

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 118

WEDNESDAY, 10 NOVEMBER 1982

- 1 The House met, at 1.45 p.m., pursuant to adjournment. Mr Speaker (the Right Honourable Sir Billy Snedden) took the Chair, and read Prayers.
- 2 **FLINDERS BY-ELECTION:** Mr Speaker informed the House that he had this day issued a writ in connection with the by-election for the Division of Flinders, and that the dates fixed were those announced to the House on 28 October 1982.
- 3 **QUESTIONS:** Questions without notice were asked.
- 4 **SUSPENSION OF STANDING ORDERS—MOTION WITHOUT NOTICE:** Mr Keating moved—That so much of the standing orders be suspended as would prevent the Member for Blaxland (Mr Keating) moving—That this House condemns the Treasurer for misleading it by tendering a false commitment to the Parliament on 18 August 1982 in respect of the alteration of official departmental figures for inclusion in the Budget papers.
 Debate ensued.
 Question—put and passed, with the concurrence of an absolute majority.
- 5 **BUDGET FIGURES—ALLEGED ALTERATION:** Mr Keating moved—That this House condemns the Treasurer for misleading it by tendering a false commitment to the Parliament on 18 August 1982 in respect of the alteration of official departmental figures for inclusion in the Budget papers.
 Debate ensued.
Closure: Mr Howard (Treasurer) moved—That the question be now put.
 Question—That the question be now put—put and passed.
 And the question—That the motion be agreed to—was put accordingly, and negatived.
- 6 **PAPERS:** The following papers were presented:
 By command of His Excellency the Governor-General:
 Aboriginal Land Commissioner—Reports to the Minister for Aboriginal Affairs and the Administrator of the Northern Territory relating to—
 Daly River (Malak Malak) land claim, dated 12 March 1982.
 Gurindji land claim to Daguragu Station, dated 18 November 1981.
 Australian Meat and Live-stock Corporation—
 Interim report for year 1981-82, together with supplement listing licensed meat exporters and live-stock exporters as at 1 July 1982.
 Statistical review of live-stock and meat industries, for year 1981-82.
 Australian Water Resources Council—Minutes of 24th meeting, Sydney, 2 April 1982.
 Defence Review Committee—Final report, dated 28 October 1982—Higher Defence Organisation in Australia.
 Department of Administrative Services—Report for year 1981-82.

- Department of Finance—Report for year 1981-82.
 Department of National Development and Energy—Report for year 1981-82.
 Great Barrier Reef Ministerial Council—6th meeting, Heron Island, Qld, 5 November 1982—Communique.
 Industries Assistance Commission—Report—Commercial By-law System, dated 2 July 1982 (No. 305).
 Parole Board of the Australian Capital Territory—Report for year 1981-82.
 Uranium Advisory Council—Report for year 1981-82.
 Uranium Enrichment Group of Australia—Investigation of the establishment of an Australian uranium enrichment industry—Report on technology choice and plant siting and other matters, dated 24 September 1982.

Pursuant to statute:

- Australian Federal Police Act—Australian Federal Police—3rd Annual Report, for year 1981-82.
 Australian Security Intelligence Organization Act—Security Appeals Tribunal—3rd Annual Report, for year 1981-82.
 Australian Tourist Commission Act—Australian Tourist Commission—Report and financial statements, together with the Auditor-General's Report, for year 1981-82.
 Conciliation and Arbitration Act—Industrial Relations Bureau—5th Annual Report, for year 1981-82.
 Education Research Act—Education Research and Development Committee—Report for years 1980-81 and 1981-82.
 Export Finance and Insurance Corporation Act—Export Finance and Insurance Corporation—Report and financial statements, together with the Auditor-General's Report, for year 1981-82.
 High Court of Australia Act—High Court of Australia—Report and financial statements, together with the Auditor-General's Report, for year 1980-81.
 Industries Assistance Commission Act—
 Industries Assistance Commission—Report for year 1981-82, accompanied by a statement by the Minister pursuant to sub-section 45 (5).
 Temporary Assistance Authority—Report—Certain air-conditioning machines and parts, dated 1 October 1982 (No. 56).
 National Library Act—Council of the National Library of Australia—22nd Annual Report and financial statements, together with the Auditor-General's Report, for year 1981-82.
 Sugar Agreement Act—Fruit Industry Sugar Concession Committee—Report and statements of receipts and payments certified by the Auditor-General, for year 1981-82.
 Superannuation Act—Report and financial statements of the Superannuation Fund Investment Trust, together with the Auditor-General's Report, for year 1980-81; and Report of the Commissioner for Superannuation, for year 1980-81.

7 TOWARDS A NATIONAL LANGUAGE POLICY—REPORT BY DEPARTMENT OF EDUCATION—MOTION TO TAKE NOTE OF PAPER: Mr Fife (Minister representing the Minister for Education), by command of His Excellency the Governor-General, presented the following paper:

Towards a national language policy—Report by Department of Education.

Sir James Killen (Leader of the House) moved—That the House take note of the paper.
 Debate adjourned (Mr Dawkins), and the resumption of the debate made an order of the day for the next sitting.

8 AUSTRALIA—NEW ZEALAND CLOSER ECONOMIC RELATIONS—MINISTERIAL STATEMENT: Mr Anthony (Minister for Trade and Resources), by leave, made a ministerial statement informing the House of new arrangements governing trans-Tasman trade and a closer economic relationship between Australia and New Zealand.

Mr Hurford and Mr Kerin, by leave, made statements with reference to the matter.

