

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 66

FRIDAY, 3 JUNE 1988

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

2 **SUSPENSION OF STANDING ORDERS—MOTION OF CONDEMNATION OF TREASURER:** Mr Howard (Leader of the Opposition) moved—That so much of the standing orders be suspended as would prevent the Leader of the Opposition moving forthwith—That this House condemns the Treasurer for his misleading statements in his May economic statement regarding the impact of taxation changes on superannuation benefits.

Question—put and passed, with the concurrence of an absolute majority.

3 **MOTION OF CONDEMNATION OF TREASURER:** Mr Howard (Leader of the Opposition) moved—That this House condemns the Treasurer for his misleading statements in his May economic statement regarding the impact of taxation changes on superannuation benefits.

Debate ensued.

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

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

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

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

AYES, 48

Mr Adermann	Mr Downer	Mr McArthur	Mr Sharp
Mr Aldred	Dr H. R. Edwards	Mr McGauran	Mr Shipton
Mr Andrew*	Mr Fife	Mr MacKellar	Mr Smith
Mr Beale	Mr T. A. Fischer	Mr Millar	Mr Spender
Mr Braithwaite	Mr Halverson	Mr Moore	Mrs Sullivan
Mr N. A. Brown	Mr Hawker	Mr Peacock	Mr Taylor
Mr Burr	Dr Hewson	Mr Porter	Mr Tuckey
Mr D. M. Cameron	Mr Hicks*	Mr Pratt	Mr Webster
Mr E. C. Cameron	Mr Howard	Mr Prosser	Mr White
Mr I. M. D. Cameron	Mr Jull	Mr Reith	Mr Wilson
Mr Cobb	Mr Katter	Mr Robinson	Dr Woods
Mr Connolly	Mr Lloyd	Mr Shack	Dr Wooldridge

NOES, 80

Mr Baldwin	Mrs Darling	Mr Humphreys	Mr P. F. Morris
Mr Beazley	Mr Dawkins	Mrs Jakobsen	Mr Mountford
Mr Beddall	Mr Dubois	Mr Jenkins	Mr O'Keefe
Mr Bilney	Mr Duffy	Mr Johns	Mr O'Neil
Mr Blanchard	Mr Duncan	Mr Jones	Mr Price
Dr Blewett	Mr R. F. Edwards	Mr Keating	Mr Saunderson
Mr Bowen	Ms Fatin	Mrs Kelly	Mr Sawford
Mr J. J. Brown	Mr Fitzgibbon	Mr Kent	Mr Scholes
Mr R. J. Brown	Mr Free	Mr Kerr	Mr Sciacca
Mr Brumby	Mr Gayler	Dr Klugman	Mr Scott
Mr Campbell	Mr Gear	Mr Lamb*	Mr Simmons
Mr Charles	Mr Gorman	Mr Lavarch	Mr Snow
Dr Charlesworth	Mr Grace	Mr Lee	Mr Snowden
Mr Chynoweth	Mr Griffiths	Mr Lindsay	Mr Staples
Mr Cleeland	Mr Hand	Ms McHugh	Dr Theophanous
Mr Cohen	Mrs Harvey	Mr McLeay	Mr Tickner
Mr Courtice	Mr Hawke	Mr Martin	Mr Uren
Ms Crawford	Mr Holding	Mr Mildren	Mr West
Mr Cross	Mr Hollis	Mr Milton	Mr Willis
Mr Cunningham*	Mr Howe	Mr A. A. Morris	Mr Wright

* Tellers

And so it was negatived.

- 4 **BROADCASTING (OWNERSHIP AND CONTROL) 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—*And on the amendment moved thereto by Mr Blunt, viz.*—That all words after “That” be omitted with a view to substituting the following words: “whilst not declining to give the Bill a second reading, the House is of the opinion that all television audience reach restrictions should be removed to allow a potential 100% audience reach for all competitors on the conditions that:

- (1) the Government's moratorium on the introduction of pay and cable television be removed;
- (2) the existing television licensing procedures be substantially streamlined;
- (3) cross-media rules between pay and cable television and existing free-to-air broadcasters be introduced subject to ‘grandfathering’ of existing holdings; and
- (4) when the process of aggregation has been completed, the Australian Broadcasting Tribunal conduct an inquiry into issuing new television licences in metropolitan markets, subject to a final decision being made by the Government”—

Debate resumed.

Mr Saunderson was granted leave to continue his speech when the debate is resumed.

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

- 5 **SUSPENSION OF STANDING AND SESSIONAL ORDERS—BILLS—LIMITATION OF DEBATE:** Mr Beazley (Leader of the House) moved—That so much of the standing and sessional orders be suspended as would prevent—

- (1) the following Bills being passed through all stages without delay:
Broadcasting (Ownership and Control) Bill 1988; and
Cash Transaction Reports Bill 1988;
- (2) the Leader of the House making one declaration of urgency and moving one motion for the allotment of time in respect of the following Bills:
Broadcasting (Ownership and Control) Bill 1988;
Cash Transaction Reports Bill 1988;
Transport Legislation Amendment Bill 1988;
Civil Aviation Bill 1988;
Social Security Amendment Bill 1988;

Community Services and Health Legislation Amendment Bill 1988;
 Employment, Education and Training Bill 1988;
 Commonwealth Employees' Rehabilitation and Compensation Bill 1988;
 Anti-Dumping Authority Bill 1988;
 Customs Legislation (Anti-Dumping Amendments) Bill 1988;
 Taxation Laws Amendment Bill (No. 2) 1988;
 Referendum (Machinery Provisions) Amendment Bill 1988;
 Audit Amendment Bill 1988;
 Australian Film Commission Amendment Bill 1988; and
 Constitution Alteration (Fair Elections) Bill 1988; and

- (3) That, when considering in committee the amendments made by the Senate to the Bills, one question being put that the amendments or amendment, as appropriate, be agreed to and a resolution be reported.

Debate ensued.

Question—put and passed, with the concurrence of an absolute majority.

6 DECLARATION OF BILLS AS URGENT BILLS—LIMITATION OF DEBATE: Mr Beazley (Leader of the House) declared that the Broadcasting (Ownership and Control) Bill 1988, Cash Transactions Reports Bill 1988, Transport Legislation Amendment Bill 1988, Civil Aviation Bill 1988, Social Security Amendment Bill 1988, Community Services and Health Legislation Amendment Bill 1988, Employment, Education and Training Bill 1988, Commonwealth Employees' Rehabilitation and Compensation Bill 1988, Anti-Dumping Authority Bill 1988, Customs Legislation (Anti-Dumping Amendments) Bill 1988, Taxation Laws Amendment Bill (No. 2) 1988, Referendum (Machinery Provisions) Amendment Bill 1988, Audit Amendment Bill 1988, Australian Film Commission Amendment Bill 1988 and the Constitution Alteration (Fair Elections) Bill 1988 were urgent Bills.

Mr Fife, by leave, addressed the House.

Question—That the Bills be considered urgent Bills—put.

