mr Speaker (Chairman) presented the following report from the Joint Committee on the Broadcasting of Parliamentary Proceedings:

Televising and radio broadcasting of both Houses of Parliament and their committees—Special report relating to the broadcast of excerpts of proceedings, dated 20 May 1985.

- 9 **HOUSE OF REPRESENTATIVES—BROADCASTING AND RE-BROADCASTING OF EXCERPTS OF PROCEEDINGS:** Mr Young (Leader of the House), by leave, moved—That this House authorises the broadcasting and re-broadcasting on Australian radio and television stations of a sound record of excerpts of its proceedings

for a trial period from 20 August 1985 until the end of the 1985 Budget period of sittings, subject to the conditions determined for this purpose by the Joint Committee on the Broadcasting of Parliamentary Proceedings.

Debate adjourned (Mr Sinclair—Leader of the National Party of Australia), and the resumption of the debate made an order of the day for a later hour this day.

**10 PAPERS:** The following papers were presented:

Student Assistance Act—Report by Minister on operation of Act for 1984.

Women, sport and the media—Report from the Working Group on Women in Sport, dated 8 May 1985.

**11 ARBITRATION INSPECTORATE—REPORT—MOTION TO TAKE NOTE OF PAPER:** Mr Willis (Minister for Employment and Industrial Relations) presented the following paper:

Conciliation and Arbitration Act—Arbitration Inspectorate—Report for year 1983-84.

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

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

**12 EDWARD RIVER CROCODILE FARM—REPORT—MOTION TO TAKE NOTE OF PAPER:** Mr Holding (Minister for Aboriginal Affairs) presented the following paper:

Edward River Crocodile Farm Pty Limited—Report for year 1983-84.

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

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

**13 NICHOLSON RIVER (WAANYI-GARAWA) LAND CLAIM—REPORT BY ABORIGINAL LAND COMMISSIONER—MOTION TO TAKE NOTE OF PAPER:** Mr Holding (Minister for Aboriginal Affairs) presented the following paper:

Aboriginal Land Commissioner—Report to the Minister for Aboriginal Affairs and the Administrator of the Northern Territory relating to Nicholson River (Waanyi-Garawa) Land Claim, dated 26 July 1984.

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

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

**14 ABORIGINAL DEVELOPMENT COMMISSION—PAPERS—MOTION TO TAKE NOTE OF PAPERS:** Mr Holding (Minister for Aboriginal Affairs) presented the following papers:

Aboriginal Development Commission Act—Aboriginal Development Commission—Report and financial statements, together with the Auditor-General's Report, for year 1983-84, and comments by the National Aboriginal Conference.

Acts Interpretation Act—Statements relating to extension of specified period for presentation of periodic report—Aboriginal Development Commission, report for year 1983-84.

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

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

**15 HOUSE OF REPRESENTATIVES—BROADCASTING AND RE-BROADCASTING OF EXCERPTS OF PROCEEDINGS:** The order of the day having been read for the resumption of the debate on the motion of Mr Young (Leader of the House) relating to the broadcasting and re-broadcasting of excerpts of the proceedings of the House (see entry No. 9)—

Debate resumed.

Question—put and passed.

**16 AUSTRALIA'S SECURITY AND INTELLIGENCE AGENCIES—REPORTS OF ROYAL COMMISSION—PUBLICATION OF PAPERS—MINISTERIAL STATEMENT:** Mr Hawke (Prime Minister) presented the following papers:

Australia's security and intelligence agencies—Reports of Royal Commission, dated December 1984—

Australian Security Intelligence Organization.

General report.

Office of National Assessments and the Joint Intelligence Organization.

Mr Young (Leader of the House), by leave, moved—That this House, in accordance with the provisions of the *Parliamentary Papers Act 1908*, authorises the publication of the following reports of the Royal Commission on Australia's Security and Intelligence Agencies:

Australian Security Intelligence Organization;

General report, and

Office of National Assessments and Joint Intelligence Organization.

Question—put and passed.

Mr Hawke, by leave, made a ministerial statement in connection with the reports.

Mr Peacock (Leader of the Opposition), by leave, also made a statement in connection with the matter.

