

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA  
**HOUSE OF REPRESENTATIVES**  
**VOTES AND PROCEEDINGS**

No. 124

MONDAY, 29 MAY 1989

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- 1 The House met, at 2 p.m., pursuant to adjournment. Madam Speaker (the Honourable Joan Child) took the Chair, and read Prayers.
- 2 **MINISTERIAL ARRANGEMENTS:** Mr Hawke (Prime Minister) informed the House that, during the absence abroad of Mr Keating (Treasurer), Mr Dawkins (Minister for Employment, Education and Training) was acting as Treasurer.
- 3 **QUESTIONS:** Questions without notice being asked—  
*Paper:* Mr Dawkins (Acting Treasurer) presented the following paper:  
 GNE and Endogenous Imports (MEG)—Graph detailing percentage change on a year earlier—Period 1980 to 1988.  
 Questions without notice continued.
- 4 **APPLICATION OF STANDING ORDER 145—STATEMENT BY MADAM SPEAKER:**  
 Madam Speaker referred to a question directed to her on 13 April 1989 by Mr Shack and made a statement concerning the application of standing order 145.
- 5 **BROADCAST OF COMMITTEE ROOM PROCEEDINGS—STATEMENT BY MADAM SPEAKER:** Madam Speaker referred to a matter raised in the House on 25 May 1989 by Mr Scholes concerning the confidentiality of proceedings of private or in camera meetings of committees in the committee rooms of Parliament House and made a statement concerning the matter.
- 6 **FILM OF PROCEEDINGS OF HOUSE—USE BY TELEVISION STATIONS—STATEMENT BY MADAM SPEAKER—PAPER:** Madam Speaker made a statement concerning the use by some television stations of film of certain proceedings on 24 May 1989, informed the House that the Joint Committee on the Broadcasting of Parliamentary Proceedings had met and recommended guidelines to apply to the use of film footage of proceedings by television stations, and presented the following paper:  
 Joint Committee on the Broadcasting of Parliamentary Proceedings—Guidelines to apply to recording of vision footage for film purposes, and subsequent broadcasting by television stations.
- 7 **PAPERS:** The following papers were presented:  
 Aboriginal Development Commission Act—Aboriginal Development Commission—Report and financial statements, including the Auditor-General's Report and freedom of information statement, for 1987-88.  
 Australian Institute of Health Act—Australian Institute of Health—Report and financial statements, including the Auditor-General's Report, for 1987-88.

Transport, Communications and Infrastructure—Standing Committee—Report—  
Review of the Auditor-General's efficiency audit: Australian National's commission  
traffic—Government response.

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

25 May 1989—Message—

No. 370—Appropriation (Parliamentary Departments) (No. 2) 1988-89.

No. 371—Defence Legislation Amendment 1989.

No. 372—House of Representatives (Quorum) 1988.

- 9 **MESSAGE FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS:** A message from  
His Excellency the Governor-General was announced informing the House that  
His Excellency, in the name of Her Majesty, had assented to the following Bills:

24 May 1989—Message No. 215—

Affirmative Action (Equal Employment Opportunity for Women) Amendment  
1989.

Broadcasting (Ownership and Control) 1989.

Copyright Amendment 1989.

Export Inspection (Quantity Charge) Amendment 1989.

- 10 **STANDING COMMITTEES—MEMBERSHIP:** The House was informed of the  
nominations of Members to be members of the following standing committees:

*Standing Committee on Community Affairs:*

Mr Braithwaite had been nominated by the National Party Whip in place  
of Mr Blunt (Leader of the National Party of Australia).

*Standing Committee on Transport, Communications and Infrastructure:*

Mr Sharp had been nominated by the National Party Whip in place of  
Mr Blunt.

*Standing Committee on Industry, Science and Technology:*

Mr Nehl had been nominated by the National Party Whip.

