

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 31

TUESDAY, 12 MAY 1981

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.:

Mrs Darling, Mr Johnson, Mr C. K. Jones, Mr J. L. McMahon, Mr Mountford and Mr Scholes—from certain citizens praying that any proposal to sell Trans Australia Airlines be rejected.

Mr Bouchier, Mr J. L. McMahon, Mr Porter, Mr Scott and Mr Thomson—from certain citizens praying that the House recognise the importance of the hotel industry and that any proposal to increase the excise on beer be rejected.

Mr Cunningham, Mr Free, Mr Johnson, Mrs Kelly and Mr Kent—from certain residents of the Northern Territory praying that the offer of Darwin or any other location as a base or depot for American B-52 bombers be withdrawn and any request by the United States Government for the use of bases in Australia be rejected.

Mr N. A. Brown, Mr Lloyd and Sir Phillip Lynch—from certain citizens praying that any proposal to deny unemployment benefits to unemployed persons under 18 years of age be unconditionally withdrawn and that certain other action be taken in regard to unemployment benefits and employment policies.

Mr Cowan, Mr Howe and Mr Johnson—from certain citizens praying that any proposal to legislate for the establishment of plant breeders' rights in Australia be rejected.

Mr Free and Mr Mountford—from certain citizens praying that funding of children's services be restored to at least the real value of funding allocated in the 1975-76 Budget and future allocations be spent in full for the purposes designated.

Mr Birney—from certain citizens praying that laws be passed to outlaw discrimination in employment and in the provision of unemployment benefits, based upon race, ethnic origin, marital status and sex.

Mr I. M. D. Cameron—from certain pork producers in the Maranoa district, Qld., praying that steps be taken to prevent the importation of canned ham into Australia.

Mrs Child—from certain citizens praying that sanitary products for women be brought under the scrutiny of the Australian Drug Evaluation Committee and certain other actions be taken in regard to the possible threat posed to the health of women by toxic shock syndrome.

Mr Cowan—from certain residents of the Shire of Port Stephens, N.S.W., praying that services through the Raymond Terrace telephone exchange and sub-exchanges be upgraded as a matter of urgency.

Mr Cunningham—from certain citizens praying that post-secondary tuition fees not be introduced, the Tertiary Education Assistance Scheme be extended to meet the financial needs of students, and certain other action be taken in relation to tertiary and adult education.

Mrs Darling—from certain citizens praying that legislation be enacted to require the production of annual statistics on the numbers of live animals involved in research and that the National Health and Medical Research Council be required to develop humane and responsible standards of conduct for research using live animals in laboratories.

Mr Dobie—from certain citizens praying that certain recommendations of the Law Reform Commission discussion paper on Privacy and Personal Information be rejected and some other means be found to protect children from the excessive abuse of some parents.

Mr Duffy—from certain citizens praying that any proposal to legislate for the establishment of plant variety rights in Australia be rejected.

Mr Hawke—from certain residents of Victoria praying that a work-based child care centre be built adjacent to the Australian Government Clothing Factory, under the guidelines of the original approved proposal.

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

Mrs Kelly—from certain electors of the Electoral Division of Canberra praying that the vehicle testing service at Phillip, A.C.T., be retained as a government agency.

Mr McLean—from certain residents of Western Australia praying that steps be taken to formulate an airline policy providing for greater competition so that prices and service are determined by free market forces.

Mr Mountford—from certain citizens praying that the ban placed on Soviet passenger cruise vessels entering Australian ports be lifted.

Mr Ruddock—from certain citizens praying that militant unions not be permitted to hold the country to ransom and that a forceful and resolute stand be taken against union militancy.

Mr Scott—from certain citizens praying that the government of the United States of America be urged to cease all military aid to El Salvador and support be given to the freedom of the Salvadorian people against the governing military dictatorship.

Petitions received.

3 QUESTIONS: Questions without notice were asked.

4 MINISTERIAL ARRANGEMENTS: Mr Fraser (Prime Minister) informed the House that, during the absence abroad of Mr Anthony (Minister for Trade and Resources), Mr Sinclair (Minister for Communications) was acting as Minister for Trade and Resources.

5 PAPERS: The following papers were presented:

By command of His Excellency the Governor-General:

Australian Marine Sciences and Technologies Advisory Committee—Funding Advisory Panel—Report of research grants approved for 1979–80 and 1980–81.
Commonwealth Council for Rural Research and Extension—Annual Report, for year 1979–80.

Industries Assistance Commission—Report—Certain four-wheel drive vehicles, dated 19 March 1981 (No. 260).

Pursuant to statute:

Broadcasting and Television Act—Special Broadcasting Service—Report and financial statements, together with the Auditor-General's report, for year 1979–80.