The House divided (the Deputy Speaker, Mr R. F. Edwards, in the Chair)—

AYES, 77

Mr Baldwin	Mr Dubois	Mr Jones	Mr O'Neil
Mr Beazley	Mr Duffy	Mr Keating	Mr Price
Mr Beddall	Mr Duncan	Mrs Kelly	Mr Saunderson
Mr Bilney	Ms Fatin	Mr Kent	Mr Sawford
Mr Blanchard	Mr Fitzgibbon	Mr Kerin	Mr Scholes
Dr Blewett	Mr Free	Mr Kerr	Mr Sciacca
Mr Bowen	Mr Gayler	Dr Klugman	Mr Scott
Mr J. J. Brown	Mr Gear	Mr Lamb*	Mr Simmons
Mr R. J. Brown	Mr Gorman	Mr Lavarch	Mr Snow
Mr Brumby	Mr Grace	Mr Lee	Mr Snowden
Mr Charles	Mr Griffiths	Mr Lindsay	Mr Staples
Dr Charlesworth	Mr Hand	Ms McHugh	Dr Theophanous
Mr Chynoweth	Mrs Harvey	Mr McLeay	Mr Tickner
Mr Cohen	Mr Holding	Mr Martin	Mr Uren
Mr Courtice	Mr Hollis	Mr Mildren	Mr West
Ms Crawford	Mr Howe	Mr Milton	Mr Willis
Mr Cross	Mr Humphreys	Mr A. A. Morris	Mr Wright
Mr Cunningham*	Mrs Jakobsen	Mr P. F. Morris	
Mrs Darling	Mr Jenkins	Mr Mountford	
Mr Dawkins	Mr Johns	Mr O'Keefe	

NOES, 49

Mr Adermann	Dr H. R. Edwards	Mr Millar	Mr Smith
Mr Aldred	Mr Fife	Mr Moore	Mr Spender
Mr Andrew*	Mr T. A. Fischer	Mr Peacock	Mrs Sullivan
Mr Beale	Mr Halverson	Mr Porter	Mr Taylor
Mr Braithwaite	Mr Hawker	Mr Pratt	Mr Tuckey
Mr N. A. Brown	Dr Hewson	Mr Prosser	Mr Webster
Mr Burr	Mr Hicks*	Mr Reith	Mr White
Mr D. M. Cameron	Mr Jull	Mr Robinson	Mr Wilson
Mr E. C. Cameron	Mr Katter	Mr Rocher	Dr Woods
Mr I. M. D. Cameron	Mr Lloyd	Mr Ruddock	Dr Wooldridge
Mr Cobb	Mr McArthur	Mr Shack	
Mr Connolly	Mr McGauran	Mr Sharp	
Mr Downer	Mr MacKellar	Mr Shipton	

* Tellers

And so it was resolved in the affirmative.

Allotment of time: Mr Beazley then moved—That the time allotted in connection with the Bills be as follows:

- (1) Broadcasting (Ownership and Control) Bill 1988—For the remaining stages, until 11.45 a.m. this day.
- (2) Cash Transaction Reports Bill 1988—For the remaining stages, until 11.55 a.m. this day.
- (3) Transport Legislation Amendment Bill 1988—For the consideration of the Senate's amendments and for the remaining stages, until 12.15 p.m. this day.
- (4) Civil Aviation Bill 1988—For the consideration of the Senate's amendments and for the remaining stages, until 12.20 p.m. this day.
- (5) Social Security Amendment Bill 1988—For the consideration of the Senate's amendment and for the remaining stages, until 12.25 p.m. this day.
- (6) Community Services and Health Legislation Amendment Bill 1988—For the consideration of the Senate's amendments and for the remaining stages, until 12.30 p.m. this day.
- (7) Employment, Education and Training Bill 1988—For the consideration of the Senate's amendments and for the remaining stages, until 12.35 p.m. this day.
- (8) Commonwealth Employees' Rehabilitation and Compensation Bill 1988—For the consideration of the Senate's amendments and for the remaining stages, until 12.40 p.m. this day.
- (9) Referendum (Machinery Provisions) Amendment Bill 1988—For the consideration of the Senate's amendment and for the remaining stages, until 12.45 p.m. this day.
- (10) Audit Amendment Bill 1988—For the consideration of the Senate's amendments and for the remaining stages, until 3 p.m. this day.
- (11) Anti-Dumping Authority Bill 1988—For the consideration of the Senate's amendment and for the remaining stages, until 3.05 p.m. this day.
- (12) Customs Legislation (Anti-Dumping Amendments) Bill 1988—For the consideration of the Senate's amendments and for the remaining stages, until 3.10 p.m. this day.
- (13) Taxation Laws Amendment Bill (No. 2) 1988—For the consideration of the Senate's amendment and for the remaining stages, until 3.15 p.m. this day.
- (14) Australian Film Commission Amendment Bill 1988—For the consideration of the Senate's amendment and for the remaining stages, until 3.20 p.m. this day.
- (15) Constitution Alteration (Fair Elections) Bill 1988—For the consideration of the Senate's amendments and for the remaining stages, until 3.25 p.m. this day.

Debate ensued.

Question—put.

The House divided (the Deputy Speaker, Mr R. F. Edwards, in the Chair)—

AYES, 77

Mr Baldwin	Mr Dubois	Mr Jones	Mr O'Neil
Mr Beazley	Mr Duffy	Mr Keating	Mr Price
Mr Beddall	Mr Duncan	Mrs Kelly	Mr Saunderson
Mr Bilney	Ms Fatin	Mr Kent	Mr Sawford
Mr Blanchard	Mr Fitzgibbon	Mr Kerin	Mr Scholes
Dr Blewett	Mr Free	Mr Kerr	Mr Sciacca
Mr Bowen	Mr Gayler	Dr Klugman	Mr Scott
Mr J. J. Brown	Mr Gear	Mr Lamb*	Mr Simmons
Mr R. J. Brown	Mr Gorman	Mr Lavarch	Mr Snow
Mr Brumby	Mr Grace	Mr Lee	Mr Snowden
Mr Charles	Mr Griffiths	Mr Lindsay	Mr Staples
Dr Charlesworth	Mr Hand	Ms McHugh	Dr Theophanous
Mr Chynoweth	Mrs Harvey	Mr McLeay	Mr Tickner
Mr Cohen	Mr Holding	Mr Martin	Mr Uren
Mr Courtice	Mr Hollis	Mr Mildren	Mr West
Ms Crawford	Mr Howe	Mr Milton	Mr Willis
Mr Cross	Mr Humphreys	Mr A. A. Morris	Mr Wright
Mr Cunningham*	Mrs Jakobsen	Mr P. F. Morris	
Mrs Darling	Mr Jenkins	Mr Mountford	
Mr Dawkins	Mr Johns	Mr O'Keefe	

NOES, 49

Mr Adermann	Dr H. R. Edwards	Mr Millar	Mr Smith
Mr Aldred	Mr Fife	Mr Moore	Mr Spender
Mr Andrew*	Mr T. A. Fischer	Mr Peacock	Mrs Sullivan
Mr Beale	Mr Halverson	Mr Porter	Mr Taylor
Mr Braithwaite	Mr Hawker	Mr Pratt	Mr Tuckey
Mr N. A. Brown	Dr Hewson	Mr Prosser	Mr Webster
Mr Burr	Mr Hicks*	Mr Reith	Mr White
Mr D. M. Cameron	Mr Jull	Mr Robinson	Mr Wilson
Mr E. C. Cameron	Mr Katter	Mr Rocher	Dr Woods
Mr I. M. D. Cameron	Mr Lloyd	Mr Ruddock	Dr Wooldridge
Mr Cobb	Mr McArthur	Mr Shack	
Mr Connolly	Mr McGauran	Mr Sharp	
Mr Downer	Mr MacKellar	Mr Shipton	

* Tellers

And so it was resolved in the affirmative.

7 MESSAGE FROM THE SENATE—CASH TRANSACTION REPORTS BILL 1988:

Message No. 166, dated 25 May 1988, from the Senate was reported transmitting for the concurrence of the House a Bill for "*An Act to provide for the reporting of certain transactions and transfers, to establish a Cash Transaction Reports Agency and to impose certain obligations in relation to accounts, and for related purposes*".

Bill read a first time.

Mr Bowen (Attorney-General) moved—That the Bill be now read a second time.

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

Debate ensued.

Limitation of debate: At 11.55 a.m., the Deputy Speaker having called the attention of the House to the fact that the time allotted for the remaining stages of the Bill had expired—

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

Further question—That the remaining stages of the Bill be agreed to—put and passed—Bill read a third time.

