

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

## HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 44

THURSDAY, 17 MARCH 1988

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- 1 The House met, at 10 a.m., pursuant to adjournment. Madam Speaker (the Honourable Joan Child) took the Chair, and read Prayers.
  - 2 **ROUTINE OF BUSINESS ON THURSDAYS PRIOR TO 2 P.M. AND GUIDELINES FOR MEMBERS' STATEMENTS—STATEMENT BY MADAM SPEAKER:** Madam Speaker made a statement relating to the routine of business on Thursdays prior to 2 p.m. and informed the House of guidelines for the conduct of the period of Members' statements.
  - 3 **PETITIONS:** The Clerk announced that the following Members had each lodged petitions for presentation, viz.:
    - Mr N. A. Brown, Mr Cunningham, Mr P. S. Fisher, Mr Halverson, Mr Jenkins and Mr McGauran, from 49, 188, 90, 125, 26 and 74 petitioners respectively, praying that no action be taken to change the national flag.
    - Mr E. C. Cameron, Dr H. R. Edwards, Mr Rocher and Mr Ruddock, from 238, 38, 18 and 902 petitioners respectively, praying that a referendum on the Australia Card Bill be held before the proposal is resubmitted to Parliament.
    - Mr Baldwin and Mr Mountford, from 8 and 6 petitioners respectively, praying that the Jervis Bay National Park be formed.
    - Mr R. J. Brown and Mr A. A. Morris, from 23 and 15 petitioners respectively, praying that amendments to ACT legislation and customs regulations which permit the distribution of pornographic material be reversed.
    - Mr Gear and Mr Kerr, from 21 and 13 petitioners respectively, praying that the House call a national day of prayer for Australia.
    - Mr Beale, from 17 petitioners praying that the national flag not be changed except by a referendum.
    - Mr Beale, from 12 petitioners 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.
    - Mr Braithwaite, from 330 petitioners praying that the takeover of Thomas Borthwick's interests in Australia and Japan by Australian Meat Holdings be prevented and the future of Merinda Meatworks, Qld, be secured.
    - Mr R. J. Brown, from 140 residents of the Hunter Valley, NSW, praying that the decision to discontinue Medicare agency arrangements with NIB Health Funds Ltd be reconsidered.
    - Mr Cohen, from 2 petitioners praying that the decision to impose a 20% sales tax on tapestries be reconsidered.
    - Mrs Kelly, from 1078 petitioners praying that the House urge the Government to reject the proposed closure of Holder Primary School, ACT.
    - Mr Kerr, from 91 petitioners praying that effective action be taken against the promotion of tobacco.

Mr Kerr, from 134 petitioners praying that measures be taken to ensure that the ABC continue to offer comprehensive broadcasting services under its present charter.

Mr Kerr, from 312 petitioners praying that the French Government be urged to abandon plans to use the Kerguelan Islands as its proposed nuclear testing base.

Mr Kerr, from 39 petitioners praying that any changes to the system of charging for local telephone calls not disadvantage the aged, infirm and other fixed income groups.

Mr McArthur, from 342 petitioners praying that the sale of violent videos, books and toys of violence be banned.

Mr Mildren, from 17 petitioners praying that the circulation of X-rated videos be prevented and laws regarding obscenity in the media be revived and enforced.

Mr Prosser, from 236 petitioners praying that Telecom's proposal to time-charge local calls be rejected.

Mr Shipton, from 21 petitioners; and Mr Halverson, from 35 residents of the "Yarra-Me" quadriplegic centre; and Mr Millar from 27 residents of the Division of Wide Bay, in similar terms.

Mr Rocher, from 26 petitioners praying that the fringe benefits tax legislation be repealed.

Mr Rocher, from 25 petitioners praying that any legislation supporting timed local telephone charges be opposed.

Mr Ruddock, from 334 petitioners praying that any proposal for a national identification numbering system be rejected.

Mr Scott, from 342 petitioners 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 Shipton, from 75 petitioners praying that the closure of the Camberwell South post office, Vic., be prevented.

Mr Spender, from 40 petitioners praying that the statutory patient contribution to nursing home care for war veterans remain unchanged.

Petitions received.

