

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 175

TUESDAY, 12 MAY 1987

- 1 The House met, at 2 p.m., pursuant to adjournment. Madam Speaker (the Honourable Joan Child) took the Chair, and read Prayers.
- 2 **BROADCASTING OF PROCEEDINGS—STATEMENT BY MADAM SPEAKER:** Madam Speaker informed the House of the decision by the Joint Committee on the Broadcasting of Parliamentary Proceedings to transfer the broadcast of proceedings from the Senate to the House of Representatives on Wednesday, 13 May 1987, in order to permit the live radio broadcast of both the Treasurer's May economic statement and the Leader of the Opposition's reply. Madam Speaker stated that, to maintain the balance of the broadcast allocation, today's broadcast of proceedings would be transferred from the House to the Senate.
- 3 **QUESTIONS:** Questions without notice were asked.
- 4 **AUSTRALIAN CONCILIATION AND ARBITRATION COMMISSION—REPORT—MOTION TO TAKE NOTE OF PAPER:** Mr Willis (Minister for Employment and Industrial Relations) presented the following paper:
Conciliation and Arbitration Act—President of the Australian Conciliation and Arbitration Commission—30th Report, for year ended 13 August 1986.
Mr Young (Leader of the House) moved—That the House take note of the paper. Debate adjourned (Mr Spender), and the resumption of the debate made an order of the day for the next sitting.
- 5 **ARBITRATION INSPECTORATE—REPORT—MOTION TO TAKE NOTE OF PAPER:** Mr Willis (Minister for Employment and Industrial Relations) presented the following paper:
Conciliation and Arbitration Act—Arbitration Inspectorate—Report for 1985-86.
Mr Young (Leader of the House) moved—That the House take note of the paper. Debate adjourned (Mr Spender), and the resumption of the debate made an order of the day for the next sitting.
- 6 **AUTOMOTIVE INDUSTRY—REPORT—MOTION TO TAKE NOTE OF PAPER:** Mr Jones (Minister representing the Minister for Industry, Technology and Commerce) presented the following paper:
Automotive Industry Authority Act—Automotive Industry Authority—Report on the state of the automotive industry for 1986.
Mr Young (Leader of the House) moved—That the House take note of the paper. Debate adjourned (Mr Spender), and the resumption of the debate made an order of the day for the next sitting.
- 7 **PETITIONS:** The Clerk announced that the following Members had each lodged petitions for presentation, viz.:
Mr Aldred, Mr Hawker, Mr Moore, Mr Reith, Mr Uren and Mr White—
from certain citizens praying that the pension discounting effect of the

- Superannuation and Other Benefits Legislation Amendment Act be limited to restore the base level for pension adjustment and certain other action be taken in relation to the Commonwealth Occupational Superannuation Schemes.
- Mr Conquest, Mr Cross, Mrs Darling, Mr Martin, Mr Millar and Mr White—from certain citizens praying that pension adjustments related to November and May CPI increases not be deferred but paid immediately.
- Mr Aldred, Mr Kent, Mr Milton, Mr Scott and Mr Staples—from certain citizens praying that importation of cobalt 60 and other radioactive substances be banned and regulations permitting irradiation of food in Australia be disallowed.
- Mr Fife, Mr Nehl and Mr Ruddock—from certain citizens praying that the Department of Veterans' Affairs remain a separate department.
- Mr Aldred and Mr Reith—from certain citizens praying that the Flags Amendment Bill receive a speedy passage.
- Dr H. R. Edwards and Mr Wilson—from certain citizens praying that deletion of the 45 commonly prescribed drugs from the Pharmaceutical Benefits Scheme be reconsidered.
- Mr Kent 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 Blunt—from certain residents of the Division of Richmond praying that prescription drugs continue to be provided to pensioners without fee.
- Mr Blunt—from certain residents of the Division of Richmond praying that Veterans' Affairs pharmaceutical benefits be restored to war widows.
- Mr D. M. Cameron—from certain citizens praying that the proposed introduction of a \$2 coin not proceed.
- Mr Fife—from certain citizens praying that any act which would desecrate the Australian War Memorial be prevented.
- Mr Hawker—from certain citizens praying that the closure of post office agencies be prevented and their services be extended.
- Mr Hawker—from certain citizens praying that the assets test on pensions be repealed.
- Mr Hawker—from certain residents of Mortlake, Vic., praying that monies allocated to the Victorian Government for road funding be increased to allow adequate funding for the construction and maintenance of roads in south-west Victoria.
- Mr Hodges—from certain citizens praying that veterans, war widows and their dependants be excluded from further cuts to their entitlements in the May economic statement.
- Mr Hodges—from certain citizens praying that pensions be increased to 25% of average weekly earnings and the 2% reduction in superannuation be reconsidered.
- Mr Kent—from certain citizens praying that any proposal for a national identification numbering system be rejected.
- Mr Kent—from certain citizens praying that the US Government be urged to join the Soviet Union's nuclear test ban.
- Mr Nehl—from certain citizens praying that funding be provided to improve the Pacific Highway between Port Macquarie and Woolgoolga, NSW.
- Mr Reith—from certain citizens praying that the Telecom service to The Gardies, Vic., be updated.
- Mr Staples—from certain citizens praying that Australia use its influence to establish a nuclear test moratorium and comprehensive nuclear test ban treaty.
- Mr Staples—from certain citizens praying that the "Star Wars" plans be condemned and Australia not be associated with these plans.

