

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 54

MONDAY, 5 MARCH 1984

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- 1 The House met, at 2 p.m., pursuant to adjournment. Mr Speaker (the Honourable Dr H. A. Jenkins) took the Chair, and read Prayers.
 - 2 **QUESTIONS:** Questions without notice were asked.
 - 3 **PAPERS:** The following papers were presented:
 - Airlines Agreement Act—
 - Airline activities—
 - Ansett Transport Industries Limited—Financial statements, together with the auditor's report, for year 1982-83.
 - Australian National Airlines Commission—Financial statements, together with the Auditor-General's Report, for year 1982-83.
 - Joint reports by the Australian National Airlines Commission (TAA) and Ansett Transport Industries Limited on the scope and effectiveness of consultations held during 1983 on—
 - Air fares.
 - Passenger revenue load factors and aircraft utilisation.
 - 4 **PRINTING AND PUBLISHING RESPONSIBILITIES—CHARTER—PAPERS—MOTION TO TAKE NOTE OF PAPERS:** Mr J. J. Brown (Minister for Administrative Services) presented the following papers:
 - Printing and publishing responsibilities—Charter, together with statement by Mr J. J. Brown, Minister for Administrative Services.
 Mr Young (Leader of the House) moved—That the House take note of the papers.
 Debate adjourned (Mr Sinclair—Leader of the National Party of Australia), and the resumption of the debate made an order of the day for the next sitting.
 - 5 **SEVEN YEARS ON—REPORT ON ABORIGINAL LAND RIGHTS (NORTHERN TERRITORY) ACT—PAPER AND MINISTERIAL STATEMENT:** Mr Holding (Minister for Aboriginal Affairs) presented the following paper:
 - Seven years on—Report by Mr Justice Toohey on the *Aboriginal Land Rights (Northern Territory) Act 1976* and related matters, dated 2 December 1983—
 and, by leave, made a ministerial statement in connection with the paper.
 Mr Porter, by leave, also made a statement in connection with the paper.
 - 6 **PETITIONS:** The Clerk announced that the following Members had each lodged petitions for presentation, viz.:
 - Mr Braithwaite, Mr Cross, Mr Hawker, Mr McVeigh, Mr Porter, Mr Rocher and Mr Scott—from certain citizens praying that chiropractic services be included in Medicare when it is introduced.
 - Mr Cross, Mrs Darling, Mr Hollis and Mr Morrison—from certain citizens praying that the ban on the export of kangaroo products be re-applied.

Mr Adermann, Mr Braithwaite and Mr Porter—from certain elected representatives and officers of local governments praying that the Local Government (Personal Income Tax Sharing) Act be amended to provide a real term minimum guarantee to local government general revenue sharing arrangements.

Ms Fatin, Mr Fife and Mr Hicks—from certain citizens praying that legislation be enacted to permit the biological control of Paterson's Curse.

Mr E. C. Cameron and Mr Fife—from certain residents of the Divisions of Indi and Farrer, respectively, in similar terms to the last preceding petition.

Mr Andrew and Mr Porter—from certain citizens praying that parent clubs in government schools be granted exemption from bank account debits tax.

Mr Braithwaite—from certain electors of the Division of Dawson praying that the oath of allegiance remain unchanged.

Mr Connolly—from certain citizens praying that the nation's total dependence on God the Creator in accordance with the Constitution and the standing orders of the House of Representatives be reaffirmed.

Mrs Darling—from certain citizens praying that the Sex Discrimination Bill be passed.

Mrs Darling—from certain residents of Queensland praying that legislation be enacted to ban the advertising of alcohol from commercial television and radio.

Mr Groom—from certain citizens praying that the Government refrain from ratifying the Convention on the Elimination of All Forms of Discrimination Against Women.

Mr Groom—from certain residents of Tasmania praying that the decision not to upgrade Wynyard Airport, Tas., be reversed.

Mr Hawker—from certain residents of Victoria praying that Victorian parents clubs be recognised as education auxiliaries and be exempted from bank account debits tax.

Mr Kent—from certain citizens praying that the Omega base in Victoria be closed.