Mr Anthony, by leave, made a further statement with reference to the matter.

- 9 ROAD SAFETY—STANDING COMMITTEE—REPORT ON TYRE SAFETY—GOVERNMENT RESPONSE—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER: Mr Hunt (Minister for Transport and Construction), by leave, made a ministerial statement informing the House of the Government's response to the report of the Standing Committee on Road Safety on tyre safety, and, by command of His Excellency the Governor-General, presented the following paper:

Road Safety—Standing Committee—Report on tyre safety—Government response—Ministerial statement, 10 November 1982.

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

Debate ensued.

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

- 10 EXPENDITURE—STANDING COMMITTEE—REPORT ON AUSTRALIAN NATIONAL RAILWAYS COMMISSION—GOVERNMENT RESPONSE—MINISTERIAL STATEMENT AND PAPER: Mr Hunt (Minister for Transport and Construction), by leave, made a ministerial statement informing the House of the Government's response to the report of the Standing Committee on Expenditure on the Australian National Railways Commission, and, by command of His Excellency the Governor-General, presented the following paper:

Expenditure—Standing Committee—Report on Australian National Railways Commission—Government response to committee recommendations.

Mr Morris and Mr Lusher, by leave, made statements with reference to the matter.

- 11 SPECIAL ADJOURNMENT: Sir James Killen (Leader of the House) moved—That the House, at its rising, adjourn until a date and hour to be fixed by Mr Speaker or, in the event of Mr Speaker being unavailable, by the Chairman of Committees, which time of meeting shall be notified by Mr Speaker or the Chairman of Committees to each Member by telegram or letter.

Debate ensued.

Question—put.

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

AYES, 64

Mr Adermann	Mr Coleman	Mr Hunt	Mr O'Keefe
Mr Anthony	Mr Connolly	Mr Hyde	Mr Peacock
Mr Baume	Mr Cowan	Mr Jarman	Mr Porter
Mr Birney	Mr Dean	Mr Jull	Mr Robinson
Mr Bouchier	Mr Drummond	Mr Katter	Mr Rocher
Mr Bradfield	Mr Falconer	Sir James Killen	Mr Ruddock
Mr Braithwaite	Mr Fife	Mr Lloyd	Mr Shack
Mr N. A. Brown	Mr Fisher*	Mr Lusher	Mr Shipton
Mr Bungey	Mr Goodluck	Mr MacKellar	Mr Sinclair
Mr Burr	Mr Groom	Mr MacKenzie	Mr Spender
Mr Cadman	Mr Hall	Mr McLean*	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 White
Mr Chapman	Mr Howard	Mr Nixon	Mr Wilson

NOES, 43

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

* Tellers

And so it was resolved in the affirmative.

- 12 **LEAVE OF ABSENCE TO MEMBERS:** Mr Bowen (Deputy Leader of the Opposition) moved—That leave of absence for one month be given to Mr Young, on the ground of ill health, and to Mr Morrison, on the ground of parliamentary business overseas.

Debate ensued.

Question—put and passed.

- 13 **PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—RESERVE BANK—HOME LENDING:** Mr Speaker informed the House that both Mr Willis and Mr D. M. Cameron had proposed that definite matters of public importance be submitted to the House for discussion today. In accordance with the provisions of standing order 107, he had given priority to the matter proposed by Mr Willis, namely, “The Government’s back-down in its Budget announcement to seek the release of \$300 million from the Reserve Bank for home lending purposes”.

The proposed discussion having received the necessary support—

Mr Willis rising to address the House—

Sir James Killen (Leader of the House) moved—That the business of the day be called on.

Question—put.

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

AYES, 65

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

NOES, 43

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

* Tellers

And so it was resolved in the affirmative.

- 14 **SUSPENSION OF STANDING ORDERS MOVED:** Mr Hawke moved—That so much of the standing orders be suspended as would prevent immediate debate on the motions of which notice has been given this day by the Members for Wills, Bonython, Adelaide, Hindmarsh, Grey, Hawker, Cunningham, Newcastle, Hunter, Corio, Hotham, La Trobe, Burke, Holt, Lalor, Ballarat, Swan, Lilley and Grayndler.

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

Question—put.

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

AYES, 66

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

NOES, 43

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

* Tellers

And so it was resolved in the affirmative.

Dr Blewett (seconder) addressing the House—

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

Question—put.

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

AYES, 66

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

NOES, 43

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

* Tellers

And so it was resolved in the affirmative.

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

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

AYES, 43

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

NOES, 66

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

* Tellers

And so it was negated.

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

Mr Beazley, Dr Blewett, Mr Campbell, Mrs Child, Mr Drummond, Mr Duffy, Mr Humphreys, Mr Jacobi, Mr Johnson, Mr C. K. Jones, Mrs Kelly, Mr Mildren and Mr Scott—from certain citizens praying that the powers of the Australian Postal Commission to carry letters for reward be strengthened to ensure that the national postal service is retained in the interests of all Australians.

Mr Beazley, Mr R. J. Brown, Mrs Darling, Mr Holding, Mr Howe, Mr B. O. Jones, Mr Kent, Mr Kerin, Mr Maher, Mr Mountford and Mr Scott—from certain citizens praying that a Royal Commission be established to investigate the health and other problems of Australian Vietnam veterans exposed to toxic chemicals during the Vietnam war.