- 4 FLAGS AMENDMENT BILL 1988:** Mr Howard (Leader of the Opposition), pursuant to notice, presented a Bill for an Act to amend the *Flags Act 1953* to ensure that the Australian National Flag is not altered except with the approval of the Australian people voting in a referendum, that the Australian National Flag is not supplanted by use of the powers under the Act, and that the appointment of other flags and ensigns is subject to disallowance by either House of the Parliament.

Mr Howard made a statement in relation to the Bill.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting Thursday, in accordance with sessional order 104A.

- 5 DISTRIBUTION OF X-RATED VIDEOS IN THE AUSTRALIAN CAPITAL TERRITORY:**

Mr McGauran, pursuant to notice, moved—That this House stresses the need to stop the distribution of X-rated videos in the ACT which allow State laws to be easily circumvented and family life undermined.

Debate ensued.

The time allotted for the debate having expired, the debate was interrupted, the resumption of the debate made an order of the day for the next sitting Thursday, and Mr Charles was granted leave to continue his speech when the debate is resumed.

**6 UKRAINIAN AND OTHER HELSINKI MONITORING GROUPS:** Mr Ruddock, pursuant to notice, moved—That this House—

(1) notes that—

- (a) on 1 August 1975 the Final Act of the Conference on Security and Co-operation in Europe was signed at Helsinki, Finland, by 33 European States, together with Canada and the USA;
  - (b) the signatories committed themselves under Principle VII to “respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, for all without distinction as to race, sex, language or religion”;
  - (c) the signing of the Final Act raised the expectations of the peoples of the Soviet Union for greater observance by the Soviet Union of human rights, gave rise to the formation of the Moscow, Lithuanian, Georgian, Armenian and Ukrainian citizens’ monitoring groups to inform the peoples of the Soviet Union and the world about the Soviet Government’s compliance with the Final Act;
  - (d) 9 November 1987 was the 11th anniversary of the establishment of the largest such citizens’ group, the Ukrainian Public Group, to promote the Implementation of the Helsinki Accords;
  - (e) three members of the Ukrainian Group, Oleksiy Tykhy, Yuriy Lytvyn and Vasyl Stus died after years of inhuman treatment in Soviet labour camps while a fourth, Mykhaylo Melnyk, committed suicide as a result of continuous KGB persecution; and
  - (f) seven members of the Ukrainian Group are still imprisoned under a severe regime, 3 are in internal exile in remote parts of the Soviet Union, while 17 have been released from prison and are living in the Ukraine and 9 have been forced to emigrate to the West after serving prison terms;
- (2) acknowledges the concern felt by members of the Australian community over the continued harrassment of the Ukrainian Public Group to Promote the Implementation of the Helsinki Accords;
  - (3) seeks assurances from the Government of the Soviet Union that members of the Ukrainian and other public Helsinki Monitoring Groups be released from their incarceration and allowed to return to their homelands or, if they wish, emigrate to the countries of their choice;
  - (4) seeks to convey to the Government of the Soviet Union its belief that such humanitarian acts and the demonstration that its citizens have freedom of expression will serve to reduce tensions between East and West and help to erase doubts about Soviet commitments to their international obligations;
  - (5) calls upon the Soviet Union to allow Ukrainian Helsinki Monitor, Yuriy Shukhevych, together with his family, to emigrate to Australia, where they have family members willing to sponsor them, as an immediate demonstration of its goodwill; and
  - (6) requests the Speaker to bring this resolution to the attention of the Supreme Soviet of the USSR.

*Papers:* Mr Ruddock, by leave, presented the following papers:

Ukrainian and other Helsinki Monitoring Groups—

Lev Lukyanenko—Lawyer. Case No. 39—Pamphlet published by the Committee for the Defence of Human and National Rights in Ukraine, Melbourne, Australia 1987.

10th Anniversary of the Ukrainian Helsinki Group—Copy of pages 4 to 14 of the *Ukrainian Weekly*, dated Sunday, 9 November 1986.

Debate ensued.

Question—put and passed.

