

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 56

THURSDAY, 14 NOVEMBER 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 **AUSTRALIAN BILL OF RIGHTS 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: Mr Bowen (Attorney-General), by leave, made a statement relating to a proposed Government amendment to the Bill.
 Debate resumed.
 Mr Tickner addressing the House—
 It being approximately 12.45 p.m., the debate was interrupted in accordance with sessional order 106A, and the resumption of the debate made an order of the day for a later hour this day.
- 3 **UNIVERSAL HEALTH INSURANCE:** Mrs Kelly, pursuant to notice, moved—That this House—
 (1) congratulates the Government on its commitment to a health insurance system based on the principles of fairness, simplicity and efficiency;
 (2) calls upon the Government to maintain a universal system of health insurance funded by a fairly applied levy arrangement, and
 (3) condemns attacks on the universal health insurance by sectional vested interests including some members of the medical profession.
 Debate ensued.
 It being 1.45 p.m., the debate was interrupted in accordance with standing order 109, as amended by sessional order.
 Ordered—That the time for the discussion of notice No. 1 be extended until 2 p.m.
 Debate continued.
 The time allotted for precedence to general business having expired, the debate was interrupted, Mr Brumby was granted leave to continue his speech when the debate is resumed, and the resumption of the debate was made an order of the day for the next sitting.
- 4 **QUESTIONS:** Questions without notice were asked.
- 5 **SUSPENSION OF STANDING ORDERS MOVED:** Mr Howard (Leader of the Opposition) moved—That so much of the standing orders be suspended as would prevent the Leader of the Opposition bringing on for discussion a matter of public importance in the following terms: "The prospective home loan drought now facing middle Australia as a result of the Government's high interest rate policies".
 Debate ensued.
 The time allowed by standing order 91 for debate on the motion having expired—
 Question—put.

The House divided (the Speaker, Dr Jenkins, in the Chair)—

AYES, 61

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

NOES, 74

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

* Tellers

And so it was negatived.

6 NEW PARLIAMENT HOUSE—JOINT STANDING COMMITTEE—REPORT: Mr Speaker (Joint Chairman) presented the following report from the Joint Standing Committee on the New Parliament House:

Report relating to the planning for the Senate and House of Representatives Chambers in the new Parliament House, dated 13 November 1985.

Ordered to be printed.

7 PAPER: The following paper was presented:

Independent Air Fares Committee Act—Independent Air Fares Committee—4th Report, for 1984-85.

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

Mr Brumby, Mr E. C. Cameron, Mr Duffy, Mr Halverson, Mr Holding, Mr Jones, Mr Lamb, Mr McArthur and Mrs Mayer—from certain citizens praying that the Government uphold the Articles of the UN Convention on Women and request the Victorian Government to repeal the *Planning (Brothels) Act 1984*.

