

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 89

THURSDAY, 29 APRIL 1982

-
- 1 The House met, at 10 a.m., pursuant to adjournment. Mr Speaker (the Right Honourable Sir Billy Snedden) took the Chair, and read Prayers.
 - 2 **QUESTIONS:** Questions without notice were asked.
 - 3 **PAPERS:** The following papers were presented:
 - By command of His Excellency the Governor-General:
 - Australian Fisheries Council—Resolutions—11th Meeting, Adelaide, S.A., 25 September 1981.
 - Pursuant to statute:
 - Australian Heritage Commission Act—Australian Heritage Commission—The National Estate in 1981—Report, dated 26 June 1981.
 - Department of Employment and Youth Affairs—Report for year 1980-81, including report of the National Director of the Commonwealth Employment Service, pursuant to the Commonwealth Employment Service Act on the operations of the Service.
 - Industrial Research and Development Incentives Act—Australian Industrial Research and Development Incentives Board—Report for year 1980-81.
 - 4 **FOREIGN AFFAIRS AND DEFENCE—JOINT COMMITTEE—REPORT ON AUSTRALIAN DEFENCE PROCUREMENT—GOVERNMENT RESPONSE—PAPER AND MINISTERIAL STATEMENT:** Mr Killen (Minister for Defence), by command of His Excellency the Governor-General, presented the following paper:
 - Foreign Affairs and Defence—Joint Committee—Report on Australian Defence Procurement—Government response, dated 27 April 1982—
 - and, by leave, made a ministerial statement in connection with the paper.
 - Mr Scholes, by leave, also made a statement with reference to the matter.
 - 5 **MESSAGE FROM THE SENATE:** A message from the Senate was reported returning the following Bill without requests: 28 April 1982—Message No. 246—Customs Tariff Amendment 1982.
 - 6 **GRIEVANCE DEBATE:** Pursuant to the provisions of standing order 106, the order of the day having been read—
 - Question proposed—That grievances be noted.
 - Debate ensued.
 - It being 12.15 p.m., the debate was interrupted in accordance with standing order 106 (as amended by sessional order adopted on 20 August 1981).
 - Question—That grievances be noted—put and passed.
 - 7 **PUBLIC ACCOUNTS COMMITTEE—REPORT—STATEMENTS BY MEMBERS:** Mr Connolly (Chairman) presented the following report from the Joint Committee of Public Accounts:
 - 197th Report—Coal export duty.

Ordered to be printed.

Mr Connolly, Mr Duffy, Mr Baume and Mrs Kelly, by leave, made statements in connection with the report.

8 PUBLIC WORKS COMMITTEE—REPORTS—STATEMENTS BY MEMBERS: Mr Bungey (Chairman) presented the following reports from the Parliamentary Standing Committee on Public Works:

Report relating to the proposal for construction of facilities for a tactical fighter squadron, R.A.A.F. Base, Darwin, N.T. (3rd report of 1982).

Report relating to the proposal for construction of living and training accommodation at R.A.A.F. Base, Wagga, N.S.W. (4th report of 1982).

Severally ordered to be printed.

Mr Tambling and Mr Humphreys, by leave, made statements in connection with the reports.

9 ENVIRONMENT AND CONSERVATION—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS: Mr Hodges (Chairman) presented the following report from the Standing Committee on Environment and Conservation:

Hazardous chemical wastes—Storage, transport and disposal—1st report on the Inquiry into Hazardous Chemicals, dated 9 March 1982, together with copies of extracts from the minutes of proceedings.

Ordered—That the report be printed.

Mr Hodges, Dr Jenkins, Mr Burr, Mr West and Dr Klugman, by leave, made statements in connection with the report.

Mr Howe asked leave to make a statement.

Objection being raised, leave not granted.

10 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ROAD TOLL: Mr Deputy Speaker informed the House that both Mr Katter and Mr Kerin had each proposed that definite matters of public importance be submitted to the House for discussion today. In accordance with the provisions of standing order 107, Mr Speaker had given priority to the matter proposed by Mr Katter, namely, "The need to create a national awareness of the problem of the dreadful road toll throughout Australia".

The proposed discussion having received the necessary support—

Mr Katter addressed the House.

Discussion ensued.

Discussion concluded.

11 PETITIONS: The Clerk announced that the following Members had each lodged petitions for presentation, viz.:

Mr Cross and Mr Dobie—from certain citizens praying that the Commonwealth's constitutional and legislative powers be used to grant full land rights and self-management to the Aboriginal people of Queensland.

Mrs Darling and Mr West—from certain citizens praying that Australia call on the Canadian Government to end the harp seal hunt and halt the importation of products derived from the harp seal.

