

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 41

FRIDAY, 13 SEPTEMBER 1985

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 **DEATHS OF FORMER MEMBERS (MR A. A. BUCHANAN AND MR A. A. CHRESBY):** Mr Speaker informed the House of the deaths of:

Mr Alexander Andrew Buchanan, on 10 September 1985, a Member of this House for the Division of McMillan from 1955 to 1972, and

Mr Arthur Albert Chresby, on 25 August 1985, a Member of this House for the Division of Griffith from 1958 to 1961.

As a mark of respect to the memory of the deceased all Members present stood, in silence.

3 **EXPORT MARKET DEVELOPMENT GRANTS 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—

Statement by Minister: Mr Dawkins (Minister for Trade), by leave, made a statement relating to a proposed Government amendment to the Bill.

Debate resumed by Mr Braithwaite 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, this House condemns the Government for—

- (1) its lack of notice to and consultations with exporters in bringing in the legislation and making it effective 6 days after the announcement;
- (2) its failure to recognise the commitment of the original scheme to provide grants on the original basis to 30 June 1987;
- (3) the uncertainty caused by dividing a year into parts and not recognising the normal year ending at 30 June, and
- (4) its lack of understanding in disadvantaging small business from competing for grants”.

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

Clauses 1 to 8, by leave, taken together, and agreed to, after debate.

Clause 9—

On the motion of Mr Dawkins, the following amendment was made, after debate: Pages 7 and 8, omit proposed section 10, substitute the following section:

Determinations in relation to the Republic of South Africa

“10. (1) The Minister may, by determination in writing published in the *Gazette*, declare the Republic of South Africa to have been, with effect from 19 August 1985, a proscribed country and, upon the publication of the determination in the *Gazette*, that country shall be taken to have been and to be, for the purposes of this section, a proscribed country during the period commencing on that day and ending on the day on which that determination is revoked.

‘(2) Where the Minister has made a determination under sub-section (1), the Minister may, at any time while that determination is in force, by another determination in writing published in the *Gazette*, declare that expenditure of a specified kind incurred during the period to which the determination under this sub-section relates, being expenditure that relates, directly or indirectly, to trade with the Republic of South Africa, is not, notwithstanding any other provision of this Act, eligible expenditure for the purposes of this Act, but the Minister shall not make such a determination in respect of expenditure the liability to pay which arose under an agreement or arrangement entered into before the commencement of that period.

‘(3) Where the Minister has made a determination under sub-section (1), the Minister may, at any time while that determination is in force, by another determination in writing published in the *Gazette*, declare that consideration of a specified kind received during the period to which the determination under this sub-section relates, being consideration that relates, directly or indirectly, to trade with the Republic of South Africa, is not, notwithstanding any other provision of this Act, export earnings for the purposes of this Act, but the Minister shall not make such a determination in respect of consideration received under an agreement or arrangement entered into before the commencement of that period.

‘(4) Where the Minister has made a determination under sub-section (1), the Minister may, at any time while that determination is in force, by another determination in writing published in the *Gazette*, provide that expenditure of a specified kind incurred during the period to which the determination under this sub-section relates by persons included in a specified class or classes of persons is not, notwithstanding any other provision of this Act, eligible expenditure for the purposes of this Act, but the Minister shall not make such a determination in respect of expenditure the liability to pay which arose under an agreement or arrangement entered into before the commencement of that period.

‘(5) Where the Minister has made a determination under sub-section (1), the Minister may, at any time while that determination is in force, by another determination in writing published in the *Gazette*, declare that consideration of a specified kind received during the period to which the determination under this sub-section relates by persons included in a specified class or classes of persons is not, notwithstanding any other provision of this Act, export earnings for the purposes of this Act, but the Minister shall not make such a declaration in respect of consideration received under an agreement or arrangement entered into before the commencement of that period.

‘(6) The classes of persons that may be specified in a determination under sub-section (4) or (5) are—

- (a) nationals or citizens of the Republic of South Africa;
- (b) companies having a share capital the majority of the shares in which are beneficially owned by nationals or citizens of that country;
- (c) partnerships a majority of the members of which are nationals or citizens of that country; or

(d) persons, companies or partnerships having some other substantial connection with that country.

'(7) The classes of persons that may be specified by virtue of paragraph (6) (d) are not limited, in any way, by paragraphs (6) (a), (b) and (c).

'(8) The making of a determination under sub-section (2), (3), (4) or (5) shall not be taken to prevent the making of a further determination, or further determinations, under that sub-section while that first-mentioned determination is in force.

'(9) A reference in sub-section (2), (3), (4) or (5) to the period to which the determination under that sub-section relates is a reference to the period commencing on a day that is specified in the determination, being—

(a) in the case of a determination under sub-section (2) or (3)—a day not earlier than the day on which the determination is made; and

(b) in the case of a determination under sub-section (4) or (5)—a day not earlier than 19 August 1985,

and ending on the day on which the determination is revoked or the day on which the determination under sub-section (1) is revoked, whichever first occurs.'".

