

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

## HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 4

THURSDAY, 5 MAY 1983

- 1 The House met, at 10 a.m., pursuant to adjournment. Mr Speaker (the Honourable Dr H. A. Jenkins) took the Chair, and read Prayers.
- 2 **PETITIONS:** The Clerk announced that the following Members had each lodged petitions for presentation, viz.:
  - Mr Adermann, Mr Braithwaite, Mr Drummond, Mr Groom, Mr Millar and Mr Rocher—from certain citizens praying that the Government refrain from ratifying the Convention on the Elimination of All Forms of Discrimination Against Women.
  - Mr Cadman—from certain citizens praying that the findings of the Major Airport Needs of Sydney Committee be endorsed and proposals for an airport at Scheyville, N.S.W., be rejected.
  - Mrs Child—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.
  - Mrs Child—from certain citizens praying that insulin syringes for diabetics be made available on the National Health Scheme and insulin prescriptions revert to 10 bottles.
  - Mrs Child—from certain electors of the Electoral Division of Henty praying that local telephone calls continue to be charged on a per call basis and that Telecom remain a statutory authority and not be sold to private enterprise.
  - Mr Fry—from certain citizens praying that the Federal Government take all possible steps to prevent the destruction of the lower Gordon and Franklin rivers in south-west Tasmania.
  - Mr Fry—from certain residents of the Australian Capital Territory praying that action be taken to permit taxis to use the Civic public transport interchange.
  - Mr Groom—from certain residents of Tasmania praying that the House of Representatives take no action to lessen the power of the Parliament of Tasmania.
  - Mr Kent—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 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 Kent—from certain residents of Victoria praying that the export of live animals for slaughter be banned.
  - Mr McLeay—from certain residents of New South Wales praying that podiatry services be extended to cover all pensioners.

Mr Scott—from certain residents of South Australia praying that the Parliament require General Motors-Holden to continue its operations at the Woodville Plant. Petitions received.

- 3 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—AUSTRALIAN BROADCASTING COMMISSION—ALLEGATIONS AGAINST CHAIRMAN:** Mr Speaker informed the House that Mr Howard (Deputy Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The grave community disquiet created by the allegations of the Minister for Industry and Commerce against the Chairman of the A.B.C."

The proposed discussion having received the necessary support—

Mr Howard addressed the House.

Discussion ensued.

Ordered—That Mr Duffy (Minister for Communications) be granted an extension of time.

Discussion concluded.

- 4 **WORLD HERITAGE PROPERTIES CONSERVATION BILL 1983:** 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 Mr Connolly, viz.*—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—

(1) while recognising the need for adequate protection of areas placed on the World Heritage List, urges the Government to amend the Bill to take account of the need for individual listings to be the subject of a joint request by both the Parliament of the State which has made the application and of the Commonwealth, and

(2) is concerned that the Government has failed to develop adequate procedures for the provision of fair and reasonable compensation to States, corporations or individuals whose property may be the subject of proclamation under the Act"—

Debate resumed.

Mr Goodluck addressing the House—

It being 12 noon, the debate was interrupted in accordance with sessional order 101A, and the resumption of the debate made an order of the day for a later hour this day.

- 5 **QUESTIONS:** Questions without notice being asked—

*Paper:* Mr Sinclair (Deputy Leader of the National Party of Australia), in accordance with standing order 321, having called for a document quoted from by Mr Scholes (Minister for Defence)—

Mr Scholes laid upon the Table the following paper:

Franklin dam photography—Department of Defence—Note for information of the Minister, dated 4 May 1983.

Questions without notice continued.

- 6 **DRUG TRAFFICKING—REPORT OF COMMONWEALTH-NEW SOUTH WALES JOINT TASK FORCE—PUBLICATION OF PAPERS—MOTION TO TAKE NOTE OF PAPERS:** Mr Young (Special Minister of State) presented the following papers:

Drug trafficking—Report of Commonwealth-New South Wales Joint Task Force—  
Volume 3: The associates of Murray Riley, dated October 1982.

Volume 4: Nugan Hand (Part II), dated March 1983.

Mr Young, by leave, moved—

(1) That this House, in accordance with the provisions of the *Parliamentary Papers Act 1908*, authorises the publication of Volume 3: The Associates of Murray Riley and Volume 4: Nugan Hand (Part II) of the Report of the Commonwealth-New South Wales Joint Task Force on Drug Trafficking, and

(2) That the reports be printed.

Question—put and passed.

Mr Dawkins (Minister for Finance) moved—That the House take note of the papers.

