

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

## HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 183

TUESDAY, 2 JUNE 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 **QUESTIONS:** Questions without notice were asked.

3 **EFFICIENCY AUDIT—REPORT OF AUDITOR-GENERAL—PUBLICATION OF PAPER:** Madam Speaker presented the following paper:

Efficiency audit—Parliament House Construction Authority: Construction project management—Report of the Auditor-General, dated 1 June 1987.

Mr Young (Leader of the House), by leave, moved—

(1) That this House, in accordance with the provisions of the *Parliamentary Papers Act 1908*, authorises the publication of the Report of the Auditor-General, dated 1 June 1987, upon an efficiency audit of the Parliament House Construction Authority: Construction project management, and

(2) That the report be printed.

Question—put and passed.

4 **CHAMBERLAIN CONVICTIONS—REPORT OF ROYAL COMMISSION OF INQUIRY—PUBLICATION OF PAPER:** Mr Bowen (Attorney-General) presented the following papers:

Chamberlain Convictions—Royal Commission of Inquiry—

Report of the Commissioner, the Hon. Mr Justice T. R. Morling.

Statement by Attorney-General of the Northern Territory.

Mr Young (Leader of the House), by leave, moved—That this House, in accordance with the provisions of the *Parliamentary Papers Act 1908*, authorises the publication of the Report of the Royal Commission of Inquiry into Chamberlain Convictions.

Question—put and passed.

5 **PAPERS:** The following papers were presented:

Audit Act—Canberra Theatre Trust—Report and financial statements, together with the Auditor-General's Report, for 1985-86.

Australian Capital Territory—Nominal Defendant—Report for 1986.

Cocos (Keeling) Islands—Report for 1985-86.

Industries Assistance Commission—Report—Medical and scientific equipment—Measuring, professional and scientific equipment; Appliances and parts, and medical, dental, and veterinary equipment, dated 24 April 1987 (No. 402).

United Nations—Conference on Disarmament—1986 Session—Geneva, 4 February to 29 August 1986—Report of Australian delegation.

6 **SOUTH PACIFIC FORUM—MINISTERIAL STATEMENT AND PAPER:** Mr Hawke (Prime Minister), by leave, made a ministerial statement concerning the meeting

in Apia, Western Samoa, from 29 to 30 May 1987, of the South Pacific Forum, and presented the following paper:

South Pacific Forum—18th Meeting, Apia, Western Samoa, 29-30 May 1987—  
Communique, dated May 1987.

Mr Howard (Leader of the Opposition), 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 Adermann, Mr D. M. Cameron, Mr Cobb, Mr Cowan, Mr Hawker, Mr Jones, Mr Kerin, Mr Peacock and Mr Simmons—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 Beale, Mr Kent, Mr Milton, Mr Scott and Mr Shipton—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 Braithwaite, Mr D. M. Cameron and Mr Nehl—from certain citizens praying that pension adjustments related to November and May CPI increases not be deferred but paid immediately.

Mr Blunt and Mr Slipper—from certain residents of the Divisions of Richmond and Fisher, respectively, praying that prescription drugs continue to be provided to pensioners without fee.

Mr Braithwaite and Mr Slipper—from certain residents of the Divisions of Dawson and Fisher, respectively, praying that the capital gains tax proposal be abandoned.

Dr H. R. Edwards and Mr Slipper—from certain citizens praying that the closure of post office agencies be prevented and their services be extended.

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

Mr Aldred—from certain members of the Glen Waverley, Vic., Parish of the Uniting Church in Australia praying that the 1987-88 Budget increase Australia's overseas aid program to the level proposed by the United Nations.

Mr D. M. Cameron—from certain citizens praying that the proposed introduction of a \$2 coin not proceed.

Mr Duncan—from certain citizens praying that all action to close Telecom business offices cease immediately.

Mr Hawker—from certain citizens praying that no action be taken to change the national flag.

Mr Hawker—from certain citizens praying that the Flags Amendment Bill receive a speedy passage.

Mr Hawker—from certain citizens praying that the proposal for an identification card be rejected.

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

Mrs Kelly—from certain citizens praying that the amendments to ACT legislation and customs regulations which permit the distribution of pornographic material 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 Kent—from certain citizens praying that any proposal for a national identification numbering system be rejected.

Mr Kerin—from certain citizens praying that the administration charge for higher education students be withdrawn immediately.

Mr Nehl—from certain citizens praying that funding be provided to improve the Pacific Highway between Port Macquarie and Woolgoolga, NSW.