Mr Staples—from certain residents of the Division of Jagajaga praying that tertiary education remain free to all students.
Petitions received.

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

11 May 1987—Message—

No. 425—Jurisdiction of Courts (Miscellaneous Amendments) 1987.

No. 426—Jurisdiction of Courts (Cross-vesting) 1987.

9 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—FAMILIES: The

House was informed that Mr Jull had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The failure of the Hawke Government to address the real concerns of families in Australia".

The proposed discussion having received the necessary support—

Mr Jull rising to address the House—

Mr Young (Leader of the House) moved—That the business of the day be called on.

Question—put.

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

AYES, 77

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

NOES, 60

| | | | |
|----------------------|------------------|--------------|--------------|
| Mr Adermann | Mr Conquest | Mr Howard | Mr Reith |
| Mr Aldred | Mr Cowan | Mr Hunt | Mr Robinson |
| Mr Andrew* | Mr Dobie | Mr Jull | Mr Rocher |
| Mr Beale | Mr Downer | Mr Katter | Mr Ruddock |
| Mr Blunt | Mr Drummond | Mr Lloyd | Mr Sharp |
| Mr Braithwaite | Dr H. R. Edwards | Mr McArthur | Mr Shipton |
| Mr Burr | Mr Everingham | Mr McGauran | Mr Sinclair |
| Mr Cadman | Mr T. A. Fischer | Mr MacKellar | Mr Slipper |
| Mr D. M. Cameron | Mr P. S. Fisher | Mr McVeigh | Mr Smith |
| Mr E. C. Cameron | Mr Goodluck | Mr Macphee | Mr Spender |
| Mr I. M. D. Cameron* | Mr Hall | Mr Miles | Mrs Sullivan |
| Mr Carlton | Mr Halverson | Mr Millar | Mr Tuckey |
| Mr Cobb | Mr Hawker | Mr Nehl | Dr Watson |
| Mr Coleman | Mr Hodges | Mr Peacock | Mr White |
| Mr Connolly | Mr Hodgman | Mr Porter | Mr Wilson |

* Tellers

And so it was resolved in the affirmative.

10 CASUAL SENATE VACANCY—TASMANIA: Mr Hawke (Prime Minister), pursuant to notice, moved—That this House—

- (1) noting the—
 - (a) failure of the Joint Sitting of the Tasmanian Parliament on 8 May 1987 to choose the duly nominated ALP candidate, Mr John Devereux, to fill the casual vacancy consequent on the resignation of Dr Don Grimes;
 - (b) resolution of the Senate of 19 March 1987 endorsing the constitutional convention, established in 13 successive instances since the 1977 Referendum, that “a person chosen to fill the vacant place in accordance with s. 15 of the Constitution should be the member of the political party duly nominated by that party to fill that place”, and
 - (c) statement by the Leader of the Opposition, the Hon. John Howard, on 8 May 1987 that “I believe that the person appointed to fill casual vacancies of this kind ought to be the person nominated by the retiring Senator’s political party”, and the statements in support of the established convention made by the leaders of all other parties in the Commonwealth Parliament;
- (2) calls on the Presiding Officers of the Tasmanian Parliament to immediately take such action as is necessary to reconvene the Joint Sitting of the Houses of the Tasmanian Parliament to fill the vacancy in order that representation of the people of Tasmania in this place be in accordance with their constitutional entitlements, and
- (3) calls on the members of the Tasmanian House of Assembly and Legislative Council, including members of the Gray Government, who have to date acted contrary to the established convention, to vote at such a Joint Sitting to accept the nominated ALP candidate, Mr John Devereux.

