

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

## HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 15

WEDNESDAY, 24 AUGUST 1983

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- 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 Aldred, Mr Cadman, Mr Chynoweth, Mr Coleman, Mr Dobie, Dr Everingham, Mr Humphreys, Mr Hunt, Mrs Kelly, Mr McVeigh, Mr Porter and Mr White--from certain citizens praying that chiropractic services be included in Medicare when it is introduced.
    - Mrs Child, Mr Chynoweth and Mr Fry- from certain citizens praying that the Government refrain from ratifying the Convention on the Elimination of All Forms of Discrimination Against Women.
    - Mrs Child, Mrs Mayer and Mr Saunderson--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 Drummond, Mr Rocher and Mr Tuckey-- from certain citizens praying that there be no requirement for tax to be deducted from payments to owner-drivers of trucks.
    - Mr Fry, Mr Goodluck and Mrs Kelly-- from certain citizens praying that an assurance be given that no abortion clinic will be established in the Australian Capital Territory.
    - Mrs Child and Mr Scott-- from certain citizens praying that the Government ratify the Convention on the Elimination of All Forms of Discrimination Against Women.
    - Mr Hand and Mr Saunderson -- from certain citizens praying that the Omega base in Victoria be closed.
    - Mr Humphreys and Mr West from certain citizens praying that the unemployment benefit for minors be immediately increased.
    - 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 Chynoweth--from certain citizens praying that the export of kangaroo products be banned and action be taken to prohibit the commercial killing of kangaroos.
    - Mr Cunningham--from certain citizens praying that the Government be urged to support negotiated solutions to the conflicts in El Salvador and Nicaragua, place pressure on the United States Government to withdraw its forces from Central America and take certain other action in respect of Central America.
    - Mr Fry--from certain residents of the Australian Capital Territory praying that Havelock House be made available to the community for use as low-cost accommodation.

Mr Moore -from certain citizens praying that the unique rainforest areas of south-west Tasmania and southern Queensland be saved.

Mr Scott-- from certain citizens praying that the House not ratify the Convention on the Elimination of All Forms of Discrimination Against Women.

Petitions received.

**3 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—TASMANIA—COMPENSATION:**

Mr Speaker informed the House that Mr Newman had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The Government's failure to provide just compensation for Tasmania following its decision to prevent the construction of the Gordon below Franklin Dam".

The proposed discussion having received the necessary support--

Mr Newman addressed the House.

Discussion ensued.

Discussion concluded.

**4 PUBLIC SERVICE AMENDMENT BILL 1983:** Mr Dawkins (Minister Assisting the Prime Minister for Public Service Matters), pursuant to notice, presented a Bill for an Act to amend the *Public Service Act 1922*.

Bill read a first time.

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

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

**5 LIVE-STOCK SLAUGHTER (EXPORT INSPECTION CHARGE) AMENDMENT BILL 1983:**

Mr Kerin (Minister for Primary Industry) presented a Bill for an Act to amend the *Live-stock Slaughter (Export Inspection Charge) Act 1979*.

Bill read a first time.

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

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

**6 GRAIN (EXPORT INSPECTION CHARGE) AMENDMENT BILL 1983:** Mr Kerin (Minister for Primary Industry) presented a Bill for an Act to amend the *Grain (Export Inspection Charge) Act 1979*.

Bill read a first time.

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

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

**7 EGGS (EXPORT INSPECTION CHARGE) AMENDMENT BILL 1983:** Mr Kerin (Minister for Primary Industry) presented a Bill for an Act to amend the *Eggs (Export Inspection Charge) Act 1982*.

Bill read a first time.

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

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

**8 EDIBLE OILS (EXPORT INSPECTION CHARGE) AMENDMENT BILL 1983:** Mr Kerin (Minister for Primary Industry) presented a Bill for an Act to amend the *Edible Oils (Export Inspection Charge) Act 1982*.

Bill read a first time.

Mr Kerin moved-- That the Bill be now read a second time.

