

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 9

WEDNESDAY, 18 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 Cadman, Mr Cowan, Mr Hicks, Mr Lusher, Mr McVeigh and Mr Millar—from certain citizens praying that the Government refrain from ratifying the Convention on the Elimination of All Forms of Discrimination Against Women.

Mr Campbell and Mr O'Neil—from certain citizens praying that the requirement for declarations to be completed by pensioners and health care cardholders when presenting prescriptions, be abolished.

Mr A. A. Morris and Mr Simmons—from certain residents of New South Wales praying that podiatry services be extended to cover all pensioners.

Mr Braithwaite—from certain citizens praying that Australia Day be celebrated on 26 January each year and that a public holiday be declared on that day, regardless of which day of the week it falls.

Mr Braithwaite—from certain residents of Mackay, Qld, praying that the Mackay Directory Assistance Centre not be closed.

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.

Mr Hand—from certain citizens praying that Telecom Australia's proposed charges increase be stopped and that the future viability of the manual assistance telephone network be ensured.

Mr Humphreys—from certain citizens praying that the Government ratify the Convention on the Elimination of All Forms of Discrimination Against Women.

Mr Johnson—from certain residents of New South Wales praying that legislation be enacted to ban the advertising of alcohol from commercial television and radio.

Mr McLeay—from certain citizens praying that the introduction of a student loans scheme be rejected.

Mr McLeay—from certain citizens praying that funding of children's services be restored to at least 1975-76 levels, a standardised means test not be imposed on the users of child care services and the stated intention to use public funds to supplement private sector children's services not be implemented.

Mr O'Neil—from certain citizens praying that approval be given for construction of an overpass at the railway crossing on Highway 1, near Port Augusta, S.A.

Mr O'Neil—from certain residents of the Electoral Division of Grey praying that an efficient, effective public telegram service be maintained.

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

Petitions received.

- 3 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—GOVERNMENT PROMISES:** Mr Speaker informed the House that Mr Hall had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The erosion of public confidence because of the growing list of broken Government promises".

The proposed discussion having received the necessary support—

Mr Hall addressed the House.

Discussion ensued.

Discussion concluded.

- 4 **BROADCASTING AND TELEVISION AMENDMENT (ELECTION BLACKOUT) 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—

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

Clause 3—

Mr Lloyd moved—That the clause be omitted, and the following clause be substituted:

Broadcasting or televising of political matter or controversial matter

"3. Section 116 of the Principal Act is amended—

- (a) by omitting sub-sections (4) and (4A); and
- (b) by omitting sub-section (6) and substituting the following sub-section:

'(6) In this section—

"election" means an election of members, or of a member, of—

- (a) the Senate or the House of Representatives; or
- (b) a House of the Parliament of a State;

"election matter", in relation to an election, means matter of any of the following kinds:

- (a) matter commenting on, or soliciting votes for, a candidate at the election;
- (b) matter commenting on, or advocating support of, a political party to which a candidate at the election belongs;
- (c) matter commenting on, stating or indicating any of the matters being submitted to the electors at the election or any part of the policy of a candidate at the election or of the political party to which a candidate at the election belongs; or
- (d) matter referring to a meeting held or to be held in connection with the election;

"election period", in relation to an election, means the period that commences on the day on which the writ for the election is issued and ends at the close of the poll on the polling day for the election;

"licensee" means the holder of a licence within the meaning of Part IIIB.'".

Debate continued.

Question—That the amendment be agreed to—put.

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

AYES, 43

Mr Andrew	Mr Drummond	Mr Katter	Mr Porter
Mr Anthony	Dr H. R. Edwards	Sir James Killen	Mr Robinson
Mr Braithwaite	Mr Fife	Mr Lloyd	Mr Ruddock
Mr Burr	Mr Fisher	Mr Lusher	Mr Shipton
Mr Cadman	Mr Goodluck	Mr MacKellar	Mr Sinclair
Mr E. C. Cameron*	Mr Hall	Mr McGauran	Mr Spender
Mr I. M. D. Cameron	Mr Hawker	Mr McVeigh	Mr Street
Mr Carlton	Mr Hicks*	Mr Moore	Mr Tuckey
Mr Coleman	Mr Hodgman	Mr Newman	Mr White
Mr Connolly	Mr Howard	Mr O'Keefe	Mr Wilson
Mr Dobie	Mr Hunt	Mr Peacock	

NOES, 70

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

* Tellers

And so it was negatived.

On the motion of Mr Duffy (Minister for Communications), the following amendment was made, after debate: Page 2, lines 5 and 6, omit "in a substantial part", substitute "in a part".

Clause, as amended, agreed to.