Mr Innes and Mr Shipton—from certain citizens praying that funds be provided to ensure the continuing effectiveness of the Family Planning Association of Victoria.

Mr Charles—from certain citizens praying that a full Federal inquiry be conducted to resolve the south-west Tasmanian issue.

Mr Connolly—from certain citizens praying that the importation of seal products be banned.

Mr Fisher—from certain electors of the Electoral Division of Mallee praying that the liquefied petroleum gas subsidy be extended for a further 3 years and that a specific appropriation be included in the 1982-83 Budget.

Mr Howard—from certain citizens praying that the Senate's requested amendments to the Sales Tax Bills be supported.

Mr Katter—from certain citizens praying that the importation of marine mammal by-products be banned and an international ban on the slaughter of marine mammals be supported.

Mr Katter—from certain electors of the Electoral Division of Kennedy praying that Australia appeal to the Canadian Government to stop the inhumane treatment of baby seals in Canada.

Mrs Kelly—from certain citizens praying for continued Federal responsibility for funding the Family Planning Associations in all States and the Australian Federation of Family Planning Associations.

Mr Kent—from certain citizens praying that the present children's services program be maintained and no recommendations of the Spender report be implemented without full consultation with community groups.

Mr Kent—from certain residents of Victoria praying that the importation of all seal products be halted and the slaughter of harp seals be discontinued.

Mr Kent—from certain residents of Victoria praying that the export of live animals for slaughter be banned.

Mr Morris—from certain citizens praying that any proposal to sell Trans-Australia Airlines be rejected.

Mr Rocher—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.

Dr Theophanous—from certain citizens praying that the latest increase in taxes be stopped and a referendum be held on taxes and interest rates.

Dr Theophanous—from certain citizens praying that steps be taken to re-introduce a system of health care based on ability to pay and that access to health care be based on medical need.

Petitions received.

12 DEPARTMENT OF SCIENCE AND TECHNOLOGY—COMMITTEE TO REVIEW PRODUCTIVITY AND INNOVATION PROGRAMS—REPORT AND MINISTERIAL STATEMENT—PAPERS NOTED: Mr Thomson (Minister for Science and Technology), by command of His Excellency the Governor-General, presented the following paper:

Department of Science and Technology—Committee to review productivity and innovation programs—Report, dated 17 December 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:

Department of Science and Technology—Committee to review productivity and innovation programs—Report—Ministerial statement, 29 April 1982.

Mr Killen (Minister for Defence) moved—That the House take note of the papers.
Debate ensued.

Question—put and passed.

13 DEFENCE—STRATEGIC DEVELOPMENTS AND PROGRAM CHANGES—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER: Mr Killen (Minister for Defence), by leave, made a ministerial statement informing the House of developments affecting Australia's strategic circumstances and changes in the defence program, and, by command of His Excellency the Governor-General, presented the following paper:

Defence—Strategic developments and program changes—Ministerial statement, 29 April 1982.

Mr N. A. Brown (Minister for Employment and Youth Affairs) moved—That the House take note of the paper.

Suspension of standing orders—Extended time for speech: Mr N. A. Brown, by leave, moved—That so much of the standing orders be suspended as would prevent Mr Scholes speaking for a period not exceeding 30 minutes.

Question—put and passed.

Mr Scholes moved, as an amendment—That all words after "That" be omitted with a view to substituting the following words: "the House—

- (1) condemns the Government for its persistent failure to implement its own announced defence programs and for its failure to define clearly defence policies and force structure and equipment programs to meet Australian defence requirements;

- (2) directs the Government to immediately prepare and present a definitive statement on defence policy, Australia's strategic position and forward planning for the structure and equipment of the Australian Defence Force, and
- (3) notes that the most recent definitive policy statement on defence of November 1976 is no longer relevant to the Government's actual defence programs nor the current strategic situation".

Debate continued.

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

- 14 ENVIRONMENT AND CONSERVATION—STANDING COMMITTEE—REPORT—STATEMENT BY MEMBER:** Mr Howe, by leave, made a statement in connection with the report of the Standing Committee on Environment and Conservation on hazardous chemical wastes—Storage, transport and disposal.

- 15 INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT BILL 1982:** Mr Street (Minister for Foreign Affairs), pursuant to notice, presented a Bill for an Act to authorize a further contribution by Australia to the International Fund for Agricultural Development.

Bill read a first time.

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

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.

- 16 POSTPONEMENT OF NOTICE:** Ordered—That notice No. 2, government business, be postponed until a later hour this day.

