

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

## HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 39

THURSDAY, 4 JUNE 1981

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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.:

Dr Cass, Dr Everingham, Dr Jenkins, Mr Johnson, Mr C. K. Jones, Mr Kent, Dr Klugman, Mr Morris, Mr Mountford and Mr Scott—from certain citizens praying that any proposal to sell Trans Australia Airlines be rejected.

Mr Duffy, Mr Jacobi, Mr Kent, Mr Milton and Mr Mountford—from certain citizens praying that post-secondary tuition fees not be re-introduced and visa charges upon private overseas students be removed immediately.

Mrs Darling, Dr Jenkins and Mr Young—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.

Mr Braithwaite and Mr Lusher—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 Cross and Mrs Darling—from certain citizens praying that the recent decisions made with respect to tertiary education be rescinded and no steps be taken towards the re-introduction of fees for tertiary education.

Mrs Child—from certain residents of Tasmania praying that the Commonwealth Government maintain responsibility for the national women's refuge program by continuing funding on a 75% Federal/25% State basis.

Mr Cross—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 Cross—from certain citizens praying that post-secondary tuition fees not be re-introduced, visa charges upon private overseas students be removed, the decision to introduce a loans scheme be reversed and the Tertiary Education Assistance Scheme be increased and extended.

Mr Cross—from certain citizens praying that the Government use the power conferred on it by the 1967 referendum to intervene on behalf of the Aboriginal people in their dispute with the Government of Western Australia over mining at Noonkanbah, W.A.

Mrs Darling—from certain citizens praying that the proposed health cost sharing arrangements between the Commonwealth and Queensland be rejected and the present scheme be maintained.

Mrs Darling—from certain citizens praying that the decision to close the Rosemount Repatriation Hospital, Qld, be reversed.

Mrs Darling—from certain citizens praying that Australia's overseas aid and the proportion of aid channelled through recognised non-government organisations be increased.

Mrs Darling—from certain citizens praying that requests for export permits covering mineral sand products from Moreton Island, Qld, be refused.

Mrs Darling—from certain citizens praying that the decisions to terminate some information services and rationalise other services provided by the Department of Immigration and Ethnic Affairs be rescinded.

Mrs Darling—from certain citizens praying for the prohibition of oil exploration within the Great Barrier Reef region and that the entire region be declared a Marine Park.

Mrs Darling—from certain members of the Dystrophic Epidermolysis Bullosa Research Association of Australia and others praying that the provision of funds for research into Epidermolysis Bullosa be restored.

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 Goodluck—from certain children of Lindisfarne Primary School, Tas., praying that the export of dog and cat fur to Europe be banned.

Mr Humphreys—from certain citizens praying that the effects of health proposals and of the necessity for compulsory health insurance on lower income groups be re-examined and the criteria determining the genuinely needy be redefined.

Mr Humphreys—from certain citizens praying that the public hospital funding arrangements and their impact on lower income groups be re-examined and funding to the States be increased.

Mr Humphreys—from certain citizens praying that the funding of Family Day Care schemes be reviewed and increased in real terms in the 1981-82 Budget.

Mr Humphreys—from certain citizens praying that donations to animal welfare organisations be tax deductible.

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

Mr Mountford—from certain citizens praying that the Betsy Women's Refuge and the network of women's shelters in Australia be adequately funded.

Mr Scott—from certain citizens praying that minimisation of interest rates be adopted as one of the aims of economic policy and certain actions be taken in relation to the money supply.

Mr Tambling—from certain citizens praying that steps be taken to allow child-care expenses as a deductible item from taxpayers' assessable income.

Petitions received.

### 3 QUESTIONS: Questions without notice being asked—

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*Distinguished visitors:* Mr Speaker informed the House that a delegation from the House of Representatives of Morocco, led by His Excellency Mr Ahmed Osman, was present in the gallery. On behalf of the House, Mr Speaker extended to the visitors a very warm welcome.

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Questions without notice continued.

