

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 144

THURSDAY, 27 NOVEMBER 1986

1 The House met, at 10 a.m., pursuant to adjournment. Madam Speaker (the Honourable Joan Child) took the Chair, and read Prayers.

2 **ELECTORAL REFORM—JOINT SELECT COMMITTEE—PRINTING AND CIRCULATION OF PROPOSED REPORT:** Mr Young (Leader of the House), pursuant to notice, moved—

(1) That, if the House is not sitting when the Joint Select Committee on Electoral Reform has completed its inquiry into the operation during the 1984 General Election of the 1983-84 amendments to Commonwealth electoral legislation, the committee may send its report to Madam Speaker or, in the absence of Madam Speaker, to the Chairman of Committees, who is authorised to give directions for its printing and circulation, and

(2) That the foregoing provision of this resolution, so far as it is inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

Debate ensued.

Question—put and passed.

3 **COMMITTEE OF PRIVILEGES—ATTENDANCE OF SENATORS AS WITNESSES:** Mr Young (Leader of the House), pursuant to notice, moved—That a message be sent to the Senate requesting that leave be given to Senators Archer, Black, Cooney and Vigor, members of the Joint Select Committee on Telecommunications Interception, to attend before the House of Representatives Committee of Privileges for examination.

Debate ensued.

Question—put and passed.

4 **NATIONAL PARKS AND WILDLIFE CONSERVATION AMENDMENT BILL 1986:** Mr Cohen (Minister for Arts, Heritage and Environment), pursuant to notice, presented a Bill for an Act to amend the *National Parks and Wildlife Conservation Act 1975*, and for related purposes.

Bill read a first time.

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

Member named: Madam Speaker named the honourable Member for the Northern Territory (Mr Everingham) for refusing to withdraw an unparliamentary expression.

Mr Tuckey, Mr Connolly and Mr Young (Leader of the House) having addressed the Chair, Mr Cohen having withdrawn a remark he had made about Mr Everingham and Mr Everingham having withdrawn the unparliamentary expression, the matter was not further proceeded with.

Paper: Mr Cohen presented an explanatory memorandum to the Bill.

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

- 5 **REPLACEMENT HOUSES, WOOMERA—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: Provision of 50 replacement houses at Woomera.
- Debate ensued.
Question—put and passed.
- 6 **SUBTRANSMISSION DEVELOPMENT, EAST TUGGERANONG, ACT—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: 132 kV subtransmission development, East Tuggeranong, ACT.
- Debate ensued.
Question—put and passed.
- 7 **WHARF AND SEAMANSHIP SCHOOL, HMAS CERBERUS, CRIB POINT, VIC.—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 a new wharf and seamanship school at HMAS *Cerberus*, Crib Point, Vic.
- Debate ensued.
Question—put and passed.
- 8 **WILDLIFE PROTECTION (REGULATION OF EXPORTS AND IMPORTS) AMENDMENT BILL 1986—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 7, clause 16, proposed new paragraph 42A (2) (b), line 35, leave out “or”.

No. 2—Page 7, clause 16, after proposed new paragraph 42A (2) (c), insert the following word and paragraph:

“; or (d) specimens that are live native Australian animals of a species included in the sub-phylum VERTEBRATA, other than fish.”

On the motion of Mr West (Minister for Housing and Construction), the amendments were agreed to.

Resolution to be reported.

The House resumed; Mr Drummond reported accordingly.

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

- 9 **ABORIGINAL LAND RIGHTS (NORTHERN TERRITORY) AMENDMENT BILL 1986:** The House, according to order, resolved itself into a committee of the whole for the further consideration of the Bill.

In the committee

Clauses 1 to 7, by leave, taken together, and agreed to, after debate.

Clause 8—

On the motion of Mr Holding (Minister for Aboriginal Affairs), the following amendment was made:

Page 7, lines 8 and 9, omit proposed sub-section 11A (7), substitute the following sub-section:

“(7) In this section, a reference to an estate or interest in land includes a reference to—

- (a) a mining interest; and
- (b) a licence granted in respect of that land.”.

Clause, as amended, agreed to.

Clauses 9 to 11, by leave, taken together, and agreed to, after debate.

Clause 12 debated and agreed to.

Proposed new clause—

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

“12A. After section 19 of the Principal Act the following section is inserted in Part II:

Grants to Northern Territory for an essential service

‘19A. (1) Where—

- (a) the Northern Territory has requested a Land Council to direct a Land Trust holding land (in this section referred to as the “relevant land”) in the area of that Land Council to grant an estate or interest in that relevant land to the Northern Territory for use for a particular essential service; and
- (b) the Land Council has refused or is unwilling to give such a direction, a Minister of the Northern Territory may apply, in writing, to the Minister for the matter to be dealt with in accordance with this section.

‘(2) Where the Minister has received an application under sub-section (1) and the Minister is satisfied that the particular essential service necessitates the grant of an estate or interest in the relevant land, the Minister shall appoint an Arbitrator to deal with the matter in dispute and shall refer the matter to the Arbitrator.

‘(3) The Minister shall not appoint as an Arbitrator for the purposes of sub-section (2) a person other than a judge of the Federal Court of Australia or of the Supreme Court of the Northern Territory of Australia.

‘(4) On a reference being made to an Arbitrator under sub-section (2), the Arbitrator shall determine—

- (a) what part of the relevant land is required for the particular essential service;
- (b) what form of estate or interest (other than an estate in fee simple) is necessary for that essential service;
- (c) the terms and conditions under which the estate or interest is to be granted; and
- (d) the compensation payable by the Northern Territory to the Land Trust in respect of any decrease in the value of the relevant land to the extent that the decrease is attributable to the grant of that estate or interest.

‘(5) Where an Arbitrator has made a determination under sub-section (4), the Land Council concerned shall direct the Land Trust to grant the estate or interest in the relevant land to the Northern Territory on those terms and conditions.

‘(6) Where the Minister is satisfied that a Land Council has refused, or is unwilling, to give a direction to a Land Trust to grant an estate or interest in relevant land in accordance with a determination under this

section, the Minister may, in the name of, and on behalf of, the Land Trust, grant the estate or interest to the Northern Territory.

