

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 92

WEDNESDAY, 4 APRIL 1979

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 J. J. Brown, Dr Klugman, Mr Martin and Mr Thomson—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 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 the House reject the motion of the honourable Member for Hume concerning medical benefits for abortion and support abortion as a claimable item under all health benefits.

Mr Carlton—from certain citizens praying for the appointment of an independent inquiry into the Australian Broadcasting Commission to investigate the qualifications of commissioners and certain other matters.

Dr Everingham—from certain citizens praying that action be taken to improve the retirement conditions of all sections of the Australian workforce that are not supported by superannuation or long service leave schemes.

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

Mr J. L. McMahon—from certain citizens praying that a site for Sydney's second airport be selected immediately.

Mr Macphee—from certain citizens praying for the prohibition of pornographic material involving children.

Mr Thomson—from certain electors of the Electoral Division of Leichhardt praying that legislation be introduced to protect people from the harmful effects resulting from the use of the chemical sprays 24D and 245T.

Mr Wilson—from certain citizens praying that the importation of seal products be banned and that a commitment be sought from the Canadian Government that it will ban the slaughter of seals.

Mr Young—from certain citizens praying for continued and increased Federal subsidies to maintain all existing South Australian country rail services.

Mr Young—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.

Petitions received.

3 QUESTIONS: Questions without notice were asked.

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

Legal Aid Commission (A.C.T.)—Interim report, for period November 1977 to 30 June 1978.

- 5 WHALES AND WHALING—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER: Mr Fraser (Prime Minister), by leave, made a ministerial statement informing the House of the Government's response to the report of the Inquiry into Whales and Whaling, and, by command of His Excellency the Governor-General, presented the following paper:

Whales and whaling—Ministerial statement, 4 April 1979.

Mr Sinclair (Leader of the House) moved—That the House take note of the paper.
Debate ensued.

Debate adjourned (Mr Drummond), and the resumption of the debate made an order of the day for a later hour this day.

- 6 AUSTRALIAN CAPITAL TERRITORY—JOINT COMMITTEE—REPORT—STATEMENT BY MEMBER: Mr Fry (Deputy Chairman) presented the following report from the Joint Committee on the Australian Capital Territory:

Planning in the A.C.T.—Procedures, processes and community involvement, dated 19 March 1979, together with the transcript of evidence and copies of extracts from the minutes of proceedings of the committee.

Ordered—That the report be printed.

Mr Fry, by leave, made a statement in connection with the report.

- 7 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—GREAT BARRIER REEF: Mr Deputy 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 addressed the House.

Discussion ensued.

Discussion concluded.

- 8 CUSTOMS TARIFF PROPOSALS NOS. 14 AND 15 (1979) AND EXCISE TARIFF PROPOSALS No. 3 (1979): Mr Fife (Minister for Business and Consumer Affairs) moved—
Customs Tariff Proposals Nos. 14 and 15 (1979) and
Excise Tariff Proposals No. 3 (1979).

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

- 9 NATIONAL RAILWAY NETWORK (FINANCIAL ASSISTANCE) 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—*And on the amendment moved thereto by Mr Morris, viz.*—That all words after "That" be omitted with a view to substituting the following words: "whilst not declining to give the Bill a second reading, the House is of the opinion that—

(1) the provision of financial assistance by section 96 interest bearing repayable grants is a repudiation of the Government's 1977 Election promise to contribute to the cost of upgrading mainline rail links in the light of the clear impression then given that assistance would be by way of non-repayable grants, and

(2) the provision of \$3 million to the States for 1978–79 under this Bill (a) is abysmally inadequate and an abrogation of Australian Government responsibility for the transportation of passengers and freight on routes of national significance, and (b) is wholly inconsistent with an effective approach to the upgrading of mainline railway networks as an essential part of a responsible National Energy Conservation Program"—

Debate resumed.

Debate adjourned (Mr Cadman), and the resumption of the debate made an order of the day for a later hour this day.

10 TAX AVOIDANCE—MINISTERIAL STATEMENT: Mr Howard (Treasurer), by leave, made a ministerial statement informing the House of action proposed by the Government in regard to tax avoidance.