- 4 PAPER: The following paper was presented, by command of His Excellency the Governor-General:  
Administrative Review Council—Report on Defence Force Ombudsman—Report of Council to Attorney-General, together with working party report to Council.
- 5 DEPARTMENT OF THE PARLIAMENTARY LIBRARY—REPORT—STATEMENT BY MR SPEAKER:  
Mr Speaker presented the following paper:  
Department of the Parliamentary Library—Annual Report for 1980.  
Mr Speaker made a statement in connection with the report.
- 6 COMMONWEALTH EDUCATION POLICY—MINISTERIAL STATEMENT: Mr Fife (Minister for Education), by leave, made a ministerial statement announcing Government decisions on major education programs and financial guidelines for Commonwealth education commissions in 1982 and for the triennium 1982–84.  
*Suspension of standing orders—Speech by Member:* Mr Fife, by leave, moved—That so much of the standing orders be suspended as would prevent Mr Dawkins speaking, for a period not exceeding 45 minutes, on the same matter.  
Question—put and passed.  
Mr Dawkins addressed the House.
- 7 GENERAL BUSINESS: It being past 12.45 p.m., general business was not called on (*See entry No. 11*).
- 8 MESSAGES FROM THE SENATE: Messages from the Senate were reported returning the following Bills without amendment:  
3 June 1981—Message No. 120—Conciliation and Arbitration Amendment 1981.  
4 June 1981, a.m.—Message No. 121—Roads Grants 1981.
- 9 PUBLIC ACCOUNTS COMMITTEE: Mr Fife (Minister for Education), by leave, moved—That Mr Beazley be discharged from attendance on the Joint Committee of Public Accounts, and that, in his place, Mrs Kelly be appointed a member of the Committee.  
Question—put and passed.
- 10 ALTERATION OF DAY OF NEXT MEETING: Mr Fife (Minister for Education) moved—That the House, at its rising, adjourn until tomorrow at 9.30 a.m.  
Question—put and passed.
- 11 SUSPENSION OF STANDING ORDERS—GENERAL BUSINESS NOTICE: Mr Fife (Minister for Education), by leave, moved—That so much of the standing orders be suspended as would prevent notice No. 1, general business, being called on forthwith.  
Question—put and passed.
- 12 SITTING HOURS OF THE PARLIAMENT—RESULT OF BALLOT—STATEMENT BY MR SPEAKER:  
Mr Speaker informed the House of the result of a ballot held to determine whether Members were in favour of a change in the present sitting hours of the House.
- 13 INSTITUTE OF FRESHWATER STUDIES BILL 1981: Mr Jacobi, pursuant to notice, presented a Bill for an Act to provide for the promotion of research and planning in connection with freshwater resources and for that purpose to establish an Australian Institute of Freshwater Studies.  
Bill read a first time.

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

Ordered—That Mr Jacobi be granted an extension of time.

Debate, by leave, ensued.

Debate adjourned (Mr Bowen—Deputy Leader of the Opposition), and the resumption of the debate made an order of the day for the next sitting.

- 14 **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 Leader of the Opposition from making a statement forthwith in relation to the unsatisfactory manner in which the Minister for Administrative Services sought this morning to dismiss allegations of serious infringements of civil law by Royal Military College, Duntroon, cadets as “pranks”.

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

Question—put and passed.

Mr Fry (seconder) addressing the House—

*Closure of Member:* Mr Sinclair 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.

- 15 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—MEMBERS OF PARLIAMENT—CODE OF CONDUCT:** Mr Deputy 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 failure of the Government to adopt a code of conduct for Ministers and for Members of Parliament despite the lapse of over three years since the establishment of the Committee of Inquiry into Public Duty and Private Interest”.

The proposed discussion having received the necessary support—

Mr Bowen addressed the House.

*Suspension of standing orders moved:* Mr Bowen moved—That so much of the standing orders be suspended as would prevent the Deputy Leader of the Opposition from moving—That this House calls upon the Government to introduce into the House before 24 September 1981, a code of conduct governing the conduct of Members of Parliament and Ministers of the Crown.

Debate ensued.

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

Discussion continued on the matter of public importance.

Discussion concluded.

- 16 **POSTPONEMENT OF NOTICE:** Ordered—That notice No. 1, government business, be postponed until a later hour this day.

- 17 **LANDS ACQUISITION (NORTHERN TERRITORY PASTORAL LEASES) BILL 1981:** Mr Newman (Minister for Administrative Services), pursuant to notice, presented a Bill for an Act relating to the acquisition by the Commonwealth of certain land in the Northern Territory.

Bill read a first time.

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

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

18 STATES (TAX SHARING AND HEALTH GRANTS) 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.

The House divided (the Deputy Speaker, Mr C. K. Jones, in the Chair)—

AYES, 63

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

NOES, 44

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

\* Tellers

And so it was resolved in the affirmative—Bill read a second time.