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

**7 PAPERS:** The following papers were presented:

Advisory Council for Inter-government Relations Act—Advisory Council for Inter-government Relations—6th Annual Report, for year ended 31 August 1982.

Atomic Energy Act—Australian Atomic Energy Commission—30th Annual Report and financial statements, together with the Auditor-General's Report, for year 1981-82.

Australian Safeguards Office—Report, for year 1981-82.

Australian Science and Technology Council Act—Australian Science and Technology Council—Reports—

Australian National Animal Health Laboratory and the Use of Live Exotic Animal Pathogens, dated 16 December 1982.

Biotechnology in Australia—Supplementary report, dated 15 December 1982.

Finance—Advance to Minister for Finance—Statements for November and December 1982 and January, February and March 1983.

Law Reform Commission Act—Law Reform Commission—6th Annual Report and financial statements, together with the Auditor-General's Report, for year 1981-82.

Life Insurance Act—Life Insurance Commissioner—

37th Annual Report, for 1982.

Half yearly financial and statistical bulletin, June 1982.

Local Government (Personal Income Tax Sharing) Act—Local Government Grants Commissions—Reports—

Queensland (1982).

South Australia (1982).

Tasmania (1982-83) (State Grants Commission).

Victoria (1982) (Victoria Grants Commission).

Western Australia (1982-83).

National Health Act—Annual Report on the operations of the registered medical and hospital benefits organizations, for year 1981-82.

Non-government Schools (Loans Guarantee) Act—Report for 1982.

**3 MUSEUM OF AUSTRALIA—PLAN FOR DEVELOPMENT—PAPER AND MINISTERIAL STATEMENT:** Mr Cohen (Minister for Home Affairs and Environment) presented the following paper:

Museum of Australia—Plan for development—Report of Interim Council, dated 18 November 1982—

and, by leave, made a ministerial statement in connection with the paper.

Mr Connolly, by leave, also made a statement in connection with the paper.

**9 MESSAGES FROM THE SENATE:** Messages from the Senate were reported acquainting the House of the appointment of Senators to the following committees:

4 May 1983—Message—

No. 6—Joint Committee of Public Accounts—Senators Georges, Maguire and Watson.

No. 7—Parliamentary Standing Committee on Public Works—Senators Foreman, Jones and Kilgariff.

No. 8—Joint Committee on the Broadcasting of Parliamentary Proceedings—Senators Coleman and Watson.

**10 WORLD HERITAGE PROPERTIES CONSERVATION BILL 1983:** 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 Mr Connolly, viz.*—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—

(1) while recognising the need for adequate protection of areas placed on the World Heritage List, urges the Government to amend the Bill to take account of the need

- for individual listings to be the subject of a joint request by both the Parliament of the State which has made the application and of the Commonwealth, and
- (2) is concerned that the Government has failed to develop adequate procedures for the provision of fair and reasonable compensation to States, corporations or individuals whose property may be the subject of proclamation under the Act”—

Debate resumed.

*Papers:*

Mr Newman, by leave, during a personal explanation, presented the following paper:

Copy of a letter from Mr R. J. Hawke, Leader of the Australian Labor Party, to the working people of Tasmania, dated 25 February 1983.

Dr Theophanous, by leave, presented the following paper:

South-west Tasmania—Government policy statements—Quotations.

Debate continued.

*Paper:* Mr Cohen (Minister for Home Affairs and Environment), during his speech, presented the following paper:

Copy of extract from *The Age* of 5 May 1983 headed “Parasites have gone too far”.

Amendment negated.

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 and 2, by leave, taken together, and agreed to.

Clause 3—

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

Page 2, line 10, after “property” insert “, land or interest in land”.

Page 2, lines 16 and 17, omit sub-paragraph 2 (a) (ii).

Debate continued.

Amendments negated.

Clause agreed to.

Clauses 4 and 5, by leave, taken together, and agreed to.

Clause 6—

Mr Connolly moved the following amendment: Pages 2 and 3, omit sub-clause (2), substitute the following sub-clause:

“(2) A proclamation may also be made under sub-section (3) in relation to identified property that is in a State if the property, after the commencement of this Act, has been included in the World Heritage List by the World Heritage Committee, pursuant to Article 11 of the Convention and the Parliament of the State and the Commonwealth have consented to that inclusion.”.

Debate continued.

Amendment negated.

On the motion of Mr Cohen, the following amendment was made: Page 3, lines 32-35, omit sub-clause (4).

Clause, as amended, agreed to.

Clauses 7 to 15, by leave, taken together.

