THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 27

WEDNESDAY, 15 MAY 1985

- 1 The House met, at 10 a.m., pursuant to adjournment. The Acting Speaker (Mrs Child) took the Chair, and read Prayers.
- 2 TAXATION LAWS AMENDMENT BILL 1985: 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 Hurford (Minister Assisting the Treasurer), the Bill was read a third time.

3 SALES TAX LAWS AMENDMENT BILL 1985: 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 Howard (Deputy Leader of the Opposition) 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 deplores the totally inadequate time allowed by the Government for scrutiny, consideration and analysis of the most significant changes to our sales tax laws for about 30 years".

Debate continued.

- It being 12.45 p.m., 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.
- 4 MINISTERIAL ARRANGEMENTS: Mr Hawke (Prime Minister) informed the House that, during the absence abroad of Mr Dawkins (Minister for Trade), Mr Kerin (Minister for Primary Industry) was acting as Minister for Trade.
- 5 QUESTIONS: Questions without notice were asked.
- 6 PAPERS: The following papers were presented:

Advance to the Minister for Finance—Statement for March 1985.

Audit Act—Monthly statement of Commonwealth financial transactions—Proposed variation in accordance with Sub-section 49 (2), together with explanatory statement.

Australian Capital Territory—

Building and Construction Industry Long Service Leave Board—Report for year 1983-84.

Corporate Affairs Commission—4th Annual Report, for year 1983-84.

Canberra Theatre Trust—Report for year 1983-84.

Christmas Island—Reports for years—

1982-83.

1983-84.

Life Insurance Act—Life Insurance Commissioner—39th Annual Report, for 1984.

Half yearly financial and statistical bulletin, June 1984.

7 AUSTRALIAN EGG BOARD—PAPERS—MOTION TO TAKE NOTE OF PAPERS: Mr Kerin (Minister for Primary Industry) presented the following papers:

Egg Export Legislation Repeal Act—Australian Egg Board—Report (final) for period 1 July to 31 December 1984, together with statement by Mr Kerin, Minister for Primary Industry.

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

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

8 SUSPENSION OF STANDING ORDER 48A AND STANDING ORDER 103: Mr Young (Leader of the House), by leave, moved—That standing order 48A, as amended by sessional order, relating to the adjournment of the House, and standing order 103 (11 o'clock rule) be suspended for the remainder of this period of sittings.

Debate ensued.

Question—put.

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

AYES, 72

Mr Baldwin	Mr Dubois	Mr Jacobi	Mr Milton
Mr Beazley	Mr Duffy	Mrs Jakobsen	Mr A. A. Morris
Mr Beddall	Mr Duncan	Mr Jones	Mr P. F. Morris
Mr Bilney	Mr R. F. Edwards	Mr Keating	Mr O'Neil
Mr Blanchard	Ms Fatin	Mrs Kelly	Mr Price
Dr Blewett	Mr Fitzgibbon	Mr Kent	Mr Punch
Mr Bowen	Mr Free	Mr Keogh	Mr Saunderson
Mr J. J. Brown	Mr Gayler	Mr Kerin	Mr Scholes
Mr R. J. Brown	Mr Gear	Dr Klugman	Mr Scott
Mr Brumby	Mr Gorman	Mr Lamb	Mr Simmons
Mr Campbell	Mr Grace	Mr Langmore	Mr Snow
Mr Charles	Mr Griffiths	Mr Lee	Mr Staples
Dr Charlesworth	Mr Hand	Mr Lindsay	Dr Theophanous
Mr Chynoweth	Mr Holding	Ms McHugh	Mr Uren .
Mr Cleeland	Mr Hollis	Mr McLeay	Mr West
Mr Cohen	Mr Howe	Mr Maher	Mr Willis
Mr Cross	Mr Humphreys*	Mr Martin	Mr Wright
Mr Cunningham*	Mr Hurford	Mrs Mayer	Mr Young

NOES, 60

11025,00				
Mr Adermann	Mr Conquest	Mr Hunt	Mr Robinson	
Mr Aldred	Mr Cowan	Mr Jull	Mr Rocher	
Mr Andrew	Mr Downer	Mr Katter	Mr Ruddock	
Mr Beale	Mr Drummond	Mr Lloyd	Mr Shack	
Mr Blunt	Dr H. R. Edwards	Mr McArthur	Mr Sharp	
Mr Braithwaite	Mr Everingham	Mr McGauran	Mr Shipton	
Mr N. A. Brown	Mr Fife	Mr MacKellar	Mr Sinclair	
Mr Cadman	Mr T. A. Fischer	Mr McVeigh	Mr Slipper	
Mr D. M. Cameron	Mr P.S. Fisher	Mr Macphee	Mr Spender	
Mr E. C. Cameron*	Mr Hall	Mr Miles	Mrs Sullivan	
Mr I. M. D. Cameron	Mr Halverson	Mr Millar	Mr Tuckey	
Mr Carlton	Mr Hawker	Mr Moore	Dr Watson	
Mr Cobb	Mr Hicks*	Mr Nehl	Mr Webster	
Mr Coleman	Mr Hodgman	Mr Porter	Mr White	
Mr Connolly	Mr Howard	Mr Reith	Mr Wilson	

• Tellers

And so it was resolved in the affirmative.