Mr Beazley, Mr Birney, Mr Bowen, Mr Braithwaite, Mr D. M. Cameron, Mrs Child, Mr Peacock and Mr Wallis—from certain residents of the Electoral Divisions of Swan, Phillip, Kingsford-Smith, Dawson, Fadden, Henty, Kooyong and Grey, respectively, praying that an efficient, effective public telegram service be maintained.

Mr Scholes—from certain citizens in the same terms as the last preceding petition.

Mr Birney, Mr Bradfield, Mr C. K. Jones and Mr Maher—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.

Mr Birney, Mr Bradfield and Mr Sainsbury—from certain citizens praying that all provisions of the Heritage Act and the Environment Protection (Impact of Proposals) Act be fully complied with in respect of national estate areas.

Mr Giles, Mr Jacobi and Mr Porter—from certain citizens praying that additional funding be provided to the South Australian College of Advanced Education.

Mr Cross and Mr White—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.

Dr Jenkins and Mr Kent—from certain citizens praying that the Macedonian language be used in Government multi-lingual publications and be taught in secondary schools and tertiary institutions.

Mr Baume—from certain citizens praying that no airport be built at Badgery's Creek or surrounding districts, N.S.W.

Mr Beazley—from certain citizens praying that the age of eligibility for a Class B widow's pension be reduced to 40 years, existing training schemes be expanded to include women taken off supporting parents' benefits and rehabilitation be provided for women with disabilities.

Mr Beazley—from certain citizens praying that The Philippines authorities be urged to cease harassment of Father Brian Gore, and that he be allowed his right to legal advice and representation and of access to his friends and religious colleagues.

Mr Birney—from certain citizens praying that funds not be allocated for the development of roads or dams in south-west Tasmania but be provided instead for the preservation of the area.

Mr D. M. Cameron—from certain residents of Queensland praying that legislation be enacted to ban the advertising of alcohol from commercial television and radio.

Mr Cross—from certain citizens praying that the Australia Council be asked to reverse its decision to cut funding for the Popular Theatre Troupe of Queensland.

Mrs Darling—from certain citizens praying that Family Radio Limited's application for a broadcasting licence be supported and more category "S" F.M. licences be made available in Brisbane.

Mr Dean—from certain citizens praying that the Income Tax Assessment Act be properly administered with regard to the provision of retirement benefits for

private employees and that legislation be enacted to allow proper levels of retirement benefits.

Mr Falconer—from certain citizens praying that ex-servicewomen who volunteered for service in the 1939-45 war but were not sent to war zones be considered eligible for defence service home loans.

Mr Giles—from certain citizens praying that any proposal to extend the Port Wakefield Proof and Experimental Range, S.A., be rejected.

Mr Holding—from certain citizens praying that action be taken to halt the mining, milling and export of uranium.

Mr B. O. Jones—from certain supporters of the animal rights campaign praying that carcass trade be promoted and that exports of live animals for slaughter be banned.

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.

Mr Uren—from certain members of the Rothmans Employees' Credit Union praying that credit unions be exempted from the Commonwealth Government's bank account debits tax.

Mr Wallis—from certain citizens praying that tax indexation on personal income tax scales be introduced and certain other action be taken in respect of taxation, pensions and interest rates.

Petitions received.

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

Report on the 75th series—Item 3, and 76th series—Item 1, of proposed variations of the plan of lay-out of the City of Canberra and its environs.

Ordered to be printed.

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

17 PUBLIC WORKS COMMITTEE—REPORT: Mr Bungey (Chairman) presented the following report from the Parliamentary Standing Committee on Public Works:

Report relating to the redevelopment of Fort Queenscliff, Queenscliff, Vic. (16th report of 1982).

Ordered to be printed.

18 PUBLIC ACCOUNTS COMMITTEE—REPORT: Mr Shack presented the following report from the Joint Committee of Public Accounts:

201st Report—Efficiency audit—Administration of bilateral overseas aid (*in substitution for the report presented on 28 October 1982*).

Ordered to be printed.

19 PUBLIC ACCOUNTS COMMITTEE—STATEMENTS BY MEMBERS: Mr Connolly (Chairman), by leave, made a statement concerning the 202nd Report of the Joint Committee of Public Accounts.

Mrs Kelly, by leave, also made a statement with reference to the matter.

20 INTER-PARLIAMENTARY UNION—MANILA MEETINGS AND HAVANA CONFERENCE, 1981—PAPER—STATEMENTS BY MEMBERS: Mr Robinson, by leave, presented the following paper:

Inter-Parliamentary Union—Spring meetings, Manila, The Philippines, April 1981, and 68th Conference, Havana, Cuba, September 1981—Report of the Australian Delegation.

Mr Robinson, Dr Klugman and Mr C. K. Jones, by leave, made statements in connection with the report.

- 21 **MESSAGE FROM THE SENATE—CUSTOMS TARIFF BILL 1982:** The following message from the Senate was reported:

Message No. 322

Mr Speaker,

The Senate returns to the House of Representatives the Bill for "*An Act relating to duties of Customs*", and acquaints the House that the Senate has agreed to the Bill as amended by the House of Representatives at the request of the Senate and without further requests.

HAROLD YOUNG
President

The Senate,
Canberra, 10 November 1982

- 22 **EXPENDITURE—STANDING COMMITTEE—REPORT ON PARLIAMENT AND PUBLIC EXPENDITURE—GOVERNMENT RESPONSE—PAPERS:** Mr Howard (Treasurer), by command of His Excellency the Governor-General, presented the following papers:

Expenditure—Standing Committee—Report on Parliament and public expenditure—

Government response to recommendation 8.

