

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 72

TUESDAY, 23 FEBRUARY 1982

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- 1 The House met, at 1.45 p.m., pursuant to adjournment. Mr Speaker (the Right Honourable Sir Billy Snedden) took the Chair, and read Prayers.
 - 2 **DISTINGUISHED VISITOR:** Mr Speaker informed the House that Mrs Stana Tomasevic-Arnesen, President of the Federal Chamber of the Assembly of Yugoslavia, was present in the gallery. On behalf of the House, Mr Speaker extended to the visitor a very warm welcome.
 - 3 **DEATH OF FORMER MEMBER (MR A. A. ARMSTRONG):** Mr Fraser (Prime Minister) referred to the death of Mr A. A. Armstrong, and moved—That this House expresses its deep regret at the death, on 22 February 1982, of Mr Adam Alexander Armstrong, O.B.E., M.C., a Member of this House for the Division of Riverina from 1965 to 1969, places on record its appreciation of his long and meritorious public service and tenders its profound sympathy to his widow and family in their bereavement.
And Mr Hayden (Leader of the Opposition) having seconded the motion, and Mr Anthony (Leader of the National Country Party of Australia) and other Members having addressed the House in support thereof, and all Members present having risen, in silence—
Question—passed.
 - 4 **DISTINGUISHED VISITOR:** Mr Speaker informed the House that the Right Honourable Alick Buchanan-Smith, M.P., Minister for Agriculture, Fisheries and Food in the Government of the United Kingdom, was present in the gallery. On behalf of the House, Mr Speaker extended to the visitor a very warm welcome.
 - 5 **QUESTIONS:** Questions without notice were asked.
 - 6 **PAPERS:** The following papers were presented:
By command of His Excellency the Governor-General:
Department of Home Affairs and Environment—Report, for year 1980-81.
Loan Council—Terms of reference for inquiry into role of Council, dated 19 February 1982.
Transport Planning and Research Program—Progress to 30 June 1981—Report by Department of Transport, dated 15 November 1981.
Pursuant to statute:
Criminology Research Act—Criminology Research Council—9th Annual Report and financial statements, together with the Auditor-General's Report, for year 1980-81.
Local Government (Personal Income Tax Sharing) Act—Local Government Grants Commissions—Reports—
South Australia (1981).
Victoria (1981) (Victoria Grants Commission).
Western Australia (1981-82).

Remuneration Tribunals Act—Academic Salaries Tribunal—1981 Review—
 Determination, dated 27 October 1981—Academic staff of the Australian National
 University, the Canberra College of Advanced Education, the Australian
 Maritime College and the Australian Film and Television School.
 Reports, dated 27 October 1981—
 Academic staff of other institutions of tertiary education.
 Vice-Chancellors, Deputy Vice-Chancellors, Principals and Deputy Principals.
 Review on academic salaries, October 1981.

- 7 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—INTEREST RATES:** Mr Speaker informed the House that both Mr Willis and Mr Sainsbury had proposed that definite matters of public importance be submitted to the House for discussion today. In accordance with the provisions of standing order 107, he had given priority to the matter proposed by Mr Willis, namely, "The Government's failure to prevent or ameliorate the soaring level of interest rates".

The proposed discussion having received the necessary support—

Mr Willis addressed the House.

Discussion ensued.

Discussion concluded.

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

Mr Beazley, Mrs Darling, Mr Hicks, Mr Hodgman, Mr Holding, Mr Hurford, Mr Johnson, Mr Lusher, Mr Shack and Mr Wilson—from certain citizens praying that the proposed sales tax on books, magazines and newspapers be withdrawn from the Budget proposals.

Mr Armitage, Mr Chapman, Mr Hicks, Mr McMahon and Mr Mountford—from certain citizens praying that funding of children's services be restored to at least 1975-76 levels, budget allocations for children's services be spent in full for the purposes designated and a means test not be imposed on the users of child care services.