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

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

- 10 **BROADCASTING STATIONS LICENCE FEES AMENDMENT BILL 1983:** Mr Duffy (Minister for Communications) presented a Bill for an Act to amend the *Broadcasting Stations Licence Fees Act 1964*, and for related purposes.  
 Bill read a first time.  
 Mr Duffy moved That the Bill be now read a second time.  
 Debate adjourned (Dr H. R. Edwards), and the resumption of the debate made an order of the day for the next sitting.
- 11 **TELEVISION STATIONS LICENCE FEES AMENDMENT BILL 1983:** Mr Duffy (Minister for Communications) presented a Bill for an Act to amend the *Television Stations Licence Fees Act 1964*, and for related purposes.  
 Bill read a first time.  
 Mr Duffy moved That the Bill be now read a second time.  
 Debate adjourned (Dr H. R. Edwards), and the resumption of the debate made an order of the day for the next sitting.
- 12 **RIVER MURRAY WATERS 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.  
 Debate adjourned (Mr Jacobi), and the resumption of the debate made an order of the day for a later hour this day.
- 13 **LIQUID FUEL EMERGENCY BILL 1983:** Mr Jones (Minister representing the Minister for Resources and Energy), pursuant to notice, presented a Bill for an Act to facilitate the management of liquid fuel that is, or is likely to be, in short supply.  
 Bill read a first time.  
 Mr Jones moved That the Bill be now read a second time.  
 Debate adjourned (Dr H. R. Edwards), and the resumption of the debate made an order of the day for the next sitting.
- 14 **QUESTIONS:** Questions without notice were asked.
- 15 **PAPERS:** The following papers were presented:  
 Australian fishing zone Taiwanese access Copy of letter, together with 4 appendixes, from Mr Kerin (Minister for Primary Industry) to Mr M. G. Kailis, Chairman KKFC Pty Ltd, and counter-signed by Mr Kailis and Mr K. F. Chen, Chairman, Kaohsiung Fishing Boat Commercial Guild, on 15 and 17 July 1983, respectively, constituting an acceptance of terms and conditions for fishing operations by licensed Taiwanese fishing vessels in the Australian fishing zone from 1 August 1983 to 31 July 1984.  
 Australian Agricultural Council—Resolutions—116th Meeting, Sydney, 7 February 1983.  
 Australian Apple and Pear Corporation Act—Australian Apple and Pear Corporation 8th Annual Report and financial statements, together with the Auditor-General's Report, for 1982.  
 Australian Postal Commission Service and business outlook for year 1983-84.  
 Australian Science and Technology Council Act—Australian Science and Technology Council—Reports—  
 Incentives for innovation in Australian industry, dated 22 June 1983.  
 Technological change and employment, dated 1 June 1983.  
 Canned Fruits Marketing Act—Australian Canned Fruits Corporation—  
 Australian Canned Fruit Sales Promotion Committee—Final report and financial statements, together with the Auditor-General's Report, for period 1 January to 28 April 1982.  
 3rd Annual Report and financial statements, together with the Auditor-General's Report, for 1982.  
 Human Rights Commission Act—Human Rights Commission—Report No. 4, dated 10 May 1983—Human rights and the deportation of convicted aliens and immigrants.