- 11 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ECONOMIC MANAGEMENT:**

The House was informed that Dr Hewson had proposed that a definite matter  
of public importance be submitted to the House for discussion, namely, "The  
economic mismanagement of the Hawke Government which has called into  
question Australia's international credit standing threatening even higher interest  
rates".

The proposed discussion having received the necessary support—

Dr Hewson addressed the House.

Discussion ensued.

Mrs Kelly (Minister for Telecommunications and Aviation Support) moved—That

Dr Theophanous be granted an extension of time.

Question—put.

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

AYES, 78

|                 |                  |                 |                |
|-----------------|------------------|-----------------|----------------|
| Mr Baldwin      | Mrs Darling      | Mr Jenkins      | Mr O'Neil      |
| Mr Beazley      | Mr Dawkins       | Mr Johns        | Mr Price       |
| Mr Beddall      | Mr Dubois        | Mr Jones        | Mr Saunderson  |
| Mr Bilney       | Mr Duffy         | Mrs Kelly       | Mr Sawford     |
| Mr Blanchard    | Mr Duncan        | Mr Kent         | Mr Scholes     |
| Dr Blewett      | Mr R. F. Edwards | Mr Kerin        | Mr Sciacca     |
| Mr Bowen        | Ms Fatin         | Mr Kerr         | Mr J. L. Scott |
| Mr J. J. Brown  | Mr Fitzgibbon    | Dr Klugman      | Mr L. J. Scott |
| Mr R. J. Brown  | Mr Free          | Mr Lamb*        | Mr Simmons     |
| Mr Brumby       | Mr Gayler        | Mr Langmore     | Mr Snow        |
| Mr Campbell     | Mr Gear          | Mr Lavarch      | Mr Snowdon     |
| Mr Charles      | Mr Gorman        | Mr Lee          | Mr Staples     |
| Dr Charlesworth | Mr Grace         | Mr Lindsay      | Dr Theophanous |
| Mr Chynoweth    | Mr Griffiths     | Ms McHugh       | Mr Tickner     |
| Mr Cleeland     | Mr Hand          | Mr Martin       | Mr Uren        |
| Mr Cohen        | Mrs Harvey       | Mr Milton       | Mr West        |
| Mr Courtice     | Mr Holding       | Mr A. A. Morris | Mr Willis      |
| Ms Crawford     | Mr Hollis        | Mr P. F. Morris | Mr Wright      |
| Mr Cross        | Mr Humphreys     | Mr Mountford    |                |
| Mr Cunningham*  | Mrs Jakobsen     | Mr O'Keefe      |                |

NOES, 55

|                  |                  |              |               |
|------------------|------------------|--------------|---------------|
| Mr Adermann      | Mr Cowan         | Mr Lloyd     | Mr Ruddock    |
| Mr Anderson      | Mr Dobie         | Mr McArthur  | Mr Shack      |
| Mr Andrew        | Mr Downer        | Mr McGauran  | Mr Sharp      |
| Mr Beale         | Dr H. R. Edwards | Mr MacKellar | Mr Shipton    |
| Mr Blunt         | Mr Fife          | Mr Macphee   | Mr Sinclair   |
| Mr Braithwaite   | Mr T. A. Fischer | Mr Miles     | Mr Smith      |
| Mr N. A. Brown   | Mr P. S. Fisher  | Mr Millar    | Mr Spender    |
| Mr Burr          | Mr Goodluck      | Mr Moore     | Mrs Sullivan  |
| Mr Cadman        | Mr Hall          | Mr Nehl*     | Mr Taylor     |
| Mr D. M. Cameron | Mr Halverson     | Mr Pratt     | Mr Tuckey     |
| Mr E. C. Cameron | Mr Hawker*       | Mr Prosser   | Mr Webster    |
| Mr Carlton       | Dr Hewson        | Mr Reith     | Dr Woods      |
| Mr Cobb          | Mr Jull          | Mr Robinson  | Dr Wooldridge |
| Mr Connolly      | Mr Katter        | Mr Rocher    |               |

\* Tellers

And so it was resolved in the affirmative.