Mr Free, Dr Klugman, Mr MacKellar and Mr Mountford—from certain citizens praying that all provisions of the Heritage Act and the Environment Protection (Impact of Proposals) Act be fully complied with in respect of national estate areas.

Mr Hawke, Mr Hodges, Mr Humphreys and Mr Hurford—from certain citizens praying that the Senate's requested amendments to the Sales Tax Bills be supported.

Mr D. M. Cameron, Mrs Darling and Mr Humphreys—from certain citizens praying that requests for export permits covering mineral sand products from Moreton Island, Qld, be refused.

Mr D. M. Cameron and Mr Thomson—from certain residents of Queensland praying that any attempt to impose a sales tax on all essential goods be rejected.

Mr Cowan and Mr Drummond—from certain residents of the Electoral Divisions of Lyne and Forrest, respectively, praying that steps be taken to prevent the Australian Postal Commission implementing any plan which will downgrade postal and mail services.

Mr Dobie and Mr MacKellar—from certain citizens praying that theatre in Australia be supported by the increase of grants to a realistic level.

Mr Johnson and Mr Shack—from certain citizens praying that the proposed 17½ per cent sales tax on manufactured pet foods be withdrawn.

Mr Baume—from certain citizens praying that funds not be allocated for the development of roads or dams in South-West Tasmania but be provided instead for the preservation of the area.

Mr Beazley—from certain citizens praying that a curfew be implemented and a parallel runway constructed at Perth Airport and legislation be introduced to allow payment for injurious affection.

- Dr Blewett—from certain citizens praying that the Sex Discrimination Bill 1981 be passed.
- Dr Blewett—from certain citizens praying that steps be taken to re-introduce a system of health care based on ability to pay and that access to health care be based on medical need.
- Mr Coleman—from certain citizens praying that women's refuges, health centres and rape crisis centres be funded under special purpose grants administered federally under one Department and certain other actions be taken to ensure the continuing effectiveness of women's services.
- Mr Connolly—from certain citizens praying that the Commonwealth's constitutional and legislative powers be used to grant full land rights and self-management to the Aboriginal people of Queensland.
- Mrs Darling—from certain citizens praying that telephone installation and rental charges be brought in line with those in North America and fees for local calls be abolished.
- Mrs Darling—from certain citizens praying that Family Radio Limited's application for a broadcasting licence be supported and more category "S" FM licences be made available in Brisbane.
- Mrs Darling—from certain citizens praying that telegram services be retained at a standard and cost that will not disadvantage the ordinary citizen.
- Mrs Darling—from certain citizens praying that the value of family allowances be restored and then indexed and the spouse rebate be increased to \$1,342 per year.
- Mrs Darling—from certain citizens praying that no approval be given to the application of Trans-Australia Airlines or any other airline for a relaxation or withdrawal of the curfew at Eagle Farm Airport, Qld.
- Mrs Darling—from certain citizens praying that post-secondary tuition fees not be re-introduced and visa charges upon private overseas students be removed immediately.
- Mrs Darling—from certain citizens praying that the drug *Pancrease* be evaluated by the Australian Drug Evaluation Committee of the Department of Health as a matter of high priority.
- Mrs Darling—from certain citizens praying that a more equitable distribution of funding to ethnic broadcasting be provided by legislative enactment.
- Mrs Darling—from certain citizens praying that the means test on pension increases and fringe benefits for pensioners over 70 years of age be removed.
- Mrs Darling—from certain citizens praying that any proposal to establish a ceiling on the allowable amount of savings in pensioners' non-interest bearing accounts not be proceeded with.
- Mr Dawkins—from certain citizens praying that the unemployed be allowed to earn at least \$30 without reduction in their unemployment benefit.
- Mr Duffy—from certain members of the Australian Postal and Telecommunications Union praying that action be taken to seek the resignation or dismissal of the Minister for Communications because of the effects of staff ceilings imposed at his direction.
- Mr Fife—from certain citizens praying that no further tax be imposed on those items needed for the educational progress of Australia's students.
- Mr Free—from certain citizens praying for the prohibition of oil exploration within the Great Barrier Reef region and that the entire region be declared a marine park.
- Mr Hawke—from certain residents of Victoria praying that the Institute of Early Childhood Development be allowed to continue operating as an independent and autonomous institution.
- Mr Hicks—from certain electors of the Electoral Division of Riverina praying that steps be taken to ensure the educational courses offered by the W. S. and L. B. Robinson College of the University of New South Wales at Broken Hill are maintained and expanded and new enrolments are accepted for 1982 and thereafter.