6 NORTH WEST CAPE NAVAL COMMUNICATION STATION AGREEMENT—MINISTERIAL STATEMENT AND PAPER—MOTION TO TAKE NOTE OF STATEMENT: Mr Killen (Minister for Defence), by leave, made a ministerial statement informing the House of the results of inquiries made in response to statements made by the Leader of the Opposition

with relation to the North West Cape Naval Communication Station Agreement, and, by command of His Excellency the Governor-General, presented the following papers:

North West Cape Naval Communication Station Agreement—

Copy of letter from Mr Stephen R. Lyne, Chargé d'Affaires, Embassy of the United States of America, to Mr D. J. Killen, Minister for Defence, dated 6 May 1981.

Ministerial statement, 12 May 1981.

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

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

7 SCIENCE AND TECHNOLOGY STATEMENT 1980–81—PAPER AND MINISTERIAL STATEMENT—

MOTION TO TAKE NOTE OF PAPERS: Mr Thomson (Minister for Science and Technology), by command of His Excellency the Governor-General, presented the following paper: Science and Technology Statement 1980–81, dated 14 April 1981.

Mr Thomson, by leave, made a ministerial statement in connection with the paper, and, by command of His Excellency the Governor-General, presented the following paper:

Science and Technology Statement 1980–81—Ministerial statement, 12 May 1981.

Mr Hodgman (Minister for the Capital Territory) moved—That the House take note of the papers.

Debate ensued.

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

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

7 May 1981—Message No. 76—Industrial Research and Development Incentives Amendment 1981.

9 AUSTRALIAN CAPITAL TERRITORY—JOINT COMMITTEE: Mr Deputy Speaker informed the House that the Leader of the Government in the Senate had nominated Senator Reid to be a member of the Joint Committee on the Australian Capital Territory.

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

Report on item 15 of the 73rd series of proposed variations of the plan of lay-out of the City of Canberra and its environs, together with copies of extracts from the minutes of proceedings.

Ordered—That the report be printed.

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

11 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—COMMONWEALTH FUNDING TO THE STATES:

Mr Deputy Speaker informed the House that Mr Hayden (Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The Fraser Government's provocative and improper appropriation of funds due to the States".

The proposed discussion having received the necessary support—

Mr Hayden addressed the House.

Suspension of standing orders moved: Mr Hayden moved—That so much of the standing orders be suspended as would prevent the Leader of the Opposition moving—That this House, in the light of the Prime Minister's admission that the States have been deprived of \$70 million to which they are entitled and the clear evidence, therefore, that the Fraser Government is appropriating funds to its own use which properly

belong to the States, directs the Government to reconvene the Premiers' Conference immediately for the purpose of:

- (a) making the additional \$70 million available to the States, and
- (b) taking such other steps as will restore the confidence of the States in the integrity of Commonwealth/State relations.

Debate ensued on the motion to suspend the standing orders.

The time allowed by standing order 91 for debate on the motion having expired—

Question—put.

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

AYES, 47

Mr Armitage	Mr Dawkins	Mr Jacobi	Mr Milton
Mr Beazley	Mr Duffy	Dr Jenkins	Mr Morris
Dr Blewett	Dr Everingham	Mr Johnson*	Mr Morrison
Mr Bowen	Mr Free	Mr B. O. Jones	Mr Mountford
Mr J. J. Brown	Mr Fry	Mr C. K. Jones	Mr Scholes
Mr R. J. Brown	Mr Hawke	Mr Keating	Mr Scott
Mr Campbell	Mr Hayden	Mrs Kelly	Dr Theophanous
Mr Charles	Mr Holding	Mr Kent	Mr Uren
Mrs Child	Mr Howe	Mr Kerin	Mr West
Mr Cohen	Mr Humphreys*	Dr Klugman	Mr Willis
Mr Cunningham	Mr Hurford	Mr J. L. McMahon	Mr Young
Mrs Darling	Mr Innes	Mr Mildren	

NOES, 66

Mr Baume	Mr Dean	Mr Jull	Mr Robinson
Mr Birney	Mr Dobie	Mr Killen	Mr Rocher
Mr Bourchier	Dr Edwards	Mr Lloyd	Mr Ruddock
Mr Bradfield	Mr Falconer	Mr Lusher	Mr Sainsbury
Mr Braithwaite	Mr Fife	Sir Phillip Lynch	Mr Shack
Mr N. A. Brown	Mr Fisher*	Mr MacKellar	Mr Shipton
Mr Bungey	Mr Goodluck	Mr MacKenzie	Mr Sinclair
Mr Burr	Mr Groom	Mr McLean	Mr Spender
Mr Cadman	Mr Hall	Sir William McMahon	Mr Street
Mr D. M. Cameron	Mr Harris	Mr McVeigh	Mr Tambling
Mr E. C. Cameron	Mr Hicks	Mr Macphee	Mr Thomson
Mr I. M. D. Cameron	Mr Hodges*	Mr Moore	Mr Tuckey
Mr Carlton	Mr Hodgman	Mr Newman	Mr Viner
Mr Chapman	Mr Howard	Mr Nixon	Mr White
Mr Coleman	Mr Hunt	Mr O'Keefe	Mr Wilson
Mr Connolly	Mr Hyde	Mr Peacock	
Mr Cowan	Mr Jarman	Mr Porter	

* Tellers

And so it was negatived.