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

11 NATIONAL RAILWAY NETWORK (FINANCIAL ASSISTANCE) 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—*And on the amendment moved thereto by Mr Morris, viz.*—That all words after “That” be omitted with a view to substituting the following words: “whilst not declining to give the Bill a second reading, the House is of the opinion that—

(1) the provision of financial assistance by section 96 interest bearing repayable grants is a repudiation of the Government’s 1977 Election promise to contribute to the cost of upgrading mainline rail links in the light of the clear impression then given that assistance would be by the way of non-repayable grants, and

(2) the provision of \$3 million to the States for 1978–79 under this Bill (a) is abysmally inadequate and an abrogation of Australian Government responsibility for the transportation of passengers and freight on routes of national significance, and (b) is wholly inconsistent with an effective approach to the upgrading of mainline railway networks as an essential part of a responsible National Energy Conservation Program”—

Debate resumed.

Amendment negatived.

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

Message from the Governor-General: Message No. 134, dated 8 March 1979, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Nixon (Minister for Transport), the Bill was read a third time.

12 WHALES AND WHALING—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER: The order of the day having been read for the resumption of the debate on the motion of Mr Sinclair (Leader of the House)—That the House take note of the paper (*presented this day*), viz.:

Whales and whaling—Ministerial statement, 4 April 1979—

Debate resumed.

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

13 NORFOLK ISLAND 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 by Mr Innes who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “the Bill be withdrawn and re-drafted to achieve the following purposes:

(1) that the powers of the Administrator as proposed in the Bill be reduced by—

(a) transferring to the Legislative Assembly the executive government of Norfolk Island, and abolishing the Executive Council;

(b) enabling the Legislative Assembly to make Ordinances providing for matters specified in Schedule 2 to the Bill without the need for those Ordinances to be assented to;

(c) transferring to the President of the Legislative Assembly the power to fix the dates of elections;

(d) transferring to the Legislative Assembly and the President of the Legislative Assembly the power to convene meetings of the Assembly;

(e) transferring to the Legislative Assembly the power to accept resignations of Presidents and Deputy Presidents of the Assembly;

- (f) placing a limit of 60 days upon the period within which the Administrator may consider proposed Ordinances;
 - (g) enabling the Legislative Assembly to appeal to the Minister, and thence to the Parliament, against any action, opinion or decision of the Administrator; and
 - (h) changing the title of the Administrator to one more suitable to the changed status of Norfolk Island;
- (2) that the powers of the Governor-General as proposed in the Bill be reduced by—
 - (a) placing a limit of 90 days upon the period within which the Governor-General may consider proposed Ordinances; and
 - (b) removing the power to disallow, or recommend amendments to, Ordinances made by the Legislative Assembly as proposed in sub-paragraph (1) (b) above or assented to by the Administrator;
 - (3) that the powers of the Legislative Assembly as proposed in the Bill be expanded by vesting in the Legislative Assembly the sole power of appointing members of the Executive Council and terminating their appointment, in the event of there being an Executive Council;
 - (4) that matters specified in Schedule 2 to the Bill include referendums, electoral law, the recruitment and management of the Norfolk Island Public Service and education;
 - (5) that matters specified in Schedule 3 to the Bill include land use and zoning, mining, public hospitals, conservation and national parks, law enforcement and management of historical sites;
 - (6) that a Bill of Rights for Norfolk Islanders be included in the Bill, ensuring, in particular, the recognition of the Island as the historical homeland of the Pitcairners and the protection of their remaining rights;
 - (7) that the recommendation by the Administrator in respect of a money Bill be required before the Bill is passed by the Legislative Assembly;
 - (8) that moneys shall not be lent to Norfolk Island by the Commonwealth except with the agreement of Norfolk Island;
 - (9) that members of the Legislative Assembly be elected by a method of proportional representation, the whole of Norfolk Island constituting a single electoral division;
 - (10) that the taxation and social security legislation of the Commonwealth be extended to Norfolk Island in full; and
 - (11) that Norfolk Island be incorporated into an appropriate electoral division of the Commonwealth of Australia, and that Australian citizens resident on the Island be enrolled in that electoral division”.

Debate continued.

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

14 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.—Mr Deputy Speaker adjourned the House until tomorrow at 10.30 a.m.

PAPERS: The following papers were deemed to have been presented on 4 April 1979, pursuant to statute:

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposal for collection of information—1979—No. 2—Survey of government paperwork, 1978.

National Health Act—Regulations—Statutory Rules 1979, No. 55.
Public Service Act—Appointment—Department of Administrative Services—
J. A. Payne.
Seat of Government (Administration) Act—Ordinance—1979—No. 7—Poker
Machine Control (Amendment).
Telecommunications Act—Australian Telecommunications Commission—By-
laws—Telecommunications (Charging Zones and Charging Districts)—Amend-
ment No. 32.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except
Mr Adermann, Mr Anthony, Mr Bradfield, Mr Burr, Mr Garland, Mr Graham,
Mr P. F. Johnson and Mr Katter.

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