Clause, as amended, agreed to.

Remainder of Bill, by leave, taken as a whole, and agreed to, after debate.

Bill to be reported with an amendment.

The House resumed; Mrs Child reported accordingly.

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

4 QUESTIONS: Questions without notice were asked.

5 UNITED NATIONS—COMMISSION ON HUMAN RIGHTS—REPORT OF AUSTRALIAN DELEGATION—MOTION TO TAKE NOTE OF PAPER: Mr Hayden (Minister for Foreign Affairs) presented the following paper:

United Nations—Commission on Human Rights—41st Session, Geneva, 4 February to 15 March 1985—Report of Australian delegation.

Mr Young (Leader of the House) moved—That the House take note of the paper. Debate adjourned (Mr N. A. Brown—Deputy Leader of the Opposition), and the resumption of the debate made an order of the day for the next sitting.

6 AGREEMENT BETWEEN THE COMMONWEALTH AND SEANORTH PTY LTD—PAPER AND MINISTERIAL STATEMENT: Mr Kerin (Minister for Primary Industry) presented the following paper:

Fisheries Act—Copy of agreement between the Commonwealth and Seanorth Pty Ltd, dated 23 May 1985—

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

Mr Braithwaite, by leave, also made a statement in connection with the matter.

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

Mr Blunt, Mr Chynoweth, Mr Dobie, Mr Hurford, Mr A. A. Morris and Mr Webster—from certain citizens praying that 1989 be proposed as the International Year for Repairing the Earth and certain other action be taken in support of world peace.

Mr Cadman, Mr Chynoweth, Mr Ruddock and Mr Webster—from certain citizens in similar terms.

Mr Duncan, Mr Hurford, Mr Porter and Mr Wilson—from certain residents of South Australia praying that the principle that pensioner patients pay no more than their pension for nursing home care be restored and that certain other action be taken in relation to nursing home benefits.

- Mr Beazley, Mr Blunt and Mr A. A. Morris—from certain citizens praying that all federal funding to children's services be restored.
- Mr Cadman, Mr E. C. Cameron and Mr Fife—from certain citizens praying that the rights of private enterprise be protected and any inequitable additional taxes be rejected.
- Mr Slipper—from certain residents of the Division of Fisher in the same terms as the last preceding petition.
- Mr Dobie, Mr Fife and Mr Ruddock—from certain citizens praying that there be no taxation on illness and no special taxation on those who seek to insure themselves against the cost of private health care.
- Mr Blunt and Mr Rocher—from certain citizens praying that the existing national flag remain sacrosanct.
- Mr Slipper—from certain residents of the Division of Fisher in the same terms as the last preceding petition.
- Mr Hall and Mr Porter—from certain citizens praying that the concessional price of fuel in rural areas be restored.
- Mr Rocher and Mr Tuckey—from certain citizens praying that the Flags Amendment Bill receive a speedy passage.
- Mr Beale—from certain citizens praying that the national flag not be changed except by a referendum.
- Mr Fife and Mr Ruddock—from certain citizens in similar terms to the last preceding petition.
- Mr Blunt—from certain citizens praying that the laws which banned the entry and sale of hard-core and violent pornography be re-enacted.
- Mr Blunt—from certain citizens praying that the ordinance superseding the ACT Objectionable Publications Ordinance be disallowed and certain other action be taken in relation to censorship matters.
- Mr Blunt—from certain citizens praying that those laws which automatically increase the excise on beer, following an increase in the CPI, be repealed.
- Mr Blunt—from certain citizens praying that all changes to benefits for veterans and conditions of service for military personnel announced in the May Economic Statement be withdrawn.
- Mr Blunt—from certain citizens praying that the assets test legislation be repealed and that certain other action be taken in relation to retirement incomes policy.
- Mr Cadman—from certain citizens praying that legislation be enacted to allow full compensation to all Australians where the Government requires the use of private property.
- Mr E. C. Cameron—from certain citizens praying that no change be made to the funding of local government without the consent of representatives of local government.
- Mr E. C. Cameron—from certain citizens praying that a service tax not be imposed.
- Mr E. C. Cameron—from certain residents of the Division of Farrer praying that young Australians who have undertaken employment while at school be eligible for Tertiary Education Assistance allowances.
- Mr E. C. Cameron—from certain residents of the Division of Indi praying that provision of the Channel 0/28 multicultural television service to Albury-Wodonga and surrounding districts be implemented immediately.
- Mr Conquest—from certain citizens praying that urgent financial assistance be provided to canegrowers.
- Mr Duncan—from certain citizens praying that the elimination of grants to pre-school education be opposed.
- Mr Duncan—from certain citizens praying that proposals for cuts in children's services be reversed.
- Mr Duncan—from certain citizens praying that cuts to pre-school funding be reversed.

Mr Everingham—from certain citizens praying that urgent talks be commenced at international level to formulate a new international sugar agreement and that certain other action be taken to assist the sugar industry.