- 16 DISCLOSURE OF ELECTORAL EXPENDITURE—REPORT—MOTION TO TAKE NOTE OF PAPER:** Mr Beazley (Special Minister of State) presented the following paper:  
 Disclosure of electoral expenditure Report of inquiry, dated 21 May 1981.  
 Mr Bowen (Leader of the House) moved That the House take note of the paper.  
 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.
- 17 EXPORT INSPECTION SERVICE—MINISTERIAL STATEMENT:** Mr Kerin (Minister for Primary Industry), by leave, made a ministerial statement relating to Government measures in the area of primary produce export inspection.  
 Mr McVeigh and Mr Tuckey, by leave, also made statements with reference to the matter.
- 18 HEALTH INSURANCE COMMISSION—REPORT AND MINISTERIAL STATEMENT:** Dr Blewett (Minister for Health) presented the following paper:  
 Health Insurance Commission - Interim report for year 1982-83--  
 and, by leave, made a ministerial statement in connection with the report.  
 Mr Carlton, by leave, also made a statement in connection with the report.
- 19 ASSISTANCE TO THE FILM INDUSTRY—MINISTERIAL STATEMENT:** Mr Cohen (Minister for Home Affairs and Environment), by leave, made a ministerial statement informing the House of details of proposed assistance to the film industry.  
 Mr Sinclair (Deputy Leader of the National Party of Australia), by leave, also made a statement with reference to the matter.
- 20 SITTING HOURS AND BUSINESS OF THE HOUSE—SESSIONAL ORDERS:** Mr Bowen (Leader of the House), having amended, by leave, notice No. 3, government business, moved--That, unless otherwise ordered, the following amendments to the standing orders be adopted to operate from 6 September 1983 for the remainder of this session:
- Days and hours of meeting*  
 Standing order 40 be amended to read--  
 40. Unless otherwise ordered, the House shall meet for the despatch of business on each Tuesday at 2 p.m., on each Wednesday at 10.30 a.m. and on each Thursday at 10 a.m.
- Adjournment and next meeting*  
 Standing order 48A be amended to read--  
 48A. Subject to standing order 106, as amended by sessional order, at 10.30 p.m. on each Tuesday, at 7.30 p.m. on each Wednesday and at 10 p.m. on each Thursday the Speaker shall propose the question-- That the House do now adjourn-- which question shall be open to debate; if the House is in committee at the time stated, the Chairman shall report progress and upon such report being made the Speaker shall forthwith propose the question -- That the House do now adjourn -- which question shall be open to debate. No amendment may be moved to this question:  
 Provided that -
- (a) if a division is in progress at the time fixed for interruption, the division shall be completed and the result announced;
  - (b) if, on the question - That the House do now adjourn- being proposed, a Minister requires the question to be put forthwith without debate, the Speaker shall forthwith put the question;
  - (c) a motion for the adjournment of the House may be moved by a Minister at an earlier hour;
  - (d) any business under discussion and not disposed of at the time of the adjournment shall be set down on the Notice Paper for the next sitting, and
  - (e) if the question--That the House do now adjourn-- is negatived, the House or committee shall resume the proceedings at the point at which they had been interrupted:

Provided further that, if at 11 p.m. on a Tuesday, at 8 p.m. on a Wednesday or at 10.30 p.m. on a Thursday the question before the House is That the House do now adjourn—the Speaker shall interrupt the debate, at which time

- (f) a Minister may require that the debate be extended until 11.10 p.m., 8.10 p.m. or 10.40 p.m., as the case may be, to enable Ministers to speak in reply to matters raised in the preceding adjournment debate; at 11.10 p.m., 8.10 p.m. or 10.40 p.m., as the case may be, or upon the earlier cessation of the debate, the Speaker shall forthwith adjourn the House until the time of its next meeting, or
- (g) if no action is taken by a Minister under paragraph (f), the Speaker shall forthwith adjourn the House until the time of its next meeting.

*Routine of business*

Standing order 101 be amended to read

101. The House shall proceed each day with its ordinary business in the following routine: 1. Presentation of petitions. 2. Giving notices. 3. Questions without notice. 4. Presentation of papers. 5. Ministerial statements, by leave. 6. Matter of public importance. 7. Notices and orders of the day.

Provided that on a Wednesday and Thursday '7. Notices and orders of the day.' shall precede '3. Questions without notice.' which shall be called on at 2 p.m.

*Question time*

New standing order 101A be inserted—

101A. At 12.45 p.m. on each Wednesday and Thursday the Speaker shall interrupt the business before the House in order that questions without notice can be called on at 2 p.m.; if the House is in committee at the time stated, the Chairman shall report progress:

Provided that—

- (a) if a division is in progress at the time fixed for interruption, the division shall be completed and the result announced, and
- (b) the Speaker shall fix the time for the resumption of the debate on any business under discussion and not disposed of at the time of interruption.

*Precedence for government and general business*

Standing order 104 be amended to read

104. Unless otherwise ordered, government business shall, on each day of sitting, have precedence of all other business, except that on the sitting Thursday alternate to the sitting Thursday to which standing order 106 applies, general business shall have precedence of government business commencing at 8 p.m.

*Grievance debate*

Standing order 106 be amended to read

106. Notwithstanding standing order 105, the first order of the day, government business, on each alternate sitting Thursday commencing with the first sitting Thursday after the Address in Reply to the Governor-General's Speech has been adopted shall be a question to be proposed by the Speaker "That grievances be noted" to which question any Member may address the House or move any amendment. The order of the day shall stand postponed until 8 p.m. and if consideration of the question has not been concluded at 10 p.m., the debate thereon shall be interrupted and the Speaker shall put the question: Provided that debate on the question may be extended until 10.30 p.m., on motion, without notice, of a Minister; at 10.30 p.m. or upon the earlier conclusion of the debate, the Speaker shall put the question and, after resolution of that question, shall forthwith adjourn the House until the time of its next meeting.