Mr Howard (Leader of the Opposition) moved, as an amendment—That the following words be added to the motion: “and (4) calls on the federal Government to maintain and preserve the traditional and constitutional division of powers between the federal Government and the State Governments and in particular calls on the federal Government not to use the external affairs power for the purposes of intervening in the affairs of the States.”.

Debate continued.

Closure: Mr Young (Leader of the House) moved—That the question be now put.

Question—That the question be now put—put.

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

AYES, 76

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

NOES, 58

| | | | |
|----------------------|------------------|--------------|--------------|
| Mr Adermann | Mr Conquest | Mr Jull | Mr Rocher |
| Mr Aldred | Mr Cowan | Mr Katter | Mr Ruddock |
| Mr Andrew* | Mr Dobie | Mr Lloyd | Mr Sharp |
| Mr Beale | Mr Downer | Mr McArthur | Mr Shipton |
| Mr Blunt | Mr Drummond | Mr MacKellar | Mr Sinclair |
| Mr Braithwaite | Dr H. R. Edwards | Mr McVeigh | Mr Slipper |
| Mr Burr | Mr T. A. Fischer | Mr Macphee | Mr Smith |
| Mr Cadman | Mr P. S. Fisher | Mr Miles | Mr Spender |
| Mr D. M. Cameron | Mr Goodluck | Mr Millar | Mrs Sullivan |
| Mr E. C. Cameron | Mr Hall | Mr Moore | Mr Tuckey |
| Mr I. M. D. Cameron* | Mr Halverson | Mr Nehl | Dr Watson |
| Mr Carlton | Mr Hawker | Mr Peacock | Mr White |
| Mr Cobb | Mr Hodges | Mr Porter | Mr Wilson |
| Mr Coleman | Mr Hodgman | Mr Reith | |
| Mr Connolly | Mr Hunt | Mr Robinson | |

* Tellers

And so it was resolved in the affirmative.

And the question—That the words proposed to be added be so added—being accordingly put—

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

AYES, 60

| | | | |
|----------------------|------------------|--------------|--------------|
| Mr Adermann | Mr Conquest | Mr Howard | Mr Reith |
| Mr Aldred | Mr Cowan | Mr Hunt | Mr Robinson |
| Mr Andrew* | Mr Dobie | Mr Jull | Mr Rocher |
| Mr Beale | Mr Downer | Mr Katter | Mr Ruddock |
| Mr Blunt | Mr Drummond | Mr Lloyd | Mr Sharp |
| Mr Braithwaite | Dr H. R. Edwards | Mr McArthur | Mr Shipton |
| Mr Burr | Mr Everingham | 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 Smith |
| Mr E. C. Cameron | Mr Goodluck | Mr Miles | Mr Spender |
| Mr I. M. D. Cameron* | Mr Hall | Mr Millar | Mrs Sullivan |
| Mr Carlton | Mr Halverson | Mr Moore | Mr Tuckey |
| Mr Cobb | Mr Hawker | Mr Nehl | Dr Watson |
| Mr Coleman | Mr Hodges | Mr Peacock | Mr White |
| Mr Connolly | Mr Hodgman | Mr Porter | Mr Wilson |

NOES, 77

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

* Tellers

And so it was negated.

Question—That the motion be agreed to—put and passed.

- 11 ECONOMIC STATEMENT AND REPLY—TELEVISION COVERAGE: Mr Young (Leader of the House), pursuant to notice, moved—That this House authorises—
- (1) the Australian Broadcasting Corporation to film all or part of the ministerial

statement concerning economic measures to be made by the Treasurer on 13 May 1987, and all or part of the reply to that statement by the Leader of the Opposition;

- (2) the direct, live telecast of all or part of that film and the accompanying sound of the proceedings by any television station provided that a station telecasts both speeches live and gives approximately equal time to both speeches, and
- (3) the use by any television station of any part of the filmed proceedings and accompanying sound in subsequent news, current affairs and documentary programs.