- Mr Beale, Mr E. C. Cameron, Mr Halverson, Mr Hawke and Mr McArthur—from certain citizens praying that the national flag not be changed except by a referendum.
- Mr Cadman, Mr Drummond and Mr Fife—from certain citizens in similar terms to the last preceding petition.
- Mr Holding, Mr Jull, Mrs Mayer, Mr Porter and Mr Staples—from certain citizens praying that 1989 be proposed as the International Year for Repairing the Earth and certain other action be taken in support of world peace.
- Mr Andrew, Mr Holding, Mr Rocher and Mr Shack—from certain citizens praying that the Flags Amendment Bill receive a speedy passage.
- Mr Cadman, Mr E. C. Cameron, Mr Fife and Mr McArthur—from certain citizens praying that the rights of private enterprise be protected and any inequitable additional taxes be rejected.
- Mr Andrew and Mr Fife—from certain citizens praying that the price of petrol be reduced by 3 cents per litre and that certain other action be taken in relation to petrol pricing.
- Mr Andrew and Mr Porter—from certain residents of South Australia praying that the principle that pensioner patients pay no more than their pension for nursing home care be restored and that certain other action be taken in relation to nursing home benefits.
- Mr Baldwin and Mr Staples—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 and Mr MacKellar—from certain citizens praying that any proposal to increase the burden of capital gains and wealth taxes be rejected.
- Mr Beddall and Mr Dobie—from certain citizens praying that there be no taxation on illness and no special taxation on those who seek to insure themselves against the cost of private health care.
- Mr Blunt and Mr Sharp—from certain residents of the Divisions of Richmond and Gilmore, respectively, praying that the capital gains tax proposal be abandoned.
- Mr Drummond and Mr Rocher—from certain electors praying that the existing national flag remain sacrosanct.
- Mr Kent and Mr Staples—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 Rocher and Dr Watson—from certain citizens praying that the right to work be acknowledged and protected and that certain other action be taken to protect workers.
- Mr Andrew—from certain citizens praying that the concessional price of fuel in rural areas be restored.
- Mr Beddall—from certain citizens praying that the tax proposals outlined in the Government's White Paper be rejected.
- Mr Blunt—from certain citizens praying that no military establishment be located in the Central Tablelands of New South Wales and that the current investigation there cease.
- Mr Blunt—from certain residents of the Division of Richmond praying that means be sought for the protection of the people's interests to prevent Ayers Rock being handed over to an Aboriginal Land Council.
- Mr Cadman—from certain citizens praying that qualified private psychologists' services be included in Medicare.
- Mr Cadman—from certain citizens praying that all federal funding to children's services be restored.
- Mr Drummond—from certain citizens praying that the decision to cut the funding of the Technical and Further Education Participation and Equity

Program be reversed and that the Program be guaranteed funding for 1987 and beyond.

Mr Halverson—from certain citizens praying that immediate action be taken to adjust pensions fully to reflect the total increase in the Consumer Price Index and that certain other action be taken in relation to pensions.

Mr Howard—from certain citizens praying that proposals for compulsory unionisation within the architectural profession be rejected and that certain other action be taken to support the independence of the architectural profession and the building industry.

Mr Kent—from certain citizens praying that the decision to close the Enterprise Migrant Hostel, Vic., be reversed.

Mr McArthur—from certain citizens praying that no change be made to the funding of local government without the consent of representatives of local government.

Mr O'Neil—from certain citizens praying that all possible measures be taken to ensure that Australia's first Arid Lands Botanic Garden is established at Port Augusta, SA.

Mr Sharp—from certain citizens praying that the previous legislation relating to the entitlements of war veterans and their dependants be restored.

Mr Sharp—from certain citizens praying that a ramp be included in the restoration of the Goulburn Post Office, NSW.

Mr Sharp—from certain residents of the Division of Gilmore praying that the total ban on entertainment expenses be abandoned and tax deductibility be allowed for legitimate and necessary expenses.

Mr Staples—from certain citizens praying that there be no increase in State aid to private schools and that the primary obligation to government schools be re-affirmed.

Mr Staples—from certain citizens praying that compulsory identity cards not be introduced.

Mr Staples—from certain citizens praying that any moves to enact plant variety rights legislation be rejected.

Petitions received.

9 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—QUEENSLAND ELECTORAL REDISTRIBUTION: The House was informed that both Mr Wright and Mr Howard (Leader of the Opposition) had proposed that definite matters of public importance be submitted to the House for discussion today. In accordance with the provisions of standing order 107, Mr Speaker had given priority to the matter proposed by Mr Wright, namely, "The public alarm at the recently announced Queensland Electoral Redistribution proposals".

The proposed discussion having received the necessary support—

Point of order: Mr Sinclair (Leader of the National Party of Australia) raised as a point of order that the matter selected by Mr Speaker did not contain an element of ministerial responsibility and did not comply with standing order 107.

Speaker's ruling: Mr Speaker ruled that he had exercised his responsibility of selecting a matter which he had determined to be in order.

Dissent from ruling moved: Mr Sinclair moved dissent from the Speaker's determination that the matter was in order under standing order 107.

Debate ensued.

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

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

And the question—That the ruling be dissented from—being accordingly put—

The House divided (the Speaker, Dr Jenkins, in the Chair)—

AYES, 61

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

NOES, 75

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

* Tellers

And so it was negated.

Mr Wright addressed the House.

Discussion ensued.

Discussion concluded.