- 17 DEFENCE FORCE DISCIPLINE BILL 1982:** Mr Killen (Minister for Defence), pursuant to notice, presented a Bill for an Act relating to the discipline of the Defence Force and for related purposes.

Bill read a first time.

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

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

- 18 DEFENCE FORCE (MISCELLANEOUS PROVISIONS) BILL 1982:** Mr Killen (Minister for Defence), pursuant to notice, presented a Bill for an Act to amend certain Acts, and to enact transitional provisions, consequent upon the enactment of the *Defence Force Discipline Act 1982*, and for other purposes.

Bill read a first time.

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

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

- 19 GOVERNOR-GENERAL AMENDMENT BILL 1982:** Mr Fife (Minister for Education), for Mr Viner (Minister Assisting the Prime Minister), pursuant to notice, presented a Bill for an Act to amend the *Governor-General Act 1974* with respect to the salary of the Governor-General.

Bill read a first time.

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

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

- 20 FERTILIZERS (BOUNTY AND SUBSIDY) AMENDMENT BILL 1982:** Mr N. A. Brown (Minister for Business and Consumer Affairs), pursuant to notice, presented a Bill for an Act to amend section 3 of the *Nitrogenous Fertilizers Subsidy Act 1966* and section 4 of the *Phosphate Fertilizers Bounty Act 1963*.

Bill read a first time.

Mr N. A. Brown moved—That the Bill be now read a second time.

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

21 **POSTPONEMENT OF NOTICES:** Ordered—That notices Nos. 7 to 9, government business, be postponed until a later hour this day.

22 **EXCISE TARIFF (PETROLEUM) AMENDMENT BILL 1982:** 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 Keating 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 notes that any defeat of the measure would require the Commonwealth to forego approximately \$160 million this financial year to the Australian oil producers, and condemns the Prime Minister for not honouring his election undertaking to commit any additional oil levy revenue to tax cuts and family allowances”.

Debate continued.

Question—That the words proposed to be omitted stand part of the question—put.
The House divided (the Deputy Speaker, Mr Millar, in the Chair)—

AYES, 56

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

NOES, 45

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

* 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 N. A. Brown (Minister for Business and Consumer Affairs), the Bill was read a third time.

23 **MESSAGES FROM THE SENATE:** Messages from the Senate, dated 29 April 1982, were reported—

(a) returning the following Bills without amendment:

Message—

No. 247—Excise Tariff (Coal) Amendment 1982 (*without requests*).

No. 248—Coal Industry Legislation Amendment 1982.

(b) concurring in the resolution of the House relating to the appointment of a Joint Select Committee on Parliamentary Privilege, and agreeing that the provisions of the resolution have effect notwithstanding anything contained in the standing orders—Message No. 250.

- 24 MESSAGE FROM THE SENATE—SENATE ELECTIONS (QUEENSLAND) BILL 1982:** Message No. 249, dated 29 April 1982, from the Senate was reported transmitting for the concurrence of the House a Bill for "*An Act to make provision for the Senators for the State of Queensland to be chosen by the people of that State voting as one electorate*".

Bill read a first time.

Mr Bowen (Deputy Leader of the Opposition) moved—That the Bill be now read a second time.

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

- 25 SOCIAL SERVICES LEGISLATION AMENDMENT BILL 1982:** 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 Blewett 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 the opinion that the Government should—

- (1) increase family allowances for first and second children, thus removing the disadvantage affecting most Australian families with children, and
- (2) provide a system of national compensation to eliminate the excessive costs, delays and uncertainty which exists in the present system".

Debate continued.

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. 146, dated 26 March 1982, 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 Hunt (Minister representing the Minister for Social Security), the Bill was read a third time.

- 26 NOTICE OF RESIGNATION OF EXECUTIVE CHEF, PARLIAMENTARY REFRESHMENT ROOMS—STATEMENT BY MR SPEAKER:** Mr Speaker made a statement relating to the notice of resignation by Mr James Nicol, Executive Chef, Parliamentary Refreshment Rooms.

Mr Carlton, Mr Spender, Mr Johnson and Mr C. K. Jones, by leave, also made statements in connection with the matter.

- 27 AUSTRALIAN MEAT AND LIVE-STOCK CORPORATION AMENDMENT BILL 1982:** Mr Nixon (Minister for Primary Industry), for Mr Sinclair (Minister for Communications), pursuant to notice, presented a Bill for an Act to amend the *Australian Meat and Live-stock Corporation Act 1977*, and for related purposes.

Bill read a first time.

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

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

- 28 INSURANCE AMENDMENT BILL 1982:** Mr Fife (Minister representing the Acting Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Insurance Act 1973*, and for related purposes.

Bill read a first time.