'(7) Upon the granting of the estate or interest to the Northern Territory, the Land Trust has a right to compensation from the Northern Territory in the amount determined by the Arbitrator.

'(8) In this section—

- (a) a reference to an estate or interest in land includes a reference to a licence in respect of that land; and
- (b) a reference to an essential service includes a reference to the provision of power, water, sewerage, communication, railways, boat landings, airstrips, health and education facilities, the provision of roads, and accommodation for Government employees.'"

Debate continued.

Question—That the new clause proposed to be inserted be so inserted—put.

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

AYES, 56

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

NOES, 65

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

* Tellers

And so it was negatived.

Clause 13 debated and agreed to.

Clauses 14 and 15, by leave, taken together, and agreed to.

Clause 16 debated and agreed to.

Clauses 17 to 20, by leave, taken together, and agreed to.

Clause 21 debated and agreed to.

Clauses 22 to 24, by leave, taken together, and agreed to.

Proposed new clause—

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

Repeal of Part IV and substitution of new Part

‘24A. Part IV of the Principal Act is repealed and the following Part is substituted:

‘PART IV—MINING INTERESTS AND MINING OPERATIONS

Interpretation

‘40. (1) A reference in this Part to the warden’s court is a reference to the warden’s court established by the *Mining Act* of the Northern Territory at a place closest to the land to which the reference relates and includes a reference to the warden constituting that court.

‘(2) A reference in this Part to a mining interest includes, where the context so requires, a reference to the land to which the mining interest relates.

Grant of mining interests

‘41. (1) Subject to this Act and the *Atomic Energy Act 1953*, a mining interest in respect of Aboriginal land may be granted under a law of the Northern Territory relating to mining for minerals.

‘(2) A mining interest in respect of Aboriginal land shall not be granted unless the applicant for the mining interest has first entered into an agreement in writing with the Land Council in whose area the Aboriginal land is situated relating to—

- (a) the compensation to be paid on the granting of the mining interest;
- (b) the guidelines to be adopted after the granting of the mining interest in relation to the identification and protection of sacred sites; and
- (c) the employment opportunities to be offered to Aboriginals in the operations to be conducted under the mining interest.

Agreement provisions

‘42. (1) An agreement referred to in section 41—

- (a) shall make provision for the distribution of monies paid to the Land Council under the agreement to or for the benefit of such traditional Aboriginal owners as are specified in the agreement;
- (b) may make provision for the applicant for the mining interest to lodge with the Land Council a security in such form, for such amount and from such person as the Land Council thinks fit, to secure the applicant’s compliance with the conditions referred to in section 47;
- (c) may make provision for a process of arbitration, in accordance with a law of the Northern Territory relating to commercial arbitration, to determine disputes relating to compliance with the conditions referred to in section 47 and failing such provision in the agreement, the parties to the agreement shall be deemed to have appointed a warden constituting the warden’s court as the arbitrator under that law of the Northern Territory in respect of such disputes; and
- (d) may provide that where a condition referred to in section 47 requires the holder of the mining interest to do anything in relation to the mining interest and the holder does not, within the time provided in the condition, do that thing, the Land Council or a person authorized by the Land Council may enter on the mining interest with such assistance as, and take whatever action, the Land Council or that person, as the case may be, considers necessary for doing that thing, and the costs reasonably incurred by the Land Council or that person in so doing shall be a debt due and payable by the holder of the mining interest to the Land Council or that person, as the case may be, whether or not at the time that the thing was done by the Land Council or that person the mining interest had been cancelled, forfeited or surrendered or had expired.

‘(2) A condition referred to in paragraph (1) (d) shall not entitle the Land Council, or a person authorized by it, to take any action in pursuance of the condition until the grounds on which the Land Council claims to be entitled to

take or authorize the taking of such action have been referred to arbitration under a condition referred to in paragraph (1) (c), the arbitrator has determined that the holder of the mining interest is required under the agreement to do the thing to which the matter relates and the further time (if any) determined by the arbitrator for the holder of the mining interest to do that thing has expired.

Aboriginal consultation

'43. (1) In consulting with traditional Aboriginal owners in accordance with the requirements of sub-section 23 (3) in relation to an application for a mining interest referred to in this Part, the Land Council shall ensure that the applicant is given an opportunity to present to the traditional Aboriginal owners for their consideration, in such reasonable form and manner as the applicant thinks fit, an explanation of the purposes for which the mining interest is required and the operations to be conducted thereunder.

'(2) Where a Land Council entering into an agreement referred to in section 41 fails to comply in all respects with sub-section 23 (3) in relation to the Aboriginal land to which the agreement relates, that failure does not of itself invalidate the agreement.

'(3) Where a Land Council, by reason of not being able to identify all of the relevant traditional Aboriginal owners of land, is unable to comply with the requirements of sub-section 23 (3) within 6 months after being notified in writing by the applicant for a mining interest of the applicant's wish to commence negotiations for an agreement referred to in section 41, the Land Council shall, in accordance with this Act and subject to section 45, negotiate for and enter into the agreement with the applicant and all monies subsequently paid under the agreement to the Land Council for the benefit of the traditional Aboriginal owners shall be held in trust for those traditional Aboriginal owners by the Land Council pending the identification of those traditional Aboriginal owners by it.

Determination of compensation

'44. (1) The compensation to be paid under an agreement referred to in section 41 shall be limited to compensation—

- (a) for the traditional Aboriginal owners being deprived of the use of the surface or part of the surface of the land;
- (b) for damage to the surface of the land through exploration or mining activities conducted on the land;
- (c) for the traditional Aboriginal owners being deprived of the use of improvements on the land;
- (d) for the severance of the land from other land held in trust for or occupied by the traditional Aboriginal owners; and
- (e) for all other damage to the land or improvements on the land arising out of operations to be conducted under the mining interest.

'(2) In determining the amount of compensation to be paid under an agreement referred to in section 41, no account shall be taken of minerals known or supposed to be on or under the land.