8 BROADCASTING (OWNERSHIP AND CONTROL) 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—*And on the amendment moved thereto by Mr Blunt (see entry No. 4)—*

Limitation of debate: It being past 11.45 a.m., the Deputy Speaker having called the attention of the House to the fact that the time allotted for the remaining stages of the Bill had expired—

Question—That the words proposed to be omitted stand part of the question—put and passed.

Further question—That the Bill be now read a second time—put and passed—Bill read a second time.

Question—That the remaining stages of the Bill be agreed to—put and passed—Bill read a third time.

9 AUSTRALIA'S IMMIGRATION POLICIES—REPORT AND MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPERS: Mr Holding (Minister for Immigration, Local Government and Ethnic Affairs) presented the following papers:

Immigration: a commitment to Australia—Report of the Committee to Advise on Australia's Immigration Policies—

Report.

Consultants' Reports.

Legislation.

Mr Holding, by leave, made a ministerial statement on the report by the Committee to Advise on Australia's Immigration Policies, and presented the following paper:

Immigration—A commitment to Australia—Report of the Committee to Advise on Australia's Immigration Policies—Ministerial statement, 3 June 1988.

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

Suspension of standing orders: Mr Beazley, by leave, moved—That so much of the standing orders be suspended as would prevent Mr Cadman speaking for a period not exceeding 10 minutes.

Question—put and passed.

Debate ensued.

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

10 POSTPONEMENT OF NOTICES: Ordered—That notices Nos. 1 to 3, government business, be postponed until a later hour this day.

11 TRANSPORT LEGISLATION AMENDMENT BILL 1988—SENATE'S AMENDMENTS: The House, according to order, resolved itself into a committee of the whole to consider the amendments made by the Senate.

In the committee

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE

No. 1—Page 1, subclause 2 (1), line 9, after "sections 4, 8, 9," insert "13,".

No. 2—Page 2, subclause 2 (2), lines 1 and 2, leave out the subclause, insert the following subclause:

"(2) Sections 10, 11, 12, 14 and 15 shall be taken to have commenced at the commencement of the *Federal Airports Corporation Act 1986*."

No. 3—Page 4, paragraph 13 (c), lines 33 to 35, leave out the paragraph, insert the following paragraph:

"(c) by adding at the end the following subsection:

'(10) An aeronautical charge shall not be fixed at an amount that exceeds the amount that is reasonably related to the expenses incurred or to be incurred by the Authority in relation to the matters in respect of which the charge is payable and shall not be such as to amount to taxation.'"

Mr P. F. Morris (Minister for Transport and Communications Support) moved—That the amendments be agreed to and a resolution be reported to the House.

Limitation of debate: It being past 12.15 p.m., the Deputy Chairman having called the attention of the Committee to the fact that the time allotted for the consideration of the Senate's amendments and for the remaining stages had expired—

Question—That the amendments be agreed to and a resolution be reported to the House—put and passed.

The House resumed; Mr R. F. Edwards reported accordingly.

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

12 MESSAGE FROM THE SENATE—CIVIL AVIATION BILL 1988: The following message from the Senate was reported:

Message No. 186

Madam Speaker,

The Senate returns to the House of Representatives the Bill for "*An Act to establish a Civil Aviation Authority with functions relating to the safety of civil aviation, 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, 1 June 1988

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 4, subclause 3 (1), after the definition of "flight", insert the following new definition:

"'licence', except in paragraph 26 (2) (b), includes a rating or other endorsement on a licence;"

No. 2—Page 16, subclause 29 (1), lines 28 to 34, leave out the subclause, insert the following subclause:

"(1) No owner, operator, hirer (not being the Crown) or pilot of an aircraft shall operate the aircraft or permit the aircraft to be operated so as to:

(a) use an aerodrome in contravention of a condition specified under section 20; or

(b) fly or be operated in contravention of a provision of this Part or a direction given, or condition imposed, under such a provision."

No. 3—Page 16, subclause 29 (2), lines 35 and 36, leave out the subclause, insert the following subclause:

"(2) A person who contravenes subsection (1) is guilty of an offence punishable, upon conviction, by a fine not exceeding \$5,000 or imprisonment for a period not exceeding 2 years, or both."

No. 4—Page 16, subclause 29 (3), lines 37 to 39, leave out the subclause.

No. 5—Page 17, clause 30, at end of the clause, add the following new subclause:

"(2) Any defence established under subsection (1) need only be established on the balance of probabilities."

No. 6—Page 34, clause 67, lines 27 and 28, leave out the clause, insert the following clause:

Limits on charges

"67. The amount or rate of a charge shall be reasonably related to the expenses incurred or to be incurred by the Authority in relation to the matters to which the charge relates and shall not be such as to amount to taxation."

No. 7—Page 39, subclause 82 (1), definition of "reviewable decision", line 20, after "subsection", insert "69 (1),".

No. 8—Page 45, after subclause 98 (4), insert the following new subclause:

"(4A) Where the regulations provide for a direction, instruction, notification, permission, approval or authority to be given or issued in the form of a Civil Aviation Order, an Order so given or issued after the commencement of this section is a disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*."

No. 9—Page 46, after subclause 100 (3), add the following new subclause:

"(4) Where an instrument authorising the conduct of operations only within Australia, being a licence issued under Part XIII of the Air Navigation Regulations or an exemption and approval under regulation 203 of those Regulations, was in force immediately before the commencement of section 27:

(a) the instrument continues in effect after that commencement, but shall be taken to be an Air Operator's Certificate issued under this Act; and

(b) in the instrument as so continued in effect:

(i) a reference to the Secretary to the Department shall be read as a reference to the Authority;

(ii) a reference to the Department (other than a reference mentioned in subparagraph (i), shall be read as a reference to the Authority;

(iii) a reference to a provision of the *Air Navigation Act 1920* shall be read as a reference to the corresponding provision of this Act;

(iv) a reference to a provision of the Air Navigation Regulations shall be read as a reference to the corresponding provision of regulations made under this Act; and

(v) a reference to an Air Navigation Order, within the meaning of the Air Navigation Regulations, shall be read as a reference to a Civil Aviation Order, within the meaning of regulations made under this Act."

Mr P. F. Morris (Minister representing the Minister for Transport and Communications) moved—That the amendments be agreed to and a resolution be reported to the House.

Limitation of debate: It being past 12.20 p.m., the Deputy Chairman having called the attention of the Committee to the fact that the time allotted for consideration of the Senate's amendments and for the remaining stages had expired—

Question—That the amendments be agreed to and a resolution be reported to the House—put and passed.

The House resumed; Mr R. F. Edwards reported accordingly.

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

13 MESSAGE FROM THE SENATE—SOCIAL SECURITY AMENDMENT BILL 1988: The following message from the Senate was reported:

Message No. 187

Madam Speaker,

The Senate returns to the House of Representatives the Bill for "*An Act to amend the 'Social Security Act 1947', and for related purposes*", 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, 2 June 1988

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 2, paragraph 3 (a), proposed paragraph (ka) of the definition of "income", lines 21 and 22, leave out "(other than an amount expressed to be paid for lost income)".

Dr Blewett (Minister for Community Services and Health) moved—That the amendment be agreed to and a resolution be reported to the House.

Limitation of debate: It being 12.25 p.m., the Deputy Chairman having called the attention of the Committee to the fact that the time allotted for the consideration of the Senate's amendment and for the remaining stages had expired—

Question—That the amendment be agreed to and a resolution be reported to the House—put and passed.

The House resumed; Mr R. F. Edwards reported accordingly.

On the motion of Mr Beazley (Leader of the House), the House adopted the report.

