

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

## HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 136

WEDNESDAY, 7 NOVEMBER 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 Burns, Mr E. C. Cameron, Mr Jarman, Mr Johnston, Mr Martyr, Mr Scholes, Mr Short, Mr Shipton and Mr Yates—from certain citizens praying that the National Women's Advisory Council be abolished.

Dr Cass, Mr Holding, Mr Hurford, Mr Jarman, Mr L. K. Johnson and Mr Shipton—from certain citizens praying that a humane policy be adopted to assist refugees to enter Australia.

Mr Anthony, Mr Connolly, Dr Klugman, Mr Ruddock and Mr West—from certain residents of New South Wales praying that the 1980 level of education expenditure to Government schools be restored and increased in real terms.

Mr Anthony, Mr O'Keefe and Mr Ruddock—from certain citizens praying for the prohibition of pornographic material involving children.

Mr E. C. Cameron, Mr Fisher and Mr P. F. Johnson—from certain citizens praying that no measures be taken to implement those recommendations of the Royal Commission on Human Relationships that will further undermine and weaken marriage, child-care or the family.

Dr Everingham, Mr Morris and Mr Scholes—from certain citizens praying that Government proposals to sell publicly owned enterprises be rejected.

Mr Aldred and Dr Everingham—from certain citizens praying that the imperial system of weights and measures be restored.

Mr Fisher and Mr Short—from certain citizens praying for the abolition of the export parity pricing policy for LPG consumed in Australia and that certain other action be taken in relation to the pricing of LPG.

Mr Anthony—from certain citizens praying that the Broadcasting and Television Act be amended in relation to program standards.

Mr Connolly—from certain citizens praying that action be taken to dismiss the present members of the Broadcasting Tribunal and replace them with Janet Strickland and representatives of other broadcasting and television bodies.

Mr Humphreys—from certain citizens praying that marine radio licence fees be reduced and that regulations concerning boat radios be revised.

Mr Humphreys—from certain citizens praying that donations to approved charities providing overseas aid be made allowable tax deductions.

Mr Humphreys—from certain citizens praying that a Bill of Rights be introduced to describe and protect political and human rights.

Mr Humphreys—from certain citizens praying that the Government provide certain information concerning the fishing agreement with the Japanese Government and not re-issue licences to Japanese fishermen in 1980.

Mr Jarman—from certain electors of the Electoral Division of Deakin praying that the Social Security Act be amended to enable those in receipt of unemployment benefits to engage in part-time work and not forfeit those benefits.

Mr L. R. Johnson—from certain citizens praying that the fee policy on overseas students be revoked.

Mr L. R. Johnson—from certain citizens praying that policies which place Australian resources under foreign ownership and control be reversed.

Mr Shipton—from certain citizens praying that the allowable private income level earned by sheltered workshop invalid pensioners be doubled to \$40 per week and then indexed.

Mr West—from certain electors of the Electoral Division of Cunningham praying that no legislative restrictions be placed on the Commissioner for Community Relations.

Mr West—from certain citizens praying that efforts be made to ensure a general and complete disarmament under effective international control, that the Pacific and Indian Oceans be declared as nuclear-free zones and that all nuclear bases be disbanded.

Petitions received.

3 QUESTIONS: Questions without notice were asked.

4 MINISTER FOR BUSINESS AND CONSUMER AFFAIRS—MOTION OF CENSURE: Mr Hayden (Leader of the Opposition), by leave, moved—That this House censures the Minister for Business and Consumer Affairs for his inept handling of Federal narcotics administration.

Debate ensued.

*Closure:* Mr Howard (Treasurer) moved—That the question be now put.

Question—That the question be now put—put and passed.

