

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

## HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 57

FRIDAY, 15 NOVEMBER 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 **PETROLEUM (SUBMERGED LANDS) (CASH-BIDDING) AMENDMENT BILL 1985:** The order of the day having been read for the second reading—Mr Jones (Minister representing the Minister for Industry, Technology and Commerce) 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.

3 **ELECTORAL REFORM—JOINT SELECT COMMITTEE—AMENDMENT OF RESOLUTION OF APPOINTMENT—SENATE'S RESOLUTION:** The order of the day having been read for the consideration of Message No. 162 from the Senate transmitting a resolution agreed to by the Senate relating to the resolution of appointment of the Joint Select Committee on Electoral Reform—

Mr Young (Leader of the House) moved—

(1) That the House concurs in the resolution transmitted in Message No. 162 of the Senate relating to the resolution of appointment of the Joint Select Committee on Electoral Reform, and

(2) That a message be sent to the Senate acquainting it of this resolution.

Debate ensued.

Question—put and passed.

4 **AUSTRALIAN TRADE COMMISSION BILL 1985 [NO. 2]:** 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.

Mr Slipper rising to address the House—

*Closure:* Mr Dawkins (Minister for Trade) moved—That the question be now put.

Question—That the question be now put—put and passed.

And the question—That the Bill be now read a second time—being accordingly put—

The House divided (the Deputy Speaker, Mrs Darling, in the Chair)—

## AYES, 68

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

## NOES, 52

Mr Adermann	Mr Downer	Mr Jull	Mr Robinson
Mr Beale	Mr Drummond	Mr Lloyd	Mr Rocher
Mr Blunt	Dr H. R. Edwards	Mr McArthur	Mr Ruddock
Mr Braithwaite	Mr Fife	Mr McGauran	Mr Shack
Mr N. A. Brown	Mr T. A. Fischer	Mr MacKellar	Mr Shtiopon
Mr Burr	Mr Goodluck	Mr McVeigh	Mr Sinclair
Mr Cadman	Mr Hall	Mr Macphee	Mr Slipper
Mr E. C. Cameron*	Mr Halverson	Mr Miles	Mr Smith
Mr Cobb	Mr Hawker	Mr Millar	Mr Spender
Mr Connolly	Mr Hicks*	Mr Moore	Mrs Sullivan
Mr Conquest	Mr Hodges	Mr Peacock	Dr Watson
Mr Cowan	Mr Hodgman	Mr Porter	Mr Webster
Mr Dobie	Mr Hunt	Mr Reith	Mr White

\* Tellers

And so it was resolved in the affirmative—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.

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

Clause 3, page 2, lines 3 and 4, omit "an acting Managing Director of the Commission appointed", substitute "a person acting as Managing Director of the Commission".

Clause 33, page 18, line 40, after "rendering in" insert "Australia or".

Clause 56—

Page 29, line 26, omit "(1) or".

Page 29, lines 29-33, omit sub-clause (4), substitute the following sub-clause:

"(4) The Minister may—

(a) determine the terms and conditions, including remuneration and allowances, if any, on which a person is to act under this section; and

(b) terminate an appointment under this section at any time."

Page 29, lines 34 and 35, omit "as Managing Director in accordance with paragraph (1) (b) or".

Page 30, line 1, omit "to act as Managing Director or".

Page 30, lines 10-15, omit sub-clause (9), substitute the following sub-clause:

"(9) The validity of anything done by, or in relation to, a person purporting to act under sub-section (1) or (2) shall not be called in question on the ground that—

(a) in the case of a person purporting to act under sub-section (1)—the occasion for the person to act had not arisen or had ceased; or

- (b) in the case of a person purporting to act under sub-section (2)—the occasion for the appointment of the person had not arisen, there was a defect or irregularity in or in connection with the appointment of the person, the appointment had ceased to have effect or the occasion for the person to act had not arisen or had ceased.”.

Clause 91, page 45, line 8, omit “other person”, substitute “person employed by the Commission under section 60”.