Question—put and passed.

12 COMMITTEE OF PRIVILEGES—REPORT—STATEMENTS BY MEMBERS: Mr Gear (Chairman) presented the following report from the Committee of Privileges:

Report relating to the matter of printed references to the proceedings and prospective recommendations of the Joint Select Committee on Telecommunications Interception in *The Sun News-Pictorial* and *The Courier-Mail* of 17 November 1986, and similar references in other newspapers—

Report, dated 30 April 1987, incorporating 4 dissenting reports, and the minutes of proceedings.

Correspondence relating to the inquiry.

Evidence received by the Committee.

Ordered—That the report be printed.

Mr Gear, Mr Tickner, Mr Millar, Mr Cleland, Mr Campbell and Mr Martin, by leave, made statements in connection with the report.

Ordered—That the consideration of the report be made an order of the day for Tuesday, 2 June 1987.

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

273rd Report—Response, including Finance Minute, to 240th Report—Report of the Auditor-General—March 1984.

Ordered to be printed.

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

14 BROADCASTING (OWNERSHIP AND CONTROL) BILL 1987: 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 Beale who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “the Bill be withdrawn and redrafted to provide for—

- (1) the calling of applications for—
 - (a) at least one additional commercial television licence for each of Sydney and Melbourne, and
 - (b) at least one additional commercial television licence for each of Brisbane, Adelaide, Perth and Tasmania, and
- (2) the issue of licences following applications—
 - (a) in the case of Sydney and Melbourne by 1 July 1989, and
 - (b) in the case of Brisbane, Adelaide and Perth and Tasmania by 1 July 1992”.

Debate continued.

Adjournment negated: It being approximately 10.15 p.m.—The question was proposed—That the House do now adjourn.

Mr Duffy (Minister for Communications) requiring the question to be put forthwith without debate—

Question—put and negated.

Amendment negatived.

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

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

AYES, 76

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

NOES, 53

| | | | |
|----------------------|------------------|--------------|--------------|
| Mr Adermann | Mr Conquest | Mr Lloyd | Mr Sharp |
| Mr Aldred | Mr Cowan | Mr McArthur | Mr Shipton |
| Mr Andrew* | Mr Dobie | Mr McGauran | Mr Sinclair |
| Mr Beale | Mr Downer | Mr MacKellar | Mr Slipper |
| Mr Blunt | Dr H. R. Edwards | Mr McVeigh | Mr Smith |
| Mr Braithwaite | Mr Everingham | Mr Macphee | Mr Spender |
| Mr Burr | Mr T. A. Fischer | Mr Miles | Mrs Sullivan |
| Mr Cadman | Mr P. S. Fisher | Mr Moore | Mr Tuckey |
| Mr D. M. Cameron | Mr Goodluck | Mr Nehl | Dr Watson |
| Mr E. C. Cameron | Mr Hall | Mr Peacock | Mr White |
| Mr I. M. D. Cameron* | Mr Halverson | Mr Porter | Mr Wilson |
| Mr Cobb | Mr Hawker | Mr Reith | |
| Mr Coleman | Mr Hodges | Mr Rocher | |
| Mr Connolly | Mr Jull | Mr Ruddock | |

* 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

Clauses 1 to 15, by leave, taken together, and debated.

Paper: Mr Duffy presented an addendum to the explanatory memorandum to the Bill—Notes on clauses 22 and 27.

Closure: Mr Duffy moved—That the question be now put.

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

And the question—That the clauses be agreed to—was put accordingly, and passed.

Clause 16—

Mr Sharp moved the following amendment: Page 5, lines 11-19, omit paragraph (b).

Amendment negatived.

Clause agreed to.

Clause 17 agreed to.

Clause 18—

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

Page 5, lines 29-32, omit paragraph (a).

Pages 5 and 6, omit paragraphs (c), (d) and (e).

Pages 6 and 7, omit paragraphs (g), (h) and (j).

Debate continued.

Amendments negatived.

Clause agreed to.