**7 ESTABLISHMENT OF AN AUSTRALIAN MULTICULTURAL SOCIETY:** Dr Theophanous, pursuant to notice, moved—That this House reaffirms its

commitment to the establishment of a multicultural society in Australia and in particular recognises that—

- (1) Australians of all backgrounds are free and able to participate at all levels in the political, administrative, legal, economic, cultural and artistic life of the nation;
- (2) there should be freedom to maintain one's cultural heritage within the context of a common legal and political system, with English as the accepted national language;
- (3) all Australians should be free from discrimination on the basis of race, ethnicity, religion or culture, and should have equality of opportunity and equitable access to programs and services;
- (4) programs and services provided to the community as a whole should, as far as possible, be made accessible to all Australians by being sufficiently adaptable to cater to the specific needs of those born overseas and those whose preferred language is other than English, as well as the Australian-born, but, where necessary and appropriate, separate and specialised services should be provided;
- (5) programs and services should be designed and developed in consultation with all potential client groups, including those born in Australia and those born overseas, and should involve their active participation; and
- (6) a just and equitable society should be promoted which accepts all people irrespective of their ethnic and cultural backgrounds.

Debate ensued.

Question—put and passed.

- 8 **GRIEVANCE DEBATE:** Pursuant to the provisions of sessional order 106, the order of the day having been read—

Question proposed—That grievances be noted.

Debate ensued.

It being 1.45 p.m., the debate was interrupted in accordance with sessional order 106.

Question—That grievances be noted—put and passed.

- 9 **MEMBERS' STATEMENTS:** Statements by Members being made—

*Paper:* Mr Hawker, by leave, presented the following paper:

Republic of Australia—Copy of advertisement for products endorsed with Republic of Australia designs.

Statements by Members continued.

- 10 **QUESTIONS:** Questions without notice were asked.

- 11 **SUSPENSION OF STANDING AND SESSIONAL ORDERS—PRECEDENCE TO NOTICE:** Mr Beazley (Leader of the House), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent notice No. 1, government business, being called on forthwith.

Question—put and passed.

- 12 **IRISH CONTRIBUTION TO AUSTRALIA:** Mr Hawke (Prime Minister), pursuant to notice, moved—That this House, on St Patrick's Day 1988—

- (1) recognises with thanks the profound contribution made by the Irish over two hundred years to Australian culture, religion, law, politics and the labour movement;
- (2) notes that the Irish community in Australia dates from the First Fleet, that one third of Australians are of Irish descent, and that Australia is the most Irish of nations outside Ireland;
- (3) affirms that the emergence of an Australian national character was due in large part to the creative presence of the Irish, whose passionate love of freedom prepared the way for a society in which people from many ethnic backgrounds live and flourish as equals;
- (4) acknowledges the special, deep and enduring bonds between Australia and Ireland;
- (5) in the Bicentenary year of European settlement in Australia, salutes the City of Dublin as she celebrates her millennium; and

- (6) resolves to send a delegation from this Parliament, led by the Deputy Speaker, to Ireland to convey the sentiments of this motion to the Irish Parliament and people.

Debate ensued.

Question—put and passed.

- 13 PARLIAMENTARY CLEANING STAFF—INDUSTRIAL SITUATION—STATEMENT AND PAPER BY MADAM SPEAKER:** Madam Speaker made a statement informing the House of an industrial dispute involving cleaning staff in the provisional Parliament House and presented the following paper:

Cleaning staff—Redeployment action—Copy of a letter sent to Members and Senators by Madam Speaker and Mr President, dated 18 February 1988.

- 14 PARLIAMENTARY CATERING SERVICES—INDUSTRIAL SITUATION—STATEMENT AND PAPER BY MADAM SPEAKER:** Madam Speaker made a statement informing the House of an industrial dispute involving staff of the Parliamentary catering service and presented the following paper:

Cleaning and catering services in the provisional and new Parliament Houses—Copy of a letter sent to Members and Senators by Madam Speaker and Mr President, dated 3 January 1988.

- 15 PAPERS:** The following papers were presented:

Australian Security Intelligence Organization Act—Security Appeals Tribunal—Report for 1986-87.

National Gallery Act—Australian National Gallery—Report and financial statements, including the Auditor-General's Report, for 1986-87.