14 MESSAGE FROM THE SENATE—COMMUNITY SERVICES AND HEALTH LEGISLATION AMENDMENT BILL 1988: The following message from the Senate was reported:

Message No. 190

Madam Speaker,

The Senate returns to the House of Representatives the Bill for "*An Act to amend laws relating to community services and health*", 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, 2 June 1988

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 2, paragraph 5 (c), proposed subsection 10D (4), line 40, leave out "prescribed", insert "benefit".

No. 2—Page 14, after clause 28, insert the following new clauses:

Public officer of registered organisation

"28A. Section 74 of the Principal Act is amended:

(a) by omitting from subsection (5) '\$5,000' and substituting '\$10,000';

(b) by inserting after subsection (5) the following subsection:

'(5A) A registered organisation shall not:

(a) permit money of the organisation to be used for the payment of a fine imposed on its public officer under subsection (5); or

(b) reimburse its public officer in respect of a fine imposed on the public officer under subsection (5).'

"28B. After section 74B of the Principal Act the following section is inserted:

Inducing contributors to transfer to other funds etc.

'74BA. A registered organisation shall not:

- (a) offer to a contributor to a health benefits fund conducted by the organisation an inducement or encouragement;
 - (b) subject, or threaten to subject, such a contributor to a penalty or disadvantage (whether financial or otherwise);
 - (c) refrain from offering to such a contributor a benefit; or
 - (d) hinder or impede the provision of a benefit to such a contributor;
- for the purpose of persuading the contributor to transfer to a health benefits fund conducted by another organisation or simply to cease to contribute to the fund conducted by the first-mentioned organisation.

Penalty: \$50,000.'."

No. 3—Pages 17 and 18, clause 30, proposed paragraph (1g) to The Schedule, line 39 (page 17) to line 4 (page 18), leave out the proposed paragraph.

Dr Blewett (Minister for Community Services and Health) moved—That the amendments be agreed to and a resolution be reported to the House.

Debate ensued.

Limitation of debate: At 12.30 p.m., the Deputy Chairman having called the attention of the Committee to the fact that the time allotted for the consideration of the Senate's amendments and for the remaining stages had expired—

Question—That the amendments be agreed to and a resolution be reported to the House—put and passed.

The House resumed; Mr R. F. Edwards reported accordingly.

On the motion of Dr Blewett, the House adopted the report.

15 MESSAGE FROM THE SENATE—EMPLOYMENT, EDUCATION AND TRAINING

BILL 1988: The following message from the Senate was reported:

Message No. 191

Madam Speaker,

The Senate returns to the House of Representatives the Bill for "*An Act relating to employment, education and training, and for other 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, 2 June 1988

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 2, subclause 3 (1), definition of "curricula", lines 6 and 7, leave out the definition, insert the following definition:

"'curricula' means courses of study, and methods and procedures, for use in or in connection with teaching or learning in schools or tertiary institutions;"

No. 2—Page 2, subclause 3 (1), definition of "school", lines 38 and 39, leave out all words from and including "but".

No. 3—Page 3, subclause 3 (1), definition of "technical and further education", paragraph (a), line 13, leave out "not to be a course of higher education", insert "to be a course of technical and further education".

No. 4—Page 5, after subclause 7 (2), insert the following new subclause:

"(2A) Before referring a matter to the Board under paragraph 7 (1) (a), the Minister shall consult with the Chairperson of the Board on the matter."

No. 5—Page 6, paragraph 7 (4) (b), lines 13 and 14, leave out "end products of research projects", insert "outcomes of research".

No. 6—Page 6, subclause 8 (1), line 39, leave out “comply with”, insert “follow”.
 No. 7—Page 7, paragraph 9 (6) (b), line 34, after “summary”, insert “prepared by the Council”.

No. 8—Page 7, subclause 9 (7), line 35, leave out “may, and shall if so requested by the Minister,”, insert “shall”.

No. 9—Page 8, subclause 9 (9), lines 1 to 3, leave out the subclause, insert the following subclause:

“(9) The Minister shall cause a copy of each report given under this section other than a report given under subsection (1), to be laid as soon as practicable before each House of the Parliament.”.

No. 10—Page 8, subclauses 9 (10) and (11), lines 4 to 11, leave out the subclauses.

No. 11—Page 8, paragraph 11 (2) (a), (b) and (c), lines 20, 22 and 24, after “expertise” (wherever occurring), insert “or experience”.

No. 12—Page 8, paragraph 11 (2) (c), line 25, leave out “or training”, insert “, training, science or technology”.

No. 13—Page 8, paragraph 11 (4) (b), line 35, leave out the paragraph, insert the following paragraph and words:

“(b) another of the members to be the Deputy Chairperson of the Board; but a member who has held office as Chairperson on a full-time basis is not eligible for appointment to that office.”.

No. 14—Page 12, paragraph 22 (6) (a), line 5, leave out the paragraph, insert the following paragraph:

“(a) a majority of the members appointed to the Board constitute a quorum;”.

No. 15—Page 13, subclause 24 (1), lines 2 to 23, leave out the subclause, insert the following subclause:

“(1) The functions of the Schools Council are:

(a) to inquire into, and to provide information and advice to the Board with respect to, any matter referred to the Council by the Minister or the Board, being:

(i) a matter relating to schools or to primary or secondary education and, in particular, but without limiting the generality of the foregoing, a matter relating to:

(A) the general development of primary and secondary education in schools;

(B) the marketing overseas of primary or secondary education programs developed in Australia;

(C) the establishment of the priorities to be given in dealing with the needs of primary and secondary schools in respect of buildings, equipment, staff and other facilities;

(D) the funding, planning and implementation of programs aimed at meeting such priorities referred to in sub-subparagraph (C) as have been, or may be, established; or

(E) the granting of financial assistance by the Commonwealth in respect of school systems and schools;

(ii) a matter relating to the education of handicapped children who have not attained school age; or

(iii) any other matter on which information or advice may reasonably be required by the Minister or the Board in conjunction with information or advice in respect of a matter referred to in subparagraph (i) or (ii);

(b) on its own motion, but subject to subsection (3), to inquire into, and provide information and advice to the Board with respect to, any matter referred to in subparagraph (a) (i), (ii) or (iii).”.

No. 16—Page 13, paragraph 24 (2) (e), line 44, leave out “and teaching methods”.

No. 17—Page 14, after subclause 24 (2), add the following new subclause:

“(3) The Council may perform a function under paragraph (1) (b) only if the performance of that function does not prejudice the performance of its functions under paragraph (1) (a).”

No. 18—Page 14, clause 25, lines 9 to 31, leave out the clause, insert the following clause:

Functions of the Higher Education Council

“25. (1) The functions of the Higher Education Council are:

- (a) to inquire into, and to provide information and advice to the Board with respect to, any matter referred to the Council by the Minister or the Board, being:
 - (i) a matter relating to higher education and, in particular, but without limiting the generality of the foregoing, a matter relating to:
 - (A) the general development of higher education in Australia;
 - (B) the marketing overseas of higher education programs developed in Australia;
 - (C) the establishment of the priorities to be given in dealing with the needs of higher education institutions and other institutions providing higher education in respect of buildings, equipment, staff and other facilities;
 - (D) the funding, planning and implementation of programs aimed at meeting such priorities referred to in sub-subparagraph (C) as have been, or may be, established; or
 - (E) the granting of financial assistance by the Commonwealth in respect of higher education institutions and other institutions offering higher education; or
 - (ii) any other matter on which information or advice may reasonably be required by the Minister or the Board in conjunction with information or advice in respect of a matter referred to in subparagraph (i);
- (b) on its own motion, but subject to subsection (2), to inquire into, and provide information and advice to the Board with respect to, any matter referred to in subparagraph (a) (i) or (ii).

“(2) The Council may perform a function under paragraph (1) (b) only if the performance of that function does not prejudice the performance of its functions under paragraph (1) (a).”