On the motion of Mr Cohen, by leave, the following amendments were made together, after debate:

Clause 7, page 3, lines 40-43, omit sub-clause (2).

Clause 8—

Page 4, lines 2 and 3, omit “and section 11”, substitute “, section 11 and sub-sections 13 (7) and 14 (5)”.

Page 4, lines 13-18, omit sub-clause (4).

Clause 13—

Page 7, line 27, omit “and conservation”, substitute “, conservation and presentation”.

Page 7, at the end of the clause add the following sub-clauses:

“(4) Where the Minister gives or refuses to give a consent pursuant to section 9, 10 or 11, the Minister shall—

- (a) before the expiration of 7 days after the giving of the consent or the refusal to give the consent, cause to be published in the *Gazette* a notice stating that the consent has or has not been given and setting out particulars of the act or acts to which the consent or the refusal to give the consent relates; and
- (b) cause a copy of the notice referred to in paragraph (a) to be laid before each House of the Parliament within 5 sitting days of that House after the giving of the consent or the refusal to give the consent to which the notice relates.

“(5) Without limiting any other application of the *Administrative Decisions (Judicial Review) Act 1977*, for the purposes of the application of that Act in relation to a decision of the Minister to give or refuse to give a consent pursuant to section 9 or 10 in relation to particular property—

- (a) a person whose use or enjoyment of any part of the property is, or is likely to be, adversely affected by the decision shall be taken to be a person aggrieved by the decision; and
- (b) an organization or association of persons, whether incorporated or not, shall be taken to be a person aggrieved by the decision if the decision relates to a matter which is included in the objects or purposes of the organization or association and to which activities engaged in by the organization or association relate.

“(6) Paragraph (5) (b) does not apply in relation to a decision given—

- (a) before the organization or association was formed;
- (b) before the objects or purposes of the organization or association included the matter concerned; or
- (c) before the organization or association engaged in activities related to the matter concerned.

“(7) Without limiting any other application of the *Administrative Decisions (Judicial Review) Act 1977*, for the purposes of the application of that Act in relation to a decision of the Minister to give or refuse to give a consent pursuant to section 11, any member of the Aboriginal race shall be taken to be a person aggrieved by the decision.”

Clause 14—

Page 7, line 41, omit “made on behalf of the Commonwealth”, substitute “or of an interested person”.

Page 8, at the end of the clause add the following sub-clauses:

“(3) The reference in sub-section (1) to an interested person, in relation to an act that is unlawful by virtue of section 9 or 10 in relation to particular property, shall be read as a reference to—

- (a) a person whose use or enjoyment of any part of the property is, or is likely to be, adversely affected by the doing of the act; or
- (b) an organization or association of persons, whether incorporated or not, the objects or purposes of which include, and activities of which relate to, the protection or conservation of the property or of property of a kind that includes the property.

“(4) Paragraph (3) (b) does not apply in relation to an act done—

- (a) before the organization or association was formed;
- (b) before the objects or purposes of the organization or association included the matter concerned; or
- (c) before the organization or association engaged in activities related to the matter concerned.

“(5) The reference in sub-section (1) to an interested person, in relation to an act that is unlawful by virtue of section 11, shall be read as a reference to any member of the Aboriginal race.”.

Clause 15, page 9, lines 7 and 8, omit sub-clause (6).

On the motion of Mr Connolly, the following amendment was made, after debate:

Clause 15, page 8, sub-clauses (3), (4) and (5), omit “5 sitting days” (wherever occurring), substitute “15 sitting days”.

Clauses 7 to 15, as amended, agreed to.

*New clause—*

On the motion of Mr Cohen, the following new clause was inserted in the Bill:

**Revocation of proclamations under sections 6, 7 and 8**

“15A. (1) Subject to sub-section (3), where the Governor-General is satisfied that there is no longer any threat of damage to, or of the destruction of, property in respect of which a Proclamation under section 6 or 7 is in force, he may, by Proclamation, revoke that first-mentioned Proclamation.

“(2) Subject to sub-section (3), where the Governor-General is satisfied that there is no longer—

(a) any threat of damage to, or of the destruction of; or

(b) any threat of damage to, or of the destruction of, artefacts or relics situated on,

a site in respect of which a Proclamation under section 8 is in force, he may, by Proclamation, revoke that first-mentioned Proclamation.

“(3) A Proclamation shall not be made pursuant to sub-section (1) or (2) except in accordance with a resolution passed by each House of the Parliament approving the making of the Proclamation, being a resolution passed in pursuance of a motion of which notice has been given not less than 5 sitting days of that House before the motion is moved.”.