Arbitration on agreement

'45. (1) Where a Land Council and the applicant for a mining interest in respect of Aboriginal land cannot agree on the terms and conditions of an agreement referred to in section 41 within 12 months after the applicant having notified the Land Council in writing of the applicant's wish to commence negotiations for such an agreement or within that time the Land Council refuses or fails to enter into such negotiations, either the Land Council or the applicant may refer the matter to the warden's court for its determination of the appropriate terms and conditions of the agreement.

'(2) In determining the terms and conditions of the agreement referred to in sub-section (1) the warden's court shall have regard only to the requirements of sections 41, 42 and 43 in relation to the terms and conditions to be agreed upon and shall determine as appropriate only those terms and conditions that,

in its opinion, should in the circumstances be acceptable to the Land Council and to the applicant and the determination of the warden's court is binding on the Land Council and the applicant.

'(3) In determining a term or condition of an agreement referred to in section 41 requiring a security to be lodged by the applicant for the mining interest to secure the applicant's compliance with the conditions referred to in section 47, the warden's court shall take into account any security that the applicant may be required to lodge under a law of the Northern Territory relating to mining for minerals in respect of the mining interest and shall make its determination so that, as far as practicable, the applicant is not required to provide more than one security in respect of the same matter.

Applicant for mining interest not bound to proceed with application

'46. An agreement referred to in section 41 shall not be construed so as to compel the applicant for the mining interest to which the agreement relates to proceed with the application.

Implied conditions, &c., in grant

'47. In addition to the terms and conditions subject to which a mining interest in respect of Aboriginal land is granted, that mining interest shall be subject to the conditions that—

- (a) the holder of the mining interest or his employees, servants or agents shall not unlawfully interfere with any historical site or object, or any Aboriginal sacred site or object, declared as such by or under a law of the Northern Territory;
- (b) the holder of the mining interest shall keep to a minimum the number of people associated with the exploration or development on the land to which the mining interest relates;
- (c) except for the purposes of consumption by its employees, servants, agents, contractors or sub-contractors at its camps, the holder of the mining interest shall not bring or permit to be brought on to the mining interest, any alcohol;
- (d) the holder of the mining interest shall not bring or permit to be brought on to the mining interest firearms of any kind or, except with the prior consent of the Land Council, any animal;
- (e) the holder of the mining interest shall at all times give full consideration to the aspirations and welfare of the local Aboriginals and co-operate with the traditional Aboriginal owners and not interfere with the growth and development of the Aboriginal social, cultural and economic structures on the mining interest;
- (f) the holder of the mining interest shall employ and engage, and shall ensure that its agents, contractors and sub-contractors employ and engage, as many Aboriginals or Incorporated Aboriginal Associations or groups associated with the mining interest as is practicable who are capable of carrying out, or being trained (including by on-the-job training) to carry out, in a satisfactory manner, the particular work required to be carried out in relation to the mining interest at the usual award rates for the type of work performed and subject to the usual conditions of employment;
- (g) the holder of the mining interest shall take all reasonable steps to adjust working hours and conditions of Aboriginal employees to suit Aboriginal culture or the reasonable requirements of their Incorporated Aboriginal Association or group;
- (h) the holder of the mining interest shall progressively rehabilitate and restore, as far as practicable, all areas disturbed by its activities in accordance with good environmental practice;
- (j) the holder of the mining interest shall liaise with the Land Council on the exploration or development programs in relation to the mining interest and discuss the possible relocation of proposed works and details of the program as it develops;

- (k) the holder of the mining interest shall, before carrying out a program involving substantial disturbance of the surface of the mining interest, advise the relevant Northern Territory authority and the Land Council, in writing, of that program and comply with such directions as the relevant Northern Territory authority considers appropriate for the protection of the environment in the carrying out of the program;
- (l) the holder of the mining interest shall advise the relevant Northern Territory authority and the Land Council, in writing, of the proposed location of all infrastructure facilities on the mining interest and the proposed method to be used in disposing of waste, and comply with such directions as the relevant Northern Territory authority considers appropriate in relation to the disposal of that waste;
- (m) the holder of the mining interest shall not erect a permanent building or facility on the mining interest except with the approval in writing of the relevant Northern Territory authority; and
- (n) the holder of the mining interest shall comply with the terms and conditions of the agreement referred to in section 41 in relation to the mining interest.

Access to Aboriginal land

'48. Notwithstanding sections 68 and 70, where a person has the right under a law of the Northern Territory to occupy Aboriginal land by virtue of the grant of a mining interest, that person has for himself, his employees and his agents, a right of access from a public road to that land and across other parts of the Aboriginal land of which the mining interest is part and any contiguous Aboriginal land, by the shortest practicable route, being a route agreed upon by the person and the Land Council for the area in which the land is situated.

Right of way in respect of services, &c.

'49. (1) The grant of a mining interest entitles the holder of the mining interest to a right of way over Aboriginal land for all reasonable ancillary purposes in connection with the operations to be conducted under the mining interest.

'(2) For the purposes of sub-section (1), a right of way extends to access for or in connection with—

- (a) the erection and use of conveyor apparatus in connection with the transporting of minerals or substances containing minerals;
- (b) the erection of electricity lines;
- (c) the construction of roads;
- (d) the cutting and construction of water races or drains; and
- (e) the boring, sinking for, pumping, raising of or conveying of water.

'(3) Where the holder of a mining interest is entitled under sub-section (1) to a right of way, that right of way may be exercised by a route agreed to by the holder of the mining interest and the Land Council for the area in which the mining interest is situated.

'(4) Where a Land Council and the holder of a mining interest cannot agree on the route by which a right of way under sub-section (1) may be exercised, the matter may be referred by the Land Council or the holder of the mining interest to the warden's court for determination and the decision of the warden's court in relation to that matter is binding.

'(5) Compensation shall be payable by the holder of the mining interest to the Land Council for the benefit of the relevant traditional Aboriginal owners in respect of a right of way under sub-section (1).

'(6) The compensation to be paid under sub-section (5) shall be determined on the same basis as under section 44 in respect of the grant of a mining interest.