No. 19—Pages 14 and 15, clause 26, line 32 (page 14) to line 15 (page 15), leave out the clause, insert the following clause:

Functions of the Employment and Skills Formation Council

“26. (1) The functions of the Employment and Skills Formation Council are:

- (a) to inquire into, and to provide information and advice to the Board with respect to, any matter referred to the Council by the Minister or the Board, being:
 - (i) a matter relating to employment, technical and further education or the formation of skills and, in particular, but without limiting the generality of the foregoing, a matter relating to:
 - (A) employment policies, programs or services;
 - (B) the general development of technical and further education;
 - (C) the marketing overseas of technical and further education programs developed in Australia;
 - (D) the establishment of the priorities to be given in dealing with the needs of technical and further education institutions or other institutions providing technical and further education in respect of buildings, equipment, staff and other facilities;
 - (E) the funding, planning and implementation of programs aimed at meeting such priorities referred to in sub-subparagraph (D) as have been, or may be, established;

- (F) the granting of financial assistance by the Commonwealth to technical and further education institutions and other institutions offering technical and further education;
- (G) policies, programs, or services, for the formation of skills; or
- (H) the promotion of effective training in the business and industrial sectors; or
- (ii) any other matter on which information or advice may reasonably be required by the Minister or the Board in conjunction with information or advice in respect of a matter referred to in subparagraph (i);

(b) on its own motion, but subject to subsection (2), to inquire into, and provide information and advice to the Board with respect to, any matter referred to in subparagraph (a) (i) or (ii).

“(2) The Council may perform a function under paragraph (1) (b) only if the performance of that function does not prejudice the performance of its functions under paragraph (1) (a).”

No. 20—Page 16, after paragraph 27 (1) (b), add the following new paragraph:

“(c) on its motion, but subject to subsection (3), to inquire into, and provide information and advice to the Board with respect to, any matter referred to in paragraph (b) (i) or (ii).”

No. 21—Page 16, after subclause 27 (2), add the following new subclause:

“(3) The Council may perform a function under paragraph (1) (c) only if the performance of that function does not prejudice the performance of its functions under paragraphs (1) (a) or (b).”

No. 22—Page 16, after clause 29, insert the following new clause:

Reports by Councils

“29A. (1) Where a Council gives advice to the Board under this Part, the Board shall, as soon as practicable, send to the Minister:

- (a) a copy of the advice; or
- (b) if the Board considers it more appropriate that only a summary of the advice be given to the Minister—such a summary prepared by the Council;

together with written comments in respect of the advice.

“(2) The Minister shall cause a copy of each advice or summary of advice and of the written comments sent to him or her under subsection (1) to be laid as soon as practicable before each House of the Parliament.”

No. 23—Page 17, after subclause 31 (1), insert the following new subclause:

“(1A) In the case of the Schools Council and of the Higher Education Council, at least one of the members of the Board appointed to be members of the Councils shall be a full-time member of the Board.”

No. 24—Page 17, paragraphs 31 (3) (a) and (b), lines 18 to 21, leave out the paragraphs, insert the following paragraphs and words:

- “(a) in the case of the Schools Council and of the Higher Education Council—the member, or a member, of the Council who is also a full-time member of the Board to be the Chairperson of the Council;
- (b) in the case of each of the other Councils—a member of the Council who is also a member of the Board to be the Chairperson of the Council; and
- (c) in every case—another member of the Council to be the Deputy Chairperson of the Council;

but a member of the Council who has held office as Chairperson of that Council is not eligible for appointment to that office.”

No. 25—Page 18, subclause 34 (3), lines 29 to 31, leave out the subclause.

No. 26—Page 19, paragraph 36 (2) (b), lines 9 and 10, leave out the paragraph, insert the following paragraph:

“(b) comprise at least one person referred to in paragraph (a) and persons other than persons referred to in that paragraph.”

- No. 27—Page 24, paragraph 56 (1) (a), lines 1 and 2, leave out the paragraph.
 No. 28—Page 24, subclause 56 (2), line 6, leave out "Minister", insert "Board".
 No. 29—Page 24, subclause 56 (3), lines 7 to 10, leave out the subclause.
 No. 30—Page 25, after clause 59, insert the following new clause:

Department to provide information

"59A. (1) The Board or a Council may request the Department, in writing, to furnish to it information specified in the request, being information that the Board or the Council reasonably requires for the proper performance of its functions and believes to be in the possession, or under the control, of the Department.

"(2) Where:

- (a) the Department refuses or fails to furnish to the Board or a Council, within a reasonable time, information that it has been requested to furnish under subsection (1); and
- (b) The Board or the Council is of the opinion that the refusal or failure is unreasonable;

the Board or the Council may report the refusal or failure to the Minister.

"(3) The Minister shall cause a copy of a report received by him or her under subsection (2) to be laid before each House of the Parliament within 15 sitting days of the House after the day on which the Minister received the report."

No. 31—Page 29, Schedule 1, Part I, after "Armidale College of Advanced Education", insert "Avondale College".

No. 32—Page 30, Schedule 1, Part III, after "James Cook University of North Queensland", insert "McAuley College".

No. 33—Page 30, Schedule 1, Part VIII, after "Canberra College of Advanced Education", insert "Signadou College of Education".

No. 34—Page 31, Schedule 2, proposed amendment of the *Bounty (Books) Act 1969*, leave out all words after "substitute", insert "*Employment, Education and Training Act 1988*, other than such a school or institution conducted for the profit, directly or indirectly, of an individual or individuals".

No. 35—Page 31, Schedule 2, proposed amendment of the *Bounty (Books) Act 1986*, leave out all words after "substitute", insert "*Employment, Education and Training Act 1988*, other than such a school or institution conducted for the profit, directly or indirectly, of an individual or individuals".

On the motion of Mr Humphreys (Minister for Veterans' Affairs), the amendments were agreed to, after debate.

Resolution to be reported.

The House resumed; Mr R. F. Edwards reported accordingly.

On the motion of Mr Beazley (Leader of the House), the House adopted the report.

16 MESSAGE FROM THE SENATE—COMMONWEALTH EMPLOYEES' REHABILITATION AND COMPENSATION BILL 1988: The following message from the Senate was reported:

Message No. 192

Madam Speaker,

The Senate returns to the House of Representatives the Bill for "*An Act relating to the rehabilitation of Commonwealth employees and to workers' compensation for those employees and certain other persons, 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, 2 June 1988

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 41, subclause 44 (1), line 27, leave out “An”, insert “Subject to section 44A, an”.

No. 2—Page 41, subparagraph 44 (1) (b), line 34, leave out the paragraph.

No. 3—Page 41, subclause 44 (1), line 37, leave out “death.”.

No. 4—Page 41, after clause 44, insert the following new clause:

Actions for damages—election by employees

“44A. (1) Where:

(a) compensation is payable under section 24, 25 or 27 in respect of an injury to an employee; and

(b) the Commonwealth, a Commonwealth authority or another employee would, but for subsection 44 (1), be liable for damages for any non-economic loss suffered by the employee as a result of the injury;

the employee may, at any time before an amount of compensation is paid to the employee under section 24, 25 or 27 in respect of that injury, elect in writing to institute an action or proceeding against the Commonwealth, the Commonwealth authority or other employee for damages for that non-economic loss.

“(2) Where an employee makes an election:

(a) subsection 44 (1) does not apply in relation to an action or other proceeding subsequently instituted by the employee against the Commonwealth, the Commonwealth authority or the other employee for damages for the non-economic loss to which the election relates; and

(b) compensation is not payable after the date of the election under section 24, 25 or 27 in respect of the injury.

“(3) An election is irrevocable.

“(4) In any action or proceeding instituted as a result of an election made by an employee, the court shall not award the employee damages of an amount exceeding \$110,000 for any non-economic loss suffered by the employee.”.

No. 5—Page 42, paragraph 45 (b), line 7, after “person”, insert “(other than the Commonwealth, a Commonwealth authority or another employee)”.

