

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 34

THURSDAY, 10 DECEMBER 1987

1 The House met, at 10 a.m., pursuant to adjournment. Madam Speaker (the Honourable Joan Child) took the Chair, and read Prayers.

2 **MESSAGES FROM THE SENATE:** Messages from the Senate, dated 9 December 1987, were reported:

(a) concurring in the resolution of the House relating to an extension of time for the Joint Select Committee on Video Material to report—Message No. 56.

(b) returning the following Bills without amendment:

Message—

No. 58—Health Legislation Amendment (No. 2) 1987.

No. 59—Community Services and Health Legislation Amendment 1987.

3 **MESSAGE FROM THE SENATE—SOCIAL SECURITY AND VETERANS' ENTITLEMENTS AMENDMENT BILL (NO. 2) 1987:** The following message from the Senate was reported:

Message No. 57

Madam Speaker,

The Senate returns to the House of Representatives the Bill for "*An Act relating to social security and veterans' entitlements and other related matters*", 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, 9 December 1987

Ordered—That the amendments be taken into consideration, in committee of the whole House, forthwith.

In the committee

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE

No. 1—Page 10, subclause 11 (2), lines 1 to 23, leave out the subclause, insert the following subclause:

"(2) Section 7 of the Principal Act is amended by omitting subsection (4) and substituting the following subsection:

'(4) Where:

(a) the amount per annum of the reduction under subsection (3) in the maximum annual rate of pension, benefit (other than a benefit under Part XIII) or allowance applicable to a person in respect of property of the person or the person's spouse that is property referred to in

paragraph (1) (c) is less than the lesser of the following amounts per annum:

- (i) the amount per annum equal to 2.5 per cent of the value of that property;
 - (ii) the amount per annum that could reasonably be expected to be obtained from a purely commercial application of that property; or
- (b) there is no reduction under subsection (3) in respect of that property; the maximum annual rate of pension, benefit or allowance applicable to the person shall:
- (c) in a case to which paragraph (a) applies—be further reduced by the difference between that first-mentioned reduction and that lesser amount per annum; or
 - (d) in a case to which paragraph (b) applies—be reduced by that lesser amount per annum.’

Commencement: 13 November 1987”.

No. 2—Page 11, paragraph 11 (3) (g), lines 23 to 43, leave out “greater” (wherever occurring), insert “lesser”.

No. 3—Page 18, paragraph 21 (e), proposed paragraph (a) of definition of “severely handicapped person”, line 4, leave out the proposed paragraph, insert the following paragraph:

“(a) has a physical, intellectual or psychiatric disability; and”.

No. 4—Page 27, clause 36, proposed section 101, proposed paragraph (a) of definition of “disabled child”, line 6, leave out the proposed paragraph, insert the following paragraph:

“(a) has a physical, intellectual or psychiatric disability;”.

No. 5—Pages 53 and 54, subclause 76 (2), line 40 (page 53) to line 19 (page 54), leave out the subclause, insert the following subclause:

“(2) Section 53 of the Principal Act is amended by omitting subsection (3) and substituting the following subsection:

‘(3) Where:

- (a) the amount per annum of the reduction under subsection (2) in the maximum annual rate of pension applicable to a person in respect of property of the person or the person’s spouse that is property referred to in paragraph (1) (c) is less than the lesser of the following amounts per annum:
 - (i) the amount per annum equal to 2.5 per cent of the value of that property;
 - (ii) the amount per annum that could reasonably be expected to be obtained from a purely commercial application of that property; or
- (b) there is no reduction under subsection (2) in respect of that property; the maximum annual rate of pension applicable to the person shall:
- (c) in a case to which paragraph (a) applies—be further reduced by the difference between that first-mentioned reduction and that lesser amount per annum; or
- (d) in a case to which paragraph (b) applies—be reduced by that lesser amount per annum.’

Commencement: 13 November 1987”.

On the motion of Mr P. F. Morris (Minister for Resources), the amendments were agreed to, after debate.

Resolution to be reported.

The House resumed; Mr McLeay reported accordingly.

On the motion of Mr P. F. Morris, the House adopted the report.

- 4 MEMBERS' INTERESTS COMMITTEE—PAPER:** Dr Klugman (Chairman) presented the following paper:
Committee of Members' Interests—Register of Members' Interests—Notifications of alterations received during the period 21 November to 9 December 1987.
- 5 ABORIGINAL AND TORRES STRAIT ISLANDER COMMISSION—MINISTERIAL STATEMENT AND PAPER:** Mr Hand (Minister for Aboriginal Affairs), by leave, made a ministerial statement concerning the establishment of an Aboriginal and Torres Strait Islander Commission and related matters and presented the following paper:
Aboriginal and Torres Strait Islander Commission—Policy statement by Mr Hand, Minister for Aboriginal Affairs, entitled "Foundations for the future". Mr Miles, by leave, made a statement in connection with the matter.
- 6 AUSTRALIAN TOURIST COMMISSION 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.
Question—put and passed—Bill read a second time.
It being 12.45 p.m., consideration of the business before the House was interrupted in accordance with sessional order 106A, and the resumption of the consideration made an order of the day for a later hour this day.
- 7 GRIEVANCE DEBATE:** Pursuant to the provisions of standing order 106, as amended by sessional order, the order of the day having been read—
Question proposed—That grievances be noted.
Debate ensued.
It being 2 p.m., the debate was interrupted in accordance with standing order 106, as amended by sessional order.
Question—That grievances be noted—put and passed.
- 8 QUESTIONS:** Questions without notice being asked—
Paper: Mr Downer, by leave, presented the following paper:
Independent and Non-Aligned Australia—Copy of advertisement published on page 63 of the *National Times*, dated 13-18 September 1976.
Questions without notice concluded.
- 9 SUSPENSION OF STANDING AND SESSIONAL ORDERS—MOTION OF CENSURE—MINISTER FOR THE ARTS, SPORT, THE ENVIRONMENT, TOURISM AND TERRITORIES:** Mr N. A. Brown moved—That so much of the standing and sessional orders be suspended as would prevent the honourable Member for Menzies moving forthwith a motion of censure of the Minister for the Arts, Sport, the Environment, Tourism and Territories.
Debate ensued.
Question—put and passed, with the concurrence of an absolute majority.
- 10 MINISTER FOR THE ARTS, SPORT, THE ENVIRONMENT, TOURISM AND TERRITORIES—MOTION OF CENSURE:** Mr N. A. Brown moved—That this House censures the Minister for the Arts, Sport, the Environment, Tourism and Territories in that he:
(1) failed to exercise proper ministerial standards;
(2) misled the House and the Australian public over the circumstances associated with the contract for the theatre in the Australian pavilion at Expo '88;
(3) was responsible for the Commonwealth incurring a liability to Bob Rogers and Company whereas with proper care and responsibility that liability would not have been incurred; and
(4) improperly interfered with the process of the consideration of tenders for a major Commonwealth project.
Debate ensued.
Mr Tuckey rising to address the House—