Mr Connolly addressing the committee—

It being 12.45 p.m., in accordance with sessional order 101A—Progress to be reported.

The House resumed; Mrs Child reported accordingly.

Ordered—That the House will, at a later hour this day, again resolve itself into the said committee.

5 **QUESTIONS:** Questions without notice being asked—

*Paper:* Mr Hawke (Prime Minister) presented the following paper:

Arbitration Commission and “opting out”—Notes.

Questions without notice continued.

6 **PAPER:** The following paper was presented:

Australian Federal Police Act—Australian Federal Police—Report for 1984-85.

7 **EXPENDITURE—STANDING COMMITTEE—REPORT ON TELECOM'S ZONAL CHARGING POLICIES—RESPONSE—PAPER AND MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPERS:** Mr Duffy (Minister for Communications), by leave, made a ministerial statement relating to the report of the Standing Committee on Expenditure on zonal charging policies, and presented the following papers:

Expenditure—Standing Committee—Report on Telecom's zonal charging policies—Response by Australian Telecommunications Commission—

Ministerial statement, 15 November 1985.

Report, dated October 1985.

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

Debate ensued.

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

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

Mr Beale, Mr E. C. Cameron, Mr Hawker and Mr Shipton—from certain citizens praying that the national flag not be changed except by a referendum.

Mr Ruddock—from certain citizens in similar terms.

Mr E. C. Cameron, Mr Halverson and Mr Hawke—from certain citizens praying that the Government uphold the Articles of the UN Convention on Women and request the Victorian Government to repeal the *Planning (Brothels) Act 1984*.

Mr Kent, Mr Scott and Mr Staples—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 Beale and Mr I. M. D. Cameron—from certain citizens praying that any proposal to increase the burden of capital gains and wealth taxes be rejected.

- Mr Beddall 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 Slipper—from certain residents of the Divisions of Richmond and Fisher, respectively, praying that the capital gains tax proposal be abandoned.
- Mr Cadman and Mr E. C. Cameron—from certain citizens praying that the rights of private enterprise be protected and any inequitable additional taxes be rejected.
- Mr Cadman and Mr Maher—from certain citizens praying that all federal funding to children's services be restored.
- Mr Drummond and Mr Rocher—from certain citizens praying that the Flags Amendment Bill receive a speedy passage.
- Mr Rocher and Mr Ruddock—from certain citizens praying that the right to work be acknowledged and protected and that certain other action be taken to protect workers.
- Mr Slipper—from certain residents of the Division of Fisher in similar terms to the last preceding petition.
- Mr Staples and Mr Tickner—from certain citizens praying that efforts for nuclear disarmament be intensified, US military bases on Australian soil be removed and the Pacific and Indian Oceans be kept nuclear free.
- 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 residents of the Division of Richmond praying that means be sought for the protection of the people's interests to prevent Ayers Rock being handed over to an Aboriginal Land Council.
- Mr R. J. Brown—from certain citizens praying that the export of koalas be discontinued, their habitats be revegetated and funding be made available for research into koala diseases.
- Mr Burr—from certain citizens praying that the problems which identification cards are intended to reduce be attacked by other methods.
- Mr E. C. Cameron—from certain citizens praying that the Tertiary Education Assistance allowance be raised to the level of the unemployment benefit.
- Mr I. M. D. Cameron—from certain citizens praying that sufficient funds be allocated to the Australia Council to ensure ongoing funding of State arts councils.
- Mr Drummond—from certain citizens praying that the decision to cut the funding of the Technical and Further Education Participation and Equity Program be reversed and that the Program be guaranteed funding for 1987 and beyond.
- Mr Halverson—from certain citizens praying that immediate action be taken to adjust pensions fully to reflect the total increase in the Consumer Price Index and that certain other action be taken in relation to pensions.
- Mr Hawker—from certain citizens praying that the assets test on pensions be repealed.
- Mrs Kelly—from certain citizens praying that staffing cuts in ACT government schools and TAFE colleges not be implemented.
- Mr Kent—from certain citizens praying that the decision to close the Enterprise Migrant Hostel, Vic., be reversed.
- 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 Ruddock—from certain citizens praying that a Joint Parliamentary Select Committee be appointed to examine the availability and effects of pornographic and violent video tapes and discs.