Clause 16—

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

Page 9, line 12, after “Constitution” add “as extended by sub-section 3A”.

Page 9, line 15, after “1975” add “and any Regulations made pursuant to this Act”.

Page 9, after sub-clause (3) insert the following sub-clause:

“(3A) For the purposes of sub-section (3) property shall be deemed to have been acquired from a person in accordance with the provisions of the *Lands Acquisition Act 1955* to the extent that its use or its enjoyment by a person has been affected by the operation of this Act or the Regulations.”.

Page 9, sub-clause (4), line 38, omit “High Court”, substitute “Federal Court”.

Page 9, sub-clause (5), line 41, omit “High Court”, substitute “Federal Court”.

Debate continued.

Mr Goodluck rising to address the committee—

*Closure:* Mr Young (Leader of the House) moved—That the question be now put.

Question—That the question be now put—put.

The committee divided (the Chairman, Mr Johnson, in the Chair)—

AYES, 60

Mr Baldwin	Mr Cross	Mr Howe	Mr Punch
Mr Beazley	Mr Cunningham*	Mr Humphreys*	Mr Reeves
Mr Beddall	Mrs Darling	Mr Jones	Mr Saunderson
Mr Bilney	Mr Duffy	Mrs Kelly	Mr Scholes
Mr Blanchard	Mr R. F. Edwards	Mr Kent	Mr Scott
Dr Blewett	Dr Everingham	Mr Keogh	Mr Simmons
Mr Bowen	Mr Free	Mr Lindsay	Mr Snow
Mr J. J. Brown	Mr Fry	Ms McHugh	Mr Staples
Mr Brumby	Mr Gayler	Mr McLeay	Mr Steedman
Mr Campbell	Mr Gear	Mr Milton	Dr Theophanous
Mr Charles	Mr Gorman	Mr A. A. Morris	Mr Uren
Dr Charlesworth	Mr Griffiths	Mr P. F. Morris	Mr Wells
Mrs Child	Mr Hand	Mr Morrison	Mr West
Mr Chynoweth	Mr Holding	Mr Mountford	Mr Willis
Mr Cohen	Mr Hollis	Mr O'Neil	Mr Young

NOES, 39

Mr Adermann	Mr Dobie*	Mr Hunt	Mr Porter
Mr Andrew	Mr Drummond	Mr Lloyd	Mr Rocher
Mr Anthony	Dr H. R. Edwards	Mr Lusher	Mr Ruddock
Mr Braithwaite	Mr Fife	Mr MacKellar	Mr Shipton
Mr Burr	Mr Fisher	Mr McGauran	Mr Sinclair
Mr Cadman	Mr Goodluck	Mr McVeigh	Mr Spender
Mr I. M. D. Cameron	Mr Groom	Mr Macphee	Mr Tuckey
Mr Carlton	Mr Hall	Mr Moore	Mr White
Mr Connolly	Mr Hicks*	Mr Newman	Mr Wilson
Mr Cowan	Mr Howard	Mr O'Keefe	

\* Tellers

And so it was resolved in the affirmative.

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

The committee divided (the Chairman, Mr Johnson, in the Chair)—

AYES, 39

Mr Adermann	Mr Dobie*	Mr Hunt	Mr Porter
Mr Andrew	Mr Drummond	Mr Lloyd	Mr Rocher
Mr Anthony	Dr H. R. Edwards	Mr Lusher	Mr Ruddock
Mr Braithwaite	Mr Fife	Mr MacKellar	Mr Shipton
Mr Burr	Mr Fisher	Mr McGauran	Mr Sinclair
Mr Cadman	Mr Goodluck	Mr McVeigh	Mr Spender
Mr I. M. D. Cameron	Mr Groom	Mr Macphee	Mr Tuckey
Mr Carlton	Mr Hall	Mr Moore	Mr White
Mr Connolly	Mr Hicks*	Mr Newman	Mr Wilson
Mr Cowan	Mr Howard	Mr O'Keefe	

