

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 63

WEDNESDAY, 25 OCTOBER 1978

1 The House met, at 2.15 p.m., pursuant to adjournment. Mr Speaker (the Right Honourable Sir Billy Snedden) took the Chair, and read Prayers.

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

Mr Bradfield, Sir William McMahon and Mr Stewart—from certain citizens praying for the prohibition of pornographic material involving children.

Mr Aldred and Mr Macphee—from certain citizens praying that Radio 3CR Melbourne be required to adhere to the broadcasting standards laid down for all other radio stations and that legislation be enacted against incitement to racial hatred and violence.

Mr Bradfield—from certain citizens praying that a broadly representative Schools Commission be maintained to determine national priorities in education and other matters.

Mr Bradfield—from certain citizens praying that item 6469 be removed from the standard medical benefits table.

Mr N. A. Brown—from certain citizens praying that the Medical Benefits Schedule be amended to preclude payment of benefits for abortions.

Mr Ellicott—from certain citizens praying for the award of a medal to members of the World War II *Jaywick* and *Rimau* commando expeditions.

Dr Everingham—from certain citizens praying that pensions be increased twice yearly in line with rises in the consumer price index.

Mr Fry—from certain citizens praying that any request from Jacob Prai and Otto Ondowame for political asylum in Australia be approved.

Mr Giles—from certain citizens praying for the replacement of the 1978-79 Budget by a budget which increases the level of economic activity, lowers unemployment, assists the disadvantaged and revives business and consumer confidence.

Mr Jarman—from certain citizens of Nunawading, Vic., praying that the Social Security Act be amended to permit unemployment beneficiaries to work part-time without loss of all unemployment benefits.

Dr Jenkins—from certain citizens praying that a commitment be made to reduce unemployment progressively.

Mr J. L. McMahon—from certain citizens praying that there be no extension of Kingsford-Smith Airport, Sydney.

Mr Morris—from certain citizens praying for the rejection of any legislation introducing annual adjustments of pension rates.

Petitions received.

3 MINISTERIAL ARRANGEMENTS: Mr Fraser (Prime Minister) informed the House that, during the absence abroad of Mr Anthony (Minister for Trade and Resources), Mr Garland (Minister for Special Trade Representations) was acting as Minister for Trade and Resources.

4 QUESTIONS: Questions without notice were asked.

5 **SUSPENSION OF STANDING ORDERS MOVED:** Mr Hayden (Leader of the Opposition) moved—That so much of the standing orders be suspended as would prevent the Prime Minister making a full statement to this House to justify why the Prime Minister refused to adhere to the proper standards of conduct he applied on 3 previous cases in requiring Ministers of his Government to either resign or stand down from their official duties pending investigation of serious allegations against them, by requiring the Minister for Primary Industry to adopt those standards and stand down from the Ministry until allegations against him of financial impropriety have been resolved by official investigation.

Closure of Member: Mr Fife (Acting Leader of the House) moved—That the honourable Member be not further heard.

Question—put.

The House divided (the Speaker, Sir Billy Snedden, in the Chair)—

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Mr Adermann	Mr Dobie	Mr Jarman	Mr Nixon
Mr Aldred	Mr Drummond	Mr P. F. Johnson	Mr O'Keefe
Mr Baillieu	Dr Edwards	Mr Johnston	Mr Peacock
Mr Baume	Mr Ellicott	Mr Jull	Mr Porter
Mr Birney	Mr Falconer	Mr Katter	Mr E. L. Robinson
Mr Bourchier	Mr Fife	Mr Killen	Mr I. L. Robinson
Mr Bradfield	Mr Fisher	Mr Lloyd	Mr Sainsbury
Mr Braithwaite	Mr Fraser	Mr Lusher	Mr Shack
Mr N. A. Brown	Mr Garland	Mr MacKellar	Mr Short
Mr Bungey	Mr Giles	Mr MacKenzie	Mr Simon
Mr Burr	Mr Gillard	Mr McLean	Mr Staley
Mr Cadman	Mr Goodluck	Mr McLeay	Mr Street
Mr Calder	Mr Graham	Mr McVeigh	Mr Thomson
Mr D. M. Cameron	Mr Groom	Mr Macphee	Mr Viner
Mr E. C. Cameron	Mr Haslem	Mr Martyr	Mr Wilson
Mr Carlton	Mr Hodgman	Mr Millar	Mr Yates
Mr Chapman	Mr Howard	Mr Moore	<i>Tellers:</i>
Mr Connolly	Mr Hunt	Mr Neil	Mr Corbett
Mr Dean	Mr Hyde	Mr Newman	Mr Hodges

