

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

No. 90

THURSDAY, 29 MARCH 1979

1 The House met, at 10.30 a.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 Braithwaite, Dr Edwards, Mr Fife, Mr Martin, Mr Scholes and Mr West—from certain citizens praying that pension payments be restored to twice-yearly adjustments and that pensions and unemployment benefits be raised to 30% of average weekly earnings.

Mr Dobie and Mr Martyr—from certain citizens praying for the prohibition of pornographic material involving children.

Mr L. K. Johnson and Mr Scholes—from certain citizens praying for the resignation of Members who have not honoured an election undertaking to retain twice-yearly adjustments of social security pensions in accordance with movements in the consumer price index.

Mr Neil and Mr Shipton—from certain citizens praying that the medical benefits schedule be amended to preclude payment of benefits for abortions.

Mr Aldred—from certain citizens praying that the taxation law be amended to permit registered tax agents to trade for a full year and lodge income tax returns at the close of the respective tax year.

Mr D. M. Cameron—from certain citizens praying that pensions be adjusted at 6 monthly intervals.

Dr Cass—from certain citizens praying that Parliament debate the Report of the Royal Commission on Human Relationships, facilitate public debate and take certain other action in connection with the Report.

Dr Edwards—from certain citizens praying for the establishment of a fund whereby loans can be made to means tested pensioners for the necessary maintenance of their homes.

Mr P. F Johnson—from certain citizens praying that legislation be introduced to prevent payment of medical benefits for unnecessary abortions.

Dr Klugman—from certain electors of New South Wales praying that compensation benefits paid to injured Commonwealth Government employees be increased and then adjusted automatically.

Mr Yates—from certain citizens praying that a post office agency be located at the Stitches 'n' Britches Shop, North Dandenong, Vic.

Petitions received.

3 QUESTIONS: Questions without notice were asked.

4 PAPERS: The following papers were presented:

By command of His Excellency the Governor-General:

Constitutional and Legal Affairs and Science and the Environment—Senate Standing Committees—Reports on Annual Reports—Government response.

Pursuant to statute:

Snowy Mountains Hydro-electric Power Act—Snowy Mountains Hydro-electric Authority—29th Annual Report and financial statements, together with the Auditor-General's Report, for year 1977-78.

5 SUSPENSION OF STANDING ORDERS—MOTION WITHOUT NOTICE: Mr Sinclair (Leader of the House), by leave, moved—That so much of the standing orders be suspended as would prevent Mr Hayden (Leader of the Opposition) moving a motion without notice. Question—put and passed.

6 TAX MATTERS—ALLEGED MISREPRESENTATION BY PRIME MINISTER: Mr Hayden (Leader of the Opposition) moved—That this House deplores and condemns the wilful misrepresentation of the Prime Minister on tax matters as part of an obvious tactic designed to conceal the fact that the Government will have to increase direct personal tax and indirect tax as well as substantially reducing existing benefits to the community in order to fund a \$1,000 million revenue shortfall arising because of firm commitments by the Prime Minister already announced to the electorate to be funded in the forthcoming Budget.

Debate ensued.

Privilege: Mr Armitage raised as a matter of privilege the alleged misconduct of a Member of this House in writing to the Chief Justice of N.S.W. regarding a case over which the Chief Justice presided.

Mr Sinclair (Leader of the House) addressed himself to the matter of privilege.

Mr Deputy Speaker stated that he would refer the matter to Mr Speaker for examination and report to the House later as to whether a *prima facie* case of breach of privilege existed.

Mr Dawkins rising to address the House on the original question—

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

Question—That the question be now put—put.

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

AYES, 74

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

NOES, 32

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

And so it was resolved in the affirmative.

And the question—That the motion be agreed to—being accordingly put—

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

AYES, 32

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

NOES, 75

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

And so it was negatived.

7 GENERAL BUSINESS: It being past 12.45 p.m., general business was not called on.

8 MESSAGES FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS: Messages from His Excellency the Governor-General were announced informing the House that His Excellency, in the name of Her Majesty, had assented to the following Bills:

28 March 1979—Message—

No. 130—Repatriation Acts Amendment 1979.

No. 131—Jurisdiction of Courts (Miscellaneous Amendments) 1979.

9 INTER-PARLIAMENTARY UNION—LISBON MEETINGS AND BONN CONFERENCE, 1978—PAPERS—STATEMENTS BY MEMBERS: Dr Edwards, by leave, presented the following papers:

Inter-Parliamentary Union—Spring meetings, Lisbon, Portugal, March/April 1978 and 65th Conference, Bonn, Federal Republic of Germany, September 1978—

Information papers, dated 21 April and 6 October 1978.