*General business and grievance debate*

New standing order 106A be inserted—

106A. At 6.30 p.m. on each Thursday the Speaker shall interrupt the business before the House in order that general business or grievance debate, as the case may be, can be called on at 8 p.m.; if the House is in committee at the time stated, the Chairman shall report progress:

Provided that—

- (a) if a division is in progress at the time fixed for interruption, the division shall be completed and the result announced, and
- (b) the Speaker shall fix the time for the resumption of the debate on any business under discussion and not disposed of at the time of interruption.

*Matter of public importance*

Standing order 107 be amended by omitting “at least one hour before the time fixed for the meeting of the House” and substituting “not later than 12 noon on each sitting day”.

*Divisions and quorums*

That, unless otherwise ordered, in all standing orders, excepting standing order 200A, related to the taking of a division or the counting of the House or committee for quorum purposes, references to 2 minutes be suspended and 3 minutes apply in place thereof.

Debate ensued.

Question—put and passed.

- 21 **RIVER MURRAY WATERS 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 J. J. Brown (Minister for Sport, Recreation and Tourism), the Bill was read a third time.

- 22 **MIGRATION 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 —

*Statement by Minister:* Mr West (Minister for Immigration and Ethnic Affairs), by leave, made a statement relating to proposed Government amendments to the Bill.

Debate resumed.

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

- 23 **SUSPENSION OF STANDING ORDER 48A AND STANDING ORDER 103:** Mr Bowen (Leader of the House), by leave, moved— That standing order 48A, as amended by the sessional order of 4 May 1983 relating to the adjournment of the House, and standing order 103 (11 o'clock rule) be suspended for this sitting.

Debate ensued.

Question—put and passed.

- 24 **MIGRATION 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.

The House resolved itself into a committee of the whole.

*In the committee*

Clauses 1 to 10, by leave, taken together.

On the motion of Mr West (Minister for Immigration and Ethnic Affairs), by leave, the following amendments were made together, after debate:

Clause 6, page 2, at the end of the clause add the following paragraphs:

- “(g) by omitting from sub-section (7) ‘A woman’ and substituting ‘A person’;
- (h) by omitting from sub-section (7) ‘her husband’ (wherever occurring) and substituting ‘the person’s spouse’; and
- (j) by omitting from sub-section (7) ‘his entry’ and substituting ‘the spouse’s entry’.”.

Clause 8, page 3, lines 5-7, omit the clause, substitute the following clause:

**Cancellation, expiration and renewal of entry permits**

“8. (1) Section 7 of the Principal Act is amended—

- (a) by omitting from sub-section (3) ‘prohibited immigrant’ and substituting ‘prohibited non-citizen’; and
- (b) by omitting sub-section (4).

“(2) Where a person who, upon the commencement of this Act

- (a) is a non-citizen within the meaning of the Principal Act as amended by this Act; and
- (b) is not the holder of an entry permit (not being a temporary entry permit),

had, at a time before that commencement, ceased to be a prohibited immigrant within the meaning of the Principal Act by virtue of the operation of sub-section 7 (4) of that Act, that person becomes, upon that commencement, a prohibited non-citizen for the purposes of the Principal Act as amended by this Act.”.

Clause 10, page 3, lines 27-40, and page 4, lines 1-10, omit proposed sub-sections 12 (2), (3) and (4).

Clauses, as amended, agreed to.

Clause 11—

On the motion of Mr West the following amendment was made, after debate: Page 4, lines 16-20, omit proposed sub-section (1), substitute the following sub-section:

“(1) If it appears to the Minister that the conduct (whether in Australia or elsewhere) of a person who is a non-citizen (not being a person who has been present in Australia as a permanent resident for a period of at least 10 years or for periods that, in the aggregate, amount to a period of at least 10 years) constitutes, or has constituted, a threat to the security of the Commonwealth, of a State or of an internal or external Territory, the Minister may, subject to this section, order the deportation of the person.”.

