

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 95

TUESDAY, 6 MAY 1986

1 The House met, at 2 p.m., pursuant to adjournment. Madam Speaker (the Honourable Joan Child) took the Chair, and read Prayers.

2 **PRIVILEGE—COMPLAINT OF BREACH:** Mr Burr referred to the powers of the Parliament under section 72 (ii) of the Constitution and to newspaper reports of today regarding the consideration by the High Court of Australia of the future of Mr Justice Murphy and raised, as a matter of privilege, the reported action of the High Court.

Mr Bowen (Attorney-General) addressed himself to the matter raised.

Madam Speaker stated that she would consider the matter and advise the House of her decision in due course.

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

4 **ATTORNEY-GENERAL AND GOVERNMENT—MOTION OF CENSURE:** Mr Howard (Leader of the Opposition), by leave, moved—That this House censures the Attorney-General and the Government for the incompetent, bungling and negligent manner in which they have handled matters relating to Mr Justice Murphy and his position on the High Court of Australia and the extent to which such conduct has compromised and embarrassed the High Court and denied to Parliament of its opportunity of exercising its rights under section 72 of the Constitution.

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 motion be agreed to—being accordingly put—

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

AYES, 58

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

NOES, 75

Mr Baldwin	Mr Duncan	Mr Jenkins	Mr P. F. Morris
Mr Beddall	Mr R. F. Edwards	Mr Jones	Mr Mountford
Mr Bilney	Ms Fatin	Mr Keating	Mr O'Keefe
Mr Blanchard	Mr Fitzgibbon	Mrs Kelly	Mr O'Neil
Dr Blewett	Mr Free	Mr Kent	Mr Price
Mr Bowen	Mr Gayler	Mr Keogh	Mr Punch
Mr J. J. Brown	Mr Gear	Mr Kerin	Mr Saunderson
Mr R. J. Brown	Mr Gorman	Dr Klugman	Mr Scholes
Mr Brumby	Mr Grace	Mr Lamb	Mr Scott
Mr Campbell	Mr Griffiths	Mr Langmore	Mr Simmons
Mr Charles	Mr Hand	Mr Lee	Mr Snow
Mr Chynoweth	Mr Hawke	Mr Lindsay	Dr Theophanous
Mr Cleeland	Mr Hayden	Ms McHugh	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
Mr Dawkins	Mr Humphreys*	Mr Mildren	Mr Wright
Mr Dubois	Mr Jacobi	Mr Milton	Mr Young
Mr Duffy	Mrs Jakobsen	Mr A. A. Morris	

* Tellers

And so it was negatived.

5 AUSTRALIAN TELECOMMUNICATIONS COMMISSION—MINISTERIAL STATEMENT:

Mr Duffy (Minister for Communications), by leave, made a ministerial statement informing the House that the Australian Telecommunications Commission (Telecom) had formed a subsidiary company to enable Telecom to respond to an international tender.

Mr Macphee, by leave, also made a statement with reference to the matter.

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

Mr J. J. Brown, Mr Fife, Mr Howe, Ms McHugh, Mr Martin and Mr Webster—from certain citizens praying that the standard pension be raised to 25% of average weekly earnings and certain other action be taken to assist pensioners and low income earners.

Mr Blunt, Mr Drummond, Mr Halverson and Mr Reith—from certain citizens; and Mr Blunt—from certain residents of the Division of Richmond praying that no cut backs be made to the portfolio of Veterans' Affairs and certain action be taken to assist ex-servicemen and women.

Mr Fife, Mr Hawker, Mr Hodges and Mr Reith—from certain citizens praying that the commitment to the oil import parity pricing policy be honoured.

Dr H. R. Edwards, Mr Hawker and Mr Shipton—from certain citizens praying that the national flag not be changed except by a referendum.

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

Mr Blunt and Mr Nehl—from certain residents of the Divisions of Richmond and Cowper, respectively, praying that the superannuation claim of the trade union movement be rejected and superannuation be allowed to develop without trade union domination.

Mr Blunt and Mr Rocher—from certain citizens; and Mr Slipper—from certain residents of the Division of Fisher praying that the existing national flag remain sacrosanct.

Mr Blunt and Mr Slipper—from certain residents of the Division of Richmond and certain residents of Queensland, respectively, praying that the Australian Bill of Rights Bill be repealed.

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

Mr P. S. Fisher and Mr Hawker—from certain residents of the Division of Mallee and certain residents of Victoria, respectively, praying that the proposed capital gains tax legislation be introduced without delay and that it be rejected.