No. 6—Page 42, after clause 45, insert the following new clause:

Notice of proceedings against Commonwealth

“45A. Where:

(a) compensation is payable under this Act in respect of the death of an employee or an injury to an employee; and

(b) the employee, or a dependant of the deceased employee, as the case may be, institutes proceedings against the Commonwealth, a Commonwealth authority or another employee for the recovery of damages in respect of the death or injury;

the employee or dependant shall, as soon as practicable but in any event not later than 7 days after the day on which he or she first became aware that those proceedings had been instituted, notify the Commission in writing of those proceedings.

Penalty: \$500.”.

No. 7—Page 43, after paragraph 46 (5) (b), insert the following new paragraph:

“(ba) as a result of proceedings instituted by the employee as a result of an election by the employee under section 44A; or”.

No. 8—Page 46, after subclause 48 (8), add the following new subclause:

“(9) In this section:

‘person’ does not include the Commonwealth, a Commonwealth authority or an employee.”.

No. 9—Page 48, after subclause 49 (5), add the following new subclause:

“(6) In this section:

‘person’ does not include the Commonwealth, a Commonwealth authority or an employee.”.

No. 10—Page 89, subclauses 133 (2) and (3), lines 1 to 9, leave out the subclauses, insert the following subclause:

“(2) The amount of compensation payable per week to the former employee under this Act is an amount equal to the employee's 1971 amount.”.

No. 11—Page 89, subclauses 134 (2) and (3), lines 15 to 21, leave out the subclauses, insert the following subclause:

“(2) The amount of compensation payable per week to the former employee under this Act is an amount equal to the employee's 1971 amount.”.

No. 12—Page 94, Schedule, proposed amendments of the *Australian National Railways Commission Act 1983*, proposed subsection 48A (1), definition of “commencing day”, leave out “135”, insert “136”.

On the motion of Mr Beazley (Leader of the House), the amendments were agreed to, after debate.

Resolution to be reported.

The House resumed; Mr R. F. Edwards reported accordingly.

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

17 MESSAGE FROM THE SENATE—REFERENDUM (MACHINERY PROVISIONS) AMENDMENT BILL 1988: The following message from the Senate was reported:

Message No. 202

Madam Speaker,

The Senate returns to the House of Representatives the Bill for “*An Act to amend the 'Referendum (Machinery Provisions) Act 1984'*”, 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, 2 June 1988

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 5, clause 8, lines 9 to 16, leave out the clause.

On the motion of Mr Beazley (Leader of the House), the amendment was agreed to, after debate.

Resolution to be reported.

The House resumed; Mr R. F. Edwards reported accordingly.

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

18 PATENTS AMENDMENT BILL 1988: Mr Jones (Minister for Science, Customs and Small Business), by leave, presented a Bill for an Act to amend the *Patents Act 1952*, and for related purposes.

Bill read a first time.

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

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

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

- 19 **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. for the first sitting Thursday of the Budget sittings 1988.

- 20 **SUSPENSION OF STANDING ORDERS—SALES TAX BILLS:** Mr Beazley (Leader of the House), pursuant to notice, moved—That, in relation to the proceedings on any Sales Tax Bills, so much of the standing orders be suspended as would prevent:

- (1) the presentation and the first readings of the Bills together;
- (2) one motion being moved and one question being put in regard to, respectively, the second readings, the committee's report stage, and the third readings, of all the Bills together; and
- (3) the consideration of all the Bills as a whole together in a committee of the whole.

Question—put and passed.

- 21 **QUESTIONS:** Questions without notice being asked—

Paper: Mr Keating (Treasurer) presented the following paper:

Superannuation—Note to Gallery by the Office of the Treasurer—Comments of Mr Connolly on superannuation, dated 30 May 1988.

Questions without notice continued.

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

Aboriginal Town Campers Assistance Program (TCAP)—Report for 1986-87.

Anglo-Australian Telescope Agreement Act—Anglo-Australian Telescope Board—Corrigenda to the Report of the Anglo-Australian Telescope Board for 1986-87.

Audit Act—Building and Construction Industry Long Service Leave Board—Report and financial statements, including the Auditor-General's Report, for 1986-87.

Australian Apple and Pear Corporation Act—Australian Apple and Pear Corporation—Report and financial statements, including the Auditor-General's Report, for 1987.

Australian Security Intelligence Organization Act—Attorney-General's guidelines in relation to the performance by the Australian Security Intelligence Organization of its functions relating to politically motivated violence—

Guidelines.

Statement by Mr Bowen, Attorney-General.

Australian Marine Sciences and Technologies Committee—Report—Australian tropical marine science and technology: Current status and opportunities.

Central Land Council—7th Report, for 1986-87.

Complaints (Australian Federal Police) Act—Federal Police Disciplinary Tribunal—Report for 1986-87.

Department of Industry, Technology and Commerce—Recombinant DNA Monitoring Committee—Report for period 1 July 1986 to 30 November 1987.

Efficiency audit—Report of the Auditor-General—Australian Taxation Office: taxpayers in unincorporated business—Errata.

Family Law Council—Report—Arbitration in Family Law, dated 14 February 1988.

Foreign Affairs, Defence and Trade—Joint Committee—Government response to report on the management of Australia's defence.

Human Rights and Equal Opportunity Commission Act—Human Rights and Equal Opportunity Commission—Report for 1986-87, including a report on the activities of the Human Rights Commission for the period 1 July 1986 to 9 December 1986.

National Health Act—Report on the operations of the registered health insurance organisations for 1986-87.

National Tree Program—Progress Report, 1982-1987.

Seamen's Compensation Act—Seamen's Compensation Review—Report, dated 28 March 1988.

Sport and Recreation Ministers' Council—Summary record of proceedings—17th Meeting, Alice Springs, 3 September 1987.

Tasmanian World Heritage Area Council—Summary record—5th meeting, Hobart, 16 October 1987.

Veterans' Entitlements Act Monitoring Committee—Reports Nos. 1 and 2.

- 23 CENTRAL LAND COUNCIL—REPORT—MOTION TO TAKE NOTE OF PAPER:** Mr Beazley (Leader of the House) moved—That the House take note of the following paper:

Central Land Council—7th Report, for 1986-87.

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

- 24 HUMAN RIGHTS AND EQUAL OPPORTUNITY COMMISSION—REPORT—MOTION TO TAKE NOTE OF PAPER:** Mr Beazley (Leader of the House) moved—That the House take note of the following paper:

Human Rights and Equal Opportunity Commission Act—Human Rights and Equal Opportunity Commission—Report for 1986-87, including a report on the activities of the Human Rights Commission for the period 1 July to 9 December 1986.

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

- 25 FEDERAL POLICE DISCIPLINARY TRIBUNAL—REPORT—MOTION TO TAKE NOTE OF PAPER:** Mr Beazley (Leader of the House) moved—That the House take note of the following paper:

Complaints (Australian Federal Police) Act—Federal Police Disciplinary Tribunal—Report for 1986-87.

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

- 26 AUSTRALIAN SECURITY INTELLIGENCE ORGANIZATION—ATTORNEY-GENERAL'S GUIDELINES IN RELATION TO POLITICALLY MOTIVATED VIOLENCE—PAPERS—MOTION TO TAKE NOTE OF THE PAPERS:** Mr Beazley (Leader of the House) moved—That the House take note of the following papers:

Australian Security Intelligence Organization Act—Attorney-General's guidelines in relation to the performance by the Australian Security Intelligence Organization of its functions relating to politically motivated violence—Guidelines.

Statement by Mr Bowen, Attorney-General.