**17 PETITIONS:** The Clerk announced that the following Members had each lodged petitions for presentation, viz.:

Mr Baldwin, Mr Gorman, Mr Lee, Ms McHugh, Mr Martin, Mr Snow and Mr Tickner—from certain citizens praying that efforts for nuclear disarmament be intensified, US military bases on Australian soil be removed and the Pacific and Indian Oceans be kept nuclear free.

Mr Beale, Mr N. A. Brown, Mr Holding, Mr Kent, Mr Lamb and Mr Shipton—from certain citizens praying that the national flag not be changed except by a referendum.

Mr Cobb, Mr Fife and Mr Ruddock—from certain citizens in similar terms to the last preceding petition.

Mr Cadman and Mr Fife—from certain citizens praying that the rights of private enterprise be protected and any inequitable additional taxes be rejected.

Mrs Darling and Dr Watson—from certain citizens praying that a national park be set aside for wild horses and action be taken to ensure that killing of feral animals be undertaken in a humane manner.

Mr Howard and Dr Watson—from certain citizens praying that sales tax be replaced by a broad based consumption tax with a uniform ad valorem rate.

Mr Moore and Mr Tickner—from certain citizens praying that wild horses be protected from industry and indiscriminate slaughter.

Mr Adermann—from certain residents of the Division of Fairfax praying that the Government reconsider the assets test.

Mr N. A. Brown—from certain citizens praying that the Social Security and Repatriation Assets Test Abolition Bill be passed.

Mr Cadman—from certain citizens praying that a referendum be held on strengthening Australia's defence relationship with the United States.

Mr E. C. Cameron—from certain citizens praying that certain action be taken against the importation and distribution of pornographic and obscene materials.

Mr E. C. Cameron—from certain citizens praying that young Australians who have undertaken employment while at school be eligible for Tertiary Education Assistance allowances.

Mr Charles—from certain citizens praying that the tax threshold be raised to \$10,000 and certain other action be taken in support of low income earners and those on social welfare.

Mr Cobb—from certain citizens praying for Commonwealth and State co-operation and financial commitment in making certain aircraft available for fighting bushfires in New South Wales.

Mr Darling—from certain citizens praying for the continuation of the public inquiry into the legislation relating to video classification.

Mr Goodluck—from certain citizens praying that the price of petrol be reduced by 3 cents per litre.

Mr Holding—from certain citizens praying that the establishment of an Australian aerospace agency be supported.

Mr Kent—from certain citizens praying that the Government support the stand taken by the New Zealand Government on nuclear vessels and that the policy of developing zones of peace and nuclear free zones in the Indian and Pacific Oceans be implemented.

Mr Langmore—from certain citizens praying that the decision to sell the Belconnen Mall, ACT, not be proceeded with and that it be retained as a community asset.

Mr Lloyd—from certain citizens praying that an impact study be undertaken with the dairy industry before any introduction of the proposed dairy industry plan.

Mrs Mayer—from certain citizens praying that the proposed shift towards increased indirect taxation not be adopted.

Mr Nehl—from certain electors of the Division of Cowper praying that any attempt to introduce additional capital gains taxes, wealth taxes or death duties be opposed and existing taxes in these areas be repealed.

Mr Porter—from certain residents of South Australia praying that commercial television reception in Pinnaroo, SA, and adjacent areas be upgraded.

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

Mr Adermann—from certain residents of the Division of Fairfax in similar terms to the last preceding petition.

Mr Rocher—from certain citizens praying that the Australia Post agency at Joondanna, WA, continue to operate.

Petitions received.

**18 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—RUN-DOWN OF ARMY RESERVE:**

The Deputy Speaker informed the House that Mr Aldred had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The alarming run-down by the Government of the manpower, morale and effectiveness of the Army Reserve".

The proposed discussion having received the necessary support—

Mr Aldred addressed the House.

Discussion ensued.

Discussion concluded.

**19 PUBLIC WORKS COMMITTEE—REPORT:** Mr Millar (Vice-Chairman) presented the following report from the Parliamentary Standing Committee on Public Works:

Report relating to the construction of facilities for the Australian Frigate Project, Williamstown Dockyard, Melbourne—Phase B (5th report of 1985).

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

**21 CHEQUES BILL 1985:** Mr Bowen (Attorney-General), pursuant to notice, presented a Bill for an Act relating to cheques and certain other negotiable instruments.

Bill read a first time.