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

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

AYES, 68

Mr Baume	Mr Dean	Mr Jarman	Mr Peacock
Mr Birney	Mr Dobie	Mr Jull	Mr Porter
Mr Bourchier	Dr Edwards	Mr Katter	Mr Robinson
Mr Bradfield	Mr Falconer	Mr Killen	Mr Rocher
Mr Braithwaite	Mr Fife	Mr Lloyd	Mr Ruddock
Mr N. A. Brown	Mr Fisher*	Mr Lusher	Mr Sainsbury
Mr Bungey	Mr Giles	Sir Phillip Lynch	Mr Shack
Mr Burr	Mr Goodluck	Mr MacKellar	Mr Shipton
Mr Cadman	Mr Groom	Mr MacKenzie	Mr Sinclair
Mr D. M. Cameron	Mr Hall	Mr McLean	Mr Spender
Mr E. C. Cameron	Mr Harris	Sir William McMahon	Mr Street
Mr I. M. D. Cameron	Mr Hicks	Mr McVeigh	Mr Tambling
Mr Carlton	Mr Hodges*	Mr Macphee	Mr Thomson
Mr Chapman	Mr Hodgman	Mr Moore	Mr Tuckey
Mr Coleman	Mr Howard	Mr Newman	Mr Viner
Mr Connolly	Mr Hunt	Mr Nixon	Mr White
Mr Cowan	Mr Hyde	Mr O'Keefe	Mr Wilson

NOES, 47

Mr Armitage	Mr Dawkins	Mr Jacobi	Mr Milton
Mr Beazley	Mr Duffy	Dr Jenkins	Mr Morris
Dr Blewett	Dr Everingham	Mr Johnson*	Mr Morrison
Mr Bowen	Mr Free	Mr B. O. Jones	Mr Mountford
Mr J. J. Brown	Mr Fry	Mr C. K. Jones	Mr Scholes
Mr R. J. Brown	Mr Hawke	Mr Keating	Mr Scott
Mr Campbell	Mr Hayden	Mrs Kelly	Dr Theophanous
Mr Charles	Mr Holding	Mr Kent	Mr Uren
Mrs Child	Mr Howe	Mr Kerin	Mr West
Mr Cohen	Mr Humphreys*	Dr Klugman	Mr Willis
Mr Cunningham	Mr Hurford	Mr J. L. McMahon	Mr Young
Mrs Darling	Mr Innes	Mr Mildren	

* Tellers

And so it was resolved in the affirmative.

- 12 POSTPONEMENT OF ORDERS OF THE DAY: Ordered—That orders of the day Nos. 1 to 10, government business, be postponed until a later hour this day.

- 13 BEEF INDUSTRY (INCENTIVE PAYMENTS) AMENDMENT BILL 1981: 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. 41, dated 1 May 1981, 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 Primary Industry), the Bill was read a third time.

- 14 PIG SLAUGHTER LEVY AMENDMENT BILL 1981: 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.

Suspension of standing orders moved: Mrs Darling moved—That so much of the standing orders be suspended as would prevent the honourable Member for Lilley moving forthwith notice No. 75, general business, standing in her name, namely, "That this House condemns any attempt by the Federal Government to hold a gun at the head of the Queensland Government by compelling it to abandon Queensland's long-standing, efficient free hospital system."

Closure of Member: Mr Fife (Minister for Education) moved—That the honourable Member be not further heard.

Member named: The Deputy Speaker (Mr Millar) named the honourable Member for Lilley (Mrs Darling) for not resuming her seat when requested to do so.

Mr Fife moved—That the honourable Member for Lilley be suspended from the service of the House.

Mrs Darling having apologised to the Chair, the motion for the suspension of the honourable Member for Lilley was withdrawn, by leave.

Question—That the honourable Member be not further heard—put.

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

AYES, 59

Mr Baume	Mr Dobie	Mr Katter	Mr Robinson
Mr Birney	Dr Edwards	Mr Killen	Mr Rocher
Mr Bouchier	Mr Falconer	Mr Lloyd	Mr Ruddock
Mr Bradfield	Mr Fife	Mr Lusher	Mr Sainsbury
Mr Braithwaite	Mr Fisher*	Mr MacKenzie	Mr Shack
Mr N. A. Brown	Mr Hall	Mr McLean	Mr Shipton
Mr Cadman	Mr Harris	Sir William McMahon	Mr Spender
Mr D. M. Cameron	Mr Hicks	Mr McVeigh	Mr Street
Mr E. C. Cameron	Mr Hodges*	Mr Macphee	Mr Tambling
Mr I. M. D. Cameron	Mr Hodgman	Mr Moore	Mr Thomson
Mr Carlton	Mr Howard	Mr Newman	Mr Tuckey
Mr Chapman	Mr Hunt	Mr Nixon	Mr Viner
Mr Coleman	Mr Hyde	Mr O'Keefe	Mr White
Mr Cowan	Mr Jarman	Mr Peacock	Mr Wilson
Mr Dean	Mr Jull	Mr Porter	