Closure: Mr Holding (Minister for Employment Services and Youth Affairs) 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, 72

Mr Baldwin	Mr Dawkins	Mr Jenkins	Mr Mountford
Mr Beazley	Mr Dubois	Mr Johns	Mr O'Keefe
Mr Beddall	Mr Duffy	Mr Jones	Mr Price
Mr Bilney	Mr Duncan	Mrs Kelly	Mr Punch
Mr Blanchard	Ms Fatin	Mr Kent	Mr Saunderson
Dr Blewett	Mr Fitzgibbon	Mr Kerin	Mr Scholes
Mr J. J. Brown	Mr Free	Mr Kerr	Mr Scott
Mr R. J. Brown	Mr Gayler	Mr Lamb*	Mr Simmons
Mr Brumby	Mr Gear	Mr Langmore	Mr Snow
Mr Campbell	Mr Gorman	Mr Lavarch	Mr Snowdon
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 Harvey	Mr Martin	Mr Uren
Mr Courtice	Mr Holding	Mr Mildren	Mr West
Ms Crawford	Mr Hollis	Mr Milton	Mr Willis
Mr Cunningham*	Mr Humphreys	Mr A. A. Morris	Mr Wright
Mrs Darling	Mr Hurford	Mr P. F. Morris	Mr Young

NOES, 55

Mr Adermann	Mr Cowan	Mr Katter	Mr Robinson
Mr Aldred	Mr Dobie	Mr Lloyd	Mr Rocher
Mr Andrew*	Mr Downer	Mr McArthur	Mr Ruddock
Mr Beale	Dr H. R. Edwards	Mr McGauran	Mr Sharp
Mr Blunt	Mr Fife	Mr MacKellar	Mr Shipton
Mr N. A. Brown	Mr T. A. Fischer	Mr Macphee	Mr Sinclair
Mr Burr	Mr P. S. Fisher	Mr Miles	Mr Smith
Mr Cadman	Mr Goodluck	Mr Millar	Mr Spender
Mr D. M. Cameron	Mr Halverson	Mr Moore	Mr Tuckey
Mr E. C. Cameron	Mr Hawker	Mr Nehl	Mr Webster
Mr I. M. D. Cameron	Dr Hewson	Mr Peacock	Mr White
Mr Carlton	Mr Hicks*	Mr Porter	Mr Wilson
Mr Cobb	Mr Hunt	Mr Prosser	Dr Wooldridge
Mr Connolly	Mr Jull	Mr Reith	

* Tellers

And so it was resolved in the affirmative.

And the question—That the motion be agreed to—being accordingly put—

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

AYES, 56

Mr Adermann	Mr Cowan	Mr Jull	Mr Reith
Mr Aldred	Mr Dobie	Mr Katter	Mr Robinson
Mr Andrew*	Mr Downer	Mr Lloyd	Mr Rocher
Mr Beale	Dr H. R. Edwards	Mr McArthur	Mr Ruddock
Mr Blunt	Mr Fife	Mr McGauran	Mr Sharp
Mr N. A. Brown	Mr T. A. Fischer	Mr MacKellar	Mr Shipton
Mr Burr	Mr P. S. Fisher	Mr Macphee	Mr Sinclair
Mr Cadman	Mr Goodluck	Mr Miles	Mr Smith
Mr D. M. Cameron	Mr Halverson	Mr Millar	Mr Spender
Mr E. C. Cameron	Mr Hawker	Mr Moore	Mr Tuckey
Mr I. M. D. Cameron	Dr Hewson	Mr Nehl	Mr Webster
Mr Carlton	Mr Hicks*	Mr Peacock	Mr White
Mr Cobb	Mr Howard	Mr Porter	Mr Wilson
Mr Connolly	Mr Hunt	Mr Prosser	Dr Wooldridge

NOES, 73

Mr Baldwin	Mr Dubois	Mr Johns	Mr Price
Mr Beazley	Mr Duffy	Mr Jones	Mr Punch
Mr Beddall	Mr Duncan	Mrs Kelly	Mr Sanderson
Mr Bilney	Ms Fatin	Mr Kent	Mr Scholes
Mr Blanchard	Mr Fitzgibbon	Mr Kerin	Mr Scott
Dr Blewett	Mr Free	Mr Kerr	Mr Simmons
Mr J. J. Brown	Mr Gayler	Mr Lamb*	Mr Snow
Mr R. J. Brown	Mr Gear	Mr Langmore	Mr Snowdon
Mr Brumby	Mr Gorman	Mr Lavarch	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 Harvey	Mr Martin	Mr West
Mr Cleeland	Mr Hawke	Mr Mildren	Mr Willis
Mr Courtice	Mr Holding	Mr Milton	Mr Wright
Ms Crawford	Mr Hollis	Mr A. A. Morris	Mr Young
Mr Cunningham*	Mr Humphreys	Mr P. F. Morris	
Mrs Darling	Mr Hurford	Mr Mountford	
Mr Dawkins	Mr Jenkins	Mr O'Keefe	

* Tellers

And so it was negatived.