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

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

**22 BILLS OF EXCHANGE AMENDMENT BILL 1985:** Mr Bowen (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Bills of Exchange Act 1909*, and for related purposes.

Bill read a first time.

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

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

**23 AUSTRALIAN CONSTITUTIONAL CONVENTION—PARTICIPATION BY COMMONWEALTH PARLIAMENT—AMENDMENT OF RESOLUTION:** Mr Bowen (Attorney-General), by leave, moved—

- (1) That the resolution of the House of 21 May 1985, concerning the delegation from the Commonwealth Parliament to the Australian Constitutional Convention, be amended, as follows:
  - (a) paragraph (1) (a)—omit “4 shall be members of the Senate and 8”, substitute “5 shall be members of the Senate and 7”;
  - (b) paragraph (1) (b)—omit “8 Members of the House of Representatives comprise 4 members of the Australian Labor Party, 3”, substitute “7 Members of the House of Representatives comprise 4 members of the Australian Labor Party, 2”, and
  - (c) paragraph (2) (b)—omit “2 other Members”, substitute “another Member”.
- (2) That a message be sent to the Senate acquainting it of this resolution agreed to by the House of Representatives.

Debate ensued.

Question—put and passed.

**24 BUDGET SPEECH AND REPLY—TELEVISION COVERAGE:** Mr Young (Leader of the House), pursuant to notice, moved—That this House authorises—

- (1) the Speaker to make arrangements for the preliminary proceedings relating to the introduction of the Appropriation Bill (No. 1) 1985-86, all or part of the second reading speech of the Treasurer, and all or part of the reply to that speech by the Leader of the Opposition to be filmed by the Australian Broadcasting Corporation;
- (2) the direct, live, telecast of all or part of that film and the accompanying sound of the proceedings by any television station provided that a station telecasts both speeches live and gives approximately equal time to both speeches, and
- (3) the use by any television station of any part of the filmed proceedings and accompanying sound in subsequent news, current affairs and documentary programs.

Debate ensued.

Question—put and passed.

**25 PUBLIC WORKS COMMITTEE—REFERENCE OF WORK—COMMONWEALTH CENTRE, MELBOURNE—REFURBISHMENT:** Mr West (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: Refurbishment of Commonwealth Centre and associated major fitout works, Melbourne.

Mr West presented plans in connection with the proposed work.

Debate ensued.

Question—put and passed.

**26 COMMONWEALTH OFFICES, SYDNEY (KINGSFORD-SMITH) AIRPORT—CONSTRUCTION —APPROVAL OF WORK:** Mr West (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 new Commonwealth Offices, Sydney (Kingsford-Smith) Airport.

Debate ensued.

Question—put and passed.

- 27 **CUSTOMS TARIFF PROPOSALS NO. 5 (1985) AND EXCISE TARIFF PROPOSALS NO. 3 (1985):** Mr Jones (Minister Assisting the Minister for Industry, Technology and Commerce) moved—

Customs Tariff Proposals No. 5 (1985), and

Excise Tariff Proposals No. 3 (1985).

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

- 28 **MESSAGE FROM THE SENATE—CUSTOMS AND EXCISE LEGISLATION AMENDMENT BILL 1985:** The following message from the Senate was reported:

Message No. 52

Mr Speaker,

The Senate returns to the House of Representatives the Bill for "*An Act to amend the 'Customs Act 1901', the 'Excise Act 1901' and certain other Acts, and for related purposes*", and acquaints the House that the Senate has agreed to the Bill with the Amendments indicated by the annexed Schedule, in which Amendments the Senate requests the concurrence of the House of Representatives.

D. McCLELLAND  
President

The Senate,  
Canberra, 21 May 1985

Ordered—That the amendments be taken into consideration, in committee of the whole House, at a later hour this day.

- 29 **AUSTRALIAN NATIONAL UNIVERSITY COUNCIL:** Mr Cohen (Minister for Arts, Heritage and Environment), by leave, moved—That, in accordance with the provisions of section 11 of the *Australian National University Act 1946*, this House elects Mr Ruddock and Dr Klugman to be members of the Council of the Australian National University for a period of 3 years from 18 August 1985.

Question—put and passed.

- 30 **HEALTH LEGISLATION AMENDMENT BILL 1985:** 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—

*Statement by Minister:* Dr Blewett (Minister for Health), by leave, made a statement relating to a proposed Government amendment to the Bill.