Mr Ruddock—from certain citizens praying that no further action be taken in respect of territorial or local government in the Australian Capital Territory until the findings of the inquiry into ACT finances have been made public and a further referendum of electors has been held.

Mr Tickner—from certain parents representing government schools in New South Wales praying that an adequate general recurrent resource base for government schools be created and a planned program of improvements in government schools throughout the coming decade be ensured.

Petitions received.

7 MESSAGES FROM THE SENATE: Messages from the Senate were reported returning the following Bills without amendment:

2 March 1984—Message—

No. 178—Customs Tariff (Anti-Dumping) Miscellaneous Amendments 1983.

No. 179—Customs Tariff (Anti-Dumping) Amendment (No. 2) 1983 (*without requests*).

8 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—CORRUPTION IN NEW SOUTH WALES: 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 political conspiracy between the Prime Minister and the Wran Government to prevent a proper judgment being made by the people of New South Wales on the issue of corruption in that State".

The proposed discussion having received the necessary support—

Mr Howard addressed the House.

Discussion ensued.

Discussion concluded.

9 PUBLIC ACCOUNTS COMMITTEE—REPORT—STATEMENT BY MEMBER: Mrs Mayer presented the following report from the Joint Committee of Public Accounts:

220th Report—Finance Minute on Report 193—Reports of the Auditor-General 1979-80 and March 1981—

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

10 SEX DISCRIMINATION 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 Macphee, viz.*—That all words after “That” be omitted with a view to substituting the following words: “whilst welcoming the intention of the Bill to remove discrimination against the people on the basis of sex, marital status or pregnancy, the House is of the opinion that:

- (1) the Bill should not rely on the external affairs power as a head of power;
- (2) Australia’s signature to the United Nations Convention on the Elimination of All Forms of Discrimination Against Women should not be used to extend the powers of the Commonwealth;
- (3) the removal of discrimination against people on the basis of sex should be recognised as not obliging anyone to enter the paid workforce or alter their view of their responsibilities towards their spouses or children;
- (4) no decision or action by any educational or child care or other body established for the education of students or the care of children in accordance with the doctrines of a religion or creed or in accordance with stated principles should be affected where that decision or action has been taken in good faith to enable the body to conform with those doctrines or principles;
- (5) nothing in the Bill should be taken as approving those articles of the Convention which are not implemented by the Bill, and
- (6) the clauses of the Bill should be re-drafted accordingly”—

Debate resumed.

Ordered—That Mr Hawke (Prime Minister) be granted an extension of time.

Debate continued.

Question—That the words proposed to be omitted stand part of the question—put.

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

AYES, 67

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

NOES, 45

| | | | |
|---------------------|------------------|-------------|-------------|
| Mr Adermann | Mr Cowan | Mr Katter | Mr Porter |
| Mr Aldred | Mr Dobie | Mr Lloyd | Mr Robinson |
| Mr Blunt | Dr H. R. Edwards | Mr Lusher | Mr Rocher |
| Mr Braithwaite | Mr Fisher | Mr McArthur | Mr Ruddock |
| Mr Burr | Mr Goodluck | Mr McGauran | Mr Shipton |
| Mr Cadman | Mr Groom | Mr McVeigh | Mr Sinclair |
| Mr D. M. Cameron | Mr Hall | Mr Macphee | Mr Tuckey |
| Mr E. C. Cameron* | Mr Hawker | Mr Millar | Mr White |
| Mr I. M. D. Cameron | Mr Hicks* | Mr Moore | Mr Wilson |
| Mr Carlton | Mr Hodgman | Mr Newman | |
| Mr Coleman | Mr Howard | Mr O'Keefe | |
| Mr Connolly | Mr Hunt | Mr Peacock | |

* 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

Clauses 1 to 6, by leave, taken together.

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

Clause 5, page 6, at the end of sub-clause (1) add “and the less favourable treatment is not reasonable in the circumstances”.

Clause 6, page 6, at the end of sub-clause (1) add “and the less favourable treatment is not reasonable in the circumstances”.

Debate continued.

Question—That the amendments be agreed to—put.