Report of the Australian Delegation.

Ordered—That the report be printed.

Dr Edwards, Mr C. K. Jones, Dr Klugman and Mr Bourchier, by leave, made statements in connection with the report.

10 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—GREAT BARRIER REEF: Mr Speaker informed the House that Mr Cohen had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The failure of the Government to provide an assurance that it will not permit any exploration, testing or mining on or in the vicinity of the Great Barrier Reef”.

The proposed discussion having received the necessary support—

Mr Cohen rising to address the House—

Mr Fife (Minister for Business and Consumer Affairs) moved—That the business of the day be called on.

Question—put.

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

AYES, 76

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

NOES, 33

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

And so it was resolved in the affirmative.

11 AUSTRALIAN SCIENCE AND TECHNOLOGY COUNCIL—MINISTERIAL STATEMENT AND PAPERS—
MOTION TO TAKE NOTE OF PAPERS: Mr Fraser (Prime Minister), by leave, made a ministerial statement concerning the role of the Australian Science and Technology Council, and, by command of His Excellency the Governor-General, presented the following papers:

Australian Science and Technology Council—

Ministerial statement, 29 March 1979.

Reports—

Direct funding of basic research, dated December 1978.

Report of the Council for the period 30 March 1977 to 30 June 1978.

Science and technology in Australia 1977–78—

Summary and recommendations, dated February 1979.

Volume 1B, dated January 1979.

Volume 2, dated December 1978.

Mr Fife (Minister for Business and Consumer Affairs) moved—That the House take note of the papers.

Debate ensued.

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

- 12 DEFENCE SPENDING PROGRAM—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER: Mr Killen (Minister for Defence), by leave, made a ministerial statement informing the House of the Government's review of the defence spending program, and, by command of His Excellency the Governor-General, presented the following paper:

Defence spending program—Ministerial statement, 29 March 1979.

Mr Fife (Minister for Business and Consumer Affairs) moved—That the House take note of the paper.

Suspension of standing orders—Extended time for speech: Mr Fife, by leave, moved—That so much of the standing orders be suspended as would prevent Mr Scholes speaking for a period not exceeding 65 minutes.

Question—put and passed.

Mr Scholes was granted leave to continue his speech when the debate is resumed.

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

- 13 PAPER: The following paper was presented, by command of His Excellency the Governor-General:

Industries Assistance Commission—Report—The Australian Citrus Industry, dated 2 June 1978.

- 14 BOUNTY (BED SHEETING) AMENDMENT BILL 1979: Mr Fife (Minister for Business and Consumer Affairs), pursuant to notice, presented a Bill for an Act to amend the *Bed Sheetting Bounty Act 1977*.

Bill read a first time.

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

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

- 15 PRICES JUSTIFICATION AMENDMENT BILL 1979: The order of the day having been read for the consideration of the report of the legislation committee—

Mr Fife (Minister for Business and Consumer Affairs) moved—That the report be adopted.

Debate ensued.

Question—put and passed.

On the motion of Mr Fife, by leave, the Bill was read a third time.

- 16 MESSAGE FROM THE SENATE: A message from the Senate was reported returning the following Bill without amendment:

29 March 1979—Message No. 228—Parliament House Construction Authority 1979.

- 17 PASSPORTS AMENDMENT BILL 1979: 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 by Mr Bowen (Deputy Leader of the Opposition).

Privilege—Statement by Mr Speaker: Mr Speaker referred to the matter raised earlier this day by Mr Armitage as a matter of privilege concerning the alleged misconduct of a Member of this House and stated that there was no substance in the alleged breach of privilege.

Debate continued by Mr Bowen who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “whilst not opposing the Bill, this House is of the opinion that the place of birth shall only be disclosed on a passport if the holder or applicant so elects”.

Debate continued.

Amendment negatived.

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

The House resolved itself into a committee of the whole.

In the committee

Bill, by leave, taken as a whole.

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

Amendments—

Clause 8—

Page 3, line 13, after “years” add “nor include such a person on a passport issued to another person”.

Page 3, line 17, after “years” insert “or include such a person on a passport issued to another person”.

Page 4, line 45, omit “notice”, substitute “notification by the Minister”.

Page 4, at the end of the clause add the following proposed section:

“7F. Within 30 days of receipt of a passport application, an Issue of passport within 30 days, &c. authorised officer shall issue a passport or inform the applicant that his passport application has been denied or is still under consideration, specifying the section and sub-section of the Act under which the application is denied or is under consideration.”.