Debate resumed by Mr Porter 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 notes that—

- (a) the long and unnecessary delay by the Government in implementing the changes to Medicare embodied in the Bill has caused intolerable pain and suffering, and
- (b) the amendments fall short of the urgent and fundamental changes required to Medicare to restore a high standard, balanced, private and public health delivery system".

Debate continued.

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

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

## AYES, 69

Mr Baldwin	Mr Duncan	Mrs Kelly	Mr O'Neil
Mr Beazley	Mr R. F. Edwards	Mr Kent	Mr Price
Mr Beddall	Ms Fatin	Mr Keogh	Mr Punch
Mr Bilney	Mr Fitzgibbon	Mr Kerin	Mr Saunderson
Mr Blanchard	Mr Free	Dr Klugman	Mr Scholes
Dr Blewett	Mr Gayler	Mr Lamb	Mr Scott
Mr Bowen	Mr Gear	Mr Langmore	Mr Simmons
Mr R. J. Brown	Mr Gorman	Mr Lee	Mr Staples
Mr Brumby	Mr Grace	Ms McHugh	Dr Theophanous
Mr Charles	Mr Griffiths	Mr McLeay	Mr Tickner
Dr Charlesworth	Mr Hand	Mr Maher	Mr Uren
Mr Chynoweth	Mr Holding	Mr Martin	Mr West
Mr Cleeland	Mr Hollis	Mrs Mayer	Mr Willis
Mr Cross	Mr Howe	Mr Mildren	Mr Wright
Mr Cunningham*	Mr Humphreys*	Mr Milton	Mr Young
Mrs Darling	Mr Hurford	Mr A. A. Morris	
Mr Dubois	Mr Jacobi	Mr P. F. Morris	
Mr Duffy	Mrs Jakobsen	Mr O'Keefe	

## NOES, 56

Mr Adermann	Mr Conquest	Mr Hodges	Mr Porter
Mr Aldred	Mr Cowan	Mr Hodgman	Mr Reith
Mr Andrew	Mr Downer	Mr Hunt	Mr Robinson
Mr Beale	Mr Drummond	Mr Jull	Mr Rocher
Mr Blunt	Dr H. R. Edwards	Mr Katter	Mr Ruddock
Mr Braithwaite	Mr Everingham	Mr Lloyd	Mr Sharp
Mr N. A. Brown	Mr Fife	Mr McArthur	Mr Shipton
Mr Burr	Mr T. A. Fischer	Mr McGauran	Mr Smith
Mr Cadman	Mr P. S. Fisher	Mr MacKellar	Mr Spender
Mr D. M. Cameron	Mr Goodluck	Mr Macphee	Mrs Sullivan
Mr E. C. Cameron*	Mr Hall	Mr Miles	Dr Watson
Mr Carlton	Mr Halverson	Mr Millar	Mr Webster
Mr Cobb	Mr Hawker	Mr Moore	Mr White
Mr Coleman	Mr Hicks*	Mr Nehl	Mr Wilson

\* 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. 43, dated 16 May 1985, from His Excellency the Governor-General 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.

Clause 9 omitted, after debate.

Bill, as amended, agreed to.

Bill to be reported with an amendment.

The House resumed; Mr Keogh reported accordingly.

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

31 **WOOL INDUSTRY AMENDMENT BILL 1985:** 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.

*Message from the Governor-General:* Message No. 44, dated 10 May 1985, 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 Kerin (Minister for Primary Industry), the Bill was read a third time.

- 32 **WOOL TAX (NOS. 1 TO 5) AMENDMENT BILLS 1985:** The order of the day having been read for the resumption of the debate on the question—That the Bills be now read a second time—

Question—put and passed—Bills together read a second time.

Leave granted for third readings to be moved forthwith.

On the motion of Mr Kerin (Minister for Primary Industry), the Bills were together read a third time.

- 33 **SOCIAL SECURITY AND REPATRIATION LEGISLATION AMENDMENT BILL 1985:** 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 Braithwaite who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “whilst reiterating the Opposition’s intention to abolish the ‘assets test’, the Government be rebuked for not providing within the Bill the amendments required to remove the anomalies and hardships provided within the present test so as to effect the review of the assets test promised by both the Minister and the Prime Minister”.

Debate continued.