'(7) Where an amount of compensation payable under sub-section (5) cannot be agreed upon between the Land Council and the holder of the mining interest, the Land Council or the holder of the mining interest may refer the matter to

the warden's court for determination and the decision of the warden's court in relation to that matter is binding.

'(8) A right of way under sub-section (1) shall not be exercised until compensation has been paid in accordance with this section.

Jurisdiction and supervision of warden's court

'49A. Where by or under this Part a power is conferred or a function imposed on the warden's court, the warden's court has the jurisdiction to exercise that power or perform that function as if it had been conferred or imposed on it by or under the *Mining Act* of the Northern Territory and an appeal shall lie to the Supreme Court of the Northern Territory from a decision or determination of the warden's court under this Part in the same manner as an appeal against a decision of the warden's court under that Act.'

Debate continued.

Question—That the new clause proposed to be inserted be so inserted—put.

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

AYES, 57

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

NOES, 64

Mr Baldwin	Mr Cunningham*	Mrs Jakobsen	Mr Mountford
Mr Beazley	Mr Dawkins	Mr Jenkins	Mr O'Keefe
Mr Beddall	Mr Dubois	Mr Jones	Mr O'Neil
Mr Bilney	Mr R. F. Edwards	Mrs Kelly	Mr Punch
Mr Blanchard	Mr Fitzgibbon	Mr Kent	Mr Saunderson
Dr Blewett	Mr Free	Mr Keogh	Mr Scholes
Mr Bowen	Mr Gayler	Dr Klugman	Mr Scott
Mr J. J. Brown	Mr Gorman	Mr Lamb	Mr Simmons
Mr R. J. Brown	Mr Grace	Ms McHugh	Mr Snow
Mr Brumby	Mr Griffiths	Mr McLeay	Mr Staples
Mr Campbell	Mr Hand	Mr Maher	Dr Theophanus
Mr Charles	Mr Holding	Mr Martin	Mr Tickner
Dr Charlesworth	Mr Hollis	Mrs Mayer	Mr Uren
Mr Chynoweth	Mr Howe	Mr Mildren	Mr West
Mr Cleeland	Mr Humphreys*	Mr Milton	Mr Wright
Mr Cross	Mr Hurford	Mr A. A. Morris	Mr Young

* Tellers

And so it was negatived.

Clause 25—

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

Page 16, line 10, omit "10 years", substitute "12 months".

Page 16, omit proposed sub-section 50 (2B).

Page 17, omit proposed sub-sections 50 (2D) and (2E), substitute the following sub-sections:

"(2D) Where an application as referred to in paragraph (1) (a) has been made to the Commissioner before the day of commencement of this sub-section or is made to a Commissioner on or after that day and—

(a) the land, or a part of the land, to which the application relates—

(i) was reserved, dedicated or otherwise set aside, under a law of the Northern Territory, with effect from a time before the making of

the application, as a stock route or stock reserve but is not that part of a stock route so reserved, dedicated or set aside that is, along each of its 2 longer boundaries, contiguous to other land to which the application relates; or

- (ii) was reserved, dedicated or otherwise set aside, under a law of the Northern Territory, with effect from a time before the making of the application, for a specified public purpose,

and, in a case where the application was made before the day of commencement of this sub-section, the Commissioner had not, before the day of commencement of this sub-section, commenced an inquiry under paragraph (1) (a) in relation to the application as it related to that land or that part; or

- (b) the land, or a part of the land, to which the application relates has been reserved, dedicated or otherwise set aside, under the law of the Northern Territory with effect from a time before the making of the application, for a public purpose (not being a specified public purpose) and the Minister, by notice published in the *Gazette*, declares that that land, or that part of that land, is not land to which paragraph (1) (a) relates,

the Commissioner shall not perform, or continue to perform, a function under paragraph (1) (a) in relation to the application as it relates to that land or that part.

'(2E) For the purposes of sub-section (2D), land is reserved, dedicated or otherwise set aside for a public purpose if the purpose is related to health, education, community development, fire prevention or control, quarantine, energy supply and conservation and all other matters specified in Regulation 4 of the Northern Territory (Self-Government) Regulations and, in particular, for a specified public purpose if it is reserved, dedicated or set aside:

- (a) for forestry or re-forestation purposes;
- (b) for the recreation or amusement of the public;
- (c) for the protection or conservation of wildlife;
- (d) for the conservation of native flora;
- (e) for the preservation or protection of places or buildings of historic interest;
- (f) for memorial purposes;
- (g) for scenic purposes;
- (h) for long term geological or geophysical research;
- (j) for aerodrome purposes;
- (k) for Commonwealth War Graves purposes;
- (m) for police purposes;
- (n) as a water supply area, water control area or water catchment area;
- (p) as a cemetery;
- (q) as a monument;
- (r) as a garbage reserve;
- (s) as a commonage reserve;
- (t) as a place of scientific interest.'.

Amendments negatived.

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

Page 17, lines 14 and 15, omit "the making of the application", substitute "the commencement of this sub-section".

Page 17, line 24, after "route" insert "or stock reserve".

Clause, as amended, agreed to.

Clauses 26 to 30, by leave, taken together and debated.

Question—That the clauses be agreed to—put.

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

AYES, 65

Mr Baldwin	Mr Dubois	Mr Jenkins	Mr O'Keefe
Mr Beazley	Mr Duffy	Mr Jones	Mr O'Neil
Mr Beddall	Mr R. F. Edwards	Mrs Kelly	Mr Punch
Mr Bilney	Mr Fitzgibbon	Mr Kent	Mr Scholes
Mr Blanchard	Mr Free	Mr Keogh	Mr Scott
Dr Blewett	Mr Gayler	Dr Klugman	Mr Simmons
Mr Bowen	Mr Gear	Mr Lamb	Mr Snow
Mr R. J. Brown	Mr Gorman	Mr Lindsay	Mr Staples
Mr Brumby	Mr Grace	Ms McHugh	Dr Theophanous
Mr Campbell	Mr Griffiths	Mr McLeay	Mr Tickner
Mr Charles	Mr Hand	Mr Maher	Mr Uren
Dr Charlesworth	Mr Holding	Mr Martin	Mr West
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	
Mr Dawkins	Mrs Jakobsen	Mr Mountford	

NOES, 57

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

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

The House resumed; Mr Drummond reported accordingly.