Dr Theophanous rising to address the House—

*Closure of Member moved:* Mr MacKellar moved—That the honourable Member be not further heard.

Question—put.

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

AYES, 56

|                  |                  |              |               |
|------------------|------------------|--------------|---------------|
| Mr Adermann      | Mr Cowan         | Mr Katter    | Mr Rocher     |
| Mr Anderson      | Mr Dobie         | Mr Lloyd     | Mr Ruddock    |
| Mr Andrew        | Mr Downer        | Mr McArthur  | Mr Shack      |
| Mr Beale         | Dr H. R. Edwards | Mr McGauran  | Mr Sharp      |
| Mr Blunt         | Mr Fife          | Mr MacKellar | Mr Shipton    |
| Mr Braithwaite   | Mr T. A. Fischer | Mr Macphee   | Mr Sinclair   |
| Mr N. A. Brown   | Mr P. S. Fisher  | Mr Miles     | Mr Smith      |
| Mr Burr          | Mr Goodluck      | Mr Millar    | Mr Spender    |
| Mr Cadman        | Mr Hall          | Mr Moore     | Mrs Sullivan  |
| Mr D. M. Cameron | Mr Halverson     | Mr Nehl*     | Mr Taylor     |
| Mr E. C. Cameron | Mr Hawker*       | Mr Pratt     | Mr Tuckey     |
| Mr Carlton       | Dr Hewson        | Mr Prosser   | Mr Webster    |
| Mr Cobb          | Mr Howard        | Mr Reith     | Dr Woods      |
| Mr Connolly      | Mr Jull          | Mr Robinson  | Dr Wooldridge |

## NOES, 78

|                 |                  |                 |                |
|-----------------|------------------|-----------------|----------------|
| Mr Baldwin      | Mrs Darling      | Mr Jenkins      | Mr O'Neil      |
| Mr Beazley      | Mr Dawkins       | Mr Johns        | Mr Price       |
| Mr Beddall      | Mr Dubois        | Mr Jones        | Mr Saunderson  |
| Mr Bilney       | Mr Duffy         | Mrs Kelly       | Mr Sawford     |
| Mr Blanchard    | Mr Duncan        | Mr Kent         | Mr Scholes     |
| Dr Blewett      | Mr R. F. Edwards | Mr Kerin        | Mr Sciacca     |
| Mr Bowen        | Ms Fatin         | Mr Kerr         | Mr J. L. Scott |
| Mr J. J. Brown  | Mr Fitzgibbon    | Dr Klugman      | Mr L. J. Scott |
| Mr R. J. Brown  | Mr Free          | Mr Lamb*        | Mr Simmons     |
| Mr Brumby       | Mr Gayler        | Mr Langmore     | Mr Snow        |
| Mr Campbell     | Mr Gear          | Mr Lavarch      | Mr Snowdon     |
| Mr Charles      | Mr Gorman        | Mr Lee          | Mr Staples     |
| Dr Charlesworth | Mr Grace         | Mr Lindsay      | Dr Theophanous |
| Mr Chynoweth    | Mr Griffiths     | Ms McHugh       | Mr Tickner     |
| Mr Cleeland     | Mr Hand          | Mr Martin       | Mr Uren        |
| Mr Cohen        | Mrs Harvey       | Mr Milton       | Mr West        |
| Mr Courtice     | Mr Holding       | Mr A. A. Morris | Mr Willis      |
| Ms Crawford     | Mr Hollis        | Mr P. F. Morris | Mr Wright      |
| Mr Cross        | Mr Humphreys     | Mr Mountford    |                |
| Mr Cunningham*  | Mrs Jakobsen     | Mr O'Keefe      |                |

\* Tellers

And so it was negatived.

Discussion concluded.