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

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

AYES, 35

Mr Armitage	Dr Everingham	Mr L. K. Johnson*	Mr Martin
Dr Blewett	Mr FitzPatrick	Mr L. R. Johnson*	Mr Morris
Mr Bowen	Mr Fry	Mr B. O. Jones	Mr Scholes
Mr J. J. Brown	Mr Holding	Mr C. K. Jones	Mr Uren
Mr Bryant	Mr Howe	Mr Keating	Mr Wallis
Mr C. R. Cameron	Mr Humphreys	Mr Kerin	Mr West
Dr Cass	Mr Hurford	Dr Klugman	Mr Willis
Mr Cohen	Mr Innes	Mr L. B. McLeay	Mr Young
Mr Dawkins	Mr Jacobi	Mr J. L. McMahan	

NOES, 70

Mr Aldred	Mr Connolly	Mr Hyde	Mr Newman
Mr Anthony	Mr Corbett*	Mr Jarman	Mr Nixon
Mr Baillieu	Mr Dean	Mr Johnston	Mr O'Keefe
Mr Baume	Mr Dobie	Mr Jull	Mr Porter
Mr Birney	Mr Drummond	Mr Katter	Mr E. L. Robinson
Mr Bouchier	Dr Edwards	Mr Killen	Mr I. L. Robinson
Mr Bradfield	Mr Ellicott	Mr Lusher	Mr Ruddock
Mr Braithwaite	Mr Falconer	Mr Lynch	Mr Shack
Mr Bungey	Mr Fife	Mr MacKellar	Mr Shipton
Mr Burns	Mr Fisher	Mr MacKenzie	Mr Short
Mr Burr	Mr Giles	Mr McLean	Mr Simon
Mr Cadman	Mr Gillard	Mr J. E. McLeay	Mr Sinclair
Mr Cairns	Mr Goodluck	Sir William McMahan	Mr Staley
Mr Calder	Mr Groom	Mr McVeigh	Mr Street
Mr D. M. Cameron	Mr Hodges*	Mr Macphee	Mr Thomson
Mr E. C. Cameron	Mr Hodgman	Mr Martyr	Mr Viner
Mr Carlton	Mr Howard	Mr Moore	
Mr Chapman	Mr Hunt	Mr Neil	

\* Tellers

And so it was negatived.

5 PAPERS: The following papers were presented:

By command of His Excellency the Governor-General:

Australian Federal Police Force—Direction to the Commissioner, dated 23 October 1979.

Pursuant to statute:

Postal Services Act—Australian Postal Commission—4th Annual Report and financial statements, together with the Auditor-General's Report, for year 1978–79.

**6 PAPER—STATEMENTS:** Mr Speaker presented the following paper:

Australian Parliamentary Delegation—Report of visit to France, the European Parliament and the Commission of the European Communities by delegation led by the Rt Hon. Sir Billy Snedden, Q.C., M.P., Speaker of the House of Representatives, 28 May–8 June 1979—

and made a statement in connection with the report.

Mr Scholes, Mr Short and Mr Lusher, by leave, also made statements in connection with the report.

**7 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:

6 November 1979—Message No. 203—

National Labour Consultative Council Amendment 1979.

Coal Industry Amendment 1979.

**8 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—HEALTH INSURANCE—COMMUNITY RATING PRINCIPLE:** Mr Speaker informed the House that both Dr Klugman and Mr Connolly had proposed that definite matters of public importance be submitted to the House for discussion today. In accordance with the provisions of standing order 107, he had given priority to the matter proposed by Dr Klugman, namely, "The Government's repeated changes to health insurance which have destroyed the community rating principle and will mean that the elderly, large families and the chronically ill will be unable to afford adequate cover".

The proposed discussion having received the necessary support—

Dr Klugman rising to address the House—

Mr Viner (Leader of the House) moved—That the business of the day be called on.

Question—put.