- Dr Blewett—from certain citizens praying that interest rates on home loans be reduced by 2% annually for the next 5 years or until they are 6%.
- Dr Blewett—from certain citizens praying that both the Australian Bill of Rights Bill and the Human Rights and Equal Opportunity Commission Bill be rejected.
- Dr Blewett—from certain citizens praying that funding for pre-school education in South Australia remain unchanged.
- Mr Blunt—from certain residents of the Division of Richmond praying that a bi-partisan commitment to world-wide nuclear disarmament be made.
- Mr Cadman—from certain citizens praying that proclamation of the Australian Bill of Rights Bill be delayed until a referendum has been held.
- Mr D. M. Cameron—from certain citizens praying that the Australian Bill of Rights Bill and the Human Rights and Equal Opportunity Commission Bill not be enacted until a referendum has been held.
- Mr Fife—from certain citizens praying that interest rates be reduced and certain other action be taken with respect to the Australian dollar.
- Mr Hawker—from certain citizens praying that the assets test on pensions be repealed.
- Mr Hodges—from certain citizens praying that the further means testing of veterans' disability pensions not proceed.
- Mr Humphreys—from certain citizens praying that the proposed adoption of a flat rate family allowance be reconsidered.
- Mr Humphreys—from certain citizens praying that a television translator be erected to improve the reception of the Brisbane SBS UHF television station.
- Mrs Kelly—from certain citizens praying that a public inquiry be held into the immigration of the Chirita family and that the rights of Ion Chirita be recognised.
- 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 action be taken to ensure all legal barriers to the equality of women workers are removed.
- Mr Lee—from certain citizens praying that a Medicare office be established in Wyong, NSW, as soon as possible.
- Ms McHugh—from certain citizens praying that community language resources centres be instituted and certain other action be taken to implement the teaching of community languages in schools.
- Ms McHugh—from certain citizens praying that an alternative to the proposed plant variety rights be found as a means of collecting royalty from plant breeders.
- Mr Maher—from certain citizens praying that new initiatives be taken to encourage all member states of the United Nations to conclude a treaty banning all nuclear weapons tests and that certain other action be taken in relation to nuclear weapons tests.
- Mr Miles—from certain citizens praying that means be sought to end international terrorism and other action be taken in respect of international co-operation.
- Mr Milton—from certain citizens praying that any proposal to legislate for the establishment of plant variety rights in Australia be rejected.
- Mr Milton—from certain citizens praying that Australian aid to the Sudan be increased substantially and that certain other action be taken in relation to aid to northern Africa.
- Mr Nehl—from certain citizens, and from certain electors of the Division of Cowper, praying that the Australian Bill of Rights Bill and associated bills be rejected, the Human Rights and Equal Opportunity Commission be

abolished and ratification of the Covenant on Civil and Political Rights be withdrawn.

Mr Price—from certain citizens praying that the Government of Sri Lanka be persuaded to pursue a political solution to allow the Tamils to live in peace and dignity and certain other action be taken to aid the Tamils.

Mr Price—from certain residents of New South Wales praying that the Western Sydney State University be established in conjunction with the NSW Government.

Mr Reith—from certain citizens praying that prescription drugs continue to be provided to pensioners without fee.

Mr Scott—from certain citizens praying that importation of cobalt 60 and other radioactive substances be banned and regulations permitting irradiation of food in Australia be disallowed.

Mr Scott—from certain citizens praying for official recognition of the African National Congress and the South West Africa Peoples Organisation and that certain other financial and humanitarian support be given to the South African and Namibian people.

Mr Slipper—from certain citizens praying that measures be taken to reduce the burden of imposed costs and regulation on Australian horticultural growers.

Mr Slipper—from certain citizens praying that family allowance payments be restored to their former level.

Mr Slipper—from certain residents of Somerset Dam, Qld, praying that an additional public telephone be made available at Somerset Dam or the present one be resited.

Mr Slipper—from certain residents of the Division of Fisher, and from certain residents of Queensland, praying that the right to work be acknowledged and protected and that certain other action be taken to protect workers.

Mr Slipper—from certain residents of Queensland praying that the capital gains tax proposal be abandoned.

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

Mr Slipper—from certain residents of the Division of Fisher praying that home loan interest rates be tax deductible.

Mr Slipper—from certain residents of the Division of Fisher praying that the 1985 tax proposals outlined in the Government's White Paper be rejected.

Mr Slipper—from certain residents of the Division of Fisher praying that means be sought for the protection of the people's interests to reverse the decision to hand Ayers Rock over to an Aboriginal Land Council.

Petitions received.

7 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—YOUNG

AUSTRALIANS: The House was informed that Mr Shack had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The adverse effect of the Government's economic and other policies on young Australians".