- Mr Hodgman—from certain students and staff of the University of Tasmania praying that tuition fees for second and higher degrees not be introduced and that tuition fees not be charged at Australian tertiary education institutions.
- Mr Holding—from certain citizens praying that the children's services program be continued with sufficient expansion to allow for the establishment of further new programs.
- Mr Holding—from certain citizens praying that the annual registration fee for periodicals be reviewed with a view to exempting smaller clubs and organisations from its requirements.
- Mr Humphreys—from certain citizens praying that carcass trade be promoted and that exports of live animals for slaughter be banned.
- Mr Humphreys—from certain citizens praying that sun screen lotions be made deductible products under health insurance schemes.
- Mr Humphreys—from certain citizens praying that telephone rental reduction be extended to all pensioners not deriving significant gain through sharing accommodation.
- Mr Humphreys—from certain citizens praying that pensioner groups be consulted in order to arrive at a more realistic limit on the sums of money allowable in pensioner cheque accounts.
- Mr Humphreys—from certain citizens praying that charges to general aviation be allocated on a user-pays basis.
- Mr Johnson—from certain citizens praying that the national roads construction program not be subjected to the tendering system.
- Mr Johnson—from certain residents of Australia praying that urgent steps be taken to formulate and approve a social security agreement with the Italian Government and that certain questions related to pensions of Italian immigrants be urgently resolved within such an agreement.
- Mr Kent—from certain citizens praying that any proposal to sell Trans Australia Airlines be rejected.
- Mr Kent—from certain citizens praying that the present children's services program be maintained and no recommendations of the Spender report be implemented without full consultation with community groups.
- Mr Kerin—from certain citizens praying that information on proposed plant variety rights legislation be made freely available and an analysis of costs and benefits involved be undertaken.
- Mr Killen—from certain citizens praying that no sales tax be levied on newsletters distributed free of charge by non-profit interest groups, societies or other similar bodies.
- Mr Killen—from certain citizens praying that steps be taken to allow child care expenses as a deductible item from taxpayers' assessable income.
- Mr McMahon—from certain residents of Sydney praying that the curfew at Kingsford-Smith Airport not be lifted and the proposal to build an additional runway not be proceeded with.
- Mr Mountford—from certain citizens praying that disabled people be recognised as citizens who should have equal rights and that certain actions be taken to enable adequate planning of services needed by partially or totally disabled people to be undertaken.
- Mr Scott—from certain residents of the Electoral Division of Hindmarsh praying that interest rate agreements be reduced annually with a maximum interest percentage ceiling on investors' capital and a scale of interest charges for loans.

Petitions received.

9 POSTPONEMENT OF ORDERS OF THE DAY: Ordered—That orders of the day Nos. 1 to 16, government business, be postponed until a later hour this day.

- 10 **WAGE DETERMINATION AND INDUSTRIAL RELATIONS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** The order of the day having been read for the resumption of the debate on the motion of Mr Sinclair (Leader of the House)—That the House take note of the paper (*presented on 16 February 1982*), viz.:

Wage determination and industrial relations—Ministerial statement, 16 February 1982—

Debate resumed.

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

- 11 **FREEDOM OF INFORMATION BILL 1981:** 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

Clauses 1 to 10, by leave, taken together.