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

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

AYES, 74

Mr Baldwin	Mr Dubois	Mrs Jakobsen	Mr P. F. Morris
Mr Beazley	Mr Duffy	Mr Jones	Mr O’Keefe
Mr Beddall	Mr Duncan	Mr Keating	Mr O’Neil
Mr Bilney	Mr R. F. Edwards	Mrs Kelly	Mr Price
Mr Blanchard	Ms Fatin	Mr Kent	Mr Punch
Dr Blewett	Mr Fitzgibbon	Mr Keogh	Mr Saunderson
Mr Bowen	Mr Free	Mr Kerin	Mr Scholes
Mr J. J. Brown	Mr Gayler	Dr Klugman	Mr Scott
Mr R. J. Brown	Mr Gear	Mr Lamb	Mr Simmons
Mr Brumby	Mr Gorman	Mr Langmore	Mr Snow
Mr Campbell	Mr Grace	Mr Lee	Mr Staples
Mr Charles	Mr Griffiths	Ms McHugh	Dr Theophanous
Dr Charlesworth	Mr Hand	Mr McLeay	Mr Tickner
Mrs Child	Mr Holding	Mr Maher	Mr West
Mr Chynoweth	Mr Hollis	Mr Martin	Mr Willis
Mr Cleeland	Mr Howe	Mrs Mayer	Mr Wright
Mr Cross	Mr Humphreys*	Mr Mildren	Mr Young
Mr Cunningham*	Mr Hurford	Mr Milton	
Mrs Darling	Mr Jacobi	Mr A. A. Morris	

## NOES, 59

Mr Adermann	Mr Conquest	Mr Hodgman	Mr Rocher
Mr Aldred	Mr Cowan	Mr Hunt	Mr Ruddock
Mr Beale	Mr Downer	Mr Jull	Mr Shack
Mr Blunt	Mr Drummond	Mr Lloyd	Mr Sharp
Mr Braithwaite	Dr H. R. Edwards	Mr McArthur	Mr Shipton
Mr N. A. Brown	Mr Everingham	Mr McGauran	Mr Sinclair
Mr Burr	Mr Fife	Mr MacKellar	Mr Slipper
Mr Cadman	Mr T. A. Fischer	Mr Macphee	Mr Smith
Mr D. M. Cameron	Mr P. S. Fisher	Mr Miles	Mr Spender
Mr E. C. Cameron*	Mr Goodluck	Mr Millar	Mrs Sullivan
Mr I. M. D. Cameron	Mr Hall	Mr Moore	Dr Watson
Mr Carlton	Mr Halverson	Mr Nehl	Mr Webster
Mr Cobb	Mr Hawker	Mr Porter	Mr White
Mr Coleman	Mr Hicks*	Mr Reith	Mr Wilson
Mr Connolly	Mr Hodges	Mr Robinson	

\* 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. 45, dated 10 May 1985, from His Excellency the Governor-General 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*

Clauses 1 to 33, by leave, taken together, and agreed to.

Clause 34—

Mr Braithwaite moved the following amendment: Page 13, omit paragraph (c).

Amendment negatived.

Clause agreed to.

Clauses 35 to 37, by leave, taken together, and debated.

Question—That the clauses be agreed to—put.

The committee divided (the Deputy Chairman, Mr Keogh, in the Chair)—

## AYES, 73

Mr Baldwin	Mr Dubois	Mrs Jakobsen	Mr O'Keefe
Mr Beazley	Mr Duffy	Mr Jones	Mr O'Neil
Mr Beppard	Mr Duncan	Mr Keating	Mr Price
Mr Bilney	Mr R. F. Edwards	Mrs Kelly	Mr Punch
Mr Blanchard	Ms Fatin	Mr Kent	Mr Saunderson
Dr Blewett	Mr Fitzgibbon	Mr Kerin	Mr Scholes
Mr Bowen	Mr Free	Dr Klugman	Mr Scott
Mr J. J. Brown	Mr Gayler	Mr Lamb	Mr Simmons
Mr R. J. Brown	Mr Gear	Mr Langmore	Mr Snow
Mr Brumby	Mr Gorman	Mr Lee	Mr Staples
Mr Campbell	Mr Grace	Ms McHugh	Dr Theophanous
Mr Charles	Mr Griffiths	Mr McLeay	Mr Tickner
Dr Charlesworth	Mr Hand	Mr Maher	Mr West
Mrs Child	Mr Holding	Mr Martin	Mr Willis
Mr Chynoweth	Mr Hollis	Mrs Mayer	Mr Wright
Mr Cleeland	Mr Howe	Mr Mildren	Mr Young
Mr Cross	Mr Humphreys*	Mr Milton	
Mr Cunningham*	Mr Hurford	Mr A. A. Morris	
Mrs Darling	Mr Jacobi	Mr P. F. Morris	