NOES, 45

Mr Armitage	Mr Dawkins	Mr Johnson*	Mr Morrison
Mr Beazley	Mr Duffy	Mr B. O. Jones	Mr Mountford
Dr Blewett	Dr Everingham	Mr C. K. Jones	Mr Scholes
Mr Bowen	Mr Free	Mr Keating	Mr Scott
Mr J. J. Brown	Mr Fry	Mrs Kelly	Dr Theophanous
Mr R. J. Brown	Mr Hawke	Mr Kent	Mr Uren
Mr Campbell	Mr Hayden	Mr Kerin	Mr West
Mr Charles	Mr Holding	Dr Klugman	Mr Willis
Mrs Child	Mr Humphreys*	Mr J. L. McMahon	Mr Young
Mr Cohen	Mr Hurford	Mr Mildren	
Mr Cunningham	Mr Jacobi	Mr Milton	
Mrs Darling	Dr Jenkins	Mr Morris	

*Tellers

And so it was resolved in the affirmative.

Mr Humphreys (seconder) addressing the House—

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

Question—put.

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

AYES, 60

Mr Baume	Mr Dobie	Mr Jarman	Mr Peacock
Mr Birney	Dr Edwards	Mr Jull	Mr Porter
Mr Bouchier	Mr Falconer	Mr Katter	Mr Robinson
Mr Bradfield	Mr Fife	Mr Killen	Mr Rocher
Mr Braithwaite	Mr Fisher*	Mr Lloyd	Mr Ruddock
Mr N. A. Brown	Mr Giles	Mr Lusher	Mr Sainsbury
Mr Cadman	Mr Goodluck	Mr MacKenzie	Mr Shack
Mr D. M. Cameron	Mr Hall	Mr McLean	Mr Spender
Mr E. C. Cameron	Mr Harris	Sir William McMahon	Mr Street
Mr I. M. D. Cameron	Mr Hicks	Mr McVeigh	Mr Tambling
Mr Carlton	Mr Hodges*	Mr Macphee	Mr Thomson
Mr Chapman	Mr Hodgman	Mr Moore	Mr Tuckey
Mr Coleman	Mr Howard	Mr Newman	Mr Viner
Mr Cowan	Mr Hunt	Mr Nixon	Mr White
Mr Dean	Mr Hyde	Mr O'Keefe	Mr Wilson

NOES, 45

Mr Armitage	Mr Dawkins	Mr Johnson*	Mr Morrison
Mr Beazley	Mr Duffy	Mr B. O. Jones	Mr Mountford
Dr Blewett	Dr Everingham	Mr C. K. Jones	Mr Scholes
Mr Bowen	Mr Free	Mr Keating	Mr Scott
Mr J. J. Brown	Mr Fry	Mrs Kelly	Dr Theophanous
Mr R. J. Brown	Mr Hawke	Mr Kent	Mr Uren
Mr Campbell	Mr Holding	Mr Kerin	Mr West
Mr Charles	Mr Humphreys*	Dr Klugman	Mr Willis
Mrs Child	Mr Hurford	Mr J. L. McMahon	Mr Young
Mr Cohen	Mr Innes	Mr Mildren	
Mr Cunningham	Mr Jacobi	Mr Milton	
Mrs Darling	Dr Jenkins	Mr Morris	

*Tellers

And so it was resolved in the affirmative.

Mr Hayden (Leader of the Opposition) rising to address the House—

Closure: Mr Fife 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, 61

Mr Baume	Dr Edwards	Mr Katter	Mr Rocher
Mr Birney	Mr Falconer	Mr Killen	Mr Ruddock
Mr Bouchier	Mr Fife	Mr Lloyd	Mr Sainsbury
Mr Bradfield	Mr Fisher*	Mr Lusher	Mr Shack
Mr Braithwaite	Mr Giles	Mr MacKenzie	Mr Shipton
Mr N. A. Brown	Mr Goodluck	Mr McLean	Mr Spender
Mr Cadman	Mr Hall	Sir William McMahon	Mr Street
Mr D. M. Cameron	Mr Harris	Mr McVeigh	Mr Tambling
Mr E. C. Cameron	Mr Hicks	Mr Macphée	Mr Thomson
Mr I. M. D. Cameron	Mr Hodges*	Mr Moore	Mr Tuckey
Mr Carlton	Mr Hodgman	Mr Newman	Mr Viner
Mr Chapman	Mr Howard	Mr Nixon	Mr White
Mr Coleman	Mr Hunt	Mr O'Keefe	Mr Wilson
Mr Cowan	Mr Hyde	Mr Peacock	
Mr Dean	Mr Jarman	Mr Porter	
Mr Dobie	Mr Jull	Mr Robinson	