Mr Hodgman moved the following amendment: Page 4, after proposed sub-section (1) insert the following sub-section:

“(1A) Where a person who is a non-citizen has either before or after the commencement of this sub-section been convicted of trafficking in dangerous drugs, or has been convicted in Australia of an offence and sentenced to imprisonment for a period of not less than five years, the Minister may, subject to this section, order the deportation of the person”.

Debate continued.

Question—That the amendment be agreed to—put.

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

AYES, 42

Mr Adermann	Mr Connolly	Mr Hunt	Mr Robinson
Mr Aldred	Mr Dobie	Mr Katter	Mr Rocher
Mr Andrew	Mr Drummond	Mr Lloyd	Mr Shipton
Mr Anthony	Dr H. R. Edwards	Mr Lusher	Mr Sinclair
Mr Braithwaite	Mr Fisher	Mr MacKellar	Mr Spender
Mr Burr	Mr Goodluck	Mr McGauran	Mr Street
Mr Cadman	Mr Hall	Mr McVeigh	Mr Tuckey
Mr F. C. Cameron*	Mr Hawker	Mr Macphee	Mr White
Mr I. M. D. Cameron	Mr Hicks*	Mr Millar	Mr Wilson
Mr Carlton	Mr Hodgman	Mr Moore	
Mr Coleman	Mr Howard	Mr O'Keefe	

## NOES, 62

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

\* Tellers

And so it was negatived.

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

Page 4, lines 28 and 29, omit "24D, 25, 26 or 27", substitute "25 or 26".

Page 4, line 31, omit ", 7 or 7A", substitute "or 7".

Clause, as amended, agreed to.

*New clause*

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

"11A. After section 14 of the Principal Act the following section is inserted:

**Definition of permanent resident**

'14A. (1) Where a person has been convicted of any offence (other than an offence the conviction in respect of which was subsequently quashed) the period (if any) for which the person was confined in a prison for that offence shall be disregarded in determining, for the purposes of section 12 and sub-section 14 (1), the length of time that that person has been present in Australia as a permanent resident.

'(2) In section 12 and sub-section 14 (1), "permanent resident" means a person (including an Australian citizen) whose continued presence in Australia is not subject to any limitation as to time imposed by law, but does not include

- (a) in relation to any period before the commencement of this sub-section a person who was, during that period, a prohibited immigrant within the meaning of this Act as in force at that time; or
- (b) in relation to any period after the commencement of this sub-section—a person who is, during that period, a prohibited non-citizen.

'(3) For the purposes of this section --

- (a) a reference to a prison includes a reference to any custodial institution at which a person convicted of an offence may be required to serve the whole or a part of any sentence imposed upon him by reason of that conviction; and
- (b) a reference to a period during which a person was confined in a prison includes a reference to a period—
  - (i) during which the person was an escapee from a prison; or
  - (ii) during which the person was undergoing a sentence of periodic detention in a prison.'"

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

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

## Clause 13

Page 5, after paragraph (a) insert the following paragraph:

"(aa) by omitting paragraphs (1) (b) and (ba) and substituting the following paragraphs:

- '(b) at the time of, or prior to, that person's entry into Australia, the person—
- (i) produces or produced, or causes or caused to be produced, to the Minister or to an officer, in respect of that entry —
    - (A) a permit, certificate, passport, visa, return endorsement, identification card or any other document that was not issued to the person, is forged or was obtained by false representation; or
    - (B) a passenger card that contains information that is false or misleading in a material particular; or
  - (ii) makes or made, or causes or caused to be made, to the Minister or to an officer, in respect of that entry, a statement that is false or misleading in a material particular;
- '(ba) at the time of, or prior to, the grant of a visa or a return endorsement in respect of the person, the person—
- (i) produces or produced, or causes or caused to be produced, to the Minister or to an officer, in respect of the grant of that visa or return endorsement, a document of the kind referred to in sub-sub-paragraph (b) (i) (A); or
  - (ii) makes or made, or causes or caused to be made, to the Minister or to an officer, in respect of the grant of that visa or return endorsement, a statement that is false or misleading in a material particular; or'.”