Clause 9—

Page 5, lines 3 and 4, omit “‘Imprisonment for 1 year’”, substitute “‘\$500 or imprisonment for 3 months’”.

Page 5, lines 20 and 21, omit “‘Imprisonment for 1 year’”, substitute “‘\$500 or imprisonment for 3 months’”.

Page 5, lines 39 and 40, omit “imprisonment for a period not exceeding 1 year”, substitute “a fine not exceeding \$500 or imprisonment for a period not exceeding 3 months”.

Clause 10, page 6, line 12, omit “Imprisonment for 1 year”, substitute “\$500 or imprisonment for 3 months”.

Clause 11—

Page 6, line 26, omit “Imprisonment for 1 year”, substitute “\$500 or imprisonment for 3 months”.

Page 6, lines 30 and 31, omit “‘Imprisonment for 1 year’”, substitute “‘\$500 or imprisonment for 3 months’”.

Page 6, lines 33 and 34, omit “‘Imprisonment for 1 year’”, substitute “‘\$500 or imprisonment for 3 months’”.

Clause 12—

Page 7, lines 21 and 22, omit “imprisonment for a period not exceeding 2 years”, substitute “a fine not exceeding \$1,000 or imprisonment for a period not exceeding 6 months”.

Page 8, line 9, omit “Imprisonment for 2 years”, substitute “\$1,000 or imprisonment for 6 months”.

Clause 13—

Page 8, line 28, omit “Imprisonment for 2 years”, substitute “\$1,000 or imprisonment for 6 months”.

Page 8, omit proposed section 11, substitute the following section:

“11. (1) Subject to sub-section (3), proceedings in a court of summary jurisdiction for any offence against this Act may be instituted either in the State or Territory where the offence was committed or in the State or Territory in which the defendant is found.

‘(2) Subject to sub-sections (3) and (4), a prosecution for an offence under section 9B will be on indictment.

‘(3) Where a person is charged within an offence under section 9B, 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.

‘(4) Where, in accordance with sub-section (3), a court of summary jurisdiction convicts a person of an offence under section 9B, the penalty that the court may impose is a fine not exceeding \$2,000 or imprisonment for a period not exceeding 1 year, or both.’”.

Proposed new clause—

After clause 13, page 8, insert the following new clause:

“13A. After section 11 of the Principal Act the following section is inserted:

‘11A. Applications may be made to the Administrative Appeals Tribunal for review of—

Review by
Administrative
Appeals
Tribunal

- (a) a refusal by the Minister to issue an Australian passport under section 7;
- (b) a refusal by an authorised officer to issue an Australian passport under section 7, 7A, 7B, 7C, 7D, 7E or 7F; or
- (c) the cancellation of an Australian passport by the Minister or an authorised officer under section 8.’”.

Debate continued.

Amendments and proposed new clause negatived.

Bill agreed to.

Bill to be reported without amendment.

The House resumed; Mr Millar reported accordingly.

On the motion of Mr Viner (Minister for Employment and Youth Affairs), the House adopted the report, and, by leave, the Bill was read a third time.

18 ADJOURNMENT: Mr Viner (Minister for Employment and Youth 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 Tuesday next at 2.15 p.m.

PAPERS: The following papers were deemed to have been presented on 29 March 1979, pursuant to statute:

Public Service Arbitration Act—Public Service Arbitrator—Determinations accompanied by statements regarding possible inconsistency with the law—1979—

No. 1—Federated Storemen and Packers Union of Australia and another.

No. 2—Transport Workers' Union of Australia.

Nos. 3 to 8—Administrative and Clerical Officers' Association, Commonwealth Public Service.

Nos. 9 and 10—Amalgamated Metal Workers' and Shipwrights Union and others.

- No. 12—Transport Workers Union of Australia.
No. 13—Hospital Employees Federation of Australia.†
No. 14—Australian Capital Territory Medical Officers' Association.
No. 15—Civil Air Operations Officers' Association of Australia.
No. 16—Australian Public Service Association (Fourth Division Officers).
No. 17—Actors' and Announcers' Equity Association of Australia.
No. 18—Professional Musicians Union of Australia.
No. 19—Australian Theatrical and Amusement Employees Association.
No. 20—Australian Broadcasting Commission Senior Officers' Association
and another.
Nos. 21 to 24—Australian Journalists Association.
No. 26—Civil Air Operations Officers' Association of Australia.†
(† Not accompanied by statement)
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MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Anthony, Mr Burr, Dr Cass, Mr Garland and Mr MacKenzie.

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