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Mr Armitage	Mr Fry	Mr Keating	Mr Wallis
Dr Blewett	Mr Hayden	Mr Kerin	Mr West
Mr Bowen	Mr Howe	Dr Klugman	Mr Willis
Mr J. J. Brown	Mr Humphreys	Mr J. L. McMahon	Mr Young
Mr C. R. Cameron	Mr Hurford	Mr Martin	
Dr Cass	Mr James	Mr Morris	
Mr Cohen	Dr Jenkins	Mr Scholes	<i>Tellers:</i>
Dr Everingham	Mr B. O. Jones	Mr Stewart	Mr L. K. Johnson
Mr FitzPatrick	Mr C. K. Jones	Mr Uren	Mr L. R. Johnson

And so it was resolved in the affirmative.

Mr Young (seconder) addressing the House—

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

Question—put and passed.

Question—That the motion for the suspension of the standing orders be agreed to—put and negatived.

6 **PAPERS:** The following papers were presented, by command of His Excellency the Governor-General:

Nurse education and training—Report of Committee of Inquiry to the Tertiary Education Commission—

Report, dated August 1978.

Statement by Senator Carrick (Minister for Education), dated 24 October 1978.

7 **UNITED NATIONS—GENERAL ASSEMBLY—SPECIAL SESSION ON DISARMAMENT—REPORT OF AUSTRALIAN DELEGATION—PAPER AND MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Mr Peacock (Minister for Foreign Affairs), by command of His Excellency the Governor-General, presented the following paper:

- United Nations—General Assembly—Special session on disarmament, 23 May to 1 July 1978—Report of Australian Delegation—
and, by leave, made a ministerial statement in connection with the paper.
Mr Fife (Acting Leader of the House) moved—That the House take note of the paper.
Debate ensued.
Debate adjourned (Mr Hodges), and the resumption of the debate made an order of the day for the next sitting.
- 8 EXPORT EXPANSION GRANTS BILL 1978—LEGISLATION COMMITTEE: Mr Speaker informed the House that Mr Cairns and Mr Howe had been discharged from the legislation committee considering the Export Expansion Grants Bill 1978 and that Mr Calder and Mr West had been nominated in their places.
- 9 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—AUSTRALIA'S RELATIONS WITH ASEAN: Mr Speaker informed the House that Mr Bowen (Deputy Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The Government's mismanagement and inability to develop relations and trade with ASEAN".
The proposed discussion having received the necessary support—
Mr Bowen addressed the House.
Discussion ensued.
Discussion concluded.
- 10 LEGISLATION COMMITTEES: Mr Fife (Acting Leader of the House), pursuant to notice, moved—That legislation committees have power to meet during the sitting of the House on Wednesday, 25 October 1978.
Question—put and passed.
- 11 MESSAGE FROM THE SENATE—SCIENCE AND INDUSTRY RESEARCH AMENDMENT BILL 1978: Message No. 141, dated 24 October 1978, from the Senate was reported transmitting for the concurrence of the House a Bill for "*An Act to amend the 'Science and Industry Research Act 1949'*".
Bill read a first time.
Mr Adermann (Minister representing the Minister for Science) moved—That the Bill be now read a second time.
Debate adjourned (Mr Scholes), and the resumption of the debate made an order of the day for the next sitting.
- 12 APPROPRIATION BILL (No. 1) 1978–79: The House, according to order, resolved itself into a committee of the whole for the further consideration of the Bill.

In the committee

Schedule 2—

Ordered—That further consideration of the proposed expenditure for the Postal and Telecommunications Department be postponed.
Proposed expenditure—Department of Defence, \$2,329,185,000—debated.
Progress to be reported, and leave asked to sit again.

The House resumed; Mr Jarman reported accordingly.