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

Adjournment negatived: It being 10 p.m.—The question was proposed—That the House do now adjourn. Mr Fife requiring the question to be put forthwith without debate—Question—put and negatived.

Mr Fife continued his speech.

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

- 29 **SUSPENSION OF STANDING ORDER 103:** Mr Fife (Minister for Education), by leave, moved—That standing order 103 (11 o'clock rule) be suspended for this sitting.

Debate ensued.

Question—put.

The House divided (the Deputy Speaker, Dr Jenkins, in the Chair)—

AYES, 58

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

NOES, 46

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

* Tellers

And so it was resolved in the affirmative.

- 30 **HEALTH LEGISLATION AMENDMENT BILL 1982:** 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 Blewett 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 is of the opinion that the following additional measures are necessary to combat medical fraud:

- (1) elimination of technical ambiguities hampering the courts;
- (2) provisions for admitting generalised evidence to the courts after conviction on specific charges but prior to sentencing, with full opportunity for the convicted practitioner to counter the evidence, and
- (3) adoption of verification procedures through medical consumers”.

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

- 31 **INCOME TAX ASSESSMENT AMENDMENT BILL (NO. 2) 1982:** Mr Fife (Minister representing the Acting Treasurer) presented a Bill for an Act to amend the law relating to income tax.

Bill read a first time.

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

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

- 32 HOME DEPOSIT ASSISTANCE BILL 1982:** Mr McVeigh (Minister for Housing and Construction), pursuant to notice, presented a Bill for an Act to assist persons to purchase or build their own homes.

Bill read a first time.

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

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

- 33 HOMES SAVINGS GRANT ACTS AMENDMENT BILL 1982:** Mr McVeigh (Minister for Housing and Construction), pursuant to notice, presented a Bill for an Act to amend the *Homes Savings Grant Act* 1964 and the *Homes Savings Grant Act* 1976 for the purpose of terminating their operation.

Bill read a first time.

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

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

- 34 HEALTH LEGISLATION AMENDMENT BILL 1982:** 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 Dr Blewett, viz.*—That all words after “That” be omitted with a view to substituting the following words: “whilst not opposing the Bill, the House is of the opinion that the following additional measures are necessary to combat medical fraud:

- (1) elimination of technical ambiguities hampering the courts;
- (2) provisions for admitting generalised evidence to the courts after conviction on specific charges but prior to sentencing, with full opportunity for the convicted practitioner to counter the evidence, and
- (3) adoption of verification procedures through medical consumers”—

Debate resumed.

The House continuing to sit until after 12 midnight—

FRIDAY, 30 APRIL 1982

Debate continued.

Dr Cass addressing the House—

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

Question—That the question be now put—put.

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

AYES, 53

Mr Adermann	Mr Connolly	Mr Hyde	Mr Ruddock
Mr Baume	Mr Cowan	Mr Jull	Mr Sainsbury
Mr Birney	Mr Dean	Mr Katter	Mr Shack
Mr Bourchier	Mr Drummond	Mr Lloyd	Mr Shipton
Mr Braithwaite	Dr Edwards	Mr Lusher	Mr Sinclair
Mr N. A. Brown	Mr Falconer	Sir Phillip Lynch	Mr Spender
Mr Bungey	Mr Fife	Mr MacKellar	Mr Tambling
Mr Cadman	Mr Fisher*	Mr MacKenzie	Mr Thomson
Mr D. M. Cameron	Mr Giles	Mr McLean	Mr Tuckey
Mr E. C. Cameron	Mr Hall	Mr McVeigh	Mr White
Mr I. M. D. Cameron	Mr Harris	Mr Macphee	Mr Wilson
Mr Carlton	Mr Hicks	Mr Moore	
Mr Chapman	Mr Hodges*	Mr Nixon	
Mr Coleman	Mr Hunt	Mr Porter	

NOES, 40

Mr Armitage	Mr Cohen	Mr Howe	Mr Morris
Mr Beazley	Mr Cross	Mr Humphreys*	Mr Morrison
Dr Blewett	Mr Cunningham	Mr Johnson*	Mr Mountford
Mr Bowen	Mrs Darling	Mr B. O. Jones	Mr Scholes
Mr J. J. Brown	Mr Dawkins	Mr C. K. Jones	Mr Scott
Mr R. J. Brown	Mr Duffy	Mr Kent	Dr Theophanous
Mr Campbell	Dr Everingham	Mr McLeay	Mr Uren
Dr Cass	Mr Free	Mr McMahon	Mr Wallis
Mr Charles	Mr Hawke	Mr Maher	Mr West
Mrs Child	Mr Holding	Mr Milton	Mr Willis

* Tellers

And so it was resolved in the affirmative.