NOES, 64

Mr Baldwin	Mr Cunningham*	Mr Howe	Mr O'Neil
Mr Beazley	Mrs Darling	Mr Humphreys*	Mr Punch
Mr Beddall	Mr Dawkins	Mr Jones	Mr Reeves
Mr Bilney	Mr Duffy	Mr Keating	Mr Saunderson
Mr Blanchard	Mr R. F. Edwards	Mrs Kelly	Mr Scholes
Dr Blewett	Dr Everingham	Mr Kent	Mr Scott
Mr Bowen	Ms Fatin	Mr Keogh	Mr Simmons
Mr J. J. Brown	Mr Free	Mr Lindsay	Mr Snow
Mr Brumby	Mr Fry	Ms McHugh	Mr Staples
Mr Campbell	Mr Gayler	Mr McLeay	Mr Steedman
Mr Charles	Mr Gear	Mrs Mayer	Dr Theophanous
Dr Charlesworth	Mr Gorman	Mr Milton	Mr Uren
Mrs Child	Mr Griffiths	Mr A. A. Morris	Mr Wells
Mr Chynoweth	Mr Hand	Mr P. F. Morris	Mr West
Mr Cohen	Mr Holding	Mr Morrison	Mr Willis
Mr Cross	Mr Hollis	Mr Mountford	Mr Young

\* Tellers

And so it was negatived.

On the motion of Mr Cohen, the following amendment was made: Page 9, lines 41 and 42, omit sub-clause (5).

Mr Connolly, who had already spoken twice, again addressed the committee, by leave, and, by leave, moved the following amendments together:

Page 10, paragraph (b) of sub-clause (7), line 10, omit "High Court", substitute "Federal Court".

Page 10, sub-clause 7, lines 15 and 16, omit all words after "or," substitute "failing agreement, the Commonwealth is liable to pay such compensation as is determined by the Federal Court to be fair and just".

Page 10, sub-clause 8, lines 30-33, omit all words after "shall", substitute "determine the compensation that he considers to be fair and just in respect of the acquisition not later than 14 days after the said 6 months period expires".

Pages 10 and 11, omit sub-clauses (9) to (14) (both inclusive), substitute the following sub-clause:

"(9) Interest shall be payable on the amount of compensation determined by the Governor-General or the Federal Court (as the case may require), such interest to be calculated from the date of the acquisition up to and including the date of payment at a rate of interest which is fair and just in the circumstances."

Pages 11 and 12, omit sub-clauses (15) and (16) substitute the following sub-clause:

"(15) Where the operation of this Act or of the Regulations has resulted in or is taken to have resulted in an acquisition of property from a person and the person considers that the compensation determined by the Governor-General is not fair and just, the Federal Court may, on the application of the person, determine the compensation that is fair and just in respect of the acquisition".

Debate continued.

Progress to be reported, and leave asked to sit again.

The House resumed; Mr Johnson reported accordingly.

Ordered—That the House will, at a later hour this day, again resolve itself into the said committee.

**11 DECLARATION OF WORLD HERITAGE PROPERTIES CONSERVATION BILL 1983 AS URGENT BILL—LIMITATION OF DEBATE:** Mr Young (Leader of the House) declared that the World Heritage Properties Conservation Bill 1983 was an urgent Bill.

Question—That the Bill be considered an urgent Bill—put.

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

AYES, 65

Mr Baldwin	Mrs Darling	Mr Johnson	Mr Reeves
Mr Beazley	Mr Dawkins	Mr Jones	Mr Saunderson
Mr Beddall	Mr Duffy	Mr Keating	Mr Scholes
Mr Bilney	Mr R. F. Edwards	Mrs Kelly	Mr Scott
Mr Blanchard	Dr Everingham	Mr Kent	Mr Simmons
Dr Blewett	Ms Fatin	Mr Keogh	Mr Snow
Mr Bowen	Mr Free	Mr Lindsay	Mr Staples
Mr J. J. Brown	Mr Fry	Ms McHugh	Mr Steedman
Mr Brumby	Mr Gayler	Mr McLeay	Dr Theophanous
Mr Campbell	Mr Gear	Mrs Mayer	Mr Uren
Mr Charles	Mr Gorman	Mr Milton	Mr Wells
Dr Charlesworth	Mr Griffiths	Mr A. A. Morris	Mr West
Mrs Child	Mr Hand	Mr P. F. Morris	Mr Willis
Mr Chynoweth	Mr Holding	Mr Morrison	Mr Young
Mr Cohen	Mr Hollis	Mr Mountford	
Mr Cross	Mr Howe	Mr O'Neil	
Mr Cunningham*	Mr Humphreys*	Mr Punch	



## NOES, 40

Mr Adermann	Mr Dobie*	Mr Hunt	Mr O'Keefe
Mr Andrew	Mr Drummond	Mr Lloyd	Mr Porter
Mr Anthony	Dr H. R. Edwards	Mr Lusher	Mr Rocher
Mr Braithwaite	Mr Fife	Mr MacKellar	Mr Ruddock
Mr Burr	Mr Fisher	Mr McGauran	Mr Shipton
Mr Cadman	Mr Goodluck	Mr McVeigh	Mr Sinclair
Mr I. M. D. Cameron	Mr Groom	Mr Macphee	Mr Spender
Mr Carlton	Mr Hall	Mr Millar	Mr Tuckey
Mr Connolly	Mr Hicks*	Mr Moore	Mr White
Mr Cowan	Mr Howard	Mr Newman	Mr Wilson

\* Tellers

And so it was resolved in the affirmative.