NOES, 45

Mr Armitage	Mr Dawkins	Mr Johnson*	Mr Morrison
Mr Beazley	Mr Duffy	Mr B. O. Jones	Mr Mountford
Dr Blewett	Dr Everingham	Mr C. K. Jones	Mr Scholes
Mr Bowen	Mr Free	Mr Keating	Mr Scott
Mr J. J. Brown	Mr Fry	Mrs Kelly	Dr Theophanous
Mr R. J. Brown	Mr Hawke	Mr Kent	Mr Uren
Mr Campbell	Mr Holding	Mr Kerin	Mr West
Mr Charles	Mr Humphreys*	Dr Klugman	Mr Willis
Mrs Child	Mr Hurford	Mr J. L. McMahon	Mr Young
Mr Cohen	Mr Innes	Mr Mildren	
Mr Cunningham	Mr Jacobi	Mr Milton	
Mrs Darling	Dr Jenkins	Mr Morris	

* Tellers

And so it was resolved in the affirmative.

And the question—That the motion for the suspension of the standing orders be agreed to—being accordingly put—

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

AYES, 45

Mr Armitage	Mr Dawkins	Mr Johnson*	Mr Morrison
Mr Beazley	Mr Duffy	Mr B. O. Jones	Mr Mountford
Dr Blewett	Dr Everingham	Mr C. K. Jones	Mr Scholes
Mr Bowen	Mr Free	Mr Keating	Mr Scott
Mr J. J. Brown	Mr Fry	Mrs Kelly	Dr Theophanous
Mr R. J. Brown	Mr Hawke	Mr Kent	Mr Uren
Mr Campbell	Mr Holding	Mr Kerin	Mr West
Mr Charles	Mr Humphreys*	Dr Klugman	Mr Willis
Mrs Child	Mr Hurford	Mr J. L. McMahon	Mr Young
Mr Cohen	Mr Innes	Mr Mildren	
Mr Cunningham	Mr Jacobi	Mr Milton	
Mrs Darling	Dr Jenkins	Mr Morris	

NOES, 61

Mr Baume	Dr Edwards	Mr Katter	Mr Rocher
Mr Birney	Mr Falconer	Mr Killen	Mr Ruddock
Mr Bouchier	Mr Fife	Mr Lloyd	Mr Sainsbury
Mr Bradfield	Mr Fisher*	Mr Lusher	Mr Shack
Mr Braithwaite	Mr Giles	Mr MacKenzie	Mr Shipton
Mr N. A. Brown	Mr Goodluck	Mr McLean	Mr Spender
Mr Cadman	Mr Hall	Sir William McMahon	Mr Street
Mr D. M. Cameron	Mr Harris	Mr McVeigh	Mr Tambling
Mr E. C. Cameron	Mr Hicks	Mr Macphee	Mr Thomson
Mr I. M. D. Cameron	Mr Hodges*	Mr Moore	Mr Tuckey
Mr Carlton	Mr Hodgman	Mr Newman	Mr Viner
Mr Chapman	Mr Howard	Mr Nixon	Mr White
Mr Coleman	Mr Hunt	Mr O'Keefe	Mr Wilson
Mr Cowan	Mr Hyde	Mr Peacock	
Mr Dean	Mr Jarman	Mr Porter	
Mr Dobie	Mr Jull	Mr Robinson	

* Tellers

And so it was negated.

Suspension of standing orders moved: Dr Blewett moved—That so much of the standing orders be suspended as would prevent the House calling upon—

- (1) the Prime Minister to explain to the House why he misled the Parliament at question time in indicating that the Commonwealth had exhausted its financial responsibilities to the States, while at the very same time he was concluding a private arrangement with the Premier of Queensland to provide that State with a further \$16 million, while ignoring the needs of the other States, and
- (2) the Government to end the increasingly farcical decision-making process in the hospital field, and to abandon its present ill-conceived hospital funding proposals.

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

Question—put.