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.

Message from the Governor-General: Message No. 147, dated 26 March 1982, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.

The House resolved itself into a committee of the whole.

In the committee

Bill, by leave, taken as a whole, and debated.

On the motion of Mr Fife (Minister representing the Minister for Health), by leave, the following amendments were made together, after debate:

Clause 8—

Page 9, line 19, omit “(6)”, substitute “(1A) or (6)”.

Page 11, lines 26–40 (inclusive), omit proposed sub-sections 19C (6) and (7).

Page 12, lines 18–27 (inclusive), omit proposed sub-section 19D (1), substitute the following sub-sections:

“(1) Subject to this section, the Minister may, by instrument in writing served, either personally or by post, on a convicted practitioner after the day that is the prescribed day in relation to the practitioner, direct that, with effect from and including such day as the Minister specifies in the direction, being a day not earlier than the day on which the practitioner becomes a disqualified practitioner, the practitioner, or a person acting on behalf of the practitioner, shall not render a specified professional service or a professional service included in a specified class of specified services, being a professional service or professional services for which, under section 19B, a Commonwealth medical benefit is not payable, unless, before commencing to render that professional service—

(a) in a case to which paragraph (b) does not apply—the practitioner or the person acting on his behalf causes to be given to the person to whom the professional service is to be rendered a copy of such notice as is furnished to the practitioner with the instrument, being a notice setting out particulars of the disqualification of the practitioner and explaining such of the effects of that disqualification as the Minister considers appropriate; or

(b) in a case where the practitioner or the person acting on his behalf has reasonable grounds for believing that the person to whom the service is to be rendered is, or may be, unable to read and understand the notice referred to in paragraph (a)—the practitioner or the person acting on his behalf causes to be taken such steps as are reasonable in all the circumstances to inform the person, or, if that person is in the care of another person, to inform that other person, of the particulars of the

disqualification set out in that notice, and to explain to the person or to that other person, as the case requires, such of the effects of the disqualification as are set out in that notice.

“(1A) A practitioner who, without reasonable excuse—

- (a) refuses or fails to comply with a direction contained in an instrument serves on him under sub-section (1); or
- (b) causes or permits a person acting on his behalf to refuse or fail to comply with such a direction,

is guilty of an offence punishable upon conviction by a fine not exceeding \$100.”

Page 12, lines 35–37 (inclusive), omit proposed sub-section 19D (3), substitute the following proposed sub-section:

“(3) The Minister shall not exercise his powers under sub-section (2) except for the purpose of publishing to the patients of a convicted practitioner a statement setting out particulars of the disqualification of the practitioner and explaining the effects of that disqualification.”

Page 13, line 1, omit “(2)”, substitute “(1) or (2)”.

Page 13, line 18, omit “(1) or”.

Page 13, line 22, omit “(1) or”.

Page 13, line 35, after “‘disqualified practitioner’” insert “, ‘patients’”.

Page 13, at the end of proposed section 19D add the following sub-section:

“(11) In this section, a reference to the effects of the disqualification of a practitioner shall be construed in the same manner as such a reference is required to be construed for the purposes of section 19C.”

Clause 37, page 36, omit proposed sub-section 130 (9).

Bill, as amended, agreed to.

Bill to be reported with amendments.

The House resumed; Mr Drummond reported accordingly.

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

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

Question—put and passed.

And then the House, at 12.30 a.m., adjourned until Tuesday next at 1.45 p.m.

PAPERS: The following papers were deemed to have been presented on 29 April 1982, pursuant to statute:

Customs Act—Regulation—Statutory Rules 1982, No. 80.

Customs Act and Commerce (Trade Descriptions) Act—Regulations—Statutory Rules 1982, No. 86.

Customs Tariff Act—Order—Developing Country—No. 3 (1982).

Industries Assistance Commission Act—Regulation—Statutory Rules 1982, No. 81.

National Health Act—Regulations—Statutory Rules 1982, Nos. 82, 84.

Nursing Homes Assistance Act—Regulations—Statutory Rules 1982, No. 83.

Public Service Act—Regulation—Statutory Rules 1982, No. 87.

Repatriation (Special Overseas Service) Act—Regulations—Statutory Rules 1982, No. 88.

Seat of Government (Administration) Act—Ordinance—1982—No. 13—Careless Use of Fire (Amendment).

Stevedoring Industry Levy Collection Act—Regulations—Statutory Rules 1982, No. 85.

Superannuation Act—Regulation—Statutory Rules 1982, No. 78.

Trade Marks Act—Regulations—Statutory Rules 1982, No. 79.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Howard and Mr Robinson.

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