- 11 **NEW PARLIAMENT HOUSE—JOINT STANDING COMMITTEE—REPORT:** The Deputy Speaker presented the following report from the Joint Standing Committee on the New Parliament House:

Proposed works in the Parliamentary zone—High capacity fire hydrants—
Report dated December 1987.

Ordered to be printed.

- 12 **PAPERS:** The Deputy Speaker presented the following papers:
Publications—Joint Committee—Report on review of the cost and distribution of the Parliamentary paper series—Presiding Officers' response.
Public Service Act—Department of the Parliamentary Library—Report for 1986-87.
- 13 **PAPERS:** The following papers were presented:
Affirmative Action (Equal Employment Opportunity for Women) Act—Affirmative Action Agency—Report for period 1 October 1986 to 31 May 1987.
Australian Institute of Marine Science Act—Australian Institute of Marine Science—Report and financial statements, including the Auditor-General's Report and freedom of information statement, for 1986-87.
Australian National Railways Commission Act—Australian National Railways Commission—Report and financial statements, including the Auditor-General's Report, for 1986-87.
Australian Shipping Commission Act—Australian Shipping Commission (Australian National Line)—Report and financial statements, including the Auditor-General's Report, for 1986-87.
Australian War Memorial Act—Australian War Memorial—Auditor-General's Report on financial statements for 1986-87.
Budget outlays—Forward estimates for 1988-89 to 1990-91—Report, dated December 1987.
Central and Local Trades Committees—Report for 1985-86.
Commission for the Future—Report for 1986-87—Towards a productive culture.
Commonwealth Fire Board—Report for 1986-87.
International Monetary Agreements Act—Report on the operations of the Act, for 1986-87.
Public Service Act—
Department of Arts, Heritage and Environment—Report, including freedom of information statement, for 1986-87.
Department of Foreign Affairs—Report, including the activities of the Australian Development Assistance Bureau, for 1986-87.

Department of Resources and Energy—Report, including freedom of information statement, for 1986-87.

Department of Sport, Recreation and Tourism—Report for 1986-87.

Department of the Treasury—Report, including freedom of information statement, for 1986-87.

States and Northern Territory Grants (Rural Adjustment) Act—Rural Adjustment Scheme—Report for 1986-87.

Tasmanian World Heritage Area Council—Summary record—4th meeting, Hobart, 15 May 1987.

WHO/Australian Inter-Regional Ministerial Meeting on AIDS—Proceedings—Sydney, 21-24 July 1987.

- 14 LEMONTHYME AND SOUTHERN FORESTS—COMMISSION OF INQUIRY—INTERIM REPORT—MOTION TO TAKE NOTE OF PAPER:** Mr J. J. Brown (Minister for the Arts, Sport, the Environment, Tourism and Territories) presented the following paper:

Lemonthyme and Southern Forests (Commission of Inquiry) Act—Commission of Inquiry into the Lemonthyme and Southern Forests—Interim report.

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

- 15 FISHERIES—AGREEMENT BETWEEN COMMONWEALTH OF AUSTRALIA AND MIDWATER TECHNOLOGICAL RESOURCES PTY LTD—PAPER—MOTION TO TAKE NOTE OF PAPER:** Mr P. F. Morris (Minister for Resources) presented the following paper:

Fisheries Act—Agreement made on 28 October 1987 between the Commonwealth of Australia and Midwater Technological Resources Pty Ltd.

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

- 16 JAPANESE TUNA LONG-LINE FISHING—SUBSIDIARY AGREEMENT—PAPER—MOTION TO TAKE NOTE OF PAPER:** Mr P. F. Morris (Minister for Resources) presented the following paper:

Fisheries Act—Subsidiary agreement between the Government of Australia and the Government of Japan concerning Japanese tuna long-line fishing, done at Canberra on 29 October 1987.

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

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

Mr Beale, Dr Blewett, Dr Charlesworth, Mr Connolly, Dr H. R. Edwards and Mr Robinson—from certain citizens praying that certain action be taken in the ACT in relation to loitering, consumption of alcohol by under age persons and the production, sale and distribution of material depicting violence.

Mr Beale, Mr Kent and Mr Milton—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.

Dr Charlesworth, Mr Rocher and Mr Webster—from certain citizens praying that the importation and possession of child pornography be made a criminal offence and certain other action be taken in relation to pornography in the ACT.

Mrs Darling and Mr Miles—from certain citizens praying that the major recommendations of the Senate Select Committee on the Human Embryo Experimentation Bill 1985 be implemented without delay.