- 16 LEGIONELLA BACTERIA—PROVISIONAL PARLIAMENT HOUSE—STATEMENT BY MADAM SPEAKER:** Madam Speaker made a statement informing the House of the situation regarding the monitoring of legionella bacteria in the provisional Parliament House.

- 17 MINISTER FOR FOREIGN AFFAIRS AND TRADE—OVERSEAS VISIT—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Mr Hayden (Minister for Foreign Affairs and Trade), by leave, made a ministerial statement concerning his recent visit overseas, and presented the following paper:

Overseas visit by the Minister for Foreign Affairs and Trade—Ministerial statement, 17 March 1988—

and moved—That the House take note of the paper.

*Suspension of standing orders—Extended time for speech:* Mr Hayden, by leave, moved—That so much of the standing orders be suspended as would prevent the honourable Member for North Sydney speaking for a period not exceeding 39 minutes.

Question—put and passed.

Debate ensued.

Debate adjourned (Mr Charles), and the resumption of the debate made an order of the day for a later hour this day.

- 18 SELECTION COMMITTEE—REPORT:** Mr McLeay (Chairman) presented the report of the Selection Committee relating to the program of business prior to 12.30 p.m. on Thursday, 24 March 1988.

- 19 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—STANDARDS OF GOVERNMENT:** The House was informed that Mr Blunt had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The abuse of position and power causing a decline in the standards of Government under the Hawke administration".

The proposed discussion having received the necessary support—Mr Blunt addressed the House.

Discussion ensued.

Discussion concluded.

- 20 **ALTERATION OF DAY OF NEXT MEETING:** Mr Beazley (Leader of the House) moved—That the House, at its rising, adjourn until Tuesday next at 2 p.m.  
Question—put and passed.
- 21 **SOCIAL SECURITY AND VETERANS' ENTITLEMENTS (MAINTENANCE INCOME TEST) AMENDMENT BILL 1988:** Mr Howe (Minister for Social Security), pursuant to notice, presented a Bill for an Act to amend the *Social Security Act 1947* and the *Veterans' Entitlements Act 1986* in relation to maintenance, and for related purposes.  
Bill read a first time.  
Mr Howe moved—That the Bill be now read a second time.  
*Paper:* Mr Howe presented an explanatory memorandum to the Bill.  
Debate adjourned (Mr Porter), and the resumption of the debate made an order of the day for the next sitting.
- 22 **MINISTERS OF STATE AMENDMENT BILL 1988:** Mr West (Minister for Administrative Services), pursuant to notice, presented a Bill for an Act to amend section 5 of the *Ministers of State Act 1952*.  
Bill read a first time.  
Mr West moved—That the Bill be now read a second time.  
*Paper:* Mr West presented an explanatory memorandum to the Bill.  
Debate adjourned (Mr Porter), and the resumption of the debate made an order of the day for the next sitting.
- 23 **MINISTER FOR FOREIGN AFFAIRS AND TRADE—OVERSEAS VISIT—MINISTERIAL STATEMENT—PAPER NOTED:** The order of the day having been read for the resumption of the debate on the motion of Mr Hayden (Minister for Foreign Affairs and Trade)—That the House take note of the paper (*presented this day*), viz.:  
Overseas visit by Minister for Foreign Affairs and Trade—Ministerial statement, 17 March 1988—  
Debate resumed.  
Question—put and passed.
- 24 **REFERENDUM (MACHINERY PROVISIONS) AMENDMENT BILL 1988:** 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.  
The House resolved itself into a committee of the whole.

*In the committee*

Bill, by leave, taken as a whole.

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

Clause 8, page 5, lines 13-16, omit paragraph (b).

Schedule, page 6, omit the following:

**“Subsection 30 (3):**

Omit the subsection.

**Paragraph 30 (5) (a):**

Add at end of paragraph ‘or’.

**Paragraph 30 (5) (b):**

Omit the paragraph.

**Subsection 30 (6):**

Omit the subsection.”.

Debate continued.

Question—That the amendments be agreed to—put.