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

AYES, 73

Mr Aldred	Mr Dean	Mr P. F. Johnson	Mr Nixon
Mr Baillieu	Mr Dobie	Mr Johnston	Mr O'Keefe
Mr Baume	Mr Drummond	Mr Jull	Mr Porter
Mr Birney	Dr Edwards	Mr Katter	Mr E. L. Robinson
Mr Bourchier	Mr Ellicott	Mr Killen	Mr I. L. Robinson
Mr Bradfield	Mr Falconer	Mr Lusher	Mr Ruddock
Mr Braithwaite	Mr Fife	Mr Lynch	Mr Shack
Mr Bungey	Mr Fisher*	Mr MacKellar	Mr Shipton
Mr Burns	Mr Garland	Mr MacKenzie	Mr Short
Mr Burr	Mr Giles	Mr McLean	Mr Simon
Mr Cadman	Mr Gillard	Mr J. E. McLeay	Mr Sinclair
Mr Cairns	Mr Goodluck	Sir William McMahon	Mr Staley
Mr Calder	Mr Groom	Mr McVeigh	Mr Street
Mr D. M. Cameron	Mr Hodges*	Mr Macphee	Mr Thomson
Mr E. C. Cameron	Mr Hodgman	Mr Martyr	Mr Viner
Mr Carlton	Mr Howard	Mr Millar	Mr Yates
Mr Chapman	Mr Hunt	Mr Moore	
Mr Connolly	Mr Hyde	Mr Neil	
Mr Corbett	Mr Jarman	Mr Newman	

NOES, 33

Mr Armitage	Mr FitzPatrick	Mr B. O. Jones	Mr Scholes
Dr Blewett	Mr Fry	Mr C. K. Jones	Mr Uren
Mr Bowen	Mr Holding	Mr Keating	Mr Wallis
Mr Bryant	Mr Howe	Mr Kerin	Mr West
Mr C. R. Cameron	Mr Hurford	Dr Klugman	Mr Willis
Dr Cass	Mr Innes	Mr L. B. McLeay	Mr Young
Mr Cohen	Mr James	Mr J. L. McMahon	
Mr Dawkins	Mr L. K. Johnson*	Mr Martin	
Dr Everingham	Mr L. R. Johnson*	Mr Morris	

\* Tellers

And so it was resolved in the affirmative.

9 PATENTS AMENDMENT (PATENT COOPERATION TREATY) 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 Hurford 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 calls upon the Government to take the steps necessary to develop complementary legislation aimed at achieving the potential benefits to Australia of accession to the Patents Cooperation Treaty, including measures which would—

(a) increase significantly indigenous industrial research and development activity in Australia, and

(b) prohibit restrictive practices related to patents and licences, as recommended by, among others, the Senate Standing Committee on Science and the Environment in its report on ‘Industrial Research and Development in Australia’ ”.

Debate continued.

Amendment negatived.

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

Leave granted for third reading to be moved forthwith.

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

10 HOMELESS PERSONS ASSISTANCE 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 Dr Klugman who moved, as an amendment—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 opinion that the payment of 75c per day for accommodation and 25c per meal paid to those who provide assistance to homeless persons should be increased to a more reasonable level taking into consideration cost increases since 1974”.

Debate continued.

Question—That the words proposed to be omitted stand part of the question—put.

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

AYES, 72

Mr Adermann	Mr Dean	Mr P. F. Johnson	Mr Newman
Mr Aldred	Mr Dobie	Mr Johnston	Mr Nixon
Mr Baume	Mr Drummond	Mr Jull	Mr O’Keefe
Mr Birney	Dr Edwards	Mr Katter	Mr Porter
Mr Bradfield	Mr Ellicott	Mr Killen	Mr E. L. Robinson
Mr Braithwaite	Mr Falconer	Mr Lusher	Mr I. L. Robinson
Mr Bungey	Mr Fife	Mr Lynch	Mr Ruddock
Mr Burns	Mr Fisher	Mr MacKellar	Mr Sainsbury
Mr Burr	Mr Garland	Mr MacKenzie	Mr Shack
Mr Cadman	Mr Giles	Mr McLean	Mr Shipton
Mr Cairns	Mr Gillard	Mr J. E. McLeay	Mr Short
Mr Calder	Mr Goodluck	Sir William McMahon	Mr Simon
Mr D. M. Cameron	Mr Groom	Mr McVeigh	Mr Sinclair
Mr E. C. Cameron	Mr Hodges*	Mr Macphee	Mr Staley
Mr Carlton	Mr Hodgman	Mr Martyr	Mr Street
Mr Chapman	Mr Howard	Mr Millar	Mr Thomson
Mr Connolly	Mr Hyde	Mr Moore	Mr Viner
Mr Corbett*	Mr Jarman	Mr Neil	Mr Wilson