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

AYES, 62

Mr Baume	Mr Dobie	Mr Jull	Mr Robinson
Mr Birney	Dr Edwards	Mr Katter	Mr Rocher
Mr Bouchier	Mr Falconer	Mr Killen	Mr Ruddock
Mr Bradfield	Mr Fife	Mr Lloyd	Mr Sainsbury
Mr Braithwaite	Mr Fisher*	Mr Lusher	Mr Shack
Mr N. A. Brown	Mr Giles	Mr MacKenzie	Mr Shipton
Mr Bungey	Mr Goodluck	Mr McLean	Mr Spender
Mr Cadman	Mr Hall	Sir William McMahon	Mr Street
Mr D. M. Cameron	Mr Harris	Mr McVeigh	Mr Tambling
Mr E. C. Cameron	Mr Hicks	Mr Macphee	Mr Thomson
Mr I. M. D. Cameron	Mr Hodges*	Mr Moore	Mr Tuckey
Mr Carlton	Mr Hodgman	Mr Newman	Mr Viner
Mr Chapman	Mr Howard	Mr Nixon	Mr White
Mr Coleman	Mr Hunt	Mr O'Keefe	Mr Wilson
Mr Cowan	Mr Hyde	Mr Peacock	
Mr Dean	Mr Jarman	Mr Porter	

NOES, 46

Mr Armitage	Mr Dawkins	Dr Jenkins	Mr Morris
Mr Beazley	Mr Duffy	Mr Johnson*	Mr Morrison
Dr Blewett	Dr Everingham	Mr B. O. Jones	Mr Mountford
Mr Bowen	Mr Free	Mr C. K. Jones	Mr Scholes
Mr J. J. Brown	Mr Fry	Mr Keating	Mr Scott
Mr R. J. Brown	Mr Hawke	Mrs Kelly	Dr Theophanous
Mr Campbell	Mr Holding	Mr Kent	Mr Uren
Mr Charles	Mr Howe	Mr Kerin	Mr West
Mrs Child	Mr Humphreys*	Dr Klugman	Mr Willis
Mr Cohen	Mr Hurford	Mr J. L. McMahon	Mr Young
Mr Cunningham	Mr Innes	Mr Mildren	
Mrs Darling	Mr Jacobi	Mr Milton	

* Tellers

And so it was resolved in the affirmative.

Mr Keating (seconded) addressing the House—

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

Question—put.

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

AYES, 61

Mr Baume	Mr Dobie	Mr Jull	Mr Rocher
Mr Birney	Dr Edwards	Mr Katter	Mr Ruddock
Mr Bouchier	Mr Falconer	Mr Killen	Mr Sainsbury
Mr Bradfield	Mr Fife	Mr Lloyd	Mr Shack
Mr Braithwaite	Mr Fisher*	Mr Lusher	Mr Shipton
Mr N. A. Brown	Mr Giles	Mr MacKenzie	Mr Spender
Mr Bungey	Mr Goodluck	Mr McLean	Mr Street
Mr Cadman	Mr Hall	Sir William McMahon	Mr Tambling
Mr D. M. Cameron	Mr Harris	Mr McVeigh	Mr Thomson
Mr E. C. Cameron	Mr Hicks	Mr Macphee	Mr Tuckey
Mr I. M. D. Cameron	Mr Hodges*	Mr Moore	Mr Viner
Mr Carlton	Mr Hodgman	Mr Newman	Mr White
Mr Chapman	Mr Howard	Mr O'Keefe	Mr Wilson
Mr Coleman	Mr Hunt	Mr Peacock	
Mr Cowan	Mr Hyde	Mr Porter	
Mr Dean	Mr Jarman	Mr Robinson	

NOES, 46

Mr Armitage	Mr Dawkins	Dr Jenkins	Mr Morris
Mr Beazley	Mr Duffy	Mr Johnson*	Mr Morrison
Dr Blewett	Dr Everingham	Mr B. O. Jones	Mr Mountford
Mr Bowen	Mr Free	Mr C. K. Jones	Mr Scholes
Mr J. J. Brown	Mr Fry	Mr Keating	Mr Scott
Mr R. J. Brown	Mr Hawke	Mrs Kelly	Dr Theophanous
Mr Campbell	Mr Holding	Mr Kent	Mr Uren
Mr Charles	Mr Howe	Mr Kerin	Mr West
Mrs Child	Mr Humphreys*	Dr Klugman	Mr Willis
Mr Cohen	Mr Hurford	Mr J. L. McMahon	Mr Young
Mr Cunningham	Mr Innes	Mr Mildren	
Mrs Darling	Mr Jacobi	Mr Milton	

*Tellers

And so it was resolved in the affirmative.

Mr Young rising to address the House—

Closure: Mr Fife 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, 61

Mr Baume	Mr Dobie	Mr Jull	Mr Rocher
Mr Birney	Dr Edwards	Mr Katter	Mr Ruddock
Mr Bouchier	Mr Falconer	Mr Killen	Mr Sainsbury
Mr Bradfield	Mr Fife	Mr Lloyd	Mr Shack
Mr Braithwaite	Mr Fisher*	Mr Lusher	Mr Shipton
Mr N. A. Brown	Mr Giles	Mr MacKenzie	Mr Spender
Mr Bungey	Mr Goodluck	Mr McLean	Mr Street
Mr Cadman	Mr Hall	Sir William McMahon	Mr Tambling
Mr D. M. Cameron	Mr Harris	Mr McVeigh	Mr Thomson
Mr E. C. Cameron	Mr Hicks	Mr Macphee	Mr Tuckey
Mr I. M. D. Cameron	Mr Hodges*	Mr Moore	Mr Viner
Mr Carlton	Mr Hodgman	Mr Newman	Mr White
Mr Chapman	Mr Howard	Mr O'Keefe	Mr Wilson
Mr Coleman	Mr Hunt	Mr Peacock	
Mr Cowan	Mr Hyde	Mr Porter	
Mr Dean	Mr Jarman	Mr Robinson	