Title agreed to.

Bill to be reported with an amendment.

The House resumed; Mr Rocher reported accordingly.

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

- 5 **CHRISTMAS ISLAND AGREEMENT AMENDMENT 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—

Mr Ruddock 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.

- 6 **QUESTIONS:** Questions without notice were asked.

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

Broadcasting and Television Act—Australian Broadcasting Tribunal—Report to the Minister for Communications of an inquiry into the provision of a commercial television translator station or stations for Foster and its environs, Vic., dated March 1983.

Department of Immigration and Ethnic Affairs—Review of activities to 30 June 1982, including report by the Minister, pursuant to the Immigration (Education) Act, on the operation of the Act.

Department of Science and Technology—Recombinant DNA Monitoring Committee—Report for period 19 October 1981 to 19 October 1982.

Seat of Government (Administration) Act—Legal Aid Ordinance—Legal Aid Commission (A.C.T.)—5th Annual Report and financial statements, together with the auditor's report, for year 1981-82.

Tertiary Student Finances—Studies issued by Department of Education—Volume 4—Evaluation of the Tertiary Education Assistance Scheme: An investigation and review of policy on student financial assistance in Australia.

- 8 **IMMIGRATION POLICY AND PROGRAM—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Mr West (Minister for Immigration and Ethnic Affairs), by leave, made a ministerial statement informing the House of the Government's decisions concerning Australia's immigration policy and the size and composition of the 1983-84 immigration program, and presented the following paper:

Immigration policy and program—Ministerial statement, 18 May 1983.

Mr Young (Leader of the House) moved—That the House take note of the paper.

Debate ensued.

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

- 9 **ROAD SAFETY—STANDING COMMITTEE:** Mr Deputy Speaker informed the House that the Opposition Whip had nominated Mr Hawker to be a member of the Standing Committee on Road Safety in place of Mr Dobie.

- 10 **PARLIAMENTARY RETIRING ALLOWANCES TRUST:** Mr West (Minister for Immigration and Ethnic Affairs), by leave, moved—That, in accordance with the provisions of the *Parliamentary Retiring Allowances Act 1948*, Sir James Killen and Dr Klugman be appointed as trustees to serve on the Parliamentary Retiring Allowances Trust.

Question—put and passed.

- 11 **AUSTRALIAN INSTITUTE OF ABORIGINAL STUDIES COUNCIL:** Mr West (Minister for Immigration and Ethnic Affairs), by leave, moved—That, in accordance with the provisions of the *Australian Institute of Aboriginal Studies Act 1964*, this House appoints Mr Porter and Mr Reeves to be members of the Council of the Australian Institute of Aboriginal Studies, and to continue as members until the dissolution of the 33rd Parliament.

Question—put and passed.

- 12 **CHRISTMAS ISLAND AGREEMENT AMENDMENT 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—

Debate resumed.

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Beazley (Minister for Aviation), the Bill was read a third time.

- 13 **CONCILIATION AND ARBITRATION AMENDMENT 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—

Debate resumed by Mr Macphee 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 adopt the unanimous view of the all-party Senate Select Committee on Industrial Relations Legislation which recommended in October 1982 that in elections where the membership is consulted on mergers, at least 25 per cent of the membership of each union should be required to record a vote, and of those voting, at least two thirds should be required to vote in favour of the proposition or that an

alternative could be for at least 25 per cent of the total membership of each union to vote in favour of amalgamation, provided that those voting in favour constitute a majority of the votes cast”.

Debate continued.

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

AYES, 67

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

NOES, 44

Mr Adermann	Mr Dobie	Mr Hunt	Mr O'Keefe
Mr Andrew	Mr Drummond	Mr Katter	Mr Porter
Mr Anthony	Dr H. R. Edwards	Mr Lloyd	Mr Robinson
Mr Burr	Mr Fife	Mr Lusher	Mr Rocher
Mr Cadman	Mr Fisher	Mr MacKellar	Mr Ruddock
Mr E. C. Cameron*	Mr Goodluck	Mr McGauran	Mr Shipton
Mr I. M. D. Cameron	Mr Groom	Mr McVeigh	Mr Spender
Mr Carlton	Mr Hall	Mr Macphee	Mr Street
Mr Coleman	Mr Hawker	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.

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

Bill, by leave, taken as a whole.

On the motion of Mr Willis (Minister for Employment and Industrial Relations), by leave, the following amendments were made together, after debate:

Clause 7—

Page 3, lines 11 and 12, omit “conferred or imposed by sub-section (4)”, substitute “in relation to the observance of this Act and the regulations and of awards”.