The committee divided (the Deputy Chairman, Mr Mountford, in the Chair)—

## AYES, 49

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

## NOES, 64

Mr Baldwin	Mr Duncan	Mr Jenkins	Mr O'Keefe
Mr Beddall	Mr R. F. Edwards	Mr Johns	Mr O'Neil
Mr Bilney	Ms Fatin	Mr Jones	Mr Price
Mr Blanchard	Mr Fitzgibbon	Mrs Kelly	Mr Punch
Dr Blewett	Mr Free	Mr Kent	Mr Saunderson
Mr R. J. Brown	Mr Gayler	Mr Kerin	Mr Scholes
Mr Brumby	Mr Gear	Mr Kerr	Mr Sciacca
Mr Campbell	Mr Grace	Mr Lamb*	Mr Scott
Mr Charles	Mr Griffiths	Mr Langmore	Mr Simmons
Mr Chynoweth	Mr Hand	Mr Lavarch	Mr Snow
Mr Cleeland	Mrs Harvey	Mr Lindsay	Mr Snowdon
Mr Courtice	Mr Hayden	Ms McHugh	Mr Staples
Ms Crawford	Mr Hollis	Mr Martin	Dr Theophanous
Mr Cross	Mr Howe	Mr Mildren	Mr Tickner
Mr Cunningham*	Mr Humphreys	Mr Milton	Mr West
Mr Dubois	Mrs Jakobsen	Mr A. A. Morris	Mr Wright

\* Tellers

And so it was negatived.

It being past 10.30 p.m.—Progress to be reported.

The House resumed; Mr Mountford reported accordingly.

*Adjournment negatived:* The question was accordingly proposed—That the House do now adjourn.

Mr West (Minister for Administrative Services) requiring the question to be put forthwith without debate—

Question—put and negatived.

The House again resolved itself into a committee of the whole.

*In the committee*

Question—That the Bill be agreed to—put.

The committee divided (the Deputy Chairman, Mr Mountford, in the Chair)—

## AYES, 64

Mr Baldwin	Mr Duncan	Mr Jenkins	Mr O'Keefe
Mr Beddall	Mr R. F. Edwards	Mr Johns	Mr O'Neil
Mr Bilney	Ms Fatin	Mr Jones	Mr Price
Mr Blanchard	Mr Fitzgibbon	Mrs Kelly	Mr Punch
Dr Blewett	Mr Free	Mr Kent	Mr Saunderson
Mr R. J. Brown	Mr Gayler	Mr Kerin	Mr Scholes
Mr Brumby	Mr Gear	Mr Kerr	Mr Sciacca
Mr Campbell	Mr Grace	Mr Lamb*	Mr Scott
Mr Charles	Mr Griffiths	Mr Langmore	Mr Simmons
Mr Chynoweth	Mr Hand	Mr Lavarch	Mr Snow
Mr Cleeland	Mrs Harvey	Mr Lindsay	Mr Snowdon
Mr Courtice	Mr Hayden	Ms McHugh	Mr Staples
Ms Crawford	Mr Hollis	Mr Martin	Dr Theophanous
Mr Cross	Mr Howe	Mr Mildren	Mr Tickner
Mr Cunningham*	Mr Humphreys	Mr Milton	Mr West
Mr Dubois	Mrs Jakobsen	Mr A. A. Morris	Mr Wright

## NOES, 49

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

\* Tellers

And so it was resolved in the affirmative.

Bill to be reported without amendment.

The House resumed; Mr Mountford reported accordingly.

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

25 **ADJOURNMENT:** Mr West (Minister for Administrative 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 Tuesday next at 2 p.m., in accordance with the resolution agreed to this day.

**PAPERS:** The following papers were deemed to have been presented on 17 March 1988:

Proclamation by His Excellency the Governor-General fixing 31 March 1988 as the day on which sections 23, 24, 25 and 26 of the *Nuclear Non-Proliferation (Safeguards) Act 1987* shall come into operation.

Public Service Act—Determination—1988—No. 31.

Seat of Government (Administration) Act—Interpretation Ordinance—Statement relating to the extension of specified period for presentation of the Canberra Retail Markets Trust—Report for 1986-87.

**MEMBERS PRESENT:** All Members were present (at some time during the sitting) except Mr Bowen, Mr Cohen, Mr Dawkins, Mr Downer, Mr Duffy, Mr Gorman, Mr Hall, Mr Lee and Mr Tuckey.

**A. R. BROWNING**

Clerk of the House of Representatives