- 12 **MESSAGE FROM THE SENATE—INCOME TAX ASSESSMENT (TAX AGENTS' FEES) AMENDMENT BILL 1989:** Message No. 373, dated 25 May 1989, from the Senate was reported transmitting for the concurrence of the House a Bill for "*An Act to amend the 'Income Tax Assessment Act 1936' to make deductible expenditure incurred for the preparation, by a registered tax agent, of information required by or under the 'Income Tax Assessment Act 1936'*".

Bill read a first time.

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

Dr Hewson seconded the motion.

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

- 13 **FAMILY COURT OF AUSTRALIA BUILDING, SYDNEY—CONSTRUCTION—APPROVAL OF WORK:** Mr West (Minister for Administrative Services), 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 building for the Family Court of Australia, Sydney.

Debate ensued.

Question—put and passed.

- 14 **PUBLIC WORKS COMMITTEE—REFERENCE OF WORK—SANDFILLING OF INTERNATIONAL TERMINAL, OPERATIONAL AND COMMERCIAL SITES, BRISBANE AIRPORT:** Mr West (Minister for Administrative Services), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Sandfilling of international terminal, operational and commercial sites, Brisbane airport.

Mr West presented plans in connection with the proposed work.

Debate ensued.

Question—put and passed.

- 15 **PUBLIC WORKS COMMITTEE—REFERENCE OF WORK—STAGE 2 DEVELOPMENT, INCLUDING NEW SUBMARINE SCHOOL, HMAS STIRLING, GARDEN ISLAND, WA:** Mr West (Minister for Administrative Services), pursuant to notice,

moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Stage 2 development, including new Submarine School, HMAS *Stirling*, Garden Island, WA.

Mr West presented plans in connection with the proposed work.

Debate ensued.

Question—put and passed.

**16 AUSTRALIAN CAPITAL TERRITORY—JOINT COMMITTEE—SENATE'S MESSAGE**

**NO. 343:** The order of the day having been read for the consideration of message No. 343 from the Senate requesting the concurrence of the House in the Senate's modifications of the resolution transmitted to the Senate by the House for the appointment of a Joint Committee on the Australian Capital Territory—

The House proceeded to consider the Senate's modifications, which are as follows:

(a) paragraph (2), leave out the paragraph, insert the following paragraph:

“(2) That the committee consist of 10 members, 3 Members of the House of Representatives to be nominated by the Government Whip or Whips, 2 Members of the House of Representatives to be nominated by the Opposition Whip or Whips, 2 Senators to be nominated by the Leader of the Government in the Senate, 2 Senators to be nominated by the Leader of the Opposition in the Senate and 1 Senator to be nominated by any minority group or groups or independent Senator or independent Senators.”; and

(b) paragraph (11), leave out “be rescinded”, insert “cease to have effect on the passage of this resolution”.

Mr Bowen (Attorney-General) moved—That the modifications be agreed to.

Debate ensued.

Question—put and passed.

**17 CRIMES LEGISLATION AMENDMENT BILL 1989:** 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—

*Paper:* Mr Bowen (Attorney-General) presented an explanatory memorandum to the Bill (*in substitution for the explanatory memorandum presented on 11 May 1989*).

Debate resumed.

*Paper:* Mr MacKellar, by leave, presented the following paper:

Australian Taxation Office—Individual credit assessment—Copy of computer printout, issued 3 February 1984.

Debate continued.

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

The House resolved itself into a committee of the whole.

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*In the committee*

Clause 1 agreed to.

Clause 2—

Mr N. A. Brown moved the following amendment: Pages 1 and 2, omit subclause (2), substitute the following subclauses:

“(2) Subject to subsections (2A) and (2B), section 10 commences on a day to be fixed by Proclamation.

“(2A) For the purposes of subsection (2B) only, section 10 commences, only with respect to actions taken or events occurring pursuant to that section, on the day on which this Act receives the Royal Assent.