*Message from the Administrator:* Message No. 55, dated 3 June 1981, from His Excellency the Administrator 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 Howard (Treasurer), the Bill was read a third time.

19 LOCAL GOVERNMENT (PERSONAL INCOME TAX SHARING) 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—

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Howard (Treasurer), the Bill was read a third time.

20 COMMONWEALTH FUNCTIONS (STATUTES REVIEW) 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.

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

AYES, 61

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

NOES, 44

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

\* Tellers

And so it was resolved in the affirmative—Bill read a second time.

The House resolved itself into a committee of the whole.

*In the committee*

Clauses 1 to 89, by leave, taken together, and debated.

Question—That clauses 1 to 89 be agreed to—put.

## The committee divided (the Deputy Chairman, Dr Jenkins, in the Chair)—

AYES, 62

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

## NOES, 44

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

\* Tellers

And so it was resolved in the affirmative.

Clause 90 debated.

Mr Cohen rising to address the committee—

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

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

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

The committee divided (the Deputy Chairman, Dr Jenkins, in the Chair)—

## AYES, 62

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

## NOES, 44

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

\* Tellers

And so it was resolved in the affirmative.

Clauses 91 to 106, by leave, taken together, and agreed to, after debate.

Clauses 107 to 113, by leave, taken together, and agreed to, after debate.

Part IV (clauses 114 to 121), by leave, taken as a whole, and debated.

Question—That Part IV be agreed to—put.

The committee divided (the Deputy Chairman, Mr C. K. Jones, in the Chair)—

AYES, 59

Mr Adermann	Mr Cowan	Mr Hunt	Mr Robinson
Mr Anthony	Mr Dean	Mr Hyde	Mr Rocher
Mr Baume	Dr Edwards	Mr Jarman	Mr Ruddock
Mr Birney	Mr Falconer	Mr Jull	Mr Sainsbury
Mr Burchier	Mr Fife	Mr Katter	Mr Shack
Mr Bradfield	Mr Fisher*	Mr Lloyd	Mr Shipton
Mr Braithwaite	Mr Giles	Mr Lusher	Mr Sinclair
Mr N. A. Brown	Mr Goodluck	Mr MacKellar	Mr Spender
Mr Cadman	Mr Groom	Mr MacKenzie	Mr Street
Mr D. M. Cameron	Mr Hall	Mr McLean	Mr Tambling
Mr E. C. Cameron	Mr Harris	Mr McVeigh	Mr Thomson
Mr Carlton	Mr Hicks	Mr Millar	Mr Tuckey
Mr Chapman	Mr Hodges*	Mr Newman	Mr White
Mr Coleman	Mr Hodgman	Mr O'Keefe	Mr Wilson
Mr Connolly	Mr Howard	Mr Porter	

NOES, 46

Mr Armitage	Mr Cross	Mr Hurford	Mr Milton
Mr Beazley	Mr Cunningham	Mr Innes	Mr Morrison
Dr Blewett	Mrs Darling	Mr Jacobi	Mr Mountford
Mr Bowen	Mr Dawkins	Dr Jenkins	Mr Scholes
Mr J. J. Brown	Mr Duffy	Mr Johnson*	Dr Theophanous
Mr R. J. Brown	Dr Everingham	Mr B. O. Jones	Mr Uren
Mr Bungey	Mr Free	Mrs Kelly	Mr Wallis
Mr Burr	Mr Fry	Mr Kent	Mr West
Dr Cass	Mr Hawke	Mr Kerin	Mr Willis
Mr Charles	Mr Holding	Mr McLeay	Mr Young
Mrs Child	Mr Howe	Mr J. L. McMahon	
Mr Cohen	Mr Humphreys*	Mr Mildren	

\* Tellers

And so it was resolved in the affirmative.

Clauses 122 to 147, by leave, taken together, and agreed to, after debate.

Remainder of Bill, by leave, taken as a whole.

Mr Bowen (Deputy Leader of the Opposition), by leave, moved the following amendments together:

*Proposed new clause—*

Page 42, after clause 155, insert the following new clause:

"155A. Section 19 of the *Administrative Appeals Tribunal Act 1975* is amended by inserting after paragraph (2) (c) the following paragraph:  
'(ca) Compensation (Commonwealth Government Employees) Division; and'."