The proposed discussion having received the necessary support—

Mr Shack rising to address the House—

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

Question—put.

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

AYES, 74

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

NOES, 53

Mr Adermann	Mr Dobie	Mr Lloyd	Mr Ruddock
Mr Aldred	Mr Drummond	Mr McArthur	Mr Shack
Mr Andrew*	Mr Everingham	Mr McGauran	Mr Shipton
Mr Beale	Mr Fife	Mr MacKellar	Mr Sinclair
Mr Blunt	Mr T. A. Fischer	Mr McVeigh	Mr Slipper
Mr Burr	Mr P. S. Fisher	Mr Macphee	Mr Smith
Mr Cadman	Mr Hall	Mr Miles	Mrs Sullivan
Mr D. M. Cameron	Mr Hawker	Mr Millar	Mr Tuckey
Mr E. C. Cameron	Mr Hicks*	Mr Moore	Dr Watson
Mr I. M. D. Cameron	Mr Hodges	Mr Peacock	Mr Webster
Mr Carlton	Mr Hodgman	Mr Porter	Mr White
Mr Cobb	Mr Hunt	Mr Reith	
Mr Coleman	Mr Jull	Mr Robinson	
Mr Connolly	Mr Katter	Mr Rocher	

* Tellers

And so it was resolved in the affirmative.

- 8 **ALTERATION OF HOUR OF MEETING:** Mr Young (Leader of the House), by leave, moved—That, unless otherwise ordered, the House shall meet for the remaining sittings this week on:

Wednesday, 7 May, at 9 a.m.

Thursday, 8 May, at 9 a.m.

Debate ensued.

Question—put and passed.

- 9 **ENVIRONMENT PROTECTION (IMPACT OF PROPOSALS) AMENDMENT BILL 1986:** 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 Cohen (Minister for Arts, Heritage and Environment), the Bill was read a third time.

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

6 May 1986—Message—

No. 251—Community Employment Amendment 1986.

No. 252—Apple and Pear Export Underwriting Amendment 1986.

No. 253—Australian Apple and Pear Corporation Amendment 1986.

- 11 **BOUNTY AND SUBSIDY LEGISLATION AMENDMENT BILL 1986:** 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.

Privilege—Statement by Madam Speaker: Madam Speaker referred to the matter raised earlier this day by Mr Burr (*see* entry No. 2) and stated that on the information available to her she did not find any evidence of a *prima facie* case of breach of privilege such as would warrant precedence to a motion on the matter.

Debate continued.

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

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

Mr Jones (Minister Assisting the Minister for Industry, Technology and Commerce) requiring the question to be put forthwith without debate—

Question—put and negated.

Message from the Governor-General: Message No. 142, dated 17 April 1986, 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 Jones, the Bill was read a third time.

- 12 **CUSTOMS TARIFF AMENDMENT BILL 1986:** 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.

Mr Moore, by leave, moved the following amendments together:

Schedule 4—

Page 4, proposed new item 70.18.1, omit—

“70.18.1 –Goods, as follows:	20%	FI: Free
(a) optical fibre;		DC: 10%”,
(b) optical fibre cable		

substitute—

“70.18.1 –Goods, as follows:	2%	FI: Free
(a) optical fibre;		DC: Free”.
(b) optical fibre cable		

Page 5, proposed new item 90.13.3, omit—

“90.13.3 – Optical fibre cable	20%	FI: Free
		DC: 10%’.”,

substitute—

“90.13.3 – Optical fibre cable	Free	FI: Free
		DC: Free’.”.

Schedule 9, page 93, proposed new item 70.21.1, omit—
“70.21.1 –Optical fibre preforms, being goods of a 20% FI: Free
kind used in the manufacture of optical DC: 15%”,
fibres
substitute—
“70.21.1 –Optical fibre preforms, being goods of a 2% FI: Free
kind used in the manufacture of optical DC: Free”.
fibres

Debate continued.

Amendments negatived.

Bill agreed to.

Bill to be reported without amendment.

The House resumed; Mr McLeay reported accordingly.

On the motion of Mr Jones (Minister Assisting the Minister for Industry, Technology and Commerce), the House adopted the report, and, by leave, the Bill was read a third time.

13 ADJOURNMENT: Mr Jones (Minister for Science) moved—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 11 p.m.—Madam Speaker adjourned the House until tomorrow at 9 a.m.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Beazley, Mr N. A. Brown, Mrs Darling, Mr Hurford, Mr Nehl and Mr Staples.

A. R. BROWNING
Clerk of the House of Representatives