- Dr H. R. Edwards and Mr Webster—from certain citizens praying that the proposal for an identification card be rejected.
- Mr I. M. D. Cameron—from certain residents of the Division of Maranoa in similar terms to the last preceding petition.
- Mr Porter and Mr Tuckey—from certain citizens praying that certain action be taken within the Australian Taxation Office and other departments to counter tax evasion and fraudulent practices.
- Mr Rocher and Mr Ruddock—from certain citizens praying that a referendum on the Australia Card Bill be held before the proposal is resubmitted to Parliament.
- Mr Rocher and Mr Tuckey—from certain citizens praying that the national flag not be changed except by a referendum.
- Mr Rocher and Mr Tuckey—from certain citizens praying that the decision by the ABC not to televise the 1988 Jack High Bowling Tournament be reversed.
- Mr Beale—from certain citizens praying that all bans on smoking in the workplace and on domestic air travel be lifted and discriminatory smoking legislation not proceed.
- Mr Blunt—from certain citizens praying that the fringe benefits tax legislation be repealed.
- Mr Rocher—from certain citizens in similar terms to the last preceding petition.
- Mr Blunt—from certain residents of the Division of Richmond praying that the Australia Card legislation be withdrawn.
- Mr Blunt—from certain residents of the Division of Richmond praying that the capital gains tax be repealed.
- 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 the Industrial Relations Bill be rejected.
- Mr Connolly—from certain citizens praying that items covering the treatment of sun damaged skin and warts by specialists be reinstated on the medical benefits schedule.
- Mr Connolly—from certain citizens praying that amendments to ACT legislation and customs regulations which permit the distribution of pornographic material be reversed.
- Mrs Darling—from certain citizens praying that a time charge on local telephone calls not be introduced.
- Mrs Darling—from certain citizens praying that an anti-poverty level of income for all young people be established, educational opportunities be increased and a long term job creation program be established.
- Mr Dobie—from certain citizens praying that the closure of the Gynea Bay post office, NSW, be prevented.
- Ms Fatin—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 Katter—from certain citizens praying that the listing of wet tropical rainforests of north Queensland on the World Heritage List be prevented.
- 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 McVeigh—from certain citizens praying that no action be taken to legislate for the Australia Card.

- Mr McVeigh—from certain citizens praying that certain action be taken to prevent the implementation of the Australia Card legislation.
- Mr O'Neil—from certain citizens praying that all action to close Telecom business offices cease immediately.
- Mr Rocher—from certain citizens praying that the Australia Card Bill be withdrawn and, if reintroduced, be rejected.
- Mr Ruddock—from certain citizens praying that the Department of Veterans' Affairs remain a separate department.
- Mr Scott—from certain citizens praying that Australia withdraw from the Asian Regional Co-operative Project on Food Irradiation and from the International Consultative Group on Food Irradiation and certain other action be taken in relation to food irradiation.
- Mr Smith—from certain residents of Tasmania praying that the Armed Forces Food Science Establishment in Scottsdale, Tas., be maintained.
- Mrs Sullivan—from certain citizens praying that the proposal to meter local telephone calls by Telecom be reconsidered.
- Mr Tickner—from certain citizens praying that effective action be taken against the promotion of tobacco.

Petitions received.

18 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—HIGHER EDUCATION: The House was informed that Mr Carlton had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The grave threat to academic freedom posed by the Government's policy proposals for higher education".

The proposed discussion having received the necessary support—

Mr Carlton 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, 71

Mr Baldwin	Mr Dawkins	Mr Jenkins	Mr Mountford
Mr Beazley	Mr Dubois	Mr Johns	Mr O'Keefe
Mr Beddall	Mr Duffy	Mr Jones	Mr Price
Mr Bilney	Mr Duncan	Mrs Kelly	Mr Punch
Mr Blanchard	Ms Fatin	Mr Kent	Mr Scholes
Dr Blewett	Mr Fitzgibbon	Mr Kerin	Mr Scott
Mr J. J. Brown	Mr Free	Mr Kerr	Mr Simmons
Mr R. J. Brown	Mr Gayler	Mr Lamb*	Mr Snow
Mr Brumby	Mr Gear	Mr Langmore	Mr Snowdon
Mr Campbell	Mr Gorman	Mr Lavarch	Mr Staples
Mr Charles	Mr Grace	Mr Lee	Dr Theophanous
Dr Charlesworth	Mr Griffiths	Mr Lindsay	Mr Tickner
Mr Chynoweth	Mr Hand	Ms McHugh	Mr Uren
Mr Cleeland	Mrs Harvey	Mr Martin	Mr West
Mr Courtice	Mr Holding	Mr Mildren	Mr Willis
Ms Crawford	Mr Hollis	Mr Milton	Mr Wright
Mr Cunningham*	Mr Humphreys	Mr A. A. Morris	Mr Young
Mrs Darling	Mr Hurford	Mr P. F. Morris	

NOES, 52

Mr Adermann	Mr Connolly	Mr Jull	Mr Reith
Mr Aldred	Mr Cowan	Mr Katter	Mr Robinson
Mr Andrew*	Mr Dobie	Mr Lloyd	Mr Rocher
Mr Beale	Mr Downer	Mr McArthur	Mr Ruddock
Mr Blunt	Dr H. R. Edwards	Mr McGauran	Mr Sharp
Mr N. A. Brown	Mr Fife	Mr MacKellar	Mr Shipton
Mr Burr	Mr T. A. Fischer	Mr Macphee	Mr Sinclair
Mr Cadman	Mr P. S. Fisher	Mr Miles	Mr Smith
Mr D. M. Cameron	Mr Halverson	Mr Millar	Mr Spender
Mr E. C. Cameron	Mr Hawker	Mr Moore	Mr Tuckey
Mr I. M. D. Cameron	Dr Hewson	Mr Nehl	Mr Webster
Mr Carlton	Mr Hicks*	Mr Peacock	Mr White
Mr Cobb	Mr Hunt	Mr Porter	Dr Wooldridge

* Tellers

And so it was resolved in the affirmative.

19 MESSAGE FROM THE SENATE—MIGRATION AMENDMENT BILL 1987: The following message from the Senate was reported:

Message No. 60

Madam Speaker,

The Senate returns to the House of Representatives the Bill for "*An Act to amend the 'Migration Act 1958', and for related purposes*", 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, 10 December 1987, a.m.