## NOES, 60

Mr Adermann	Mr Connolly	Mr Hodges	Mr Robinson
Mr Aldred	Mr Conquest	Mr Hodgman	Mr Rocher
Mr Andrew	Mr Cowan	Mr Howard	Mr Ruddock
Mr Beale	Mr Downer	Mr Jull	Mr Shack
Mr Blunt	Mr Drummond	Mr Lloyd	Mr Sharp
Mr Braithwaite	Dr H. R. Edwards	Mr McArthur	Mr Shipton
Mr N. A. Brown	Mr Everingham	Mr McGauran	Mr Sinclair
Mr Burr	Mr Fife	Mr MacKellar	Mr Slipper
Mr Cadman	Mr T. A. Fischer	Mr Macphee	Mr Smith
Mr D. M. Cameron	Mr P. S. Fisher	Mr Miles	Mr Spender
Mr E. C. Cameron*	Mr Goodluck	Mr Millar	Mrs Sullivan
Mr I. M. D. Cameron	Mr Hall	Mr Moore	Dr Watson
Mr Carlton	Mr Halverson	Mr Nehl	Mr Webster
Mr Cobb	Mr Hawker	Mr Porter	Mr White
Mr Coleman	Mr Hicks*	Mr Reith	Mr Wilson

\* Tellers

And so it was resolved in the affirmative.

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

Bill to be reported without amendment.

The House resumed; Mr Keogh reported accordingly.

On the motion of Mr J. J. Brown (Minister for Sport, Recreation and Tourism), the House adopted the report, and, by leave, the Bill was read a third time.

- 34 CUSTOMS AND EXCISE LEGISLATION AMENDMENT BILL 1985—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 8, clause 16, proposed new sub-section 234AB (1), lines 9 to 19, leave out the sub-section, insert the following new sub-sections:

“(1) An officer may direct a person, including a passenger disembarking from, or embarking on, a ship or aircraft—

- (a) not to operate a camera, or use an appliance to record or transmit sound, at a place in relation to which a sign is displayed under sub-section 234AA (2); or
- (b) not to operate a camera, or use an appliance to record or transmit sound, at a place (being a place that is part of a ship, of an aircraft or of a wharf) at a time when the personal baggage of passengers disembarking from, or embarking on, a ship or aircraft, is being examined, for the purposes of this Act, at or in the vicinity of that place.

“(1A) Where an officer gives to a person a direction under sub-section (1), the officer shall inform that person that failure to comply with that direction is an offence under this Act.

“(1B) A person shall not, without reasonable excuse, fail to comply with a direction given to that person by an officer in accordance with sub-section (1).

Penalty: \$1,000.”

No. 2—Page 8, clause 16, proposed new sub-section 234AB (2), line 21, leave out “sub-section (1)”, insert “sub-section (1B)”.

No. 3—Page 11, paragraph 23 (a), after proposed new sub-section 269P (2B), insert the following new sub-section:

“(2C) A revocation under sub-section (2B) of a concession order comes into effect on the date specified in the order of revocation, not being a date earlier than the date of the making of the order.”

On the motion of Mr Jones (Minister Assisting the Minister for Industry, Technology and Commerce), the amendments were agreed to, after debate.

Resolution to be reported.

The House resumed; Mr Keogh reported accordingly.  
On the motion of Mr Jones, the House adopted the report.

**35 MESSAGES FROM THE SENATE:** Messages from the Senate were reported returning the following Bills without requests:

22 May 1985—Message—

No. 54—Excise Tariff Amendment 1985.

No. 55—Customs Tariff Amendment 1985.

No. 58—Sales Tax (No. 5) Amendment 1985.

No. 59—Sales Tax (No. 10A) 1985.

No. 60—Sales Tax (No. 10B) 1985.

No. 61—Sales Tax (No. 10C) 1985.