The committee divided (the Chairman, Mrs Child, in the Chair)—

AYES, 45

| | | | |
|---------------------|------------------|-------------|-------------|
| Mr Adermann | Mr Cowan | Mr Hunt | Mr Porter |
| Mr Aldred | Mr Dobie | Mr Katter | Mr Robinson |
| Mr Blunt | Mr Drummond | Mr Lloyd | Mr Rocher |
| Mr Braithwaite | Dr H. R. Edwards | Mr Lusher | Mr Ruddock |
| Mr Burr | Mr Fisher | Mr McArthur | Mr Shipton |
| Mr Cadman | Mr Goodluck | Mr McGauran | Mr Sinclair |
| Mr D. M. Cameron | Mr Groom | Mr McVeigh | Mr Tuckey |
| Mr E. C. Cameron* | Mr Hall | Mr Macphee | Mr White |
| Mr I. M. D. Cameron | Mr Hawker | Mr Millar | Mr Wilson |
| Mr Carlton | Mr Hicks* | Mr Moore | |
| Mr Coleman | Mr Hodgman | Mr Newman | |
| Mr Connolly | Mr Howard | Mr O'Keefe | |

NOES, 67

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

* Tellers

And so it was negatived.

Clauses agreed to.

Clauses 7 to 27, by leave, taken together.

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

Clause 9—

Page 8, omit sub-clause (10).

Page 10, after sub-clause (20) add the following sub-clause:

“(21) The prescribed provisions of Part II shall not have effect except as aforesaid and shall not otherwise rely upon the Convention for their effect and application.”

Clause 10, page 10, omit sub-clause (1).

Clause 11, page 10, omit sub-clause (1).

Debate continued.

Question—That the amendments be agreed to—put.

The committee divided (the Chairman, Mrs Child, in the Chair)—

AYES, 45

| | | | |
|---------------------|------------------|-------------|-------------|
| Mr Adermann | Mr Dobie | Mr Hunt | Mr Porter |
| Mr Aldred | Mr Drummond | Mr Katter | Mr Robinson |
| Mr Blunt | Dr H. R. Edwards | Mr Lloyd | Mr Rocher |
| Mr Braithwaite | Mr Fife | Mr Lusher | Mr Ruddock |
| Mr Cadman | Mr Fisher | Mr McArthur | Mr Shipton |
| Mr D. M. Cameron | Mr Goodluck | Mr McGauran | Mr Sinclair |
| Mr E. C. Cameron* | Mr Groom | Mr McVeigh | Mr Tuckey |
| Mr I. M. D. Cameron | Mr Hall | Mr Macphee | Mr White |
| Mr Carlton | Mr Hawker | Mr Millar | Mr Wilson |
| Mr Coleman | Mr Hicks* | Mr Moore | |
| Mr Connolly | Mr Hodgman | Mr Newman | |
| Mr Cowan | Mr Howard | Mr O'Keefe | |

NOES, 68

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

* Tellers

And so it was negatived.

It being past 10.30 p.m.—Progress to be reported.

The House resumed; Mrs Child reported accordingly.

11 ADJOURNMENT: The question was accordingly proposed—That the House do now adjourn.

Debate ensued.

Debate extended: It being 11 p.m., the debate was interrupted.

Mr Uren (Minister for Territories and Local Government) required the debate to be extended.

The debate continuing until 11.09 p.m., Mr Speaker adjourned the House until tomorrow at 2 p.m.

PAPERS: The following papers were deemed to have been presented on 5 March 1984:

- Australian National Railways Commission Act—Australian National Railways Commission—By-laws—
 - Board of Appeals.
 - General.
- Conciliation and Arbitration Act—Regulations—Statutory Rules 1984, Nos. 20, 21, 22.
- Currency Act—Regulations—Statutory Rules 1984, No. 29.
- Director of Public Prosecutions Act—Regulations—Statutory Rules 1984, No. 24.
- Public Service Act—Appointment—Department of Health—M. Dennett.
- Quarantine Act—Regulations—Statutory Rules 1984, Nos. 25, 26, 27, 28.
- Seat of Government (Administration) Act—
 - Ordinance—1984—No. 5—Workmen's Compensation (Amendment).
 - Regulation—1984—No. 4 (Public Health Ordinance).

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

D. M. BLAKE
Clerk of the House of Representatives