Ordered—That the amendments be taken into consideration in committee of the whole House, forthwith.

In the committee

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE

No. 1—Page 1, subclause 2 (2), line 9, leave out "and paragraph 9 (a)".

No. 2—Page 1, subclause 2 (2), lines 9 to 11, leave " ", and the first regulations made under paragraph 67 (1) (ac) of the Principal Act as amended by this Act."

No. 3—Page 3, paragraph 9 (a), lines 33 to 42, leave out the paragraph.

On the motion of Mr Young (Minister for Immigration, Local Government and Ethnic Affairs), the amendments were agreed to, after debate.
Resolution to be reported.

The House resumed; Mr Mildren reported accordingly.

On the motion of Mr Young, the House adopted the report.

20 INTER-PARLIAMENTARY UNION—MANAGUA CONFERENCE, 1987—REPORT—
STATEMENTS BY MEMBERS: Mr Jull, by leave, presented the following paper:
Inter-Parliamentary Union—77th Conference, Managua, Nicaragua, 27 April-
2 May 1987—Report of the Australian Delegation.
Mr Jull and Mr Kent, by leave, made statements in connection with the paper.

21 AUSTRALIAN TOURIST COMMISSION BILL 1987: The order of the day having been read for the resumption of the consideration of the Bill, the House resolved itself into a committee of the whole.

In the committee

Clauses 1 to 14, by leave, taken together.

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

Clause 13, page 4, omit subclause (6), substitute the following subclause:

"(6) Of the members appointed pursuant to paragraph 12 (e), at least 2 members shall be appointed by the Minister from persons nominated by the Australian Tourist Industry Association."

Clause 14, page 5, at the end of subclause (2) add " , provided that if the member was appointed following nomination by the Australian Tourist Industry Association, the person appointed in that member's place shall be appointed from persons nominated by the Australian Tourist Industry Association."

Debate continued.

Amendments negatived.

Clauses agreed to.

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

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

Proposed new clauses—

Page 7, after clause 22 insert the following new clause:

Minister to observe private enterprise practice

“22A. In determining terms and conditions of appointment pursuant to section 22, the Minister shall observe normal private enterprise terms and conditions of appointment.”

Page 12, after clause 39 insert the following new clause:

Board to observe private enterprise practice

“39A. The Board, in determining terms and conditions of appointment of the Managing Director pursuant to section 39, shall observe normal private enterprise terms and conditions of appointment.”

Amendments—

Clause 42, page 14, after subclause (2) insert the following subclause:

“(2A) The Board, in determining terms and conditions of employment pursuant to subsection (2), shall observe normal private enterprise terms and conditions of employment.”

Clause 43, page 14, after subclause (2) insert the following subclause:

“(2A) The Board, in determining terms and conditions of engagement pursuant to subsection (2), shall observe normal private enterprise terms and conditions of engagement.”

Debate continued.

Closure: Mr J. J. Brown (Minister for the Arts, Sport, the Environment, Tourism and Territories) 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—being accordingly put—The committee divided (the Chairman, Mr McLeay, in the Chair)—

AYES, 51

Mr Adermann	Mr Cowan	Mr Lloyd	Mr Rocher
Mr Aldred	Mr Dobie	Mr McGauran	Mr Ruddock
Mr Andrew*	Mr Downer	Mr MacKellar	Mr Sharp
Mr Beale	Dr H. R. Edwards	Mr McVeigh	Mr Shipton
Mr Blunt	Mr Fife	Mr Macphee	Mr Sinclair
Mr N. A. Brown	Mr T. A. Fischer	Mr Miles	Mr Smith
Mr Burr	Mr P. S. Fisher	Mr Millar	Mr Spender
Mr Cadman	Mr Halverson	Mr Moore	Mrs Sullivan
Mr D. M. Cameron	Mr Hawker	Mr Nehl	Mr Tuckey
Mr E. C. Cameron	Dr Hewson	Mr Peacock	Mr Webster
Mr Carlton	Mr Hicks*	Mr Porter	Mr White
Mr Cobb	Mr Hunt	Mr Reith	Dr Woods
Mr Connolly	Mr Jull	Mr Robinson	

NOES, 71

Mr Baldwin	Mr Dawkins	Mr Jenkins	Mr O'Keefe
Mr Beazley	Mr Dubois	Mr Johns	Mr Price
Mr Beddall	Mr Duffy	Mr Jones	Mr Punch
Mr Bilney	Mr Duncan	Mrs Kelly	Mr Saunderson
Mr Blanchard	Ms Fatin	Mr Kent	Mr Scholes
Dr Blewett	Mr Fitzgibbon	Mr Kerin	Mr Scott
Mr J. J. Brown	Mr Free	Mr Kerr	Mr Simmons
Mr R. J. Brown	Mr Gayler	Dr Klugman	Mr Snow
Mr Brumby	Mr Gear	Mr Lamb*	Mr Snowdon
Mr Campbell	Mr Gorman	Mr Langmore	Mr Staples
Mr Charles	Mr Grace	Mr Lee	Dr Theophanous
Dr Charlesworth	Mr Griffiths	Mr Lindsay	Mr Tickner
Mr Chynoweth	Mr Hand	Ms McHugh	Mr Uren
Mr Cleeland	Mrs Harvey	Mr Martin	Mr West
Mr Courtice	Mr Holding	Mr Mildren	Mr Willis
Ms Crawford	Mr Hollis	Mr Milton	Mr Wright
Mr Cunningham*	Mr Humphreys	Mr A. A. Morris	Mr Young
Mrs Darling	Mr Hurford	Mr Mountford	

* Tellers

And so it was negatived.