**36 MESSAGE FROM THE SENATE—AUSTRALIAN CONSTITUTIONAL CONVENTION—PARTICIPATION BY COMMONWEALTH PARLIAMENT:** The following message from the Senate was reported:

Message No. 53

Mr Speaker,

The Senate transmits to the House of Representatives the following Resolution which was agreed to by the Senate this day:

That the Senate, recognizing the desirability of a thorough review of the Australian Constitution in the light of experience since its establishment and of modern day requirements, agrees that the Commonwealth Parliament continue its participation in the Australian Constitutional Convention established to review the Commonwealth of Australia Constitution and accordingly resolves:

- (1) That, for the purposes of the Convention—
  - (a) a Delegation from the Commonwealth Parliament take part in the deliberations of the Convention, and comprise 12 members of the Parliament of whom 5 shall be members of the Senate and 7 shall be members of the House of Representatives;
  - (b) the 5 members of the Senate comprise 2 members of the Australian Labor Party, 2 members of the Opposition and one member of the Australian Democrats.
- (2) That—
  - (a) 2 Senators being members of the Australian Labor Party, nominated by the Leader of the Government in the Senate;
  - (b) 2 Senators being members of the Opposition, nominated by the Leader of the Opposition in the Senate; and
  - (c) one Senator being a member of the Australian Democrats, nominated by the Leader of that Party in the Senate, be members of the Delegation.
- (3) That the Prime Minister or his nominee be the Leader of the Delegation, and the Leader of the Opposition or his nominee be the Deputy Leader.
- (4) That a member of the Delegation cease to be such a member if—
  - (a) he ceases to be a member of the Commonwealth Parliament;
  - (b) the House of Parliament of which he is a member terminates his appointment; or
  - (c) he resigns as a member of the Delegation by writing addressed to the President of the Senate or the Speaker of the House of Representatives, as the case requires.
- (5) That where, because of illness or any other cause, a member of the Delegation is not available to attend a meeting, or part of a meeting, of the Convention, the Leader or senior available member of that member's Party may nominate an

alternative member and the member so nominated shall be a member of the Delegation for that meeting, or that part of that meeting.

- (6) That, in the event of a member of the Delegation ceasing to be such a member, the Leader of that member's Party in the House from which that member was drawn may nominate another member (being a member of the House of which the first-mentioned member is or was a member) to replace the first-mentioned member.
- (7) That the Leader of the Delegation from time to time make a report for presentation to each House of the Parliament on matters arising out of the Convention, and that the Deputy Leader of the Delegation may make an accompanying report.

The Senate requests that the House of Representatives reconsider the Resolution transmitted to the Senate by Message No. 111.

D. McCLELLAND  
President

The Senate,  
Canberra, 22 May 1985

- 37 MESSAGE FROM THE SENATE—SALES TAX LAWS AMENDMENT BILL 1985: The following message from the Senate was reported:

Message No. 56

Mr Speaker,

The Senate returns to the House of Representatives the Bill for "*An Act to amend various laws in relation to sales tax, and for related purposes*", and acquaints the House that the Senate has agreed to the Bill with the Amendment indicated by the annexed Schedule, in which Amendment the Senate requests the concurrence of the House of Representatives.

D. McCLELLAND  
President

The Senate,  
Canberra, 22 May 1985

Ordered—That the amendment be taken into consideration, in committee of the whole House, at the next sitting.

- 38 MESSAGE FROM THE SENATE—SALES TAX ASSESSMENT BILL (NO. 10) 1985: The following message from the Senate was reported:

Message No. 57

Mr Speaker,

The Senate returns to the House of Representatives the Bill for "*An Act relating to the imposition, assessment and collection of a tax upon the sale value of certain goods in Australia, and for other purposes*", and acquaints the House that the Senate has agreed to the Bill with the Amendment indicated by the annexed Schedule, in which Amendment the Senate requests the concurrence of the House of Representatives.

D. McCLELLAND  
President

The Senate,  
Canberra, 22 May 1985

Ordered—That the amendment be taken into consideration, in committee of the whole House, at the next sitting.

- 39 EXPENDITURE—STANDING COMMITTEE—REPORT—MOTION TO TAKE NOTE OF PAPER: Mr McLeay (Chairman) presented the following report from the Standing Committee on Expenditure:

Aboriginal Development Commission—Final report, dated May 1985, incorporating a dissenting report, together with a copy of the minutes of proceedings.