*Allotment of time:* Mr Young then moved—That the time allotted for the remaining stages of the Bill be until 10.30 p.m. this day.

Debate ensued.

Mr Spender addressing the House—

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

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

Question—put and negated.

Debate continued.

The time allowed by standing order 92 for the discussion of the motion for the allotment of time having expired—

Question—put.

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

## AYES, 65

Mr Baldwin	Mrs Darling	Mr Johnson	Mr Reeves
Mr Beazley	Mr Dawkins	Mr Jones	Mr Saunderson
Mr Beddall	Mr Duffy	Mr Keating	Mr Scholes
Mr Bilney	Mr R. F. Edwards	Mrs Kelly	Mr Scott
Mr Blanchard	Dr Everingham	Mr Kent	Mr Simmons
Dr Blewett	Ms Fatin	Mr Keogh	Mr Snow
Mr Bowen	Mr Free	Mr Lindsay	Mr Staples
Mr J. J. Brown	Mr Fry	Ms McHugh	Mr Steedman
Mr Brumby	Mr Gayler	Mr McLay	Dr Theophanous
Mr Campbell	Mr Gear	Mrs Mayer	Mr Uren
Mr Charles	Mr Gorman	Mr Milton	Mr Wells
Dr Charlesworth	Mr Griffiths	Mr A. A. Morris	Mr West
Mrs Child	Mr Hand	Mr P. F. Morris	Mr Willis
Mr Chynoweth	Mr Holding	Mr Morrison	Mr Young
Mr Cohen	Mr Hollis	Mr Mountford	
Mr Cross	Mr Howe	Mr O'Neil	
Mr Cunningham*	Mr Humphreys*	Mr Punch	

## NOES, 40

Mr Adermann	Mr Dobie*	Mr Hunt	Mr O'Keefe
Mr Andrew	Mr Drummond	Mr Lloyd	Mr Porter
Mr Anthony	Dr H. R. Edwards	Mr Lusher	Mr Rocher
Mr Braithwaite	Mr Fife	Mr MacKellar	Mr Ruddock
Mr Burr	Mr Fisher	Mr McGauran	Mr Shipton
Mr Cadman	Mr Goodluck	Mr McVeigh	Mr Sinclair
Mr I. M. D. Cameron	Mr Groom	Mr Macphee	Mr Spender
Mr Carlton	Mr Hall	Mr Millar	Mr Tuckey
Mr Connolly	Mr Hicks*	Mr Moore	Mr White
Mr Cowan	Mr Howard	Mr Newman	Mr Wilson

\* Tellers

And so it was resolved in the affirmative.

12 **WORLD HERITAGE PROPERTIES CONSERVATION BILL 1983:** The House, according to order, resolved itself into a committee of the whole for the further consideration of the Bill.

---

*In the committee*

*Limitation of debate:* The time allotted for the remaining stages of the Bill having expired—

Question—That the amendments moved by Mr Connolly to clause 16, viz.:

Page 10, paragraph (b) of sub-clause (7), line 10, omit “High Court”, substitute “Federal Court”.

Page 10, sub-clause 7, lines 15 and 16, omit all words after “or,”, substitute “failing agreement, the Commonwealth is liable to pay such compensation as is determined by the Federal Court to be fair and just”.

Page 10, sub-clause 8, lines 30-33, omit all words after “shall”, substitute “determine the compensation that he considers to be fair and just in respect of the acquisition not later than 14 days after the said 6 months period expires”.

Pages 10 and 11, omit sub-clauses (9) to (14) (both inclusive), substitute the following sub-clause:

“(9) Interest shall be payable on the amount of compensation determined by the Governor-General or the Federal Court (as the case may require), such interest to be calculated from the date of the acquisition up to and including the date of payment at a rate of interest which is fair and just in the circumstances.”

Pages 11 and 12, omit sub-clauses (15) and (16) substitute the following sub-clause:

“(15) Where the operation of this Act or of the Regulations has resulted in or is taken to have resulted in an acquisition of property from a person and the person considers that the compensation determined by the Governor-General is not fair and just, the Federal Court may, on the application of the person, determine the compensation that is fair and just in respect of the acquisition”—

be agreed to—put and negatived.