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

- 27 EFFICIENCY AUDIT REPORT—AUSTRALIAN TAXATION OFFICE: TAXPAYERS IN UNINCORPORATED BUSINESS—ERRATA—MOTION TO TAKE NOTE OF PAPER:** Mr Beazley (Leader of the House) moved—That the House take note of the following paper:

Efficiency Audit—Report of the Auditor-General—Australian Taxation Office: taxpayers in unincorporated business—Errata.

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

- 28 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT COMMITTEE—REPORT ON THE MANAGEMENT OF AUSTRALIA'S DEFENCE—GOVERNMENT RESPONSE—MOTION TO TAKE NOTE OF PAPER:** Mr Beazley (Leader of the House) moved—That the House take note of the following paper:

Foreign Affairs, Defence and Trade—Joint Committee—Government response to report on the management of Australia's defence.

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

- 29 PUBLIC WORKS COMMITTEE—REFERENCE OF WORK—OFFICE BUILDING, CORNER OF EXHIBITION AND LONSDALE STREETS, MELBOURNE:** Mr West (Minister for Administrative Services), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Construction of an office building, corner of Exhibition and Lonsdale Streets, Melbourne.

Mr West presented a statement and a photograph in connection with the proposed work.

Debate ensued.

Question—put and passed.

- 30 ALBION EXPLOSIVES FACTORY—RELOCATION TO MULWALA, NSW—APPROVAL OF WORK:** Mr West (Minister for Administrative Services), 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: Relocation of Albion Explosives Factory to Mulwala, NSW.

Mr West presented a statement in connection with the motion.

Debate ensued.

Question—put and passed.

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

30 May 1988—Message—

No. 167—Appropriation (No. 3) 1987-88 (*without requests*).

No. 168—Appropriation (No. 4) 1987-88.

31 May 1988—Message—

No. 169—Supply (Parliamentary Departments) 1988-89.

No. 170—Supply (No. 1) 1988-89 (*without requests*).

No. 171—Supply (No. 2) 1988-89.

1 June 1988—Message—

No. 172—Constitution Alteration (Parliamentary Terms) 1988.

No. 173—Constitution Alteration (Local Government) 1988.

No. 174—Constitution Alteration (Rights and Freedoms) 1988.

No. 176—Aviation Fuel Revenues (Special Appropriation) 1988.

No. 177—Migration Amendment 1988.

No. 178—Departure Tax Amendment 1988.

No. 179—Departure Tax Collection Amendment 1988.

No. 180—Commonwealth Authorities Legislation (Pay-roll Tax) Amendment 1988.

No. 181—Primary Industries (Recovery of Levy Collection Expenses) 1988.

No. 182—National Health Amendment 1988.

No. 183—Local Government (Financial Assistance) Amendment 1988.

No. 184—Fertilisers Subsidy Amendment 1988.

No. 185—Customs Tariff (Rate Alteration) 1988 (*without requests*).

2 June 1988—Message—

No. 188—States Grants (Schools Assistance) Amendment 1988.

No. 189—States Grants (Tertiary Education Assistance) Amendment 1988.

No. 193—United States Naval Communication Station (Civilian Employees) 1988.

No. 194—Customs Tariff Amendment 1988 (*without requests*).

No. 195—Customs Tariff Amendment (No. 2) 1988 (*without requests*).

No. 198—Customs Tariff (Anti-Dumping) Amendment 1988 (*without requests*).

No. 200—Crimes Legislation Amendment 1988.

No. 201—Crimes Legislation Amendment (No. 2) 1988.

No. 203—Research and Development Legislation Amendment 1988.

No. 204—Superannuation Benefit (Interim Arrangement) 1988.

No. 205—Defence (Superannuation Interim Arrangement) Amendment 1988.

32 MESSAGE FROM THE SENATE—AUDIT AMENDMENT BILL 1988: The following message from the Senate was reported:

Message No. 206

Madam Speaker,

The Senate returns to the House of Representatives the Bill for "*An Act to amend the 'Audit Act 1901', 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, 2 June 1988

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 4, subclause 9 (1), proposed paragraph 51 (1) (c), lines 19 to 21, leave out "being cases that are, in the opinion of the Auditor-General, of sufficient importance to justify particulars of the cases being set out in the report".

No. 2—Page 6, clause 15, proposed section 63R, lines 27 to 39, leave out the proposed section, insert the following section:

Auditor-General shall report on all cases of non-compliance

"63R. (1) The Auditor-General shall report on all cases in which, in the opinion of the Auditor-General, the receipt, expenditure or investment of money, or the acquisition or disposal of assets, by a statutory body was not in accordance with the enactment by or under which the body was established.

'(2) In this section:

"statutory body" means a body or authority established by or under an enactment."

Mr Beazley (Leader of the House) moved—That the amendments be agreed to and a resolution be reported to the House.

Limitation of debate: It being past 3 p.m., the Deputy Chairman having called the attention of the Committee to the fact that the time allotted for the consideration of the Senate's amendments and for the remaining stages had expired—

Question—That the amendments be agreed to and a resolution be reported to the House—put and passed.

The House resumed; Mr Mountford reported accordingly.

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

- 33 MESSAGE FROM THE SENATE—ANTI-DUMPING AUTHORITY BILL 1988: The following message from the Senate was reported:

Message No. 196

Madam Speaker,

The Senate returns to the House of Representatives the Bill for "*An Act to establish an Anti-Dumping Authority, and for related purposes*", 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, 2 June 1988

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 4, after paragraph 7 (1) (e), add the following word and new paragraph: "*; and (f) which shall include all reasons for any recommendations.*".

Mr Beazley (Leader of the House) moved—That the amendment be agreed to and a resolution be reported to the House.

Limitation of debate: It being past 3.05 p.m., the Deputy Chairman having called the attention of the Committee to the fact that the time allotted for the consideration of the Senate's amendment and for the remaining stages had expired—

Question—That the amendment be agreed to and a resolution be reported to the House—put and passed.

The House resumed; Mr Mountford reported accordingly.

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

- 34 MESSAGE FROM THE SENATE—CUSTOMS LEGISLATION (ANTI-DUMPING AMENDMENTS) BILL 1988: The following message from the Senate was reported:

Message No. 197

Madam Speaker,

The Senate returns to the House of Representatives the Bill for "*An Act to amend the 'Customs Act 1901' and the 'Industries Assistance Commission Act 1973', 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, 2 June 1988

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 6, clause 6, proposed subsection 269TC (1), line 3, leave out "70 days", insert "55 days".

No. 2—Page 6, clause 6, proposed subsection 269TC (2), line 19, leave out "70 days", insert "55 days".

No. 3—Page 7, clause 6, proposed subsection 269TC (4) (c), line 13, leave out “180 days”, insert “120 days”.

Mr Beazley (Leader of the House) moved—That the amendments be agreed to and a resolution be reported to the House.

Limitation of debate: It being past 3.10 p.m., the Deputy Chairman having called the attention of the Committee to the fact that the time allotted for the consideration of the Senate's amendments and for the remaining stages had expired—

Question—That the amendments be agreed to and a resolution be reported to the House—put and passed.

The House resumed; Mr Mountford reported accordingly.

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

35 MESSAGE FROM THE SENATE—TAXATION LAWS AMENDMENT BILL (NO. 2)
1988: The following message from the Senate was reported:

Message No. 199

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 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, 2 June 1988

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 23, paragraph 42 (b), proposed subsection 251D (1A), lines 39 to 40, leave out the proposed subsection, insert the following subsection:

“(1A) The Minister shall appoint as Chairperson one of the persons referred to in paragraph (1)(b).”.

Mr Beazley (Leader of the House) moved—That the amendment be agreed to and a resolution be reported to the House.

Debate ensued.

Limitation of debate: At 3.15 p.m., the Deputy Chairman having called the attention of the Committee to the fact that the time allotted for the consideration of the Senate's amendment and for the remaining stages had expired—

Question—That the amendment be agreed to and a resolution be reported to the House—put and passed.