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

Mr Burr, Mr Reith and Mr Sharp—from certain citizens praying that the Industries Assistance Commission recommendation that no assistance be provided to the

frozen pea industry be rejected and proposals for import restrictions and other measures of support be accepted.

Mr Beale and Mr Macphee—from certain citizens praying that the national flag not be changed except by a referendum.

Mr Fife—from certain citizens in similar terms to the last preceding petition.

Mr Brumby—from certain citizens praying that the Government allocate sufficient funds to the Australia Council to ensure ongoing funding of State arts councils.

Mr T. A. Fischer—from certain citizens praying that measures be taken to reduce the burden of imposed costs and regulation on Australian farmers.

Mr Goodluck—from certain citizens praying that the price of petrol be reduced by 3c per litre.

Mr Hawker—from certain citizens praying that the assets test on pensions be repealed.

Mr Lloyd—from certain citizens praying that an impact study be undertaken with the dairy industry before any introduction of the proposed dairy industry plan.

Mr Rocher—from certain citizens praying that the Australia Post agency at Joondanna, WA, continue to operate.

Mr Rocher—from certain citizens praying that the existing national flag remain sacrosanct.

Mr Slipper—from certain residents of the Division of Fisher in similar terms to the last preceding petition.

Mr Slipper—from certain citizens praying that family allowance payments be restored to their former level.

Mr Slipper—from certain residents of the Division of Fisher praying that the Government reconsider the assets test.

Mr Slipper—from certain residents of the Division of Fisher praying that the rights of private enterprise be protected and any inequitable additional taxes be rejected.

Mr Tickner—from certain citizens praying that the decision to assist the testing of MX Peacemaker missiles be reversed and Australia's commitment to a nuclear free zone in the South Pacific be maintained.

Mr Tickner—from certain citizens praying that wild horses be protected from industry and indiscriminate slaughter.

Petitions received.

10 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ECONOMIC MANAGEMENT OF GOVERNMENT: The Deputy Speaker informed the House that Mr Peacock (Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The failure of the Government's economic management".

The proposed discussion having received the necessary support—

Mr Peacock addressed the House.

Discussion ensued.

Discussion concluded.

11 PUBLIC ACCOUNTS COMMITTEE—REPORT—STATEMENT BY MEMBER: Mr Nehl presented the following report from the Joint Committee of Public Accounts:

230th Report—Finance Minute on 209th Report—Auditor-General's Report 1980-81—Response—

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

- 12 POSTPONEMENT OF NOTICE: Ordered—That notice No. 1, government business, be postponed until a later hour this day.
- 13 HEALTH LEGISLATION AMENDMENT BILL 1985: Dr Blewett (Minister for Health), pursuant to notice, presented a Bill for an Act to amend various laws relating to health, and for related purposes.

Bill read a first time.

Dr Blewett moved—That the Bill be now read a second time.

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

14 STATES GRANTS (NURSE EDUCATION TRANSFER ASSISTANCE) BILL 1985: Dr Blewett (Minister for Health), pursuant to notice, presented a Bill for an Act relating to the grant of financial assistance to the States and the Northern Territory with respect to nurse education.

Bill read a first time.

Dr Blewett moved—That the Bill be now read a second time.

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

15 STATES GRANTS (TERTIARY EDUCATION ASSISTANCE) AMENDMENT BILL (NO. 2) 1985: Dr Blewett (Minister for Health), pursuant to notice, presented a Bill for an Act to amend the States Grants (Tertiary Education Assistance) Act 1984.

Bill read a first time.

Dr Blewett moved—That the Bill be now read a second time.

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

16 SOCIAL SECURITY AND REPATRIATION LEGISLATION AMENDMENT BILL 1985: Mr Howe (Minister for Social Security), pursuant to notice, presented a Bill for an Act relating to social security, repatriation and other matters.

Bill read a first time.

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

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

17 BROADCASTING AND TELEVISION AMENDMENT BILL 1985: Mr Duffy (Minister for Communications), pursuant to notice, presented a Bill for an Act to amend the Broadcasting and Television Act 1942 and for related purposes.

Bill read a first time.