Page 3, line 15, omit “section”, substitute “Act”.

Page 3, line 28, omit “sub-paragraph (i) of”.

Clause 11—

Page 5, after paragraph 11 (c) insert the following paragraph:

“(ca) by omitting from sub-section (3B) ‘(3A)’ and substituting ‘(3)’;”.

Page 5, after paragraph 11 (f) insert the following paragraph:

“(fa) by omitting from sub-section (6) ‘(3A),’ and substituting ‘(3)’;”.

Page 5, after paragraph 11 (o) insert the following paragraph:

“(oa) by omitting from sub-section (8) ‘(3A),’ and substituting ‘(3)’;”.

Schedule—

Page 13, after the item relating to sub-section 62 (1) insert the following item:

“Sub-section 109 (2) . . . Omit ‘or the Bureau may, in the public interest,’.”

Page 13, after the item relating to sub-section 141 (1H) insert the following item:

“Sub-section 141 (6) . . . Omit ‘, or, if the person instituting the proceedings is the Bureau, the person at whose request the Bureau is acting,’.”

Page 13, after the item relating to sub-section 143 (3DC) insert the following item:

“Sub-section 143 (3DD) . . . Omit ‘or a direction under sub-section (3DG)’.”

Bill, as amended, agreed to.

Bill to be reported with amendments.

The House resumed; Mrs Darling reported accordingly.

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

14 TAXATION (UNPAID COMPANY TAX) ASSESSMENT AMENDMENT BILL 1983: Mr Dawkins (Minister for Finance) presented a Bill for an Act to amend the *Taxation (Unpaid Company Tax) Assessment Act 1982*.

Bill read a first time.

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

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

15 TAXATION (UNPAID INCOME TAX—DIVIDENDS) BILL 1983: Mr Dawkins (Minister for Finance) presented a Bill for an Act to impose a tax in respect of certain unpaid income tax.

Bill read a first time.

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

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

16 INCOME TAX ASSESSMENT AMENDMENT BILL 1983: Mr Dawkins (Minister for Finance) presented a Bill for an Act to amend the *Income Tax Assessment Act 1936*.

Bill read a first time.

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

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

17 INCOME TAX (RATES) AMENDMENT BILL 1983: Mr Dawkins (Minister for Finance) presented a Bill for an Act to amend the *Income Tax (Rates) Act 1982*.

Bill read a first time.

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

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

18 INCOME TAX (INDIVIDUALS) AMENDMENT BILL 1983: Mr Dawkins (Minister for Finance) presented a Bill for an Act to amend the *Income Tax (Individuals) Act 1982*.

Bill read a first time.

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

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

- 19 **INCOME TAX (COMPANIES, CORPORATE UNIT TRUSTS AND SUPERANNUATION FUNDS) AMENDMENT BILL 1983:** Mr Dawkins (Minister for Finance) presented a Bill for an Act to amend the *Income Tax (Companies, Corporate Unit Trusts and Superannuation Funds) Act 1982*.

Bill read a first time.

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

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

- 20 **INCOME TAX (PAYMENTS FOR WORK) (CONSEQUENTIAL AMENDMENTS) BILL 1983:** Mr Dawkins (Minister for Finance) presented a Bill for an Act to make certain amendments consequent upon the enactment of the *Income Tax Assessment Amendment Act 1983*.

Bill read a first time.

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

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

- 21 **SUPPLY BILL (NO. 1) 1983-84:** 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.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Dawkins (Minister for Finance), the Bill was read a third time.

- 22 **SUPPLY BILL (NO. 2) 1983-84:** The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Dawkins (Minister for Finance), the Bill was read a third time.

- 23 **SUPPLY (PARLIAMENTARY DEPARTMENTS) BILL 1983-84:** The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Dawkins (Minister for Finance), the Bill was read a third time.

- 24 **STATES (TAX SHARING AND HEALTH GRANTS) AMENDMENT 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—

Debate resumed.

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

Message from the Governor-General: Message No. 18, dated 11 May 1983, 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 Dr Blewett (Minister for Health), the Bill was read a third time.

- 25 **NATIONAL HEALTH AMENDMENT 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—

Paper: Mr Carlton, by leave, during his speech, presented the following paper:

Pharmaceutical benefits declarations—Copy of existing and proposed forms.

Mr Carlton 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 notes the failure of the Government to fulfill the Prime Minister’s policy speech commitment to abolish the Pharmaceutical Benefits Declaration”.

Debate continued.

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

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

Debate ensued.

Question—put and passed.

And then the House, at 11 p.m., adjourned until tomorrow at 10 a.m.

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

D. M. BLAKE
Clerk of the House of Representatives