Further question—That clause 16, as amended, the remainder of the Bill and the amendment circulated by the Government be agreed to, and that the Bill be reported with amendments—put and passed.

The amendment circulated by the Government was accordingly made in the Bill, and is as follows:

Clause 19, page 12, lines 35–37, omit the clause, substitute the following clause:

**Jurisdiction of Courts**

“19. (1) The High Court has jurisdiction with respect to matters arising under section 14 and sub-section 16 (4).

“(2) The Federal Court has jurisdiction with respect to matters arising under section 14 and sub-section 16 (15).”

---

The House resumed; Mr Johnson reported accordingly.

Question—That the report be adopted and the Bill be now read a third time—put.

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

AYES, 65

Mr Baldwin	Mrs Darling	Mr Humphreys*	Mr O'Neil
Mr Beazley	Mr Dawkins	Mr Johnson	Mr Punch
Mr Beddall	Mr Duffy	Mr Jones	Mr Reeves
Mr Bilney	Mr R. F. Edwards	Mr Keating	Mr Saunderson
Mr Blanchard	Dr Everingham	Mrs Kelly	Mr Scholes
Dr Blewett	Ms Fatin	Mr Kent	Mr Scott
Mr Bowen	Mr Free	Mr Keogh	Mr Simmons
Mr J. J. Brown	Mr Fry	Mr Lindsay	Mr Snow
Mr Brumby	Mr Gayler	Ms McHugh	Mr Staples
Mr Campbell	Mr Gear	Mr McLeay	Mr Steedman
Mr Charles	Mr Gorman	Mrs Mayer	Dr Theophanous
Dr Charlesworth	Mr Griffiths	Mr Milton	Mr Uren
Mrs Child	Mr Hand	Mr A. A. Morris	Mr Wells
Mr Chynoweth	Mr Holding	Mr P. F. Morris	Mr West
Mr Cohen	Mr Hollis	Mr Morrison	Mr Willis
Mr Cross	Mr Howe	Mr Mountford	Mr Young
Mr Cunningham*			

NOES, 40

Mr Adermann	Mr Dobie*	Mr Hunt	Mr O'Keefe
Mr Andrew	Mr Drummond	Mr Lloyd	Mr Porter
Mr Anthony	Dr H. R. Edwards	Mr Lusher	Mr Rocher
Mr Braithwaite	Mr Fife	Mr MacKellar	Mr Ruddock
Mr Burr	Mr Fisher	Mr McGauran	Mr Shipton
Mr Cadman	Mr Goodluck	Mr McVeigh	Mr Sinclair
Mr I. M. D. Cameron	Mr Groom	Mr Macphee	Mr Spender
Mr Carlton	Mr Hall	Mr Millar	Mr Tuckey
Mr Connolly	Mr Hicks*	Mr Moore	Mr White
Mr Cowan	Mr Howard	Mr Newman	Mr Wilson

\* Tellers

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

## 13 SUSPENSION OF STANDING ORDER 103: Mr Young (Leader of the House) moved—That standing order 103 (11 o'clock rule) be suspended for this sitting.

Debate ensued.

Question—put.

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

AYES, 65

Mr Baldwin	Mrs Darling	Mr Johnson	Mr Reeves
Mr Beazley	Mr Dawkins	Mr Jones	Mr Saunderson
Mr Beddall	Mr Duffy	Mr Keating	Mr Scholes
Mr Bilney	Mr R. F. Edwards	Mrs Kelly	Mr Scott
Mr Blanchard	Dr Everingham	Mr Kent	Mr Simmons
Dr Blewett	Ms Fatin	Mr Keogh	Mr Snow
Mr Bowen	Mr Free	Mr Lindsay	Mr Staples
Mr J. J. Brown	Mr Fry	Ms McHugh	Mr Steedman
Mr Brumby	Mr Gayler	Mr McLeay	Dr Theophanous
Mr Campbell	Mr Gear	Mrs Mayer	Mr Uren
Mr Charles	Mr Gorman	Mr Milton	Mr Wells
Dr Charlesworth	Mr Griffiths	Mr A. A. Morris	Mr West
Mrs Child	Mr Hand	Mr P. F. Morris	Mr Willis
Mr Chynoweth	Mr Holding	Mr Morrison	Mr Young
Mr Cohen	Mr Hollis	Mr Mountford	
Mr Cross	Mr Howe	Mr O'Neil	
Mr Cunningham*	Mr Humphreys*	Mr Punch	