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

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

18 BROADCASTING AND TELEVISION (CONSEQUENTIAL AMENDMENTS) BILL 1985: Mr Duffy (Minister for Communications), pursuant to notice, presented a Bill for an Act to make certain amendments in consequence of the enactment of the Broadcasting and Television Amendment Act 1985.

Bill read a first time.

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

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

19 BROADCASTING STATIONS LICENCE FEES AMENDMENT BILL 1985: Mr Duffy (Minister for Communications) presented a Bill for an Act to amend the *Broadcasting Stations Licence Fees Act 1964*.

Bill read a first time.

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

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

20 TELEVISION STATIONS LICENCE FEES AMENDMENT BILL 1985: Mr Duffy (Minister for Communications) presented a Bill for an Act to amend the *Television Stations* Licence Fees Act 1964.

Bill read a first time.

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

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

21 MESSAGE FROM THE SENATE—AUSTRALIAN DRIED FRUITS CORPORATION AMENDMENT BILL 1985: The following message from the Senate was reported:

Message No. 47

Madam Acting Speaker,

The Senate returns to the House of Representatives the Bill for "An Act to amend the 'Australian Dried Fruits Corporation Act 1978', and for related purposes", and acquaints the House that the Senate has agreed to the Bill with the Amendment indicated by the annexed Schedule, in which Amendment the Senate requests the concurrence of the House of Representatives.

The Senate

D. McCLELLAND

Canberra, 14 May 1985

President

Ordered—That the amendment be taken into consideration, in committee of the whole House, at the next sitting.

22 MESSAGE FROM THE SENATE: A message from the Senate was reported returning the following Bill without amendment:

15 May 1985—Message No. 48—Housing Loans Insurance Amendment 1985.

23 SALES TAX LAWS AMENDMENT BILL 1985: 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 Howard (Deputy Leader of the Opposition), 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 deplores the totally inadequate time allowed by the Government for scrutiny, consideration and analysis of the most significant changes to our sales tax laws for about 30 years"—

Debate resumed.

Amendment negatived.

Question—That the Bill be now read a second time—put and passed—Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Hurford (Minister Assisting the Treasurer), the Bill was read a third time.

24 SALES TAX ASSESSMENT BILL (NO. 10) 1985: The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—

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

The House resolved itself into a committee of the whole.

In the committee

Bill, by leave, taken as a whole.

On the motion of Mr Hurford (Minister Assisting the Treasurer), the following amendment was made, after debate: Clause 2, page 1, line 7, omit "9 May", insert "10 May".

Bill, as amended, agreed to.

Bill to be reported with an amendment.

The House resumed; Mr Andrew reported accordingly.

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

25 SALES TAX BILL (NO. 10A) 1985: 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 Hurford (Minister Assisting the Treasurer), the Bill was read a third time.

26 SALES TAX BILL (NO. 10B) 1985: 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 Hurford (Minister Assisting the Treasurer), the Bill was read a third time.

27 SALES TAX BILL (NO. 10c) 1985: 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 Hurford (Minister Assisting the Treasurer), the Bill was read a third time.

28 SALES TAX (NO. 5) AMENDMENT BILL 1985: 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 Hurford (Minister Assisting the Treasurer), the Bill was read a third time.

29 TELECOMMUNICATIONS (INTERCEPTION) AMENDMENT BILL (NO. 2) 1985: 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 N. A. Brown 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—

 telephone interception powers can be a valuable aid in the investigation of drug trafficking:

(2) the Commonwealth should extend such powers in relation to drug trafficking to the States, subject to stringent controls being exercised over their use, and

(3) those controls should include a requirement for judicial warrants".

Debate continued.

Amendment negatived.

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.

Proposed new clause-

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

Amendment to section 7BA—Stewart Royal Commission

"5A. Section 7BA of the Principal Act is amended by adding at the end thereof the following sub-section:

'(6) Notwithstanding any other provision of this Act, but subject otherwise to the rules as to admissability of evidence, documents or information falling within sub-section (1) may be admitted in evidence in proceedings for the prosecution of an offence against a law of the Commonwealth, or of a State, or of a Territory.'."

Debate ensued.

Proposed new clause negatived.

Bill agreed to.

Bill to be reported without amendment.

The House resumed; Mr Andrew reported accordingly.

On the motion of Mr Bowen (Attorney-General), the House adopted the report.

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

Debate ensued.

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

30 NATIONAL CRIME AUTHORITY (MISCELLANEOUS AMENDMENTS) BILL 1985: 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

Bill, by leave, taken as a whole.

Proposed new clause-

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

Functions of Authority

"4A. Section 11 of the Principal Act is amended by adding at the end of sub-section (1) the following word and paragraph:

'; and (e) as required, to co-ordinate its activities with the activities of authorities and persons in other countries performing functions similar to the functions of the Authority.'.".

Debate ensued.

Proposed new clause negatived.

Bill agreed to.