Mr Ruddock—from certain citizens praying that the Department of Veterans' Affairs remain a separate department.

Mr Slipper—from certain residents of the Division of Fisher praying that the deletion of the 45 commonly prescribed drugs from the Pharmaceutical Benefits Scheme be reconsidered.

Mr Slipper—from certain residents of the Division of Fisher praying that family allowances be restored to 1976 real values and certain other action be taken in relation to family incomes.

Mr Slipper—from certain residents of the Division of Fisher praying that the Australian Bill of Rights Bill be repealed.

Mr Slipper—from certain residents of the Division of Fisher praying that home loan interest rates be tax deductible.

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 pharmaceutical benefits be restored to their former level.

Mr Slipper—from certain residents of the Division of Fisher praying that means be sought for the protection of the people's interests to reverse the decision to hand Ayers Rock over to an Aboriginal Land Council.

Mr Slipper—from certain residents of the Division of Fisher praying that the existing national flag remain sacrosanct.

Mr Slipper—from certain residents of the Division of Fisher praying that unemployed people in the CES district serving Caboolture, Qld, be allowed to lodge their completed unemployment benefits forms at the Caboolture Job Centre.

Mr Slipper—from certain residents of Queensland praying that the further means testing of veterans' disability pensions not proceed.

Mr Slipper—from certain residents of Queensland 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 Queensland praying that the fringe benefits tax be abandoned.

Petitions received.

- 8 SUSPENSION OF STANDING AND SESSIONAL ORDERS—DISCUSSION OF MATTER OF PUBLIC IMPORTANCE:** Mr Beazley (Minister for Defence), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent the House discussing a definite matter of public importance proposed to the Speaker by Mr Tuckey.

Question—put and passed.

- 9 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—INTEREST RATES AND TAXATION POLICIES:** The House was informed that Mr Tuckey had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The devastating effect of the Hawke Government's high interest rate and taxation policies as evidenced by the record rate of bankruptcies among small businesses and farmers".

The proposed discussion having received the necessary support—

Mr Tuckey addressed the House.

Discussion ensued.

Discussion concluded.

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

1 June 1987—Message—

No. 443—Taxation Laws Amendment (Company Distributions) 1987.

No. 444—Income Tax (Franking Deficit) 1987 (*without requests*).

No. 445—Income Tax Rates Amendment 1987.

No. 446—Taxation Laws Amendment (No. 2) 1987.

No. 447—Bank Account Debits Tax Amendment 1987 (*without requests*).

No. 448—States Grants (Tertiary Education Assistance) Amendment 1987.

No. 449—States Grants (Schools Assistance) Amendment 1987.

No. 450—States Grants (Education Assistance—Participation and Equity) Amendment 1987.

No. 452—Income Tax Amendment 1986 (*without requests*).

11 **PUBLICATIONS COMMITTEE—19TH REPORT:** Mr Brumby (Chairman) presented the 19th Report from the Publications Committee (sitting in conference with the Publications Committee of the Senate). The report is as follows:

#### 19TH REPORT

The Publications Committee has the honour to report that it has met in conference with the Publications Committee of the Senate.

The joint committee, having considered petitions and papers presented to Parliament since the last meeting of the Committee, and papers previously presented, recommends that the following be printed:

Aboriginal Land Rights (Northern Territory) Act—Aboriginal Land Commissioner—Annual Report 1985-86.

Australian Marine Sciences and Technologies Advisory Committee—Annual Report 1985-86.

Broadcasting of Parliamentary Proceedings—Joint Statutory Committee—Report—Provision of sound and vision services in the New Parliament House, dated May 1987.

*Housing Assistance Act 1984*—Annual Report 1985-86 on the operations of the Commonwealth-State Housing Agreement 1984.

J. M. BRUMBY  
Chairman

2 June 1987.

Mr Brumby, by leave, moved—That the report be agreed to.

Question—put and passed.

12 **PUBLIC ACCOUNTS COMMITTEE—REPORT—STATEMENT BY MEMBER:** Mr Tickner (Chairman) presented the following report from the Joint Committee of Public Accounts:

277th Report—Four Efficiency Audits: *Export Development Grants Act 1974*, Special Youth Employment Training Program, Widows Pension and Supporting Parents Benefit, and Disability and Service Pensions Schemes.

Ordered to be printed.

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

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

279th Report—Response, including Finance Minute, to 253rd Report—Proposed computer acquisition by the Australian Audit Office.

Ordered to be printed.