## NOES, 40

Mr Adermann	Mr Dobie*	Mr Hunt	Mr O'Keefe
Mr Andrew	Mr Drummond	Mr Lloyd	Mr Porter
Mr Anthony	Dr H. R. Edwards	Mr Lusher	Mr Rocher
Mr Braithwaite	Mr Fife	Mr MacKellar	Mr Ruddock
Mr Burr	Mr Fisher	Mr McGauran	Mr Shipton
Mr Cadman	Mr Goodluck	Mr McVeigh	Mr Sinclair
Mr J. M. D. Cameron	Mr Groom	Mr Macphee	Mr Spender
Mr Carlton	Mr Hall	Mr Millar	Mr Tuckey
Mr Connolly	Mr Hicks*	Mr Moore	Mr White
Mr Cowan	Mr Howard	Mr Newman	Mr Wilson

\* Tellers

And so it was resolved in the affirmative, by an absolute majority.

- 14 **MESSAGE FROM THE SENATE:** Message No. 9, dated 5 May 1983, from the Senate, was reported concurring in the resolutions of the House relating to the appointment of Joint Standing Committees on the Australian Capital Territory and the New Parliament House and a Joint Select Committee on Parliamentary Privilege, and agreeing that the resolutions have effect notwithstanding anything contained in the standing orders.
- 15 **HOUSE COMMITTEE:** Mr Young (Leader of the House), by leave, moved—That, in addition to Mr Speaker, *ex officio*, Mr Blanchard, Mr J. J. Brown, Mr Burr, Mr E. C. Cameron, Mr Johnson and Mr Lusher be members of the House Committee.  
Question—put and passed.
- 16 **BROADCASTING OF PARLIAMENTARY PROCEEDINGS—JOINT COMMITTEE:** Mr Young (Leader of the House), by leave, moved—That, in accordance with the provisions of the *Parliamentary Proceedings Broadcasting Act 1946*, in addition to Mr Speaker, *ex officio*, Mr Burr, Mr Charles, Mr R. F. Edwards, Mr Hicks and Mr Maher be members of the Joint Committee on the Broadcasting of Parliamentary Proceedings.  
Question—put and passed.
- 17 **PUBLIC ACCOUNTS—JOINT COMMITTEE:** Mr Young (Leader of the House), by leave, moved—That, in accordance with the provisions of the *Public Accounts Committee Act 1951*, the following Members be appointed members of the Joint Committee of Public Accounts, viz.: Mr Cadman, Mrs Kelly, Mrs Mayer, Mr O'Keefe, Mr Punch, Dr Theophanous and Mr White.  
Question—put and passed.
- 18 **PUBLIC WORKS COMMITTEE:** Mr Young (Leader of the House), by leave, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following Members be appointed members of the Parliamentary Standing Committee on Public Works, viz.: Mr Cowan, Mr Drummond, Mr Fife, Mr Keogh, Mr Lindsay and Mr Saunderson.  
Question—put and passed.
- 19 **CUSTOMS TARIFF PROPOSALS NO. 1 (1983):** Mr J. J. Brown (Minister Assisting the Minister for Industry and Commerce) moved Customs Tariff Proposals No. 1 (1983).  
Debate adjourned (Mr Moore), and the resumption of the debate made an order of the day for the next sitting.
- 20 **ADDRESS IN REPLY TO THE GOVERNOR-GENERAL'S SPEECH:** The order of the day having been read for the resumption of the debate on the question—That the following Address in Reply to the Speech of His Excellency the Governor-General be agreed to:  
MAY IT PLEASE YOUR EXCELLENCY:  
We, the House of Representatives of the Commonwealth of Australia, in Parliament assembled, desire to express our loyalty to our Most Gracious Sovereign,

and to thank Your Excellency for the Speech which you have been pleased to address to Parliament—

Debate resumed.

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

21 **ADJOURNMENT:** Mr Young (Leader of the House) moved—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 11.48 p.m., adjourned until Tuesday next at 2.15 p.m.

---

**PAPER:** The following paper was deemed to have been presented on 5 May 1983:

Remuneration Tribunals Act—Remuneration Tribunal—Determination—1983/2—  
Holders of Offices in the First Division of the Australian Public Service and holders  
of public offices on the Building and Construction Industry Long Service Leave  
Board.

---

**MEMBERS PRESENT:** All members were present (at some time during the sitting) except  
Mr R. J. Brown, Mr Coleman, Mr Hayden, Mr Hodgman, Mr Hurford, Mr Jacobi,  
Mr Katter, Mr Kerin, Mr Maher, Mr Mildren and Mr Street.

---

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