Statement by Senator Guilfoyle (Minister for Finance).

- 23 **CONCILIATION AND ARBITRATION (GOVERNMENT SERVICE) AMENDMENT BILL 1982:** Mr Macphee (Minister for Employment and Industrial Relations), pursuant to notice, presented a Bill for an Act to amend the *Conciliation and Arbitration Act 1904*, to repeal the *Public Service Arbitration Act 1920*, and for related purposes.

Bill read a first time.

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

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

- 24 **HEALTH LEGISLATION AMENDMENT BILL (NO. 3) 1982:** Mr Carlton (Minister for Health), pursuant to notice, presented a Bill for an Act to amend the *National Health Act 1953* and the *Health Insurance Commission Act 1973*.

Bill read a first time.

Mr Carlton 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.

- 25 **PUBLIC WORKS COMMITTEE—REFERENCE OF WORK—NATIONAL INSTITUTE OF DRAMATIC ART, KENSINGTON, N.S.W.—CONSTRUCTION OF ACCOMMODATION:** Mr Hunt (Minister for Transport and Construction), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Construction of accommodation for the National Institute of Dramatic Art, Kensington, N.S.W.

Mr Hunt presented plans in connection with the proposed work.

Question—put and passed.

- 26 **PUBLIC WORKS COMMITTEE—REFERENCE OF WORK—H.M.A.S. STIRLING, W.A.—PROVISION OF HOUSES FOR HOME PORTING:** Mr Hunt (Minister for Transport and Construction), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Provision of 106 houses for home porting at H.M.A.S. Stirling, W.A.

Mr Hunt presented plans in connection with the proposed work.

Question—put and passed.

- 27 **NATIONAL CRIMES COMMISSION 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.
Debate adjourned (Mr Hyde), and the resumption of the debate made an order of the day for a later hour this day.
- 28 **SUSPENSION OF STANDING ORDER 103:** Sir James Killen (Leader of the House), by leave, moved—That standing order 103 (11 o'clock rule) be suspended for this sitting.
Question—put and passed.
- 29 **NATIONAL CRIMES COMMISSION 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.
Question—put and passed—Bill read a second time.
The House resolved itself into a committee of the whole.

In the committee

Clauses 1 to 5, by leave, taken together, and agreed to.

Clause 6—

On the motion of Mr Bowen (Deputy Leader of the Opposition), the following amendment was made, after debate: Page 3, after sub-clause (5) insert the following sub-clause:

“(5A) A person shall not be appointed as a member unless he appears to the Governor-General to be suitable for appointment by reason of his having expertise, or having had experience, relevant to the work of the Commission.”.

Clause, as amended, agreed to.

Clause 7—

Mr Bowen moved the following amendment: Page 4, lines 12-23, omit sub-clause (2), substitute the following sub-clause:

“(2) In this section, ‘offence’ means an offence—

- (a) relating to organized criminal activities, that is, activities that appear to involve a number of offences connected with one another, several offenders and substantial planning and organization;
- (b) involving the use of sophisticated methods, planning or techniques; or
- (c) relating to bribery or corruption involving officers of the Commonwealth or of a Territory.”.

Debate continued.

Amendment negatived.

It being 10 p.m.—Progress to be reported.

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

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

Sir James Killen (Leader of the House) requiring the question to be put forthwith without debate—

Question—put and negatived.

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

In the committee

Clause 7 agreed to.

Clauses 8 and 9, by leave, taken together, and agreed to.

Clause 10—

On the motion of Mr Spender, the following amendment was made, after debate: Page 5, after sub-clause (2) add the following sub-clause:

“(3) In any report by the Commission under this section the Commission shall take reasonable care to ensure that the identity of a person is not revealed if to reveal his identity might, in light of any material appearing in the report, prejudice the safety or reputation of a person or the fair trial of a person who has been or may be charged with an offence.”.

Clause, as amended, agreed to.

Clause 11 agreed to.

Clauses 12 and 13, by leave, taken together.

On the motion of Mr N. A. Brown (Acting Attorney-General), by leave, the following amendments were made together, after debate:

Clause 12, page 5, line 35-39, omit sub-clause (3), substitute the following sub-clause:

“(3) If the Commission has functions conferred on it by or under a law of a State as mentioned in section 8, the Attorney-General shall not give any directions or furnish any guidelines to the Commission under sub-section (1) with respect to the performance of those functions unless the appropriate Minister of that State has agreed to the giving of the directions or the furnishing of the guidelines.”.

Clause 13—

Page 6, line 4, omit “laws of the Commonwealth or of a State”, substitute “laws of the Commonwealth or of a Territory, or against the laws of a State”.

Page 6, line 9, before “continue” insert “to the extent to which it is within the scope of the functions of the Commission to do so,”.

Clauses, as amended, agreed to.

Clause 14—

On the motion of Mr N. A. Brown, by leave, the following amendments were made together, after debate:

Page 6, line 32, after “lost”, insert “, mutilated”.

Page 7, line 28, after “loss”, insert “, mutilation”.

Mr Bowen moved the following amendment: Page 7, lines 18-29, omit sub-clause (5).

Debate continued.

Amendment negatived.

Clause, as amended, agreed to.

New clause—

On the motion of Mr Bowen, the following new clause was inserted in the Bill, after debate:

Application by telephone for search warrants

“14A. (1) Where, by reason of circumstances of urgency, the Commission considers it necessary to do so, the Commission may make application by telephone for a search warrant under sub-section 14 (1).