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

- 10 TAA AND QANTAS: Mr Charles, pursuant to notice, moved—That this House recognises the significant contribution that has been made by TAA and Qantas to the development of aviation in Australia and places on record its view that these 2 airlines should remain in public ownership.

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 Gear 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.

- 11 QUESTIONS: Questions without notice being asked—

Papers: Mr Dawkins (Minister representing the Minister for Education) presented the following papers:

Education for overseas students—Tables—

No. 1—Approved full fee courses—Secondary and tertiary.

No. 2—Australian Education and Training Information Forum participants.
 No. 3—1st ASEAN Education Fair, 3-6 December 1986—Australian exhibitors.
 Questions without notice concluded.

12 PAPERS: The following papers were presented:

- Aircraft accident investigation—Report 852-1056—Pel-Air Aviation Pty Ltd, Israel Aircraft Industries 1124 Westwind VH-IWJ, near Sydney, NSW, on 10 October 1985—Report by Bureau of Air Safety Investigation.
- Anglo-Australian Telescope Agreement Act—Anglo-Australian Telescope Board—Report and financial statements, together with the Auditor-General's Report, for 1985-86.
- Australian Meat and Live-stock Industry Policy Council Act—Australian Meat and Live-stock Industry Policy Council—Report for 1985-86.
- Australian Shipping Commission Act—Australian Shipping Commission (Australian National Line)—Report and financial statements, together with the Auditor-General's Report, for 1985-86.
- Australian Sports Commission Act—Australian Sports Commission—Report and financial statements, together with the Auditor-General's Report, for 1985-86.
- Australian Tourist Commission Act—Australian Tourist Commission—Report and financial statements, together with the Auditor-General's Report, for 1985-86.
- Commissioner of Taxation—Report for 1985-86.
- Freedom of Information Act—Report by the Attorney-General on the operation of the Act, for 1985-86.
- Independent Air Fares Committee Act—Independent Air Fares Committee—5th Report, for 1985-86.
- International Monetary Agreements Act—Report on the operations of the Act and, insofar as they relate to Australia, of the International Monetary Fund and the International Bank for Reconstruction and Development, for 1985-86.
- Maritime Industry Development Committee—Report—Moving ahead, dated October 1986.
- Members of Parliament (Staff) Act—Report on consultants engaged under section 4, for 1985-86.
- Primary Industry Bank Act—9th Report on the operation of Part II of the Act, for period 28 November 1985 to 27 November 1986.
- Public Service Act—
 - Department of Aboriginal Affairs—Report, incorporating the report on the operation of the *States Grants (Aboriginal Assistance) Act 1976*, for 1985-86.
 - Department of Housing and Construction—Report, incorporating reports on the administration and operation of the First Home Owners Act and the Home Deposit Assistance Act, for 1985-86.
 - Department of Science—Report for 1985-86.
 - Department of Sport, Recreation and Tourism—Report for 1985-86.
- Science and Technology Statement 1986-87, dated October 1986.
- Sport and Recreation Ministers' Council—Summary record of proceedings, 14th meeting, Rotorua, New Zealand, 31 July 1985.
- Transport Safety—Standing Committee—Report on passenger coach safety—Government response.

13 NATIONAL FOREST STRATEGY FOR AUSTRALIA—PAPERS—MOTION TO TAKE NOTE OF PAPERS: Mr Dawkins (Minister for Trade) presented the following papers:

- National forest strategy for Australia—
 - Paper by Standing Committee on Forestry of the Australian Forestry Council.
 - Statement by Mr Kerin, Minister for Primary Industry.
- Mr Young (Leader of the House) moved—That the House take note of the papers.

Debate adjourned (Mr N. A. Brown—Deputy Leader of the Opposition), and the resumption of the debate made an order of the day for the next sitting.

14 MEMBERS' INTERESTS COMMITTEE—PAPER: Dr Klugman (Chairman) presented the following paper:

Committee of Members' Interests—Register of Members' Interests—Notifications of alterations received during the period 20 August to 25 November 1986.

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

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

Dr H. R. Edwards—from certain citizens in similar terms.

Mr Cadman, Dr H. R. Edwards, Mr Nehl and Mr Rocher—from certain citizens praying that the closure of post office agencies be prevented and their services be extended.

Mr Hollis, Mr Kent, Mr Milton and 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 Cadman, Mrs Kelly and Mr Rocher—from certain citizens praying that the right of employees to select their own superannuation scheme be guaranteed and certain other action be taken in relation to superannuation.

Mr Blunt and Mr Hicks—from certain citizens praying that the fringe benefits tax legislation be repealed.

Mr Cadman, Mr I. M. D. Cameron, Mr Nehl and Mr Rocher—from certain citizens in similar terms to the last preceding petition.

Mr Cadman—from certain citizens; and Mr Blunt—from certain residents of the Division of Richmond praying that the proposal for an identification card be rejected.

Mr Cadman and Mr Uren—from certain citizens praying that the Anzac Rifle Range, Malabar, NSW, be retained.

Mr Campbell and Mr Drummond—from certain citizens praying that the Extradition (Foreign States) Act be amended to protect the rights of accused persons.

Dr H. R. Edwards and Mr Wilson—from certain citizens praying that deletion of the 45 commonly prescribed drugs from the Pharmaceutical Benefits Scheme be reconsidered.

Mr Blanchard—from certain residents of Western Australia praying that the decision to deny secondary allowances to Year 11 students under the age of 16 years be reversed and allowances not be made directly payable to students.

Mr Blunt—from certain residents of the Division of Richmond praying that the capital gains tax be repealed.

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

Mr E. C. Cameron—from certain citizens praying that funding for education centres be restored to 1986 levels.