The House resumed; Mr Mountford reported accordingly.

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

36 MESSAGE FROM THE SENATE—AUSTRALIAN FILM COMMISSION AMENDMENT BILL 1988: The following message from the Senate was reported:

Message No. 207

Madam Speaker,

The Senate returns to the House of Representatives the Bill for "*An Act to amend the 'Australian Film Commission Act 1975'*", 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, 2 June 1988

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 4, clause 13, after proposed section 40C, add the following new section:

Annual report to the Parliament

"40D. (1) Film Australia shall, as soon as practicable after the end of each financial year, submit to the Minister for presentation to the Parliament a report relating to the operations of Film Australia during that financial year.

'(2) The Minister shall cause a copy of such a report to be laid before each House of the Parliament within 15 sitting days of that House after the Minister receives the report.

'(3) This section does not affect the obligations of Film Australia to make reports in accordance with the law in force in the Australian Capital Territory relating to companies.'"

Mr Beazley (Leader of the House) moved—That the amendment be agreed to and a resolution be reported to the House.

Question—put and passed.

The House resumed; Mr Mountford reported accordingly.

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

37 MESSAGE FROM THE SENATE—CONSTITUTION ALTERATION (FAIR ELECTIONS) BILL 1988: The following message from the Senate was reported:

Message No. 175

Madam Speaker,

The Senate returns to the House of Representatives the Bill for "*An Act to alter the Constitution to provide for fair and democratic parliamentary elections throughout Australia*", 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 1988

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 2, clause 5, proposed subsection 29 (2), lines 15 and 16, leave out the proposed subsection.

No. 2—Page 3, clause 9, after proposed section 124A, insert the following new section:

Votes to have equal value.

“124AA. (1) In:

(a) an election held in an electoral division; or

(b) an election held in an electoral region that is one electorate;

the method of voting shall be such that, with respect to the votes of all electors in the division, or in the electorate, as the case may be, votes shall not be weighted according to different classes of electors.

“(2) In this section, “election” includes an election to choose senators.”.

No. 3—Page 5, clause 9, proposed subsection 124D (2), lines 6 and 7, leave out “, as nearly as practicable, the same as the method of choosing senators”, insert “a system of proportional representation”.

Mr Beazley (Leader of the House) moved—That the amendments be agreed to and a resolution be reported to the House.

Debate ensued.

Limitation of debate: At 3.25 p.m., the Deputy Chairman having called the attention of the Committee to the fact that the time allotted for the consideration of the Senate's amendments and for the remaining stages had expired—

Question—That the amendments be agreed to and a resolution be reported to the House—put and passed.

The House resumed; Mr Mountford reported accordingly.

Mr Beazley moved—That the report be adopted.

No division being called for and there being no dissenting voice, Madam Speaker referred to the provisions of section 128 of the Constitution and directed that the bells be rung.

The bells having ceased ringing, Madam Speaker again put the question. No division being called for and there being no dissenting voice, Madam Speaker directed that the names of those Members present agreeing to the adoption of the report be recorded, and appointed tellers.

Members agreeing to the adoption of the report

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

*Tellers

Madam Speaker declared that the Bill, as amended, had been agreed to by an absolute majority.

- 38 **SPECIAL ADJOURNMENT:** Mr Beazley (Leader of the House) moved—That the House, at its rising, adjourn until Monday, 22 August 1988, at 4 p.m., unless otherwise called together by Madam Speaker or, in the event of Madam Speaker being unavailable, by the Chairman of Committees.

Question—put and passed.

- 39 **LEAVE OF ABSENCE TO ALL MEMBERS:** Mr Beazley (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.

- 40 **SUSPENSION OF STANDING AND SESSIONAL ORDERS—ROUTINE OF BUSINESS AND ADJOURNMENT FOR 22 AUGUST 1988:** Mr Beazley (Leader of the House), pursuant to notice, moved—That so much of the standing and sessional orders be suspended as would prevent the business during the sitting on 22 August 1988 being restricted to the following:

(1) Prayers

(2) Motions relating to the new Parliament House and the next meeting of the House; and

(3) Motion for adjournment of the House (to be determined without debate).

Debate ensued.

Question—put and passed.

- 41 **FORMER AND PRESENT MEMBERS AND STAFF:** Mr Hawke (Prime Minister), pursuant to notice, moved—That this House extends its thanks to all those former and present Members and staff who have contributed to the work of the House of Representatives in this place since 9 May 1927 and places on record its appreciation of their contribution to parliamentary democracy in Australia.

Debate ensued.

Question—put and passed.

- 42 **PLACE OF NEXT MEETING:** Mr Hawke (Prime Minister), pursuant to notice, moved—That the next sitting of the House of Representatives take place in the new Parliament House.

Question—put and passed.

- 43 **ADJOURNMENT:** Mr Beazley (Leader of the House) moved—That the House do now adjourn.

Question—put and passed.

And then the House, at 4.43 p.m., adjourned until Monday, 22 August 1988, at 4 p.m., in accordance with the resolution agreed to this day.

PAPERS: The following papers were deemed to have been presented on 3 June 1988:

Air Force Act—Regulations—Statutory Rules 1988, No. 93.

Australian Airlines (Conversion to Public Company) Act—Regulations—Statutory Rules 1988, No. 86.

Australian Broadcasting Corporation Act—Regulations—Statutory Rules 1988, No. 112.

Australian Federal Police Act—Regulations—Statutory Rules 1988, Nos. 82, 83, 84.

Child Support Act—Regulations—Statutory Rules 1988, No. 87.

Defence Act—Regulations—Statutory Rules 1988, Nos. 89, 90, 91.

Defence Force Act, Naval Defence Act and Air Force Act—Regulations—Statutory Rules 1988, No. 88.
 Export Control Act—Export Control (Orders) Regulations—Order—1988—No. 5—Export Meat as amended (Amendment).
 First Home Owners Act—Regulations—Statutory Rules 1988, No. 97.
 Immigration (Guardianship of Children) Act—Regulations—Statutory Rules 1988, No. 94.
 Long Service Leave (Commonwealth Employees) Act—Regulations—Statutory Rules 1988, Nos. 95, 96, 108.
 Meat Inspection Act—Meat Inspection (Orders) Regulations—Orders—1988—No. 3—Meat Inspection (Fees) as amended (Amendment).
 Merit Protection (Australian Government Employees) Act—Regulations—Statutory Rules 1988, No. 85.
 Naval Defence Act—Regulations—Statutory Rules 1988, No. 92.
 Proclamations by His Excellency the Governor-General fixing the dates on which the following Acts and sections of Acts shall come into operation—
 Australian Federal Police Amendment Act 1986—Section 5, subsection 9 (1) and sections 10, 11 and 12—29 May 1988.
 Australian Tourist Commission Act 1987—25 May 1988.
 Child Support Act 1988—1 June 1988.
 Commonwealth Teaching Service Amendment Act 1987—Provisions of the Act, other than subsection 4 (1)—25 May 1988.
 Remuneration Tribunals Act—Remuneration Tribunal Determinations—
 1988/4—President, Murray-Darling Basin Commission.
 1988/5—President, Murray-Darling Basin Commission, and holders of public offices on other bodies.
 Seat of Government (Administration) Act—Ordinances—1988—
 No. 22—Long Service Leave (Building and Construction Industry) (Amendment).
 No. 23—Stock Diseases (Amendment).
 Trade Practices Act—Regulations—Statutory Rules 1988, No. 99.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Blunt, Mr Carlton, Mr Cowan, Mr Dobie, Mr P. S. Fisher, Mr Goodluck, Mr Hall, Mr Hayden, Mr Hunt, Mr Langmore, Mr Macphee, Mr Miles, Mr Nehl and Mr Sinclair.

A. R. BROWNING
 Clerk of the House of Representatives