NOES, 46

Mr Armitage	Mr Dawkins	Dr Jenkins	Mr Morris
Mr Beazley	Mr Duffy	Mr Johnson*	Mr Morrison
Dr Blewett	Dr Everingham	Mr B. O. Jones	Mr Mountford
Mr Bowen	Mr Free	Mr C. K. Jones	Mr Scholes
Mr J. J. Brown	Mr Fry	Mr Keating	Mr Scott
Mr R. J. Brown	Mr Hawke	Mrs Kelly	Dr Theophanous
Mr Campbell	Mr Holding	Mr Kent	Mr Uren
Mr Charles	Mr Howe	Mr Kerin	Mr West
Mrs Child	Mr Humphreys*	Dr Klugman	Mr Willis
Mr Cohen	Mr Hurford	Mr J. L. McMahon	Mr Young
Mr Cunningham	Mr Innes	Mr Mildren	
Mrs Darling	Mr Jacobi	Mr Milton	

*Tellers

And so it was resolved in the affirmative.

And the question—That the motion for the suspension of the standing orders be agreed to—being accordingly put—

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

AYES, 46

Mr Armitage	Mr Dawkins	Dr Jenkins	Mr Morris
Mr Beazley	Mr Duffy	Mr Johnson*	Mr Morrison
Dr Blewett	Dr Everingham	Mr B. O. Jones	Mr Mountford
Mr Bowen	Mr Free	Mr C. K. Jones	Mr Scholes
Mr J. J. Brown	Mr Fry	Mr Keating	Mr Scott
Mr R. J. Brown	Mr Hawke	Mrs Kelly	Dr Theophanous
Mr Campbell	Mr Holding	Mr Kent	Mr Uren
Mr Charles	Mr Howe	Mr Kerin	Mr West
Mrs Child	Mr Humphreys*	Dr Klugman	Mr Willis
Mr Cohen	Mr Hurford	Mr J. L. McMahon	Mr Young
Mr Cunningham	Mr Innes	Mr Mildren	
Mrs Darling	Mr Jacobi	Mr Milton	

NOES, 61

Mr Baume	Dr Edwards	Mr Katter	Mr Rocher
Mr Birney	Mr Falconer	Mr Killen	Mr Ruddock
Mr Bouchier	Mr Fife	Mr Lloyd	Mr Sainsbury
Mr Bradfield	Mr Fisher*	Mr Lusher	Mr Shack
Mr Braithwaite	Mr Giles	Sir Phillip Lynch	Mr Shipton
Mr N. A. Brown	Mr Goodluck	Mr MacKenzie	Mr Spender
Mr Cadman	Mr Hall	Mr McLean	Mr Street
Mr D. M. Cameron	Mr Harris	Sir William McMahon	Mr Tambling
Mr E. C. Cameron	Mr Hicks	Mr McVeigh	Mr Thomson
Mr I. M. D. Cameron	Mr Hodges*	Mr Macphee	Mr Tuckey
Mr Carlton	Mr Hodgman	Mr Moore	Mr Viner
Mr Chapman	Mr Howard	Mr Newman	Mr White
Mr Coleman	Mr Hunt	Mr O'Keefe	Mr Wilson
Mr Cowan	Mr Hyde	Mr Peacock	
Mr Dean	Mr Jarman	Mr Porter	
Mr Dobie	Mr Jull	Mr Robinson	

* Tellers

And so it was negated.

Debate continued 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 Nixon (Minister for Primary Industry), the Bill was read a third time.

15 COMPANIES BILL 1981: 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 J. J. Brown 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, the House:

- (1) expresses its concern—
 - (a) at the Government's abdication of its responsibility to make national laws for companies and securities pursuant to the Commonwealth's own constitutional powers, and in accordance with the recommendations of the Senate Select Committee on Securities and Exchange in 1974 (the Rae Report);
 - (b) at the lack of effective accountability of the National Companies and Securities Commission to either the Government or Parliament of the Commonwealth, or to any other single elected Government or Parliament, and
 - (c) that despite the inordinate delay in introducing the legislation, the Parliament of the Commonwealth has not been given an opportunity effectively to scrutinise this Bill and associated bills and will not be able effectively to determine company law in the future under the Co-operative Companies and Securities Scheme;
- (2) calls upon the Government in the event of the breakdown for any reason of the scheme, of which the Bill is a part, immediately to proceed to the introduction of Commonwealth legislation for the national regulation of companies;
- (3) notes that this Bill places uniformity before reform in deference to powerful vested interest groups and represents a retreat to the lowest common denominator standard of company law;
- (4) calls upon the Government to expedite the establishment of an Accounting Standards Review Board, and
- (5) calls upon the Government immediately to pursue a fundamental reform of company law, including:
 - (a) the abolition of the category of "exempt proprietary company" and the privileges associated with it;
 - (b) the provision of statutory directions and powers to the National Companies and Securities Commission and the courts to look behind the corporate entity in appropriate circumstances, to ascertain those who control it or hold shares in it, and, having regard to the purpose of the creation of the corporate entity and the manner of its control, to affix personal liability and adjudicate personal rights where it is just and equitable to do so;
 - (c) the extension of the powers of inspection of the National Companies and Securities Commission to ensure the fullest reasonable access of the Commission to books;
 - (d) the amendment of any provision which enables questionable practices to be hidden by means of legal professional privilege;
 - (e) the requirement for all companies to raise and maintain a prescribed minimum nominal and paid up capital;
 - (f) rationalisation of the cumbersome provisions in respect of company names on the basis of single nationwide registration;
 - (g) a requirement that companies disclose all donations for political purposes;
 - (h) a requirement that dividends be paid only from the genuine profits of a company;
 - (i) full review of the provisions relating to fund raising and prospectuses to ensure maximum disclosure and to require independent valuation of assets exchanged for issued shares;
 - (j) reform of the provisions relating to companies financing dealings in their own shares, including the removal of the exemption given to financial assistance to salaried directors;
 - (k) provision for a higher required standard of competence, care and diligence for directors and officers of companies;
 - (l) a requirement that more frequent accounts be lodged by companies listed on the Stock Exchanges;
 - (m) in order to protect creditors and to assist the prevention of tax avoidance, the imposition of stringent disclosure requirements upon companies acting

as trustees of trading trusts, in relation to their capacity as trustees and the accounts of the relevant trusts, and the imposition of heavy penalties for non-compliance;

- (n) full disclosure to the public of the beneficial ownership of all shares in companies;
- (o) published accounts to include full details of each director's and officer's remuneration and right of inspection for employees and shareholders of director's service contracts;
- (p) adequate remedies of oppressive conduct, including extension of the concept of oppression to single and anticipated acts unfairly prejudicial to a shareholder; and provision of further means such as a 'Shareholders' Tribunal' to protect the interests of minority shareholders, and
- (q) complete reform of the winding up provisions, including greater protection for unsecured creditors, following a reference on insolvency to the Australian Law Reform Commission".

Debate continued.

Mrs Kelly addressing the House—

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

Mr Moore (Minister for Business and Consumer Affairs) requiring the question to be put forthwith without debate—

Question—put and negatived.

Mrs Kelly continued her speech.

Mr Moore 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.

16 ADJOURNMENT: Mr Moore (Minister for Business and Consumer 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 2.15 p.m.

PAPERS: The following papers were deemed to have been presented on 12 May 1981, pursuant to statute:

Australian Capital Territory Representation (House of Representatives) Act—Regulation—Statutory Rules 1981, No. 85.

Australian Meat and Live-stock Corporation Act—Regulations—Statutory Rules 1981, Nos. 99, 100, 101.

Commonwealth Electoral Act and Referendum (Constitution Alteration) Act—Regulations—Statutory Rules 1981, Nos. 80, 84.

Customs Act—Regulations—Statutory Rules 1981, No. 86.

Defence Act—Determinations—1981—

No. 12—Trainee Leader's Allowance, Transport Allowance and Recreation Leave.

No. 13—Senior Chaplain's Allowance.

No. 14—Hard Lying Allowance.

No. 15—Flight Duties Allowance.

Defence Amendment Act—Interim Determinations—Statutory Rules 1981, Nos. 92, 93, 94, 95.

National Health Act—Regulations—Statutory Rules 1981, No. 97.

Navigation Act—Regulation—Statutory Rules 1981, No. 91.

Northern Territory Representation Act and Commonwealth Electoral Act—Regulations—Statutory Rules 1981, Nos. 81, 82, 83.

Nursing Homes Assistance Act—Regulations—Statutory Rules 1981, Nos. 88, 98.
Petroleum Retail Marketing Sites Act—Regulations—Statutory Rules 1981, No. 89.
Remuneration Tribunals Act—Remuneration Tribunal—Determination—1981/5—

 Holders of public office on the Committee of Inquiry into Income Tax Zone Allowances and another body.

Science and Industry Research Act—Regulations—Statutory Rules 1981, No. 90.
Seat of Government (Administration) Act—Variation of plan of lay-out of City of Canberra and its environs, dated 7 May 1981.

Telecommunications Act—Regulation—Statutory Rules 1981, No. 87.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Adermann, Mr Anthony, Mr Cross, Mr Drummond, Mr McLeay and Mr Wallis.

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