## NOES, 32

Mr Armitage	Mr Dawkins	Mr James	Mr J. L. McMahon
Dr Blewett	Dr Everingham	Mr L. K. Johnson*	Mr Morris
Mr Bowen	Mr FitzPatrick	Mr L. R. Johnson*	Mr Scholes
Mr J. J. Brown	Mr Fry	Mr C. K. Jones	Mr Uren
Mr Bryant	Mr Holding	Mr Keating	Mr Wallis
Mr C. R. Cameron	Mr Howe	Mr Kerin	Mr West
Dr Cass	Mr Hurford	Dr Klugman	Mr Willis
Mr Cohen	Mr Innes	Mr L. B. McLeay	Mr Young

\* Tellers

And so it was resolved in the affirmative.

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Groom (Minister for Housing and Construction), the Bill was read a third time.

- 11 **CRIMES (AIRCRAFT) 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.

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Viner (Minister representing the Attorney-General), the Bill was read a third time.

- 12 **DEFENCE 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 Scholes 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 provide that—

- (a) the Tribunal be empowered to make determinations instead of recommendations;
- (b) such determinations should have the same standing and application as determinations of the Public Service Board, and
- (c) the Tribunal should operate in a similar manner to the Remuneration Tribunal in respect of submissions and evidence”.

Debate continued.

Amendment negatived.

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

Leave granted for third reading to be moved forthwith.

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

- 13 **NAVAL DEFENCE 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—

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

Leave granted for third reading to be moved forthwith.

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

- 14 **AIR FORCE 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—

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

Leave granted for third reading to be moved forthwith.

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

- 15 **DEFENCE FORCE (RETIREMENT AND DEATH BENEFITS AMENDMENTS) BILL (No. 2) 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.

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

*Message from the Governor-General:* Message No. 204, dated 11 October 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 Killen (Minister for Defence), the Bill was read a third time.

16 SALES TAX (EXEMPTIONS AND CLASSIFICATIONS) AMENDMENT BILL (NO. 3) 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.

Question—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 Howard (Treasurer), by leave, moved the following amendments together:

Clause 2, page 2, omit the clause, substitute the following clause:

“(1) Subject to this section, this Act shall come into operation Commencement on the day on which it receives the Royal Assent.

“(2) Paragraph 3 (f) and section 4 shall be deemed to have come into operation on 28 June 1979.

“(3) Paragraphs 3 (aaa), (a), (aa), (ab), (b), (c), (dg) and (e) shall be deemed to have come into operation on 22 August 1979.”.

Clause 3—

Page 2, before paragraph (a) insert the following paragraph:

“(aaa) by inserting in the heading of Division VII ‘MEDICAL AND’ after ‘AND’;”.

Page 2, after paragraph (a) insert the following paragraphs:

“(aa) by adding at the end of item 42 the following sub-item:

‘(17) Wigs and hair-pieces for use by a person in respect of whom a legally qualified medical practitioner has certified that the use of a wig or hair-piece is necessitated by the loss of hair through sickness or disease (other than naturally occurring baldness) or the effects of the treatment of sickness or disease’

“(ab) by inserting after item 42 the following items:

‘42A. Battery-chargers for use exclusively or principally in recharging the batteries of goods covered by sub-item (10) of item 42 Nos. 1 to 9

‘42B. (1) Medical or surgical appliances of a kind used exclusively or principally by persons suffering from sickness, disease or physical impairment for the purpose of alleviating or treating that sickness, disease or impairment or the effects of that sickness, disease or impairment Nos. 1 to 9

‘(2) Parts for goods covered by sub-item (1) Nos. 1 to 9

‘42C. Goods to be used in the modification of a motor vehicle solely for the purpose of adapting it for driving by a person who is suffering from a physical impairment Nos. 1 to 9’;”.