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

- 14 **PUBLIC ACCOUNTS COMMITTEE—REPORT—STATEMENT BY MEMBER:** Mrs Mayer presented the following report from the Joint Committee of Public Accounts:  
 280th Report—Defence Science and Technology Organisation: Task cost management.  
 Ordered to be printed.  
 Mrs Mayer, by leave, made a statement in connection with the report.
- 15 **PUBLIC ACCOUNTS COMMITTEE—STATEMENT BY MEMBER:** Mr Price, by leave, made a statement concerning the Joint Committee of Public Accounts' inquiry into the proposed ADP acquisition by the Australian Taxation Office.
- 16 **PUBLIC ACCOUNTS COMMITTEE—STATEMENT BY MEMBER:** Mr Price, by leave, made a statement concerning the Joint Committee of Public Accounts' inquiry into STRATPLAN: Department of Social Security ADP re-equipment program.
- 17 **ENVIRONMENT AND CONSERVATION—STANDING COMMITTEE—REPORT (UNFINISHED INQUIRY):** Mr Milton (Chairman) presented the following report from the Standing Committee on Environment and Conservation:  
 Report, dated June 1987, that the committee had been unable to complete its inquiry into the use of ionizing radiation.  
 Ordered to be printed.
- 18 **EXPENDITURE—STANDING COMMITTEE—INQUIRY—STATEMENT BY MEMBER AND PAPER:** Mr Mountford (Chairman), by leave, made a statement relating to the Standing Committee on Expenditure's inquiry into the Department of Aviation: Issues raised by Mr Dick Smith, and, by leave, presented the following paper:  
 Expenditure—Standing Committee—Statement by Mr Mountford (Chairman) relating to inquiry into the Department of Aviation: Issues raised by Mr Dick Smith, together with attachments.
- 19 **POSTPONEMENT OF ORDER OF THE DAY:** Ordered—That order of the day No. 1, privilege, be postponed until 5 June 1987.
- 20 **MESSAGE FROM THE SENATE—TAXATION LAWS AMENDMENT BILL (NO. 5) 1986:** The following message from the Senate was reported:  
 Message No. 451  
 Madam Speaker,  
 The Senate returns to the House of Representatives the Bill for "*An Act to amend the law relating to taxation*", and acquaints the House that the Senate has agreed to the Bill with the Amendments indicated by the annexed Schedule, in which Amendments the Senate requests the concurrence of the House of Representatives.  
 KERRY SIBRAA  
 President
- The Senate,  
 Canberra, 1 June 1987  
 Ordered—That the amendments be taken into consideration, in committee of the whole House, at the next sitting.
- 21 **TELECOMMUNICATIONS (INTERCEPTION) 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—*And on the amendment moved thereto by Mr Spender, viz.*—That all words after "That" be omitted with a view to substituting the following words: "while not declining to give the Bill a second reading, the House condemns the Government for:  
 (1) its delay in introducing the legislation, and

- (2) its failure to fully implement the recommendations contained in Mr Justice Stewart's Royal Commission report of April 1986 into Alleged Telephone Interceptions"—

Debate resumed.

Amendment negatived.

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

The House resolved itself into a committee of the whole.

*In the committee*

Clauses 1 to 20, by leave, taken together.

Mr Spender moved the following amendment: Clause 5, page 3, lines 43 and 44, and page 4, lines 1-12, omit paragraph (a) of the definition of "class 2 offence", substitute the following paragraph:

“(a) an offence punishable by not less than 3 years imprisonment;”.

Debate continued.

Amendment negatived.

On the motion of Mr Bowen (Attorney-General), the following amendment was made: Clause 8, page 12, line 22, omit “, by notice published in the *Gazette*,” substitute “by writing”.

Clauses, as amended, agreed to.

Clause 21—

On the motion of Mr Bowen, by leave, the following amendments were made together:

Page 31, omit proposed section 54, substitute the following section:

**When certain warrants come into force**

“54. A warrant issued to an agency other than the Australian Federal Police does not come into force until:

(a) in any case—the warrant; or

(b) if the warrant was issued on a telephone application—a notification under paragraph 53 (1) (b) of the issue of the warrant;

is received by or on behalf of the Commissioner of Police.”.

Page 32, lines 20 and 21, omit “Commissioner of Police receives the instrument of revocation”, substitute “instrument of revocation is received by or on behalf of the Commissioner of Police”.

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

Page 33, lines 37 and 38, omit “; or (b) give in evidence in a proceeding;”.

Page 34, omit proposed section 64.