(2) Where a Judge issues a search warrant upon an application made by telephone, he shall—

(a) complete and sign that warrant;

(b) inform the Commission of the terms of the warrant and the date on which and the time at which it was signed; and

(c) forward a copy of the warrant to the Commission.

(3) Where a search warrant is issued upon an application made by telephone, a member of the staff of the Commission or a member of the Australian Federal Police or of the Police Force of a State may complete a form of warrant in the terms indicated by a Judge under sub-section (2).

(4) A form of warrant duly completed in accordance with sub-section (3) shall be deemed to be a warrant issued under section 14.”.

Clause 15 debated and agreed to.

Clause 16—

Mr Bowen moved the following amendment: Page 9, line 23, before “whether” insert “such matters as the Commission considers appropriate, including”.

Amendment, by leave, withdrawn.

On the motion of Mr Spender, the following amendment was made, after debate: Page 9, lines 22-27, omit sub-clause (6), substitute the following sub-clauses:

“(6) In exercising its discretion under sub-section (5) in relation to a hearing or part of a hearing, the Commission shall have regard to—

- (a) whether it is necessary or desirable for evidence that is to be given to the Commission at the hearing to be taken in private in order to ensure that a person who has been or may be charged with an offence will or would receive a fair trial for the offence or in order to avoid prejudice to the safety or reputation of a person;
- (b) whether the evidence that is to be given to the Commission includes, or is likely to include, evidence that relates to the profits or financial position of any person and the taking of the evidence in public would be unfairly prejudicial to the interests of the person;
- (c) the wishes of any person appearing as a witness at the hearing; and
- (d) any other matter which in the opinion of the Commission is relevant.

(6A) An application by a person that his evidence, or any part of his evidence, should be taken in private shall, if the person making the application so desires, be heard in private.”

On the motion of Mr Bowen, the following amendment was made, after debate: Page 10, sub-clause (11), after paragraph (c) insert the following word and paragraph:

“; or (d) the fact that any person has given or may be about to give evidence at a hearing.”

On the motion of Mr N. A. Brown, the following amendment was made: Page 10, line 21, at the end of sub-clause (11) add “, or shall not be published except in such manner, and to such persons, as the Commission specifies”.

Clause, as amended, agreed to.

Proposed new clause—

Mr Bowen moved—That the following new clause be inserted in the Bill:

Actions for defamation

“16A. For the purposes of any action under the law of defamation which may be taken in respect of the publication of evidence given before the Commission it shall not be a defence to that action that the publication was privileged in so far as it constituted a fair and accurate report of that evidence.”

Debate ensued.

Proposed new clause negatived.

New clause—

Mr Spender moved—That the following new clause be inserted in the Bill:

Reimbursement of expenses of witnesses

“16A. (1) A witness appearing before the Commission shall be paid by the Commonwealth in respect of the expenses of his attendance an amount ascertained in accordance with the prescribed scale or, if there is no prescribed scale, such amount as the Commission determines.

(2) Where at a hearing before the Commission a person giving evidence has been represented by a legal practitioner or where any other person has, with the consent of the Commission, been represented by a legal practitioner, and in the opinion of the Commission it is just in all the circumstances to do so, the Commission may authorize the payment of such sum to meet the costs of legal representation as the Commonwealth deems reasonable.”

Debate ensued.

Mr N. A. Brown moved the following amendment to the proposed new clause: Omit sub-clause (2).

Debate continued.

Question—That the amendment to the proposed new clause be agreed to—put.
The committee divided (the Chairman, Mr Millar, in the Chair)—

AYES, 57

Mr Adermann	Mr Coleman	Mr Hunt	Mr Porter
Mr Anthony	Mr Connolly	Mr Jarman	Mr Robinson
Mr Baume	Mr Cowan	Mr Jull	Mr Ruddock
Mr Birney	Mr Dean	Mr Katter	Mr Sainsbury
Mr Bouchier	Mr Drummond	Sir James Killen	Mr Shipton
Mr Bradfield	Mr Falconer	Mr Lloyd	Mr Sinclair
Mr Braithwaite	Mr Fife	Mr Lusher	Mr Street
Mr N. A. Brown	Mr Fisher	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 Macphee	Mr Wilson
Mr I. M. D. Cameron	Mr Hodges	Mr Moore	
Mr Carlton	Mr Hodgman	Mr Newman	
Mr Chapman	Mr Howard	Mr Nixon	

NOES, 46

Mr Armitage	Mrs Darling	Mr Johnson*	Mr Morris
Mr Beazley	Mr Dawkins	Mr B. O. Jones	Mr Mountford
Dr Blewett	Mr Duffy	Mr C. K. Jones	Mr Rocher
Mr Bowen	Mr Free	Mr Keating	Mr Scholes
Mr J. J. Brown	Mr Hawke	Mrs Kelly	Mr Scott
Mr R. J. Brown	Mr Holding	Mr Kent	Mr Shack
Mr Bungey	Mr Howe	Dr Klugman	Mr Spender
Mr Campbell	Mr Humphreys*	Mr McLeay	Dr Theophanous
Mr Charles	Mr Hurford	Mr McMahan	Mr West
Mrs Child	Mr Hyde	Mr Maher	Mr Willis
Mr Cross	Mr Jacobi	Mr Mildren	
Mr Cunningham	Dr Jenkins	Mr Milton	

* Tellers

And so it was resolved in the affirmative.

New clause, as amended, agreed to.