Ordered—That the report be printed.

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

Debate ensued.

The House continuing to sit until after 12 midnight—

THURSDAY, 23 MAY 1985

*Privilege—Complaint of breach:* Mr Sinclair (Leader of the National Party of Australia) raised, as a matter of privilege, the provision to outside counsel of a final draft of the report of the Standing Committee on Expenditure relating to the Aboriginal Development Commission, as disclosed by the chairman of the committee in his remarks to the House.

The Deputy Speaker stated that the matter would be considered in accordance with practice and a report made to the House.

Debate continued on the question—That the House take note of the paper.

Mr J. J. Brown (Minister for Sport, Recreation and Tourism) moved—That the debate be now adjourned.

Question—put.

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

AYES, 73

Mr Baldwin	Mr Duffy	Mr Jones	Mr O'Keefe
Mr Beazley	Mr Duncan	Mr Keating	Mr O'Neil
Mr Beddall	Mr R. F. Edwards	Mrs Kelly	Mr Price
Mr Bilney	Ms Fatin	Mr Kent	Mr Punch
Mr Blanchard	Mr Fitzgibbon	Mr Keogh	Mr Saunderson
Dr Blewett	Mr Free	Mr Kerin	Mr Scholes
Mr Bowen	Mr Gayler	Dr Klugman	Mr Scott
Mr J. J. Brown	Mr Gear	Mr Lamb	Mr Simmons
Mr R. J. Brown	Mr Gorman	Mr Langmore	Mr Snow
Mr Brumby	Mr Grace	Mr Lee	Mr Staples
Mr Campbell	Mr Griffiths	Ms McHugh	Dr Theophanous
Mr Charles	Mr Hand	Mr McLeay	Mr Tickner
Dr Charlesworth	Mr Holding	Mr Maher	Mr West
Mr Chynoweth	Mr Hollis	Mr Martin	Mr Willis
Mr Cleeland	Mr Howe	Mrs Mayer	Mr Wright
Mr Cross	Mr Humphreys*	Mr Mildren	Mr Young
Mr Cunningham*	Mr Hurford	Mr Milton	
Mrs Darling	Mr Jacobi	Mr A. A. Morris	
Mr Dubois	Mrs Jakobsen	Mr P. F. Morris	

NOES, 61

Mr Adermann	Mr Conquest	Mr Howard	Mr Ruddock
Mr Aldred	Mr Cowan	Mr Hunt	Mr Shack
Mr Andrew	Mr Downer	Mr Jull	Mr Sharp
Mr Beale	Mr Drummond	Mr Lloyd	Mr Shipton
Mr Blunt	Dr H. R. Edwards	Mr McArthur	Mr Sinclair
Mr Braithwaite	Mr Everingham	Mr McGauran	Mr Slipper
Mr N. A. Brown	Mr Fife	Mr MacKellar	Mr Smith
Mr Burr	Mr T. A. Fischer	Mr Macphee	Mrs Sullivan
Mr Cadman	Mr P. S. Fisher	Mr Miles	Mr Tuckey
Mr D. M. Cameron	Mr Goodluck	Mr Millar	Dr Watson
Mr E. C. Cameron*	Mr Hall	Mr Moore	Mr Webster
Mr I. M. D. Cameron	Mr Halverson	Mr Nehl	Mr White
Mr Carlton	Mr Hawker	Mr Porter	Mr Wilson
Mr Cobb	Mr Hicks*	Mr Reith	
Mr Coleman	Mr Hodges	Mr Robinson	
Mr Connolly	Mr Hodgman	Mr Rocher	

\* Tellers

And so it was resolved in the affirmative.

Ordered—That the resumption of the debate be made an order of the day for the next sitting.



40 **ADJOURNMENT:** Mr Holding (Minister for Aboriginal Affairs) moved—That the House do now adjourn.

Question—put and passed.

And then the House, at 12.40 a.m., adjourned until this day at 10 a.m.

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**PAPER:** The following paper was deemed to have been presented on 22 May 1985:

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

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**MEMBERS PRESENT:** All Members were present (at some time during the sitting) except Mr Dawkins, Mr Hayden, Mr Lindsay and Mr Mountford.

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