Page 37, proposed section 74, lines 33 and 34, omit “64 or”.

Pages 37 and 38, omit proposed subsection 75 (2).

Page 38, omit proposed section 76.

Pages 38 and 39, omit proposed section 78.

Debate continued.

Amendments negatived.

On the motion of Mr Bowen, by leave, the following amendments were made together:

Page 44, at the end of proposed section 88 add the following subsection:

“(5) The place, and the period or the time and day, specified in a requirement under this section shall be reasonable having regard to the circumstances in which the requirement is made.”.

Page 44, lines 21 to 24, omit all the words from and including “but” to the end of the proposed subsection, substitute the following:

“but:

(a) the information, the answer, or the fact that the person has given access to the document, as the case may be; and

(b) any information or thing (including a document) obtained as a direct or indirect consequence of giving the first-mentioned

information, answering the question or giving access to the first-mentioned document, as the case may be;

is not admissible in evidence against the person except in a proceeding by way of a prosecution for an offence against section 108.”.

Clause, as amended, agreed to.

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

Bill to be reported with amendments.

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The House resumed; Mr McLeay reported accordingly.

On the motion of Mr Bowen, by leave, the House adopted the report.

*Paper:* Mr Bowen presented an explanatory memorandum to the amendments moved on behalf of the Government.

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

- 22 **AIR MOVEMENTS CARGO HANGAR, RAAF BASE RICHMOND, NSW—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 air movements cargo hangar at RAAF Base Richmond, NSW.

Debate ensued.

Question—put and passed.

- 23 **POSTPONEMENT OF ORDERS OF THE DAY:** Ordered—That orders of the day Nos. 2 to 4, government business, be postponed until a later hour this day.

- 24 **OCCUPATIONAL SUPERANNUATION STANDARDS 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.

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

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*Adjournment negated:* It being 10.15 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 negated.

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Mr Hurford continued his speech.

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

The House resolved itself into a committee of the whole.

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*In the committee*

Clauses 1 and 2, by leave, taken together, and agreed to.

Clause 3—

Mr Carlton moved the following amendment: Page 3, at the end of the definition of “superannuation fund” add the following words and paragraph:

“, but does not include:

- (c) a fund established as a result of an employer or employers being threatened, intimidated or coerced by a trade union or trade unions;”.

Debate continued.

Amendment negated.

Clause agreed to.

Progress to be reported, and leave asked to sit again.

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The House resumed; Mr McLeay reported accordingly.

Ordered—That the House will, at the next sitting, again resolve itself into the said committee.

25 **ADJOURNMENT:** Mr Hurford (Minister for Community Services) moved—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 11 p.m.—The Deputy Speaker adjourned the House until tomorrow at 10 a.m.

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**PAPERS:** The following papers were deemed to have been presented on 2 June 1987:

- Australian Capital Territory Supreme Court Act—Rules of Court—Statutory Rules 1987, No. 93.
- Australian Citizenship Act—Regulations—Statutory Rules 1987, Nos. 87, 88.
- Commonwealth Employees (Redeployment and Retirement) Act—Regulation—Statutory Rules 1987, No. 89.
- Companies (Acquisition of Shares—Fees) Act—Regulations—Statutory Rules 1987, No. 81.
- Companies (Fees) Act—Regulations—Statutory Rules 1987, No. 82.
- Criminology Research Act—Regulations—Statutory Rules 1987, No. 84.
- Customs Act—Regulations—Statutory Rules 1987, Nos. 97, 98.
- Family Law Act—Regulations—Statutory Rules 1987, No. 85.
- Futures Industry (Fees) Act—Regulations—Statutory Rules 1987, No. 83.
- Income Tax Assessment Act—Regulations—Statutory Rules 1987, No. 92.
- Merit Protection (Australian Government Employees) Act—Regulations—Statutory Rules 1987, No. 91.
- Migration Act—Regulations—Statutory Rules 1987, No. 86.
- Navigation Act—Regulations—Statutory Rules 1987, Nos. 95, 96.
- Public Service Act—Regulations—Statutory Rules 1987, No. 90.
- Securities Industry (Fees) Act—Regulations—Statutory Rules 1987, No. 80.
- Sugar Cane Levy Collection Act—Regulations—Statutory Rules 1987, No. 94.
- Superannuation Act—Regulations—Statutory Rules 1987, No. 99.

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**MEMBERS PRESENT:** All Members were present (at some time during the sitting) except Mr Dawkins, Mr Drummond, Mr Jacobi, Mr Staples and Mr Webster.

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