Clause 17—

On the motion of Mr N. A. Brown, the following amendment was made: Page 10, lines 33-41, omit sub-clauses (2) and (3), substitute the following sub-clauses:

“(2) The member or acting member presiding at a hearing before the Commission may require a person appearing at the hearing to produce a document or other thing.

(3) The Commission may, at a hearing, take evidence on oath or affirmation and for that purpose—

(a) a member or acting member may require a person appearing at the hearing to give evidence either to take an oath or to make an affirmation in a form approved by the member or acting member presiding at the hearing; and

(b) a member or acting member, or a person who is an authorized person in relation to the Commission, may administer an oath or affirmation to a person so appearing at the hearing.

(4) In this section, a reference to a person who is an authorized person in relation to the Commission is a reference to a person authorized in writing, or a person included in a class of persons authorized in writing, for the purposes of this section by the Chairman or a person acting as Chairman.”

Clause, as amended, agreed to.

Clause 18—

Mr Spender moved the following amendment: Pages 11 and 12, omit sub-clauses (4) to (8), substitute the following sub-clauses:

“(4) Subject to sub-sections (5) and (7), it is a reasonable excuse for the purposes of sub-section (2) for a person—

(a) to refuse or fail to answer a question put to him at a hearing before the Commission; or

(b) to refuse or fail to produce a document or thing that he was required to produce at a hearing before the Commission, that the answer to the question, or the production of the document or thing, as the case may be, might tend to incriminate him.

(5) It is not a reasonable excuse for the purposes of sub-section (2) for a person—

(a) to refuse or fail to answer a question put to him at a hearing before the Commission; or

(b) to refuse or fail to produce a document or thing that he was required to produce at a hearing before the Commission,

that the answer to the question or the production of the document or thing might tend to prove his guilt of an offence against the law of the Commonwealth or of a Territory if the Attorney-General has given to the person an undertaking in writing that any answer given or document or thing produced, as the case may be, will not be used in evidence in any proceedings against him for an offence against a law of the Commonwealth or of a Territory and if the Attorney-General states in the undertaking—

(c) that, in his opinion, there are special grounds which in the public interest require that answers be given or documents or things be produced by that person; and

(d) the general nature of those grounds.

(6) The Commission may recommend to the Attorney-General that a person who has been or is to be served with a summons to appear as a witness at a hearing before the Commission or to produce a document or thing at a hearing before the Commission be given an undertaking by the Attorney-General in accordance with sub-section (5).

(7) It is not a reasonable excuse for the purposes of sub-section (2) for a person—

(a) to refuse or fail to answer a question put to him at a hearing before the Commission; or

(b) to refuse or fail to produce a document or thing that he was required to produce at a hearing before the Commission,

that the answer to the question or the production of the document or thing might tend to prove his guilt of an offence against the law of a State if the Attorney-General of that State has given to the person an undertaking in writing that any answer given or document or thing produced, as the case may be, will not be used in evidence in any proceedings against him for an offence against a law of that State and if the Attorney-General of that State states in the undertaking—

(c) that, in his opinion, there are special grounds which in the public interest require that answers be given or documents or things be produced by that person; and

(d) the general nature of those grounds.

(8) The Commission may recommend to the Attorney-General of a State that a person who has been or is to be served with a summons to appear as a witness at a hearing before the Commission or to produce a document or thing at a hearing before the Commission be given an undertaking by the Attorney-General of that State in accordance with sub-section (7).”

Debate continued.

The committee continuing to sit until after 12 midnight—

THURSDAY, 11 NOVEMBER 1982

Debate continued.

Member named and suspended: The Chairman (Mr Millar) named the honourable Member for Prospect (Dr Klugman) for not withdrawing, when asked to do so, a reflection on members of the committee.

The Chairman forthwith suspended the proceedings of the committee.

The House resumed.

The Chairman of Committees reported the circumstances to the House.

Sir James Killen moved—That the honourable Member for Prospect be suspended from the service of the House.

Question—put.

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

AYES, 61

Mr Adermann	Mr Connolly	Mr Jarman	Mr Rocher
Mr Anthony	Mr Cowan	Mr Jull	Mr Ruddock
Mr Baume	Mr Dean	Mr Katter	Mr Sainsbury
Mr Birney	Mr Drummond	Sir James Killen	Mr Shack
Mr Bouchier	Mr Falconer	Mr Lloyd	Mr Shipton
Mr Bradfield	Mr Fife	Mr Lusher	Mr Sinclair
Mr Braithwaite	Mr Fisher	Mr MacKellar	Mr Spender
Mr N. A. Brown	Mr Groom	Mr MacKenzie*	Mr Street
Mr Burr	Mr Hall	Mr McLean*	Mr Tambling
Mr Cadman	Mr Harris	Mr McVeigh	Mr Thomson
Mr D. M. Cameron	Mr Hicks	Mr Macphee	Mr Tuckey
Mr E. C. Cameron	Mr Hodges	Mr Moore	Mr White
Mr I. M. D. Cameron	Mr Hodgman	Mr Newman	Mr Wilson
Mr Carlton	Mr Howard	Mr Nixon	
Mr Chapman	Mr Hunt	Mr Porter	
Mr Coleman	Mr Hyde	Mr Robinson	

NOES, 41

Mr Armitage	Mr Darling	Mr Johnson*	Mr Milton
Mr Beazley	Mr Dawkins	Mr B. O. Jones	Mr Morris
Dr Blewett	Mr Duffy	Mr C. K. Jones	Mr Mountford
Mr Bowen	Mr Free	Mr Keating	Mr Scholes
Mr J. J. Brown	Mr Hawke	Mrs Kelly	Mr Scott
Mr R. J. Brown	Mr Holding	Mr Kent	Dr Theophanous
Mr Campbell	Mr Howe	Dr Klugman	Mr West
Mr Charles	Mr Humphreys*	Mr McLeay	Mr Willis
Mrs Child	Mr Hurford	Mr McMahan	
Mr Cross	Mr Jacobi	Mr Maher	
Mr Cunningham	Dr Jenkins	Mr Mildren	

* Tellers

And so it was resolved in the affirmative.