- 10 AUSTRALIAN CAPITAL TERRITORY—JOINT COMMITTEE—REPORT: Mrs Kelly (Chairman) presented the following report from the Joint Committee on the Australian Capital Territory:

2nd Report on the 86th series of 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.

Ordered—That the report be printed.

- 11 AUSTRALIAN BILL OF RIGHTS 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.

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

- 12 SUSPENSION OF STANDING ORDER 103: Mr Bowen (Attorney-General), by leave, moved—That standing order 103 (11 o'clock rule) be suspended for this sitting. Question—put and passed.

13 AUSTRALIAN BILL OF RIGHTS 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.

Adjournment negatived: It being past 10.15 p.m.—The question was proposed—
That the House do now adjourn.

Mr Bowen (Attorney-General) requiring the question to be put forthwith without debate—

Question—put and negatived.

Debate continued.

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

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

AYES, 74

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

NOES, 56

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

*Tellers

And so it was resolved in the affirmative—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.

The committee continuing to sit until after 12 midnight—

FRIDAY, 15 NOVEMBER 1985

Clause 4—

Mr Spender moved the following amendment: Page 2, line 20, after paragraph (b) insert the following word and paragraph:

“; or (ba) by or on behalf of a trade union or body corporate.”.

Debate continued.

Question—That the amendment be agreed to—put.

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

AYES, 50

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

NOES, 74

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

* Tellers

And so it was negatived.

Mr Goodluck moved the following amendment: Page 4, after the definition of “Federal Court” insert the following definitions:

“‘Fertilisation’ means the process that occurs when a human sperm has penetrated the plasma membrane of a human ovum;

‘Human being’ means the product of fertilisation, and a human being shall be deemed to exist from fertilisation and shall be considered to be a human life in being.”.

Debate continued.

Question—That the amendment be agreed to—put.

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

AYES, 22

Mr Andrew*	Mr Conquest	Mr Hicks*	Mr Shack
Mr Braithwaite	Dr H. R. Edwards	Mr McGauran	Mr Sharp
Mr N. A. Brown	Mr Fife	Mr McVeigh	Mr Slipper
Mr Cadman	Mr T. A. Fischer	Mr Miles	Mr Webster
Mr Coleman	Mr Goodluck	Mr Robinson	
Mr Connolly	Mr Hawker	Mr Ruddock	

NOES, 94

Mr Baldwin	Mr Duffy	Mr Kent	Mr Punch
Mr Beale	Mr Duncan	Mr Keogh	Mr Reith
Mr Beazley	Mr R. F. Edwards	Mr Kerin	Mr Rocher
Mr Beddall	Mr Everingham	Dr Klugman	Mr Saunderson
Mr Blanchard	Ms Fatin	Mr Lamb	Mr Scholes
Dr Blewett	Mr Fitzgibbon	Mr Langmore	Mr Scott*
Mr Bowen	Mr Free	Mr Lee	Mr Shipton
Mr J. J. Brown	Mr Gear	Mr Lindsay	Mr Simmons
Mr R. J. Brown	Mr Gorman	Mr McArthur	Mr Sinclair
Mr Brumby	Mr Grace	Ms McHugh	Mr Smith
Mr Burr	Mr Griffiths	Mr MacKellar	Mr Snow
Mr E. C. Cameron	Mr Hall	Mr McLeay	Mr Staples
Mr I. M. D. Cameron	Mr Halverson	Mr Macphee	Mrs Sullivan
Mr Campbell	Mr Hand	Mr Maher	Dr Theophanous
Mr Charles	Mr Hayden	Mr Martin	Mr Tickner
Mrs Child	Mr Hodges	Mrs Mayer	Mr Tuckey
Mr Chynoweth	Mr Holding	Mr Mildren	Mr Uren
Mr Cleeland	Mr Hollis	Mr Milton	Dr Watson
Mr Cohen	Mr Howe	Mr A. A. Morris	Mr West
Mr Cross	Mr Hurford	Mr P. F. Morris	Mr White
Mr Cunningham*	Mr Jacobi	Mr Mountford	Mr Willis
Mrs Darling	Mrs Jakobsen	Mr O'Keefe	Mr Young
Mr Downer	Mr Jones	Mr O'Neil	
Mr Dubois	Mrs Kelly	Mr Porter	

* Tellers

And so it was negatived.