Page 2, omit paragraph (d), substitute the following paragraphs:

“(d) by omitting from sub-item (1) of item 100 ‘and sold by retail by a person (not being a manufacturer of the class specified in sub-item (2))’ and substituting ‘by a person’;

“(da) by omitting from sub-item (1) of item 100 ‘Fourteen hundred dollars’ and substituting ‘\$12,000’;

“(db) by omitting from sub-item (1) of item 100 ‘No. 1’ and substituting ‘Nos. 1 to 3’;

“(dc) by omitting sub-item (2) of item 100;

“(dd) by adding at the end of item 100 the following provision:

‘For the purposes of the operation of the definition of “average annual value of sales of all goods” for the purposes of this item—  
(a) the value of a particular sale of goods made after the day on which the *Sales Tax (Exemptions and Classifications) Amendment Act (No. 3) 1979* received the Royal Assent shall be deemed to be—

- (i) where the *Sales Tax Assessment Act (No. 1) 1930* applied in relation to the sale and the sale was not to a registered person who quoted his certificate in respect of the sale—an amount equal to the sale value of the goods for the purposes of that Act;
  - (ii) where the sale was to a registered person who quoted his certificate in respect of the sale—an amount equal to the sale value that would have been applicable to the goods for the purposes of the *Sales Tax Assessment Act (No. 1) 1930* if—
    - (A) that person had not quoted his certificate in respect of the sale; and
    - (B) where the quotation of the certificate was for the purposes of an Act other than the *Sales Tax Assessment Act (No. 1) 1930*—the *Sales Tax Assessment Act (No. 1) 1930* applied in relation to the sale; or
  - (iii) in any other case—an amount equal to the sale value that would have been applicable to the goods for the purposes of the *Sales Tax Assessment Act (No. 1) 1930* if that Act applied in relation to the sale;
- (b) the Commissioner may exercise any relevant power under the *Sales Tax Assessment Act (No. 1) 1930* for the purpose of determining a sale value that would have been applicable to the goods in the circumstances set out in sub-paragraph (a) (ii) or (iii); and
- (c) for the purposes of the application of paragraphs (a) and (b) in relation to a sale of goods sold by retail, those goods shall be deemed to have been sold by wholesale under the contract of sale for the price payable under that contract’;

“(de) by omitting from item 103 ‘One hundred dollars’ and substituting ‘\$250’;

“(df) by omitting from item 103 ‘Nos. 1 to 3’ and substituting ‘No. 1’;

“(dg) by omitting item 123 and substituting the following item:

‘123. (1) Goods designed and manufactured expressly for use by persons suffering from sickness, disease or disablement (whether sickness, disease or disablement, generally, or a particular kind, or one or more particular kinds, of sickness, disease or disablement), being goods of a kind not ordinarily used by persons who are not suffering from sickness, disease or disablement  
(2) Parts for goods covered by sub-item (1)  
‘For the purposes of this item, “disablement” includes blindness and deafness

Nos. 1 to 9

Nos. 1 to 9’;”.

It being 10.30 p.m.—Progress to be reported.

The House resumed; Mr Millar reported accordingly.

*Adjournment negated:* The question was accordingly proposed—That the House do now adjourn.

Mr Howard requiring the question to be put forthwith without debate—

Question—put and negated.

The House again resolved itself into a committee of the whole.

*In the committee*

Debate continued.

Amendments agreed to.

Bill, as amended, agreed to.

Bill to be reported with amendments.

The House resumed; Mr Millar reported accordingly.

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

17 ADJOURNMENT: Mr Viner (Leader of the House) 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.

---

PAPER: The following paper was deemed to have been presented on 7 November 1979, pursuant to statute:

Public Service Act—Regulations—Statutory Rules 1979, No. 220 (*in substitution for the paper presented on 24 October 1979*).

---

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr N. A. Brown, Mr Cotter, Mr Fraser, Dr Jenkins\*, Mr Lloyd\*, Mr Lucock and Mr Peacock.

---

\* On leave

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