The honourable Member was, therefore, suspended at 12.19 a.m. for 24 hours under standing order 305, and he accordingly withdrew from the Chamber.

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

In the committee

Debate on clause 18 and on the amendment continued.

Amendment agreed to.

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

Page 12, after sub-clause (8) insert the following sub-clause:

“(8A) A reference in sub-sections (4), (5) and (7) to the incrimination of a person, to the guilt of a person, or to proceedings against a person shall be taken to include the incrimination or guilt of that person’s spouse, or proceedings against that person’s spouse, as the case may be.”.

Pages 12 and 13, omit sub-clauses (10) to (12).

Debate continued.

Amendments negatived.

On the motion of Mr N. A. Brown, the following amendment was made: Page 12, line 39, after “Court” insert “, upon application by the Attorney-General,”.

Clause, as amended, agreed to.

Clause 19—

Mr Bowen moved the following amendment: Page 13, at the end of sub-clause (2) add “or by a fine not exceeding \$20,000”.

Debate continued.

Amendment negatived.

Clause agreed to.

Clause 20—

Mr Bowen moved the following amendment: Page 13, omit paragraphs (a), (b), (c) and (d) of sub-clause (1), substitute the following paragraphs:

- “(a) obstruct or hinder the Commission or a member in the performance of the functions of the Commission; or
- (b) disrupt a hearing before the Commission.”.

Debate continued.

Amendment negatived.

Clause agreed to.

Clause 21 agreed to.

Clause 22—

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

Page 14, line 13, omit “5”, substitute “2”.

Page 14, at the end of sub-clause (1) add “for a period not exceeding 2 years”.

Debate continued.

Amendments negatived.

Clause agreed to.

Clause 23—

Mr Bowen moved the following amendment: Page 14, omit sub-clauses (1) and (2), substitute the following sub-clause:

- “(1) Subject to sub-section (3), a member shall be paid such remuneration and allowances as are determined by the Remuneration Tribunal but, if no determination of that remuneration and those allowances is in operation, a member shall be paid such remuneration and allowances as are prescribed.”.

Debate continued.

Amendment negatived.

Clause agreed to.

Clauses 24 to 35, by leave, taken together, and agreed to, after debate.

Clause 36—

On the motion of Mr N. A. Brown, the following amendment was made, after debate:

Page 19, at the end of the clause add the following sub-clause:

“(2) Where any functions are conferred upon the Commission by or under a law of a State, the Commission shall—

- (a) from time to time inform the appropriate Minister of that State concerning the general conduct of its operations in respect of the performance of those functions; and
- (b) furnish to that Minister such information in relation to its operations in respect of the performance of those functions as that Minister requires.”.

Clause, as amended, agreed to.

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

On the motion of Mr Spender, the following amendment was made: Clause 37, after sub-clause (3) insert the following sub-clause:

“(3A) In any report by the Commission under this section the Commission shall take reasonable care to ensure that the identity of a person is not revealed if to reveal his identity might, in light of any material appearing in the report, prejudice the safety or reputation of a person or the fair trial of a person who has been or may be charged with an offence.”.

Remainder of Bill, as amended, agreed to.

Bill to be reported with amendments.

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

On the motion of Mr N. A. Brown, by leave, the House adopted the report.

Mr N. A. Brown, by leave, moved—That the Bill be now read a third time.

Debate ensued.

Question—put.

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

AYES, 61

Mr Adermann	Mr Cowan	Mr Jarman	Mr Rocher
Mr Anthony	Mr Dean	Mr Jull	Mr Ruddock
Mr Baume	Mr Drummond	Mr Katter	Mr Sainsbury
Mr Birney	Mr Falconer	Sir James Killen	Mr Shack
Mr Bourchier	Mr Fife	Mr Lloyd	Mr Shipton
Mr Bradfield	Mr Fisher*	Mr Lusher	Mr Sinclair
Mr Braithwaite	Mr Goodluck	Mr MacKellar	Mr Spender
Mr N. A. Brown	Mr Groom	Mr MacKenzie	Mr Street
Mr Cadman	Mr Hall	Mr McLean*	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 White
Mr Carlton	Mr Hodgman	Mr Newman	Mr Wilson
Mr Chapman	Mr Howard	Mr Nixon	
Mr Coleman	Mr Hunt	Mr Porter	
Mr Connolly	Mr Hyde	Mr Robinson	

NOES, 40

Mr Armitage	Mr Cunningham	Mr Jacobi	Mr Maher
Mr Beazley	Mrs Darling	Dr Jenkins	Mr Mildren
Dr Blewett	Mr Dawkins	Mr Johnson*	Mr Milton
Mr Bowen	Mr Duffy	Mr B. O. Jones	Mr Morris
Mr J. J. Brown	Mr Free	Mr C. K. Jones	Mr Mountford
Mr R. J. Brown	Mr Hawke	Mr Keating	Mr Scholes
Mr Campbell	Mr Holding	Mrs Kelly	Mr Scott
Mr Charles	Mr Howe	Mr Kent	Dr Theophanous
Mrs Child	Mr Humphreys*	Mr McLeay	Mr West
Mr Cross	Mr Hurford	Mr McMahan	Mr Willis

* Tellers

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

- 30 **ROYAL COMMISSIONS 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—

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

The House resolved itself into a committee of the whole.