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

- 13 TAXATION—FOREIGN TAX CREDIT SYSTEM—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER: Mr Howard (Treasurer), by leave, made a ministerial statement informing the House of the Government's intention not to proceed with the foreign tax credit system as previously foreshadowed, and, by command of His Excellency the Governor-General, presented the following paper:
Taxation—Foreign tax credit system—Ministerial statement, 25 October 1978.

Mr Killen (Minister for Defence) moved—That the House take note of the paper.
Debate ensued.

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

- 14 APPROPRIATION BILL (No. 1) 1978–79: The House, according to order, again resolved itself into a committee of the whole for the further consideration of the Bill.

In the committee

Schedule 2—

Proposed expenditure—Department of Defence, \$2,329,185,000—further debated.

Progress to be reported, and leave asked to sit again.

The House resumed; Mr Giles reported accordingly.

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

- 15 POSTPONEMENT OF ORDER OF THE DAY: Ordered—That order of the day No. 2, government business, be postponed until the next sitting.

- 16 AUDIT AMENDMENT BILL 1978: The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—
Debate resumed.

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

- 17 EXPORT EXPANSION GRANTS BILL 1978—LEGISLATION COMMITTEE—REPORT: Dr Jenkins (Chairman) reported that the Export Expansion Grants Bill 1978 had been considered in legislation committee and agreed to with amendments. (*See Minutes of Proceedings, page 493*).

Ordered—That consideration of the report be made an order of the day for the next sitting.

- 18 ADJOURNMENT: Mr Adermann (Minister for Veterans' Affairs) moved—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 11 p.m.—Mr Deputy Speaker adjourned the House until tomorrow at 10.30 a.m.

PAPERS: The following papers were deemed to have been presented on 25 October 1978, pursuant to statute:

Customs Tariff Act—Order—Developing Country—No. 18 (1978).

Public Service Arbitration Act—Australian Conciliation and Arbitration Commission—Variations of Determinations—1978—C. Nos. 56 and 209—Public Service Arbitrator's Determination No. 50 of 1945.

Telecommunications Act—Australian Telecommunications Commission—By-laws—Telecommunications (Charging Zones and Charging Districts)—Amendment No. 27.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Anthony, Mr Bryant*, Mr Burns, Mr Cairns, Mr Cotter, Mr Dawkins, Mr Holding, Mr Innes, Mr Jacobi*, Mr Lucock*, Mr Lynch, Mr Ruddock, Mr Shipton* and Mr Sinclair.

*On leave

J. A. PETTIFER,
Clerk of the House of Representatives

1978

HOUSE OF REPRESENTATIVES

SUPPLEMENT TO VOTES AND PROCEEDINGS No. 63

LEGISLATION COMMITTEE

ON

EXPORT EXPANSION GRANTS BILL 1978**MINUTES OF PROCEEDINGS**

WEDNESDAY, 25 OCTOBER 1978

(Bill having been read a second time and referred to a legislation committee on the motion of Mr Adermann (Minister for Veterans' Affairs), for Mr Sinclair (Leader of the House), on 19 October 1978.)

The Committee was constituted as follows:

Dr Jenkins had been appointed Chairman.

GOVERNMENT MEMBERS:

Mr Garland (Member in charge of the Bill)
 Mr Aldred
 Mr Baillieu
 Mr Baume
 Mr Calder
 Mr Hyde
 Mr Lloyd
 Mr Lusher
 Mr McLean
 Sir William McMahon
 Mr Short

OPPOSITION MEMBERS:

Mr Armitage
 Mr Bowen
 Mr J. J. Brown
 Mr Hurford
 Mr West

The committee met at 8.03 p.m.

Clauses 1 and 2 agreed to.

Clause 3—

Mr Wilson moved the following amendment: Page 3, at the end of sub-paragraph (iii) of paragraph (a) of the definition of "minerals" add "(other than Portland cement in the form of clinker)".

Debate continued.

Amendment withdrawn, by leave.

Debate continued.

Mr Garland moved the following amendment: Page 4, lines 26–31, omit sub-clause (4), substitute the following sub-clause:

"(4) For the purposes of this Act, a person shall be taken to have sold eligible goods if, and only if, the Board is satisfied that, under the contract of sale, the property in the goods passed from that person to a buyer resident outside Australia."

Sir William McMahon moved the following amendment to the proposed amendment: Omit all words after "sale," substitute the following words: "the goods are clearly sold for export and are exported."