Bill to be reported without amendment.

The House resumed; Mr Mountford reported accordingly.

On the motion of Mr Young (Special Minister of State), the House adopted the report, and, by leave, the Bill was read a third time.

31 DIRECTOR OF PUBLIC PROSECUTIONS AMENDMENT BILL 1985: 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

Bill, by leave, taken as a whole.

On the motion of Mr Bowen (Attorney-General), by leave, the following amendments were made together, after debate:

Clause 3, page 3, at the end of the clause add the following sub-clause:

"(3) Where the Director furnishes to the Attorney-General the report required by sub-section (2), the Attorney-General shall cause a copy of the report to be laid before each House of the Parliament within 15 sitting days of that House after the Director so furnishes the report."

Clause 5, page 4, lines 8 and 9, omit ", or of information that might enable a party or witness to be identified,", substitute ", or of particular information,".

Bill, as amended, agreed to.
Bill to be reported with amendments.

The House resumed; Mr Mountford reported accordingly.

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

- 32 POSTPONEMENT OF ORDERS OF THE DAY: Ordered—That orders of the day Nos. 11 to 17, government business, be postponed until a later hour this day.
- 33 COMPANIES AMENDMENT BILL 1985: 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 Bowen (Attorney-General), the Bill was read a third time.

34 COMPANIES (FEES) AMENDMENT BILL 1985: 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 Bowen (Attorney-General), the Bill was read a third time.

35 PETROLEUM (SUBMERGED LANDS) AMENDMENT BILL 1985: 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 Lloyd 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 excessive fuel price increases under the Labor Government are unduly penalising fuel users, especially primary producers".

Debate continued.

Amendment negatived.

Question—That the Bill be now read a second time—put and passed—Bill read a second time.

Messages from the Governor-General: The following messages from His Excellency the Governor-General were announced:

No. 31, dated 7 May 1985, recommending an appropriation of revenue for the purposes of the Bill, and

No. 32, dated 7 May 1985, recommending an appropriation of revenue for the purposes of an amendment to be moved to the Bill by a Minister.

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 Jones (Minister representing the Minister for Resources and Energy), by leave, the following amendments were made together:

Clause 5, page 8, line 17, omit "months", substitute "month's".

Clause 17, page 16, at the end of the clause add the following sub-clause:

"(2) Section 77 of the Principal Act is amended by inserting after paragraph (a) the following paragraph:

'(aa) a permit ceases to be in force in respect of a block in respect of which a lease is granted;'.".

Clause 31, page 31, line 34, omit "any such information", substitute "any information contained in a document to which this section applies that has been

furnished to the Designated Authority or has been made available to the Commonwealth Minister under sub-section (1) or (1A)".

Clause 33, page 34, line 15, omit "and WA2-L", substitute ", WA2-L, WA3-L, WA4-L, WA5-L and WA6-L".

Bill, as amended, agreed to.

Bill to be reported with amendments.

The House resumed; Mr Mountford reported accordingly.

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

36 PETROLEUM (SUBMERGED LANDS) (ROYALTY) AMENDMENT BILL 1985: 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 Jones (Minister representing the Minister for Resources and Energy), the Bill was read a third time.

37 PETROLEUM (SUBMERGED LANDS) (REGISTRATION FEES) AMENDMENT BILL 1985:
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 Jones (Minister representing the Minister for Resources and Energy), the Bill was read a third time.

38 PETROLEUM (SUBMERGED LANDS) (RETENTION LEASE FEES) BILL 1985: 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 Jones (Minister representing the Minister for Resources and Energy), the Bill was read a third time.

39 SUPPLY BILL (NO. 1) 1985-86: 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.

The House continuing to sit until after 12 midnight—

THURSDAY, 16 MAY 1985

Debate continued.

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

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

Question—put and passed.

And then the House, at 1.17 a.m., adjourned until this day at 10 a.m.

PAPERS: The following papers were deemed to have been presented on 15 May 1985:

Defence Act—Determinations—1985—

No. 24—Flying Allowance and other allowances.

No. 25—Salary of Permanent Force Members and other allowances.

Nos. 26, 27—Overseas Living Out Allowance and other allowances.

No. 30—Disturbance Allowance, Insurance and Removal Overseas and Overseas Rental and Utilities allowance.

No. 31—Salary of Permanent Force Members.

Lands Acquisition Act—Land, & c acquired for—
Office accommodation purposes—Adelaide.
Pipeline Authority purposes—South Australia.

Seat of Government (Administration) Act—Variations of plan of lay-out of City of Canberra and its environs, dated 15 May 1985 (2).

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mrs Darling, Mr Dawkins, Mr Hayden, Mr Hodges, Dr Jenkins and Mr Mildren.

D. M. BLAKE
Clerk of the House of Representatives