Mr I. M. D. Cameron—from certain residents of the Division of Maranoa praying that the ABC's proposals to cease broadcasting certain country programs be reconsidered and that it not disregard its rural listeners.

Mr Cleeland—from certain citizens praying that the agreement with the US Government concerning the use of the facilities at Pine Gap not be renewed.

Mr Cleeland—from certain citizens praying that the Flags Amendment Bill receive a speedy passage.

- Mrs Darling—from certain citizens praying that separatist terrorism in Sri Lanka be condemned and certain other action be taken in relation to Sri Lanka.
- Mr Drummond—from certain citizens praying that the fringe benefits tax be cancelled.
- Mr Halverson—from certain citizens praying that incentive and opportunity be restored to the Australian economy and certain restrictions on small business be abandoned.
- Mr Halverson—from certain citizens praying that continued assistance be provided to the footwear industry.
- Mr Halverson—from certain residents of Victoria praying that the fringe benefits tax legislation be withdrawn.
- Mr Hicks—from certain residents of New South Wales praying that SBS television continue to be made available to citizens in rural areas by means of the Aussat satellite.
- Mr Hodges—from certain citizens praying that payment of secondary allowances to the families of Year 11 students under 16 years of age be restored.
- Mr Hodges—from certain citizens praying that price controls be applied to food and certain other items.
- 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 Mildren—from certain citizens praying that certain action be taken to minimise the risk of an outbreak of potato cyst nematode.
- Mr Milton—from certain staff of the ABC and the SBS praying that certain action be taken in relation to the Staff Elected Director of the ABC following the ABC's amalgamation with the SBS.
- Mr Milton—from certain residents of Victoria praying that the decision to sell uranium to France be reversed.
- Mr Nehl—from certain citizens praying that funding be provided to improve the Pacific Highway between Port Macquarie and Woolgoolga, NSW.
- Mr Nehl—from certain citizens praying that the superannuation claim of the trade union movement be rejected and superannuation be allowed to develop without trade union domination.
- Mr Nehl—from certain citizens 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 Reith—from certain citizens praying that the Income Tax Assessment Amendment (Capital Gains) Act be repealed.
- Mr Reith—from certain citizens praying that the commitment to the oil import parity pricing policy be honoured.
- Mr Reith—from certain citizens praying that pony clubs be given tax exempt status.
- Mr Rocher—from certain citizens praying that family allowance payments be increased and proposed changes to the spouse rebate be rejected.
- Mr Scott—from certain residents of South Australia praying that the Payneham Rehabilitation Centre be fully utilised.
- Mr Tuckey—from certain citizens praying that a "work for your unemployment benefit system" be introduced.
- Dr Watson—from certain citizens praying that the assets test, capital gains tax, fringe benefits tax and tax on lump sum superannuation be repealed.
- Dr Watson—from certain residents of Queensland praying that no action be taken to change the national flag.

- 16 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ECONOMIC RECOVERY:**
The House was informed that Mr Howard (Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The barriers to economic recovery imposed by the Hawke Government's tax and interest rate policies".
The proposed discussion having received the necessary support—
Mr Howard addressed the House.
Discussion ensued.
Discussion concluded.
- 17 NEW PARLIAMENT HOUSE—JOINT STANDING COMMITTEE—REPORTS:** The Deputy Speaker presented the following reports from the Joint Standing Committee on the New Parliament House:
Developed design of the new Parliament House—Report, dated 21 November 1986, together with a new Parliament House area schedule.
Certain aspects of the new Parliament House project—Report, dated 25 November 1986, together with minutes of proceedings of the committee.
Mr Scholes (Minister for Territories) moved—That the reports be printed.
Debate ensued.
Question—put and passed.
- 18 PUBLIC ACCOUNTS COMMITTEE—REPORT—STATEMENTS BY MEMBERS:** Mr Ruddock presented the following report from the Joint Committee of Public Accounts:
261st Report—Review of the Auditor-General's efficiency audit of the Department of Territories—ACT Internal Omnibus Network (ACTION).
Mr Ruddock and Mr Nehl, by leave, made statements in connection with the report.
- 19 PUBLIC ACCOUNTS COMMITTEE—REPORT—STATEMENT BY MEMBER:** Dr Watson presented the following report from the Joint Committee of Public Accounts:
262nd Report—Guidelines for the preparation of annual reports—
and, by leave, made a statement in connection with the report.
- 20 PUBLIC ACCOUNTS COMMITTEE REPORT—STATEMENT BY MEMBER:** Mrs Kelly, by leave, made a statement in connection with the report of the Joint Committee of Public Accounts on the review of the Auditor-General's efficiency audit of the Department of Territories—ACT Internal Omnibus Network (ACTION), which was presented earlier this day.
- 21 NATIONAL CRIME AUTHORITY—JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS:** Mr Griffiths (Chairman) presented the following report from the Joint Committee on the National Crime Authority:
National Crime Authority—Joint Committee—2nd Report, dated November 1986.
Ordered to be printed.
Mr Griffiths, Mr McGauran, Mr Spender and Mr Brumby, by leave, made statements in connection with the report.
- 22 FOREIGN AFFAIRS AND DEFENCE—JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS:** Mr Charles presented the following report from the Joint Committee on Foreign Affairs and Defence:
Visit to Papua New Guinea, April 1986—Report, dated November 1986, incorporating a dissenting report.
Mr Charles, Mr Kent, Mr Lindsay and Mr White, by leave, made statements in connection with the report.

**23 PROCEDURE—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—
MOTION TO TAKE NOTE OF PAPER:** Mr Keogh (Chairman) presented the following report from the Standing Committee on Procedure:

3rd Report—The standing orders and practices which govern the conduct of question time, dated 25 November 1986, incorporating 3 dissenting reports, together with the minutes of proceedings.

Ordered—That the report be printed.

Mr Keogh, Mr D. M. Cameron, Mr McLeay and Mr Tuckey, by leave, made statements in connection with the report.

Mr Holding (Minister for Aboriginal Affairs), by leave, moved—That the House take note of the paper.