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

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

Clause 19—

Pages 7 to 9, omit proposed sections 91AAA, 91AAB and 91AAC.

Page 10, lines 20-40, omit proposed section 91AAE.

Clause 22, page 11, line 16, omit "75%", substitute "43%".

Clause 24, page 12, line 34, omit "75%", substitute "43%".

Clause 29, page 21, lines 7-15, omit paragraph (b).

Page 22, lines 5-15, omit Part IV (comprising clauses 35 and 36).

Debate continued.

Closure: Mr Duffy moved—That the question be now put.

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

And the question—That the amendments be agreed to—was put accordingly, and negatived.

Remainder of Bill agreed to.

Bill to be reported without amendment.

The House resumed; Mr McLeay reported accordingly.

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

15 COMMUNICATIONS LEGISLATION AMENDMENT BILL 1987: 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 Sharp 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—

- (1) the operation of the Overseas Telecommunications Commission in foreign countries should be supported, but the Commission's engaging in activities other than the provision of domestic telecommunications carriage in Australia should not be supported;
- (2) it is neither appropriate nor necessary to impose a legislative moratorium on pay television to domestic premises, and
- (3) current provisions, concerning recommencing of public consultation following ministerial amendment of a draft plan in the process of making standards, and spectrum and frequency band plans, should be maintained".

Debate continued.

Amendment negatived.

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

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

AYES, 77

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

NOES, 45

| | | | |
|----------------------|------------------|--------------|--------------|
| Mr Aldred | Mr Dobie | Mr MacKellar | Mr Shipton |
| Mr Andrew* | Mr Downer | Mr McVeigh | Mr Sinclair |
| Mr Beale | Dr H. R. Edwards | Mr Macphee | Mr Slipper |
| Mr Braithwaite | Mr P. S. Fisher | Mr Miles | Mr Smith |
| Mr Burr | Mr Goodluck | Mr Moore | Mr Spender |
| Mr Cadman | Mr Hall | Mr Nehl | Mrs Sullivan |
| Mr D. M. Cameron | Mr Halverson | Mr Peacock | Dr Watson |
| Mr E. C. Cameron | Mr Hawker | Mr Porter | Mr White |
| Mr I. M. D. Cameron* | Mr Hodges | Mr Reith | Mr Wilson |
| Mr Cobb | Mr Jull | Mr Rocher | |
| Mr Coleman | Mr Lloyd | Mr Ruddock | |
| Mr Connolly | Mr McArthur | Mr Sharp | |

* 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

Clauses 1 to 14, by leave, taken together and agreed to.

New clause—

On the motion of Mr Duffy (Minister for Communications), the following new clause was inserted in the Bill:

Interpretation

"14A. Section 17 of the Principal Act is amended by omitting the definition of 'spectrum plan' and substituting the following definition:

"'spectrum plan' means:

- (a) in relation to a time before the first plan prepared by the Minister under section 18 comes into effect—the table of frequency allocations for Australia set out in the document entitled "Australian Table of Frequency Allocations (9kHz-400GHz)" and published in 1982 by the Australian Government Publishing Service; and
- (b) in relation to a time after the first plan prepared by the Minister under section 18 comes into effect—a plan prepared by the Minister under section 18;".

Clause 15—

On the motion of Mr Duffy, the following amendment was made: Page 5, omit the clause, substitute the following clause:

Spectrum plan

"15. Section 18 of the Principal Act is amended by omitting from subsection (2) 'spectrum plan' and substituting 'plan prepared by the Minister under subsection (1)'.":

Clause 16 debated and negatived.

Clause 17—

On the motion of Mr Duffy, the following amendment was made: Page 5, at the end of the clause add the following word and paragraph:

“; and (c) by adding at the end the following subsection:

'(7) This section does not apply in relation to the spectrum plan referred to in paragraph (a) of the definition of "spectrum plan" in section 17.'":

Clause, as amended, agreed to.

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

Bill to be reported with amendments.

The House resumed; Mr McLeay reported accordingly.

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

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

Question—put and passed.

And then the House, at 11.39 p.m., adjourned until tomorrow at 10 a.m.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr N. A. Brown, Mr Fife, Mr Hayden, Mr Hicks, Mr Shack, Mr Snow and Mr Webster.

A. R. BROWNING
Clerk of the House of Representatives