*Amendments—*

Schedule 2—

Page 72, proposed amendments to the *Compensation (Commonwealth Government Employees) Act 1971*, after

"Paragraph 51 (3) (b) . . . Omit 'Compensation' "

insert:

" . . . . . After section 54 insert the following new section:  
'54A. The Commissioner shall determine a claim for compensation as soon as practicable but in any case within 120 days of lodgement of the claim.'"

Page 74, proposed amendments to the *Compensation (Commonwealth Government Employees) Act 1971*, after proposed section 65, insert:

*Retention of Appeals to Prescribed Courts*

"'66. Notwithstanding the amendment of this Act by the *Commonwealth Functions (Statutes Review) Act 1981*, where no application is made to the Administrative Appeals Tribunal for a review of a determination in accordance with this Part, an application may be made to a prescribed court for a review of the determination in accordance with this Part as if this Act had not been amended by that Act.'"

Debate continued.

Amendments negatived.

Remainder of Bill further debated and agreed to.



Bill to be reported without amendment.

The House resumed; Mr C. K. Jones reported accordingly.

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

21 INCOME TAX (ASSESSMENT AND RATES) 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 by Mr Willis who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “whilst not opposing the second reading of this Bill, the House notes that:

- (a) because a tax indexation factor of only 3.8% has been applied, all taxpayers whose incomes in 1981–82 will be more than 3.8% above their 1980–81 incomes and whose circumstances do not otherwise alter, will be paying a higher proportion of that income in income tax in 1981–82 than in 1980–81;
- (b) such an increase in the burden of income tax continues the pattern of an increasing income tax burden during the Fraser Government’s term of office, and
- (c) such developments are in stark contrast to the Government’s continual attempts to portray itself as a low tax party,

and accordingly deplores the Government’s action in abolishing tax indexation altogether for future years, which indicates its clear intention to make full use of the secret tax of inflation”.

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*

Clauses 1 to 27, by leave, taken together, and agreed to.

Clause 28 debated and agreed to.

Clauses 29 to 34, by leave, taken together, and agreed to.

Clause 35 debated and agreed to.

Remainder of Bill, by leave, taken as a whole, and agreed to.

Bill to be reported without amendment.

The House resumed; Mr Giles reported accordingly.

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

22 PETROLEUM PRODUCTS PRICING 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 Hurford who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “the House is of the opinion that—

- (1) the Bill should be withdrawn and re-drafted to extend the role of the Petroleum Products Pricing Authority to that of an independent regulatory agency for the petroleum and petroleum products industries as recommended by the 4th Report of the Royal Commission on Petroleum (the Collins Report), with functions to include:
  - (a) restructuring, monitoring and regulating the pricing system;
  - (b) the rationalisation, where necessary, of retail outlets;
  - (c) the regulation of dealer-company relationships, and
  - (d) the development of a conservation program, and

- (2) the Government should be condemned for its decision to abolish the Prices Justification Tribunal which was carrying out the functions of the proposed Petroleum Products Pricing Authority and calls upon it to retain a reformed Tribunal for such purposes as the provision of effective powers to monitor and inquire into the justification of prices in all oil products and other goods exempted by this Bill”.

Debate continued.

Dr Theophanous rising to address the House—

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

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

And the question—That the words proposed to be omitted stand part of the question—was put accordingly, and passed.

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.

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*In the committee*

Bill, by leave, taken as a whole.

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

Clause 3, page 2, lines 33–35, omit paragraph (c) of the definition of “petroleum product”.

Clause 4, page 3, line 4, at the end of sub-clause (1) add “or by a trading entity in which a company has a beneficial financial interest”.

Clause 12—

Page 6, lines 9 and 10, omit “being an interest that could conflict with the proper performance of his functions in relation to that inquiry.”.

Page 6, lines 14 and 15, omit “unless his interest is disclosed in any report in which he participates”, substitute “being an interest that could conflict with the proper performance of his functions in relation to this Act”.

Clause 16—

Page 8, line 12, omit “, with the approval of the Minister,”.

Page 8, lines 17–21, omit sub-clause (5), substitute the following sub-clauses:

“(5) In the performance of its functions, the Authority shall have regard not only to the need for the company or companies concerned to achieve a level of profitability that is sufficient to enable the company or companies to maintain an adequate level of investment and employment but also to the desire of the Government of the Commonwealth, in pursuing the general objectives of national economic and social policy, to implement an equitable anti-inflation policy and, in particular, the desire of the Government of the Commonwealth to subject prices to public scrutiny so as to ensure—

- (a) that companies are in a position of public accountability which parallels that of unions’ requirements to justify their members’ wage levels before the Australian Conciliation and Arbitration Commission; and
- (b) that unreasonably high profits are not being made at the expense of consumers and that unnecessarily high costs, either as the result of inefficiency or other unjustified reasons, are not being passed into prices.