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

24 PUBLICATIONS COMMITTEE—15TH REPORT: Mr Brumby (Chairman) presented the 15th Report from the Publications Committee (sitting in conference with the Publications Committee of the Senate). The report is as follows:

15TH REPORT

The Publications Committee has the honour to report that it has met in conference with the Publications Committee of the Senate.

The joint committee, having considered petitions and papers presented to Parliament since the last meeting of the committee, and papers previously presented, recommends that the following be printed:

Accounting Standards Review Board—Annual Report 1985-86.

Administrative Appeals Tribunal Act—Administrative Review Council—Annual Report 1985-86.

Administrative Review Council—Review of the *Administrative Decisions (Judicial Review) Act 1977* (Stage One)—Report (No. 26) to the Attorney-General.

AIDS—Australia's Response—Report prepared by Margaret Duckett.

Albury-Wodonga Development Act—Albury-Wodonga Development Corporation—Annual Report 1985-86.

Aussat Pty Ltd—Annual Report 1985-86.

Australia-China Council—Annual Report 1984-85.

Australia Council Act—Australia Council—Annual Report 1985-86.

Australian Biological Resources Study Advisory Committee—Australian Biological Resources Study—Annual Report 1985-86.

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Annual Report 1985-86.

Australian Federal Police Act—Australian Federal Police—Annual Report 1985-86.

Australian Film, Television and Radio School Act—Australian Film, Television and Radio School—Annual Report 1985-86.

Australian Institute of Marine Science Act—Australian Institute of Marine Science—Annual Report 1985-86.

Australian Science and Technology Council Act—Australian Science and Technology Council—Report on the Defence Science and Technology Organisation and National Objectives.

Australia's Population Trends and Prospects 1986—Report by the Department of Immigration and Ethnic Affairs, dated October 1986.

Automotive Industry Authority Act—Automotive Industry Authority—Annual Report 1985-86.

Broadcasting Act—

Australian Broadcasting Tribunal—Annual Report 1985-86.

Special Broadcasting Service—Annual Report (8th) 1985-86.

Commonwealth Electoral Act—Australian Electoral Commission—Annual Report 1985-86.

- Commonwealth Grants Commission Act—Commonwealth Grants Commission—53rd Report (1986).
- Commonwealth Tertiary Education Commission Act—Commonwealth Tertiary Education Commission—Review of Efficiency and Effectiveness in Higher Education.
- Department of Community Services—Policy Co-ordination Unit—Annual Report 1985-86.
- Director of Public Prosecutions Act—Office of the Director of Public Prosecutions—Annual Report 1985-86.
- Dried Fruits Research Act and Rural Industries Research Act—Dried Fruits Research Committee and Dried Fruits Research Council—Annual Report.
- Family Law Act—Australian Institute of Family Studies—Annual Report 1985-86.
- Foreign Investment Review Board—Annual Report 1985-86.
- High Court of Australia Act—High Court of Australia—Annual Report 1985-86.
- Honey Industry Act—Australian Honey Board—Annual Report 1985-86.
- Human Rights Commission Act—Human Rights Commission—Reports—
No. 18—The Human Rights of Australian-born Children whose Parents are deported, dated 12 August 1986.
No. 19—Superannuation and Insurance and the *Sex Discrimination Act 1984*—(Part 1—Superannuation).
- Industries Assistance Commission—Reports—
Citrus Fruit (Interim Report), dated 10 October 1986 (No. 395).
Reconditioned Automotive Engines, dated 18 September 1986 (No. 394).
Rice Industry (Interim Report), dated 15 October 1986 (No. 396).
- Industries Assistance Commission Act—Industries Assistance Commission—Annual Report 1985-86.
- Law Reform Commission Act—Law Reform Commission—Report No. 32—Community law reform for the Australian Capital Territory (2nd Report).
- National Debt Sinking Fund Act—National Debt Commission—Annual Report (63rd) 1985-86.
- Ombudsman Act—Commonwealth Ombudsman—Annual Report (9th) 1985-86, together with Defence Force Ombudsman—Annual Report (3rd) 1985-86.
- Papua New Guinea (Staffing Assistance) Act—Papua New Guinea Superannuation Scheme and Certain Other Schemes—Annual Report 1985-86 by the Commissioner for Superannuation on the General Administration and Operation of the Schemes.
- Postal Services Act—Australian Postal Commission—Annual Report 1985-86.
- Poultry Industry Assistance Act—Annual Report 1985-86.
- Prices Surveillance Act—Prices Surveillance Authority—Annual Report (3rd) 1985-86.
- Primary Industry Bank Act—Primary Industry Bank—Annual Report (8th) 1985-86.
- Public Service Act—
Department of Arts, Heritage and Environment—Annual Report 1985-86.
Department of Communications—Annual Report 1985-86.
Department of Finance—Annual Report 1985-86.
Department of Industry, Technology and Commerce—Annual Report 1985-86.
Department of Primary Industry—Annual Report 1985-86.
Department of Resources and Energy—Annual Report 1985-86.
Department of Territories—Annual Report 1985-86.
Department of the Treasury—Annual Report (8th) 1985-86.
Department of Trade—Annual Report 1985-86.
Department of Transport—Annual Report 1985-86.
Public Service Board—Annual Report 1985-86.

Rural Industries Research Act—

Grain Legumes Research Council—Annual Report for period 1 February 1986 to 30 June 1986.

Honey Research Council—Annual Report 1985-86.

Snowy Mountains Council—Annual Report (28th) 1985-86.

Social Security Act—Department of Social Security—Annual Report 1985-86.

States and Northern Territory Grants (Rural Adjustment) Act—Rural Adjustment Scheme—Annual Report 1985-86.

States Grants (Tertiary Education Assistance) Act 1984—Report of Determinations made in 1985 in respect of the 1985-87 Triennium by the Minister for Education.

Taxation Statistics 1984-85—Volume 1.

United Nations General Assembly—Report of the Australian Delegation to the 40th Session, New York, 17 September to 18 December 1985.

J. M. BRUMBY
Chairman

27 November 1986.

Mr Brumby, by leave, moved—That the report be agreed to.