Mr Everingham—from certain citizens praying that the building of the Alice Springs to Darwin railway be reconsidered urgently and that contingency plans specifically relevant to the Northern Territory's isolation during times of disruption of national passenger services be implemented.

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

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

Mr Halverson—from certain citizens praying that the Government not introduce a 12.5% consumption tax.

Mr Kent—from certain citizens praying that the decision to close the Enterprise Migrant Hostel, Vic., be reversed.

Mr Kent—from certain citizens praying that the Government support the stand taken by the New Zealand Government on nuclear vessels and that the policy of developing zones of peace and nuclear free zones in the Indian and Pacific Oceans be implemented.

Mr McGauran—from certain citizens praying that no form of broadly based indirect or consumption tax be levied but that gift and death duties and certain other taxes be imposed.

Mr McGauran—from certain citizens praying that sufficient funds be allocated to the Australia Council to ensure ongoing funding of State arts councils.

Mr McGauran—from certain citizens praying that the Articles of the UN Convention on Women be upheld and the Victorian Government be requested to repeal the *Planning (Brothels) Act 1984*.

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 right to work be acknowledged and protected and that certain other action be taken to protect workers.

Mr Rocher—from certain citizens praying that sales tax be replaced by a broad based consumption tax with a uniform ad valorem rate.

Mr Slipper—from certain residents of the Division of Fisher praying that the tax proposals outlined in the Government's White Paper be rejected.

Mr Slipper—from certain residents of the Division of Fisher praying that the assets test be reconsidered.

Mr Smith—from certain citizens praying that Swan Island lighthouse continue to be a manned station.

Mr Webster—from certain citizens praying that the previous legislation relating to the entitlements of war veterans and their dependants be restored.

Petitions received.

- 8 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—MEDICAL FRAUD AND OVERSERVICING:** The Deputy Speaker informed the House that Mr Porter had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The Government's promotion of fraud and overservicing through its policy of universal bulkbilling".

The proposed discussion having received the necessary support—

Mr Porter addressed the House.

Discussion ensued.

Discussion concluded.

- 9 **TERMINAL AREA DEVELOPMENT—TOWNSVILLE AIRPORT—APPROVAL OF WORK:** Mr West (Minister for Housing and Construction), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on

which the committee has duly reported to Parliament: Development of terminal area, Townsville Airport.

Adjournment negatived: It being 3.45 p.m.—The question was proposed—That the House do now adjourn.

Mr Holding (Minister for Aboriginal Affairs) requiring the question to be put forthwith without debate—

Question—put and negatived.

Debate ensued.

Question—put and passed.

- 10 **TELEPHONE EXCHANGE BUILDING, KENT STREET, SYDNEY—APPROVAL OF WORK:** Mr West (Minister for Housing and Construction), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Construction of a new telephone exchange building for Telecom Australia, Kent Street, Sydney.

Debate ensued.

Question—put and passed.

- 11 **PUBLIC WORKS COMMITTEE—REFERENCE OF WORK—CONSTRUCTION OF MELBOURNE MAIL CENTRE:** Mr West (Minister for Housing and Construction), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Construction of Melbourne Mail Centre, Spencer and La Trobe Streets, Melbourne.

Mr West presented plans in connection with the proposed work.

Debate ensued.

Question—put and passed.

- 12 **DISCHARGE OF TARIFF PROPOSALS:** Mr Jones (Minister Assisting the Minister for Industry, Technology and Commerce), by leave, moved—That Customs Tariff Proposals Nos. 1 to 4 (1985), constituting part of order of the day No. 84, government business, be discharged.

Question—put and passed.

- 13 **ADJOURNMENT:** Mr Jones (Minister for Science) moved—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 4.30 p.m.—Mr Speaker adjourned the House until Monday next at 2 p.m.

PAPERS: The following papers were deemed to have been presented on 13 September 1985:

Companies Act—Regulation—Statutory Rules 1985, No. 228.

Defence Act—Determination—1985—No. 57—Overseas Living Out Allowance and other allowances.

Federal Court of Australia Act—Rules of Court—Statutory Rules 1985, No. 227.

Public Service Act—Determinations—1985—Nos. 69, 72, 73.

Quarantine Act—Determination fixing fees pursuant to section 86E, dated 31 August 1985.

Radiocommunications (Transmitter Licence Tax) Act—Regulations—Statutory Rules 1985, No. 225.

Seat of Government (Administration) Act—Ordinances—1985—

No. 42—Betting (Totalizator Agency) (Amendment).

No. 43—Bookmakers.

No. 44—Crimes (Amendment) (No. 4).

No. 45—Litter (Amendment).

Superannuation Act—Regulations—Statutory Rules 1985, No. 226.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Bowen, Mr Connolly, Mr R. F. Edwards, Mr Everingham, Mr Goodluck, Mr Humphreys, Mr Jull, Mr Moore, Mr Staples, Mr White and Mr Wilson.

A. R. BROWNING
Clerk of the House of Representatives