Mr Spender moved the following amendment: Page 5, line 2, after paragraph (b) insert the following word and paragraph:

“; or (ba) by or on behalf of a trade union or body corporate.”.

Debate continued.

Amendment negatived.

Clause agreed to.

Clauses 5 to 7, by leave, taken together, and agreed to.

Clause 8—

Mr Spender moved the following amendment: Page 10, at the end of proposed Article 11 add the following provision:

“2. It is hereby expressly recognised that freedom of association includes freedom not to associate with others, whether in a trade union or in any other form of association and that the rights protected by this Article include:

- (a) the right not to be subjected to coercion, duress, discrimination, disadvantage or any other form of pressure or compulsion, either direct or indirect, to join a trade union; and
- (b) the right to be protected from any form of discrimination or disadvantage in relation to employment opportunities by reason of or in any way relating to refusal to join or non-membership of a trade union, including, but without limiting the generality of the foregoing:
 - (i) the right to have applications for employment considered on the same basis and without any form of discrimination, as that of members of a trade union;
 - (ii) the right not to be dismissed or threatened with dismissal, by reason of refusal to join or non-membership of a trade union;
 - (iii) the right to have opportunities for promotion and any other form of advancement in employment open on the same basis, and without any form of discrimination, as that of members of a trade union.”.

Debate continued.

Question—That the amendment be agreed to—put.

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

AYES, 48

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

NOES, 72

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

* Tellers

And so it was negatived.

Mr Spender moved the following amendment: Page 11, after proposed Article 14 insert the following new Article:

"Article 14A

Rights in respect of education

Recognising that the widest possible protection should be accorded to the family, particularly while it is responsible for the care and education of dependent children—

- (a) the parents or, when applicable, legal guardians of children shall have the right to choose for their children schools, other than those established by public authorities, which conforms to such minimum educational standards as may be prescribed or approved; and
- (b) individuals and bodies shall have the right to establish and direct educational institutions which conform to such minimum educational standards as may be prescribed or approved."

Debate continued.

Question—That the amendment be agreed to—put.

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

AYES, 47

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

NOES, 73

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

* Tellers

And so it was negatived.

Mr Fife moved the following amendment: Page 12, lines 2-5, omit proposed Article 18, substitute the following Article:

**"Article 18
Right to life**

Every human being has the inherent right to life and no human being shall be arbitrarily deprived of life."

Debate continued.

Amendment negatived.

Mr Spender, by leave, moved the following amendment: Page 14, after proposed Division 6 add the following Division:

**"Division 7—Property and Scientific Research and Creative Activity
Article 33**

Rights in respect of property

All persons have the right to dispose freely of their own property and to be protected in their right to hold private property, and private property shall not be acquired by or on behalf of any Government save on just terms as to compensation.

Article 34

Rights in respect of scientific research and creative activity

The right of every person to the freedom indispensable to scientific research and creative activity is to be respected."

Debate continued.

Mr Spender, by leave, again addressed the committee.

Question—That the amendment be agreed to—put.

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

AYES, 46

Mr Andrew*	Mr Downer	Mr McArthur	Mr Shipton
Mr Beale	Mr Drummond	Mr MacKellar	Mr Sinclair
Mr Blunt	Dr H. R. Edwards	Mr Macphee	Mr Slipper
Mr Braithwaite	Mr Everingham	Mr Miles	Mr Smith
Mr N. A. Brown	Mr Fife	Mr Nehl	Mr Spender
Mr Cadman	Mr T. A. Fischer	Mr Porter	Mrs Sullivan
Mr D. M. Cameron	Mr P. S. Fisher	Mr Reith	Mr Tuckey
Mr E. C. Cameron	Mr Hall	Mr Robinson	Dr Watson
Mr Carlton	Mr Halverson	Mr Rocher	Mr Webster
Mr Connolly	Mr Hawker	Mr Ruddock	Mr White
Mr Conquest	Mr Hicks*	Mr Shack	
Mr Cowan	Mr Hodges	Mr Sharp	

NOES, 71

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

* Tellers

And so it was negatived.