Remainder of Bill agreed to.
Bill to be reported without amendment.

The House resumed; Mr McLeay reported accordingly.
On the motion of Mr Duncan (Minister for Land Transport and Infrastructure Support), the House adopted the report.
On the motion of Mr J. J. Brown, by leave, the Bill was read a third time.

- 22 **AUSTRALIAN TOURIST COMMISSION (TRANSITIONAL PROVISIONS) 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—
Question—put and passed—Bill read a second time.
Leave granted for third reading to be moved forthwith.
On the motion of Mr J. J. Brown (Minister for the Arts, Sport, the Environment, Tourism and Territories), the Bill was read a third time.
- 23 **POSTPONEMENT OF ORDER OF THE DAY:** Ordered—That order of the day No. 4, government business, be postponed until a later hour this day.
- 24 **BROADCASTING (OWNERSHIP AND CONTROL) BILL (NO. 2) 1987:** The order of the day having been read for the second reading—Mr Duncan (Minister representing the Minister for Transport and Communications) moved—That the Bill be now read a second time.
Paper: Mr Duncan presented an explanatory memorandum to the Bill.
Debate adjourned (Mr Blunt), and the resumption of the debate made an order of the day for a later hour this day.
- 25 **BROADCASTING AMENDMENT BILL (NO. 3) 1987:** The order of the day having been read for the second reading—Mr Duncan (Minister representing the Minister for Transport and Communications) moved—That the Bill be now read a second time.
Paper: Mr Duncan presented an explanatory memorandum to the Bill.
Debate adjourned (Mr Blunt), and the resumption of the debate made an order of the day for a later hour this day.
- 26 **MESSAGE FROM THE SENATE:** Message No. 63, dated 10 December 1987, from the Senate was reported agreeing to the amendments made by the House to the following Bill: Statute Law (Miscellaneous Provisions) 1987.
- 27 **MESSAGE FROM THE SENATE—AUSTRALIAN NATIONAL AIRLINES AMENDMENT BILL 1987:** Message No. 62, dated 10 December 1987, from the Senate was reported transmitting for the concurrence of the House a Bill for "*An Act to amend the 'Australian National Airlines Act. 1945', and for related purposes*".
Bill read a first time.
Ordered—That the second reading be made an order of the day for a later hour this day.
- 28 **LEAVE OF ABSENCE TO ALL MEMBERS:** Mr Young (Leader of the House) moved—That leave of absence be given to every Member of the House of Representatives from the determination of this sitting of the House to the date of its next sitting.
Question—put and passed.
- 29 **BROADCASTING (OWNERSHIP AND CONTROL) BILL (NO. 2) 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.
Debate adjourned (Mr Duncan—Minister representing the Minister for Transport and Communications), and the resumption of the debate made an order of the day for a later hour this day.

- 30 **SPECIAL ADJOURNMENT:** Mr Young (Leader of the House) moved—That the House, at its rising, adjourn until Tuesday, 16 February 1988, unless otherwise called together by Madam Speaker or, in the event of Madam Speaker being unavailable, by the Chairman of Committees.

Debate ensued.

Question—put and passed.

- 31 **BROADCASTING (OWNERSHIP AND CONTROL) BILL (NO. 2) 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—

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Duncan (Minister representing the Minister for Transport and Communications), the Bill was read a third time.

- 32 **BROADCASTING AMENDMENT BILL (NO. 3) 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—

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 Duncan (Minister representing the Minister for Transport and Communications), the following amendment was made, after debate: Page 28, Schedule 2, proposed paragraph 111BA (3B) (a), omit “announce or”.

Bill, as amended, agreed to.

Bill to be reported with an amendment.

The House resumed; Mr McLeay reported accordingly.

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

- 33 **BROADCASTING AMENDMENT BILL (NO. 4) 1987—SENATE'S AMENDMENTS:** The House, according to order, resolved itself into a committee of the whole to consider the amendments made by the Senate.

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In the committee

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE

No. 1—Page 2, clause 3, proposed paragraphs 82AA (1) (c) and (d), lines 7 to 22, leave out the proposed paragraphs, insert the following paragraph:

“(c) if there is no licence whose service area is substantially the same as that of the proposed licence—specify a number as the population of the service area of the proposed licence; and”.

No. 2—Pages 2 and 3, clause 3, proposed subsection 82AA (2), line 26 (page 2) to line 16 (page 3), leave out the proposed subsection, insert the following subsections:

“(2) The amount of the fee specified under paragraph (1) (e) shall be an amount calculated in accordance with the formula:

$$F \times M$$

where:

F is the amount of the fee that would be payable under subsection 6 (2) of the Licence Fees Act in respect of gross earnings in respect of a licence if:

- (a) the gross earnings were equal to the amount of the comparable gross earnings in respect of the proposed licence; and

- (b) the fee were calculated in accordance with the Licence Fees Act as in force at the time when the notice under subsection (1) is published in relation to the proposed licence; and

M is the multiplication factor for the comparable gross earnings.

“(2A) The amount of the comparable gross earnings in respect of a proposed licence is:

- (a) if there is one licence only whose service area is substantially the same as that of the proposed licence—an amount equal to the gross earnings of that other licence in respect of the relevant fee period for that other licence;
- (b) if there are 2 or more licences whose service areas are substantially the same as that of the proposed licence—an amount calculated in accordance with the formula:

$$\frac{G}{N}$$

where:

G is the sum of the gross earnings in respect of those other licences in respect of the relevant fee periods for those other licences; and

N is the number of those other licences; or

- (c) in any other case—an amount calculated in accordance with the formula:

$$P \times D$$

where:

P is the service area population of the proposed licence; and

D is \$15, or such other amount as is fixed by the regulations.”.