Page 5, after paragraph (b) insert the following paragraph:

“(ba) by inserting after sub-section (1) the following sub-section:

'(1AA) Where—

- (a) a further entry permit has, either before or after the commencement of this sub-section, been granted to a person authorizing the person to remain in Australia;
- (b) that entry permit was granted while the person was in Australia; and
- (c) the person, in respect of the grant of that entry permit
  - (i) produced, or caused to be produced, to the Minister or to an officer a document that was not issued to that person, is forged or was obtained by false representation or that contains information that is false or misleading in a material particular; or
  - (ii) made, or caused to be made, to the Minister or to an officer a statement that is false or misleading in a material particular.

that person shall, notwithstanding section 10, be deemed to be a prohibited non-citizen unless he is the holder of an entry permit endorsed with a statement that the person granting that permit recognises him to be a person referred to in this sub-section.'.”

Clause 17—

Page 6, lines 9-12, omit paragraph (e), substitute the following paragraph:

“(e) by omitting paragraphs (1) (b) and (c) and substituting the following paragraphs:

- '(b) becomes a prohibited non-citizen by reason of being a person to whom paragraph 8 (3) (a) or (c) applies; or
- (c) becomes a prohibited non-citizen by virtue of sub-section 16 (1) or (1AA) by reason that—
  - (i) he produced, or caused to be produced, after the commencement of the *Migration Amendment Act 1983*, to the Minister or to an officer—
    - (A) a document that, to his knowledge was not issued to him, is forged or was obtained by false representation; or

- (B) a passenger card that, to his knowledge, contains information that is false or misleading in a material particular; or
- (ii) he made, or caused to be made, after the commencement of the *Migration Amendment Act 1983*, to the Minister or to an officer, a statement that, to his knowledge, was false or misleading in a material particular; and”.

Page 6, lines 18 and 19, omit “or he had ceased to be a prohibited non-citizen by virtue of sub-section 7 (4)”.

Clause 19, page 6, lines 29-32, omit the clause, substitute the following clause:

**False papers, &c.**

“19. Section 31 of the Principal Act is amended—

- (a) by omitting from sub-section (1) ‘an immigrant’ (wherever occurring) and substituting ‘a non-citizen’;
- (b) by inserting in paragraph (1)(a) ‘, or cause to be presented,’ after ‘present’;
- (c) by omitting paragraph (1)(b) and substituting the following paragraph:  
 ‘(b) make, or cause to be made, to the Minister or to an officer a statement that, to his knowledge, is false or misleading in a material particular; or’;
- (d) by omitting paragraph (1)(c); and
- (e) by omitting from paragraph (1)(d) ‘to the Minister or to an officer, or otherwise furnish’ and substituting ‘, or cause to be delivered, to the Minister or to an officer, or otherwise furnish, or cause to be furnished’.

Clause 23, page 7, lines 8 and 9, omit paragraph (b), substitute the following paragraph:

“(b) by omitting from sub-section (4) ‘24’ and substituting ‘48’.”.

Clause 37—

Page 9, line 13, after “Principal Act” (first occurring) insert “, other than section 16 of that Act”.

Page 9, after sub-clause (1) insert the following sub-clause:

“(1A) Where a person was, immediately before the commencement of this Act, deemed to be a prohibited immigrant by virtue of sub-section 16 (1) of the Principal Act, the person is, upon that commencement, deemed to be a prohibited non-citizen by virtue of sub-section 16 (1) of the Principal Act as amended by this Act.”.

Schedule, page 10, omit the item relating to sub-section 7 (4).

Remainder of Bill, as amended, agreed to.

Bill to be reported with amendments.

The House resumed; Mr Johnson reported accordingly.

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

25 **MIGRATION (MISCELLANEOUS AMENDMENTS) 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—

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr West (Minister for Immigration and Ethnic Affairs), the Bill was read a third time.

26 **ADJOURNMENT:** Mr Bowen (Leader of the House) moved That the House do now adjourn.

Debate ensued.

Mr Fisher rising to address the House—

*Closure:* Mr Bowen 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 11.49 p.m., adjourned until tomorrow at 10 a.m.

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**PAPERS:** The following papers were deemed to have been presented on 24 August 1983:

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposals for collection of information—1983—

No. 7—Survey of real estate agencies, 1982-83.

No. 8—Survey of legal services, 1982-83

No. 9—Census of superannuation funds, 1982-83.

No. 10—Quarterly survey of Australian direct investment abroad.

Lands Acquisition Act—Statements (2) of lands acquired by agreement authorised under sub-section 7 (1).

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**MEMBERS PRESENT:** All Members were present (at some time during the sitting) except Dr Charlesworth and Mr Fife.

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