Mr Shipton—from certain citizens praying that immediate steps be taken to rectify mail delays.

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

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 Smith—from certain citizens praying that the Flags Amendment Bill 1984 be presented to the House of Representatives at the earliest possible time.

Mr Smith—from certain citizens praying that the Mount St Canice Migrant Centre, Tas., be retained.

Mr Smith—from certain citizens praying that the Government not proceed with the taxation measures announced on 19 September 1985 affecting the tax deductibility status of entertainment expenses.

Mr Smith—from certain ex-service persons of the Division of Bass praying that certain parts of the Veterans' Entitlements Bill 1985 be repealed and that a summit meeting be held with ex-service organisations.

Mr Staples—from certain citizens praying that compulsory identity cards not be introduced.

Mr Staples—from certain citizens praying that there be no increase in State aid to private schools and that the primary obligation to government schools be reaffirmed.

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

Mr Blanchard—from Bernard Dominic Brassil, solicitor, of Aboriginal Legal Service Ltd, Chippendale, NSW, praying that the House grant leave—

- (1) to the petitioner to take possession of (a) the photographs, letters and plans tendered by Aboriginal Legal Service Ltd and (b) the documents tendered or presented by Mr G. F. Burke, to the Standing Committee on Aboriginal Affairs;
- (2) to all persons seeking compensation for their injuries and damages arising from their employment in and/or residence near the asbestos mine at Baryulgil, NSW, to refer to the committee's report entitled "The Effects of Asbestos Mining on the Baryulgil Community" in certain court proceedings, and
- (3) to an appropriate officer or officers of the House to attend in court to produce the official report of the committee and to give evidence in relation to the conduct of the inquiry which led to the report.

Petitions received.

#### 9 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—STATE OF THE ECONOMY:

The House was informed that Mr Howard (Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The deteriorating state of the economy due to the Government's high interest rate policies".

The proposed discussion having received the necessary support—

Mr Howard addressed the House.

Mr Hurford (Minister Assisting the Treasurer) addressing the House—

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

Mr Hurford requiring the question to be put forthwith without debate—

Question—put and negatived.

Mr Hurford continued his speech.  
Discussion concluded.

- 10 **TAXATION LAWS AMENDMENT BILL (NO. 4) 1985:** Mr Hurford (Minister Assisting the Treasurer) presented a Bill for an Act to amend the law relating to income tax.

Bill read a first time.

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

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

- 11 **INCOME TAX (COMPANIES, CORPORATE UNIT TRUSTS AND SUPERANNUATION FUNDS) AMENDMENT BILL 1985:** Mr Hurford (Minister Assisting the Treasurer) presented a Bill for an Act to amend the *Income Tax (Companies, Corporate Unit Trusts and Superannuation Funds) Act 1985*, and for related purposes.

Bill read a first time.

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

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

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

241st Report—Reports of the Auditor-General—1983-84 and September 1984—and, by leave, made a statement in connection with the report.

- 13 **ADJOURNMENT:** Mr Hurford (Minister for Immigration and Ethnic Affairs) 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.

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**PAPER:** The following paper was deemed to have been presented on 15 November 1985:

Public Service Act—Parliamentary Presiding Officers' Determination—1985—No. 5.

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**MEMBERS PRESENT:** All Members were present (at some time during the sitting) except Mr Aldred\*, Mr Andrew, Mr Bilney, Dr Blewett, Mr I. M. D. Cameron, Dr Charlesworth, Mr Cohen, Mr Coleman, Mr R. F. Edwards, Mr Humphreys\*, Mr Katter, Mr Kerin, Mr Nehl, Mr Price, Mr Sharp, Mr Tuckey and Mr Wilson.

\*On leave

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**A. R. BROWNING**  
Clerk of the House of Representatives