In the committee

Clauses 1 to 3, by leave, taken together, and agreed to.

Clause 4—

Mr Bowen (Deputy Leader of the Opposition) moved the following amendment: Page 4, proposed section 4, omit sub-section (5).

Debate continued.

Amendment negatived.

On the motion of Mr Bowen, the following amendment was made, after debate: Page 4, at the end of the clause add the following proposed section:

Application by telephone for search warrants

“5. (1) Where, by reason of circumstances of urgency, a relevant Commission considers it necessary to do so, the relevant Commission may make application by telephone for a search warrant under sub-section 4 (1).

(2) Where a Judge issues a search warrant upon an application made by telephone, he shall—

- (a) complete and sign that warrant;
- (b) inform the relevant Commission of the terms of the warrant and the date on which and the time at which it was signed; and
- (c) forward a copy of the warrant to the relevant Commission.

'(3) Where a search warrant is issued upon an application made by telephone, a member of the staff of the relevant Commission or a member of the Australian Federal Police or of the Police Force of a State may complete a form of warrant in the terms indicated by a Judge under sub-section (2).

'(4) A form of warrant duly completed in accordance with sub-section (3) shall be deemed to be a warrant issued under section 4.'."

Clause, as amended, agreed to.

Clause 5 agreed to.

Clause 6—

On the motion of Mr N. A. Brown (Acting Attorney-General), the following amendment was made: Page 5, at the end of proposed section 6A add the following sub-section:

" '(3) This section does not apply where the offence in respect of which the production of a document or other thing or the answer to a question might tend to incriminate a person is an offence with which the person has been charged and the charge has not been finally dealt with by a court or otherwise disposed of.'."

Clause, as amended, agreed to.

Clause 7 agreed to.

Clause 8 debated.

On the motion of Mr N. A. Brown, the following amendment was made: Page 5, line 32, after "court" insert ", upon application by the Attorney-General,".

Clause, as amended, agreed to.

Clauses 9 to 12, by leave, taken together, and agreed to.

Clause 13—

Mr Bowen moved the following amendment: Page 7, at the end of sub-section (2) of proposed section 6H add "or by a fine not exceeding \$20,000".

Debate continued.

Amendment negatived.

Clause agreed to.

Clause 14—

On the motion of Mr Bowen, the following amendment was made, after debate: Page 7, line 28, after "Commission" insert "wilfully".

Mr Bowen moved the following amendment: Page 7, at the end of sub-section (2) of proposed section 6K add "or by a fine not exceeding \$10,000".

Amendment negatived.

Clause, as amended, agreed to.

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

Bill to be reported with amendments.

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

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

31 **ADJOURNMENT:** Sir James Killen (Leader of the House) moved—That the House do now adjourn.

Debate ensued.

Mr Baume rising to address the House—

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

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

And the question—That the House do now adjourn—was put accordingly, and passed.

And then the House, at 1.47 a.m., adjourned until a date and hour to be fixed by Mr Speaker, or by the Chairman of Committees, in accordance with the resolution agreed to this day.

PAPERS: The following papers were deemed to have been presented on 10 November 1982, pursuant to statute:

- Child Care Act—Regulations—Statutory Rules 1982, No. 303.
- Commonwealth Employees (Redeployment and Retirement) Act—Regulation—Statutory Rules 1982, No. 302.
- Commonwealth Teaching Service Act—Determination—1982—No. 5.
- Compensation (Commonwealth Government Employees) Act—Regulations—Statutory Rules 1982, No. 291.
- Crimes Act—Regulations—Statutory Rules 1982, No. 296.
- Defence Amendment Act—Interim Determinations—Statutory Rules 1982, Nos. 305, 306, 307.
- Dried Fruits Levy Act—Regulation—Statutory Rules 1982, No. 289.
- Family Law Act—Regulations—Statutory Rules 1982, No. 295.
- Foreign Fishing Boats Levy Act—Regulations—Statutory Rules 1982, No. 288.
- Interim Forces Benefits Act—Regulations—Statutory Rules 1982, No. 300.
- Navigation Act—Regulations—Statutory Rules 1982, No. 304.
- Public Service Act—Regulation—Statutory Rules 1982, No. 290.
- Radiocommunications Licence Fees Act—Regulations—Statutory Rules 1982, No. 293.
- Repatriation Act—Regulations—Statutory Rules 1982, No. 297.
- Repatriation (Far East Strategic Reserve) Act—Regulations—Statutory Rules 1982, No. 298.
- Repatriation (Special Overseas Service) Act—Regulations—Statutory Rules 1982, No. 299.
- Seamen's Compensation Act—Regulations—Statutory Rules 1982, No. 292.
- Seamen's War Pensions and Allowances Act—Regulations—Statutory Rules 1982, No. 301.
- Wireless Telegraphy Act—Regulations—Statutory Rules 1982, No. 294.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Cohen, Mr Dobie*, Dr Edwards, Dr Everingham*, Mr Fraser, Mr Innes, Mr Morrison*, Mr Viner and Mr Young*.

*On leave

D. M. BLAKE,
Clerk of the House of Representatives