No. 3—Page 3, clause 3, proposed subsection 82AA (3), line 19, leave out “subsection (2)”, insert “subsections (2) and (2A)”.

No. 4—Page 3, clause 3, proposed subsection 82AA (4), line 26, leave out “overlaps”, insert “is substantially the same as”.

No. 5—Page 3, clause 3, proposed subsection 82AA (4), line 29, leave out “subsection (2)”, insert “subsections (2) and (2A)”.

No. 6—Pages 3 and 4, clause 3, proposed paragraph 82AA (4) (c), line 38 (page 3) to line 3 (page 4), leave out the proposed paragraph, insert the following paragraph:

“(c) if the holder of a licence whose service area overlaps that of the proposed licence fails to comply with paragraph 123 (1) (c) in relation to the relevant fee period for the licence—the gross earnings in respect of the licence in respect of the next most recent period in respect of which a fee was payable in respect of the licence under the Licence Fees Act.”.

No. 7—Page 4, clause 3, proposed subsection 82AA (6), definitions of “overlap area population” and “relevant fee period”, lines 24 to 34, leave out the proposed definitions, insert the following definitions:

“‘multiplication factor’, in relation to comparable gross earnings, means:

- (a) if those earnings are less than \$2,500,000—the number 30;
- (b) if those earnings are equal to or greater than \$2,500,000 but less than \$3,500,000—the number 35; or
- (c) if those earnings are equal to or greater than \$3,500,000—the number 40;

‘relevant fee period’, in relation to a licence (in this definition called the ‘existing licence’) whose service area is substantially the same as or overlaps that of the proposed commercial radio licence, means the most recent period in respect of which a fee was payable in respect of the existing licence under subsection 6 (2) of the Licence Fees Act, where the 6 months referred to in paragraph 123 (1) (c) beginning at the end of the period had ended before the day on which the notice under subsection 82 (1) in relation to the proposed commercial radio licence was published in the *Gazette*.”.

On the motion of Mr Duncan (Minister representing the Minister for Transport and Communications), the amendments were agreed to, after debate.
Resolution to be reported.

The House resumed; Mr Millar reported accordingly.

On the motion of Mr Duncan, the House adopted the report.

- 34 **COMMONWEALTH TEACHING SERVICE AMENDMENT BILL 1987:** Mr J. J. Brown (Minister for the Arts, Sport, the Environment, Tourism and Territories), pursuant to notice, presented a Bill for an Act to amend the *Commonwealth Teaching Service Act 1972*.

Bill read a first time.

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

Paper: Mr J. J. Brown presented an explanatory memorandum to the Bill.

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

- 35 **COMMUNICATIONS LEGISLATION AMENDMENT BILL (NO. 2) 1987:** Mr Duncan (Minister representing the Minister for Transport and Communications), pursuant to notice, presented a Bill for an Act to amend the law relating to communications.

Bill read a first time.

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

Paper: Mr Duncan presented an explanatory memorandum to the Bill.

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

- 36 **EXPENDITURE—STANDING COMMITTEE—PAPER:** The Deputy Speaker presented the following paper:

Expenditure—Standing Committee—Minutes of proceedings of a meeting held on 10 May 1984.

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

10 December 1987—Message—

No. 64—States Grants (Education Assistance—Participation and Equity) Amendment (No. 2) 1987.

No. 65—States Grants (Schools Assistance) Amendment (No. 2) 1987.

No. 66—States Grants (Tertiary Education Assistance) Amendment (No. 2) 1987.

No. 67—Student Assistance Amendment 1987.

No. 68—Maritime College Amendment 1987.

No. 69—Canberra College of Advanced Education Amendment 1987.

No. 70—Australian National University Amendment 1987.

No. 71—Overseas Students Charge Amendment 1987.

- 38 **WHEAT TAX REGULATIONS (VALIDATION) 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.

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Humphreys (Minister for Veterans' Affairs), the Bill was read a third time.

- 39 **PUBLICATIONS COMMITTEE—3RD REPORT:** Mr Jenkins (Chairman) presented the 3rd Report from the Publications Committee (sitting in conference with the Publications Committee of the Senate). The report is as follows:

3RD 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 the Parliament since 25 November 1987, recommends that the following be printed:

Administrative Review Council—Report No. 29—Constitution of the Administrative Appeals Tribunal.

Auditor-General's—Efficiency Audits—

Australian Taxation Office: taxpayers in unincorporated businesses, dated 4 December 1987.

Department of Defence: RAAF explosive ordnance, dated 4 December 1987.

Australia Council Act—Australia Council—Report for 1986-87.

Australian Capital Territory Electricity Supply Act—Australian Capital Territory Electricity Authority—Report for 1986-87.

Australian Centre for International Agricultural Research Act—Australian Centre for International Agricultural Research—Report for 1986-87.

Australian Film Commission Act—Australian Film Commission—Report for 1986-87.

Australian Film, Television and Radio School Act—Australian Film, Television and Radio School—Report for 1986-87.

Australian Sports Commission Act—Australian Sports Commission—Report for 1986-87.

Australian Tourist Commission Act—Australian Tourist Commission—Report for 1986-87.

Automotive Industry Authority Act—Automotive Industry Authority—Report for 1986-87.

Commonwealth Electoral Act—Australian Electoral Commission—Report for 1986-87.

Commonwealth Schools Commission—Reports, dated May 1987—

National policy for the education of girls in Australian schools.

National policy for the education of girls in Australian schools—The Commonwealth's contribution.

Customs Administration Act—Australian Customs Service—Report for 1986-87.