Debate continued.

Amendment to proposed amendment agreed to.

Amendment, as amended, agreed to.

Clause, as amended, debated and agreed to.

Clause 4—

Mr Bowen moved the following amendment: Page 4, lines 38 and 39, omit “not” (twice occurring).

Debate continued.

Amendment negatived.

Mr Bowen moved the following amendment: Page 4, lines 40–42, omit paragraph (b).

Debate continued.

Amendment negatived.

Debate continued.

Clause agreed to.

Clause 5—

On the motion of Mr Garland, the following amendment was made: Page 5, after sub-clause (2) insert the following sub-clause:

“(2A) For the purposes of paragraph (1) (a)—

- (a) the date of export of goods exported under a bill of lading shall be deemed to be—
 - (i) the date shown on the bill of lading; or
 - (ii) the date on which they are received for shipment at the port or airport of export, whichever is the earlier;
- (b) the date of export of goods sold as stores for use on ships or aircraft that are intended to leave Australia shall be deemed to be the date of the sale; and
- (c) the date of export of any other goods shall be deemed to be the date on which they are received for shipment at the port or airport of export.”

Clause, as amended, agreed to.

Clause 6 debated and agreed to.

Clause 7 agreed to.

Clause 8—

On the motion of Mr Garland, the following amendment was made, after debate: Page 7, lines 17 and 18, omit paragraphs (c) and (d), substitute the following paragraphs:

“(c) a company which is incorporated in Australia, or which, not being incorporated in Australia, carries on business in Australia and is declared by the Minister, on the advice of the Board, by writing signed by him, to be a company to which this paragraph applies; or

“(d) a partnership which carries on business in Australia and exists by virtue of the law of a State or Territory.”

Clause, as amended, agreed to.

Clauses 9 to 15 agreed to.

Clause 16—

On the motion of Mr Garland, the following amendment was made, after debate: Page 9, lines 13–29, omit sub-clauses (1) and (2), substitute the following sub-clause:

“16. (1) Where the Board is of the opinion that an act or thing (including the making of an agreement, arrangement or payment, the forming of a ^{Adjustment} of amounts corporation or partnership or the distribution of income or activities as between different persons or different years) has been done that, if the powers of the Board under this section were not exercised, would result in an increase in the total of the amounts paid as grants without there being a corresponding increase in the total of the amounts of the export earnings of persons in the grant years, the Board, to the extent that it thinks it necessary to do so to prevent or limit that result, may, for the purposes of this Act, disregard or adjust all or any of the following amounts, that is to say, the amount of the export earnings, the amount of the export earnings increment, or the amount of the incentive grant entitlement, of a claimant for a year, being an amount that, in the opinion of the Board, has been affected by, or is an amount of anything resulting from, that act or thing.”

Clause, as amended, agreed to.

Clause 17—

On the motion of Mr Garland, the following amendment was made, after debate: Page 10, line 19, after “that” insert “, on or after a date to be fixed by Proclamation,”.

Clause, as amended, agreed to.

Clause 18—

On the motion of Mr Garland, the following amendment was made, after debate: Page 10, line 30, omit “6 months”, substitute “2 years, or both”.

On the motion of Mr Garland, the following further amendment was made: Page 10, add the following sub-clauses:

“(3) An offence against sub-section (1) may be prosecuted upon indictment or, subject to sub-section (4), summarily, but an offender is not liable to be punished more than once in respect of the same offence.

“(4) Where a person is charged with an offence against sub-section (1), a court of summary jurisdiction may, with the consent of the defendant and of the prosecutor and if the court is satisfied that it is proper to do so, determine the charge summarily.

“(5) Where a court of summary jurisdiction determines a charge summarily in accordance with sub-section (4), it shall not—

(a) where the defendant is a corporation—impose a fine exceeding \$4,000; or

(b) in any other case—impose a fine exceeding \$2,000 or sentence the defendant to imprisonment for a period exceeding 1 year.”.

Clause, as amended, agreed to.

Clause 19 debated and agreed to.

Clause 20 debated and agreed to.

Clause 21 debated and agreed to.

Clause 22 agreed to.

Title agreed to.

Bill to be reported with amendments.

The committee adjourned at 9.35 p.m.

D. M. BLAKE,
Clerk to the Committee