“(2B) The day fixed by Proclamation for the commencement of section 10 shall not be a day earlier than the day after all of the following have occurred:

(a) the Privacy Commissioner has given advice to the Minister under paragraph 85ZZ (1) (b) of the *Crimes Act 1914* with respect to those

- persons who should be excluded from the application of Division 3 of Part VIIC of that Act;
- (b) regulations have been made under paragraph 85ZZH (k) of the *Crimes Act 1914* prescribing those persons or bodies, to whom, for a prescribed purpose and in relation to a conviction for a prescribed offence, Division 3 of Part VIIC of that Act does not apply;
  - (c) in accordance with section 48 of the *Acts Interpretation Act 1901*, the regulations referred to in paragraph (2A) (b) of this Act have been laid before each House of the Parliament and the period during which such regulations may be disallowed or be deemed to have been disallowed has expired, without the regulations having been disallowed by either House or having been deemed to be disallowed; and
  - (d) the period of 12 months beginning on the day on which this Act receives the Royal Assent has expired.”.

Debate continued.

Amendment negatived.

Clause agreed to.

Clauses 3 to 9, by leave, taken together, and agreed to.

Clause 10—

Mr N. A. Brown moved the following amendment: Page 14, lines 15-17, omit proposed paragraph 85ZW (a).

Debate continued.

Amendment negatived.

Clause agreed to.

Clauses 11 to 30, by leave, taken together, and agreed to.

Clause 31—

On the motion of Mr N. A. Brown, the following amendment was made: Page 33, lines 34-39, omit paragraph (d), substitute the following paragraph:

“(d) by inserting after subsection (2C) the following subsections:

‘(2D) Subject to subsection (2E), in any other case where the Director considers it appropriate to do so, the Director may institute a prosecution of a person on indictment for an indictable offence against the laws of the Commonwealth in respect of which the person has not been examined or committed for trial.

‘(2E) Notwithstanding anything contained in subsection (2D), the Director may not institute a prosecution of a person on indictment for an offence against the *War Crimes Act 1945* unless the person has first been examined or committed for trial.’”.

Clause, as amended, 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 Andrew reported accordingly.

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

#### 18 ARTS, TERRITORIES AND ENVIRONMENT LEGISLATION AMENDMENT BILL

1989: The order of the day having been read for the second reading—Mr Holding (Minister for the Arts, Tourism and Territories) moved—That the Bill be now read a second time.

*Paper:* Mr Holding presented an explanatory memorandum to the Bill.

Debate ensued.

Mr McGauran addressing the House—

19 ADJOURNMENT: It being 10.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 11 p.m.—The Deputy Speaker adjourned the House until tomorrow at 2 p.m.

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**PAPERS:** The following papers were deemed to have been presented on 29 May 1989:  
Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposal for collection of information—1989—No. 10—Retail Commodity Survey.  
Census and Statistics Act—Australian Bureau of Statistics—Statement of disclosure of information—1989—No. 5—List of names and addresses of establishments for the Department of Industrial Relations.  
Defence Act—  
Defence Force Remuneration Tribunal—Determinations—1989—Nos. 10, 11.  
Determination under section 58B—1989—No. 65—Antarctic Parity Allowance.  
National Health Act—Declaration pursuant to subsection—  
85 (2), dated 18 May 1989.  
85 (2AA), dated 18 May 1989.  
Proclamation by His Excellency the Governor-General fixing 1 July 1989 as the date on which subsection 45 (6) of the *Public Service and Statutory Authorities Amendment Act 1980* shall come into operation.  
*States Grants (Tertiary Education Assistance) Act 1987*—Directions—1988—Nos. 19, 20, 21, 22

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**MEMBERS PRESENT:** All Members were present (at some time during the sitting) except Mr Aldred, Mr I. M. D. Cameron, Mr Howe, Mr Keating, Mr Mildren, Mr Porter, Mr Punch and Mr White.

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**A. R. BROWNING**  
Clerk of the House of Representatives