Defence Force Retirement and Death Benefits Act—Defence Force Retirement and Death Benefits Authority—Report for 1986-87.

Department of Community Services—Policy Co-ordination Unit—Report for 1986-87.

Efficiency audit—Report of Independent Auditor, dated 24 November 1987—Auditor-General's Office.

Environment Protection (Alligator Rivers Region) Act—Report of the Supervising Scientist for 1986-87.

Family Law Act—Family Law Council—Report for 1986-87.

Film Censorship Board and Films Board of Review—Reports on activities for 1986.

Freedom of Information Act—Report by the Attorney-General on the operation of the Act, for 1986-87.

Higher education—Policy discussion paper, dated December 1987.

Immigration (Education) Act—Child migrant education—Report for 1986-87.

Independent Air Fares Committee Act—Independent Air Fares Committee—Report for 1986-87.

Industries Assistance Commission—Report—Rice industry, dated 23 October 1987 (No. 407).

Law Reform Commission Act—Law Reform Commission—Report No. 40—Service and execution of process.

Meteorology Policy Committee—Report for 1986.

National Capital Development Commission Act—National Capital Development Commission—Report for 1986-87.
 National Companies and Securities Commission Act—National Companies and Securities Commission—Report for 1986-87.
 Pipeline Authority Act—Pipeline Authority—14th Report, for 1986-87.
 Public Service Act—
 Attorney-General's Department—Report for 1986-87, including the report of the Office of Parliamentary Counsel for 1986-87, pursuant to the Parliamentary Counsel Act.
 Department of Community Services—Report for 1986-87.
 Department of Health—Report for 1986-87.
 Department of Housing and Construction—Report for 1986-87.
 Department of Immigration and Ethnic Affairs—Report for 1986-87.
 Department of Social Security—Report for 1986-87.
 Department of Trade—Report for 1986-87.
 Rural Industries Research Act—Tobacco Research Council—Report for 1986-87.
States Grants (Schools Assistance) Act 1984—Report on financial assistance granted to each State in respect of 1986.
 Sugar Cane Growers Adjustment Scheme—Report for 1986-87.
 Superannuation Act—Superannuation Fund Investment Trust and Commissioner for Superannuation—Reports for 1986-87.
 Taxation statistics 1984-85—Volume 2.
 Veterans' Entitlements Act and Public Service Act—Reports of the Repatriation Commission and Department of Veterans' Affairs, for 1986-87.
 War Graves Act—Office of Australian War Graves, Department of Veterans' Affairs—Report for 1986-87.

H. A. JENKINS
 Chairman

10 December 1987.

Mr Jenkins, by leave, moved—That the report be agreed to.
 Question—put and passed.

40 MESSAGE FROM THE SENATE—STATES GRANTS (TERTIARY EDUCATION ASSISTANCE) BILL 1987: The following message from the Senate was reported:
 Message No. 61

Madam Speaker,

The Senate returns to the House of Representatives the Bill for "*An Act relating to the grant of financial assistance to the States and the Northern Territory with respect to tertiary education*", 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.

KERRY SIBRAA
 President

The Senate,
 Canberra, 10 December 1987

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

In the committee

SCHEDULE OF THE AMENDMENT MADE BY THE SENATE
 Page 46, subclauses 39 (2), (3), (4) and (5), lines 16 to 40, leave out the subclauses.

On the motion of Mr Dawkins (Minister for Employment, Education and Training), the amendment was agreed to, after debate.
Resolution to be reported.

The House resumed; Mr Mildren reported accordingly.
On the motion of Mr Dawkins, the House adopted the report.

41 **PAPER:** Mr Dawkins (Minister for Employment, Education and Training) presented the following paper:

Budget outlays—Forward estimates for 1988-89 to 1990-91—Report, dated December 1987—Addendum.

42 **PUBLIC ACCOUNTS COMMITTEE—REPORTS—STATEMENTS BY MEMBERS:** Mr Tickner (Chairman) presented the following reports from the Joint Committee of Public Accounts:

278th Report—Response, including Finance Minute, to 241st Report—Report of the Auditor-General—1983-84 and September 1984.

281st Report—Report of activities, July 1986 to June 1987.

282nd Report—Review of the Auditor-General's efficiency audit of the Australian Wool Corporation—Property operations.

283rd Report—Response, including Finance Minute, to 248th Report—Report of the Auditor-General—April 1985.

284th Report—STRATPLAN—Department of Social Security ADP re-equipment program—Final report.

285th Report—Expenditure from the Advance to the Minister for Finance (Appropriation Acts 1985-86).

286th Report—Expenditure from the Advance to the Minister for Finance (Appropriation Acts 1986-87).

287th Report—Australian Taxation Office—Computer system re-equipment and redevelopment.

288th Report—Review of Auditor-General's efficiency audit of the administration of capital grants to non-government schools.

Severally ordered to be printed.

Mr Tickner, Mr Ruddock, Mr Aldred, Dr Hewson and Mr Nehl, by leave, made statements in connection with the reports.

43 **ADJOURNMENT:** Mr Humphreys (Minister for Veterans' Affairs) moved—That the House do now adjourn.

Mr Ruddock rising to address the House—

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

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

And the question—That the House do now adjourn—was put accordingly, and passed.

And then the House, at 8.29 p.m., adjourned until Tuesday, 16 February 1988, at 2 p.m., in accordance with the resolution agreed to this day.

PAPER: The following paper was deemed to have been presented on 10 December 1987:

National Health Act—Declaration pursuant to subsection 85 (2), dated 1 December 1987.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Bowen, Mr Cohen, Mr Cross, Mr R. F. Edwards, Mr Hayden, Mr Howe, Mr Sciacca and Mr Shack.

A. R. BROWNING
Clerk of the House of Representatives