Debate ensued.

Question—put and passed.

- 25 **COMMONWEALTH PARLIAMENTARY ASSOCIATION—32ND COMMONWEALTH PARLIAMENTARY CONFERENCE—REPORT OF DELEGATION FROM COMMONWEALTH OF AUSTRALIA BRANCH—STATEMENTS BY MEMBERS:**
Mr Cleeland, by leave, presented the following paper:

Commonwealth Parliamentary Association—32nd Commonwealth Parliamentary Conference, London, September-October 1986—Report of Delegation from Commonwealth of Australia Branch.

Ordered to be printed.

Mr Cleeland, Mr Hawker and Mr I. M. D. Cameron, by leave, made statements in connection with the report.

- 26 **ABORIGINAL LAND RIGHTS (NORTHERN TERRITORY) AMENDMENT BILL 1986:**
The House, according to order, again resolved itself into a committee of the whole for the further consideration of the Bill.

In the committee

Clause 31 omitted, after debate.

Clause 32 agreed to.

Clause 33—

On the motion of Mr Holding (Minister for Aboriginal Affairs), the following amendment was made: Page 20, lines 11-17, omit proposed paragraph 67A (3) (a).

Clause, as amended, agreed to.

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

Bill to be reported with amendments.

The House resumed; Mr McLeay reported accordingly.

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

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

Question—put.

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

AYES, 68

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

NOES, 52

Mr Adermann	Mr Coleman	Mr Katter	Mr Ruddock
Mr Aldred	Mr Conquest	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 Burr	Mr T. A. Fischer	Mr Macphee	Mr Spender
Mr Cadman	Mr Halverson	Mr Miles	Mrs Sullivan
Mr D. M. Cameron	Mr Hawker	Mr Millar	Mr Tuckey
Mr E. C. Cameron	Mr Hicks*	Mr Nehl	Dr Watson
Mr I. M. D. Cameron	Mr Hodges	Mr Porter	Mr Webster
Mr Carlton	Mr Hunt	Mr Reith	Mr White
Mr Cobb	Mr Jull	Mr Robinson	Mr Wilson

* Tellers

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

27 PLANT VARIETY RIGHTS 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.

Closure: Mr Humphreys moved—That the question be now put.

Question—That the question be now put—put.

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

AYES, 65

Mr Baldwin	Mr Dubois	Mr Jenkins	Mr P. F. Morris
Mr Beazley	Mr Duffy	Mr Jones	Mr Mountford
Mr Beddall	Mr R. F. Edwards	Mr Keating	Mr O'Keefe
Mr Bilney	Mr Fitzgibbon	Mrs Kelly	Mr Punch
Mr Blanchard	Mr Free	Mr Kent	Mr Sanderson
Dr Blewett	Mr Gayler	Mr Keogh	Mr Scott
Mr J. J. Brown	Mr Gear	Mr Kerin	Mr Simmons
Mr R. J. Brown	Mr Grace	Dr Klugman	Mr Snow
Mr Brumby	Mr Griffiths	Mr Lamb	Mr Staples
Mr Campbell	Mr Hand	Mr Lindsay	Dr Theophanous
Mr Charles	Mr Hayden	Ms McHugh	Mr Tickner
Dr Charlesworth	Mr Holding	Mr McLeay	Mr Uren
Mr Chynoweth	Mr Hollis	Mr Maher	Mr Wright
Mr Cleeland	Mr Howe	Mr Martin	Mr Young
Mr Cross	Mr Humphreys*	Mrs Mayer	
Mr Cunningham*	Mr Hurford	Mr Milton	
Mr Dawkins	Mrs Jakobsen	Mr A. A. Morris	

NOES, 42

Mr Andrew*	Mr Downer	Mr McArthur	Mr Sinclair
Mr Beale	Mr Drummond	Mr McGauran	Mr Slipper
Mr Blunt	Dr H. R. Edwards	Mr McVeigh	Mr Spender
Mr Burr	Mr Everingham	Mr Miles	Mrs Sullivan
Mr Cadman	Mr T. A. Fischer	Mr Nehl	Mr Tuckey
Mr D. M. Cameron	Mr Hall	Mr Porter	Dr Watson
Mr E. C. Cameron	Mr Hawker	Mr Rocher	Mr Webster
Mr I. M. D. Cameron	Mr Hicks*	Mr Ruddock	Mr White
Mr Carlton	Mr Hodges	Mr Shack	Mr Wilson
Mr Cobb	Mr Jull	Mr Sharp	
Mr Conquest	Mr Lloyd	Mr Shipton	

* Tellers

And so it was resolved in the affirmative.

And the question—That the Bill be now read a second time—was put accordingly, and passed—Bill read a second time.

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.

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

Question—put and passed.

And then the House, at 10.13 p.m., adjourned until tomorrow at 10 a.m.

PAPERS: The following papers were deemed to have been presented on 27 November 1986:

Aboriginal and Torres Strait Islander Heritage Protection Act—Regulations—Statutory Rules 1986, No. 344.

Canned Fruits Levy Act—Regulations—Statutory Rules 1986, No. 343.

Customs Act—Regulations—Statutory Rules 1986, No. 342.

Defence Force Discipline Act—Rules—Statutory Rules 1986, No. 337.

Excise Act—Regulation—Statutory Rules 1986, No. 338.

Public Service Act—

Determinations—1986—Nos. 82, 84, 85, 86, 88, 91.

Regulations—Statutory Rules 1986, Nos. 340, 341.

Seat of Government (Administration) Act—Ordinance—1986—No. 76—Poisons and Narcotic Drugs (Amendment) (No. 2).

Superannuation Act—Regulation—Statutory Rules 1986, No. 339.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mrs Darling, Mr Dobie, Mr Duncan, Ms Fatin, Mr P. S. Fisher, Mr Goodluck, Mr Hodgman, Mr Jacobi*, Mr Langmore, Mr Lee, Mr Price, Mr Smith and Mr Willis.

*On leave

A. R. BROWNING
Clerk of the House of Representatives