“(6) In sub-section (5)—

‘unnecessarily high costs’ includes such items as costs arising from—

- (a) excessive transfer prices between related companies;
- (b) excessive royalty payments and the like to overseas parent companies;
- (c) exceptional wages and salary increases;
- (d) unnecessarily high interest payments and rents;
- (e) unnecessary advertising and packaging expenses;
- (f) inefficient operations, and

- (g) the refusal to make proper allowances for productivity improvements; and  
'unreasonably high profits' includes levels of profitability, resulting from the abuse of a strong market position, that are more than sufficient to enable the company or companies to maintain an adequate level of investment and employment."

Clause 20, page 14, line 19, omit "\$10 000", substitute "\$100 000".

Debate continued.

Amendments negatived.

Bill agreed to.

Bill to be reported without amendment.

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The House resumed; Mr Giles reported accordingly.

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

- 23 AUSTRALIAN CAPITAL TERRITORY GAMING AND LIQUOR AUTHORITY 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 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 the dispersal of funds raised by the Authority, other than those committed to the racing industry, will be in accordance with determinations of the Australian Capital Territory House of Assembly but limited to purposes associated with sport, recreation, culture, welfare and community related activities in the Australian Capital Territory."

The House continuing to sit until after 12 midnight—

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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.

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*In the committee*

Bill, by leave, taken as a whole.

Mr Scholes moved the following amendment:

Clause 5, page 2, omit sub-clause (1), substitute the following sub-clause:

"(1) The Authority shall consist of 3 members appointed by the Minister and 2 members who are members of, and nominated by, the Australian Capital Territory House of Assembly constituted by the *House of Assembly Ordinance 1936* of the Australian Capital Territory as amended."

Debate continued.

Amendment negatived.

On the motion of Mr Hodgman (Minister for the Capital Territory), by leave, the following amendments were made together, after debate:

Clause 5, page 3, lines 8–16, omit sub-clause (7).

Clause 11, page 6, after sub-clause (1), insert the following sub-clause:

"(1A) Where the Authority is considering, or is about to consider, a matter relating to a body, whether corporate or unincorporate, that is the holder of, or that has applied for, a licence under the *Liquor Ordinance 1975* of the Australian Capital Territory as amended and in force at any time (whether or not that matter arises under or in relation to that Ordinance), a member—

- (a) who is the secretary of that body; or

(b) who directly or indirectly receives any remuneration, emoluments or fees from that body, shall be deemed for the purposes of sub-section (1) to have a direct or indirect pecuniary interest in that matter.”

Clause 35, page 12, lines 5-43 and page 13, lines 1-5, omit sub-clauses (2), (3), (4), (5), (6), (7), (8), (9) and (10).

Bill, as amended, agreed to.

Bill to be reported with amendments.

The House resumed; Mr Giles reported accordingly.

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

- 24 AUSTRALIAN NATIONAL UNIVERSITY 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.

Mr Milton rising to address the House—

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

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

And the question—That the Bill be now read a second time—was put accordingly, 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, and agreed to, after debate.

Bill to be reported without amendment.

The House resumed; Dr Jenkins reported accordingly.

On the motion of Mr Fife (Minister for Education), the House adopted the report, and, by leave, the Bill was read a third time.

- 25 ADJOURNMENT: Mr Fife (Minister for Education) moved—That the House do now adjourn.

Question—put and passed.

And then the House, at 12.57 a.m., adjourned until this day at 9.30 a.m.

PAPERS: The following papers were deemed to have been presented on 4 June 1981, pursuant to statute:

Cocos (Keeling) Islands Act—Ordinance—1981—No. 1—Postal Services (Amendment).

Conciliation and Arbitration Act—Regulations—Statutory Rules 1981, No. 119.

Navigation Act—Regulations—Statutory Rules 1981, No. 118.

Student Assistance Act—Regulation—Statutory Rules 1981, No. 117.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Campbell, Mr Drummond, Mr Keating, Mr Killen, Sir William McMahon, Mr Macphee, Mr Moore, Mr Nixon and Mr Viner.

J. A. PETTIFER,

Clerk of the House of Representatives