Clause agreed to.

Clause 9—

Mr Spender moved the following amendment: Page 15, lines 3 and 4, omit sub-clause (3), substitute the following sub-clause:

“(3) The rights and freedoms set out in the Bill of Rights apply for the benefit of natural persons and so far as may be applicable to bodies corporate, including corporations sole, to unincorporated associations and to all other forms of associations whatsoever.”

Debate continued.

Amendment negatived.

On the motion of Mr Bowen (Attorney-General), the following amendment was made: Page 15, lines 3 and 4, omit sub-clause (3), substitute the following sub-clause:

“(3) The rights and freedoms set out in the Bill of Rights do not apply for the benefit of bodies politic or corporate.”

Clause, as amended, agreed to.

Clauses 10 to 30, by leave, taken together, and agreed to.

Clauses 31 to 36, by leave, taken together, and agreed to, after debate.

Clauses 37 to 40, by leave, taken together, and agreed to.

Clause 41—

Mr Spender moved the following amendment: Page 36, lines 27-32, omit paragraph (e), substitute the following paragraph:

“(e) may include in the report a recommendation by the Commission for the taking of action other than by the payment of compensation to remedy or reduce loss or damage suffered by a person as a result of the act or practice.”

Debate continued.

Amendment negatived.

Clause agreed to.

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

Bill to be reported with an amendment.

The House resumed; Mr Drummond reported accordingly.

On the motion of Mr Bowen, by leave, the House adopted the report.

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

Question—put.

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

AYES, 70

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

NOES, 51

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

* Tellers

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

- 14 **HUMAN RIGHTS AND EQUAL OPPORTUNITY COMMISSION 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.
Leave granted for third reading to be moved forthwith.
On the motion of Mr Bowen (Attorney-General), the Bill was read a third time.
- 15 **HUMAN RIGHTS AND EQUAL OPPORTUNITY COMMISSION 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.
Leave granted for third reading to be moved forthwith.
On the motion of Mr Bowen (Attorney-General), the Bill was read a third time.
- 16 **HUMAN RIGHTS AND EQUAL OPPORTUNITY COMMISSION (TRANSITIONAL PROVISIONS AND 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.
Message from the Governor-General: Message No. 84, dated 8 November 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 Bowen (Attorney-General), the Bill was read a third time.

17 **ADJOURNMENT:** Mr Bowen (Attorney-General) moved—That the House do now adjourn.

Question—put and passed.

And then the House, at 2.54 a.m., adjourned until this day at 10 a.m.

PAPERS: The following papers were deemed to have been presented on 14 November 1985:

Audit Act—Report of the Auditor-General upon the Financial Statements prepared by the Minister for Finance for 1984-85—Erratum to paper presented on 12 November 1985.

Christmas Island Act—Ordinances—1985—

No. 6—Phosphate Mining Corporation of Christmas Island.

No. 7—Police Force (Amendment).

No. 8—Civil Law (Amendment).

Compensation (Commonwealth Government Employees) Act—Regulations—Statutory Rules 1985, No. 284.

Conciliation and Arbitration Act—Regulations—Statutory Rules 1985, No. 285.

Fisheries Act—Notice, No. 154.

Postal Services Act—Regulations—Statutory Rules 1985, No. 296.

Public Service Act—Appointment—Department of Veterans' Affairs—Miranda, R.

Seamen's Compensation Act—Regulations—Statutory Rules 1985, No. 283.

Seat of Government (Administration) Act—Ordinance—1985—No. 60—Credit (Amendment) (No. 2).

Telecommunications Act—Regulations—Statutory Rules 1985, No. 295.

Therapeutic Goods Act—Regulations—Statutory Rules 1985, No. 297.

Wheat Tax Act—Regulations—Statutory Rules 1985, No. 282.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Aldred*, Mr Bilney, Dr Charlesworth, Mr Humphreys*, Mr Katter and Mr Price.

*On leave

A. R. BROWNING
Clerk of the House of Representatives