Mr Bowen (Deputy Leader of the Opposition), by leave, moved the following amendments together:

Clause 9—

Page 8, after sub-clause (2), insert the following sub-clause:

“(2A) Nothing in paragraph (2) (c) is intended to prevent or discourage an agency from causing a statement bringing up to date information contained in a previous statement or statements to be published, whether in the *Gazette* or otherwise, at intervals of less than 12 months, and for this purpose it is the intention of Parliament that such statements will be published, where practicable, at intervals of not more than 3 months.”.

Page 9, omit sub-clauses 5 to 7 (both inclusive).

Debate continued.

Amendments negatived.

Clauses agreed to.

Clauses 11 to 18, by leave, taken together.

Mr Bowen moved the following amendment: Clause 12, page 10, omit sub-clause (2), substitute the following sub-clauses:

“(2) Subject to sub-section (2A) where a request is made by a person for access to a document under this Part—

- (a) if the request is made before the expiration of 12 months after the date of commencement of this Part—he is not entitled to obtain access to the document under this Part unless the document became a document of an agency or an official document of a Minister on or after the date of commencement of this Part; and
- (b) if the request is made on or after the expiration of 12 months after the date of commencement of this Part—he is not entitled to obtain access to the document under this Part unless the document became a document of an agency or an official document of a Minister at a date within 5 years before the date of commencement of this Part.

“(2A) Notwithstanding anything in sub-section (2), a person is entitled to obtain access to a document, or to a part of a document under this Part—

- (a) if the document or part of the document, contains information relating to the personal affairs of that person; or
- (b) if access to the document by that person is reasonably necessary to enable a proper understanding of a document of a Minister to which that person has lawfully had access.”.

Debate continued.

Question—That the sub-clause proposed to be omitted stand part of the clause—put.
The committee divided (the Deputy Chairman, Mr Armitage, in the Chair)—

AYES, 61

Mr Adermann	Mr Dean	Mr Hyde	Mr Ruddock
Mr Baume	Mr Drummond	Mr Jarman	Mr Sainsbury
Mr Birney	Dr Edwards	Mr Jull	Mr Shack
Mr Bouchier	Mr Falconer	Mr Katter	Mr Shipton
Mr Bradfield	Mr Fife	Mr Killen	Mr Sinclair
Mr Braithwaite	Mr Fisher*	Mr Lusher	Mr Spender
Mr Burr	Mr Giles	Sir Phillip Lynch	Mr Street
Mr Cadman	Mr Goodluck	Mr McLean	Mr Tambling
Mr D. M. Cameron	Mr Groom	Mr Moore	Mr Thomson
Mr E. C. Cameron	Mr Hall	Mr Newman	Mr Tuckey
Mr I. M. D. Cameron	Mr Harris	Mr Nixon	Mr Viner
Mr Carlton	Mr Hicks	Mr O'Keefe	Mr White
Mr Chapman	Mr Hodges*	Mr Peacock	Mr Wilson
Mr Coleman	Mr Hodgman	Mr Porter	
Mr Connolly	Mr Howard	Mr Robinson	
Mr Cowan	Mr Hunt	Mr Rocher	

NOES, 47

Mr Beazley	Mr Dawkins	Dr Jenkins	Mr Morris
Dr Blewett	Mr Duffy	Mr Johnson*	Mr Morrison
Mr Bowen	Dr Everingham	Mr B. O. Jones	Mr Mountford
Mr R. J. Brown	Mr Free	Mr C. K. Jones	Mr Scholes
Mr Campbell	Mr Fry	Mr Keating	Mr Scott
Dr Cass	Mr Hawke	Mrs Kelly	Dr Theophanus
Mr Charles	Mr Holding	Mr Kent	Mr Uren
Mrs Child	Mr Howe	Mr Kerin	Mr Wallis
Mr Cohen	Mr Humphreys*	Dr Klugman	Mr West
Mr Cross	Mr Hurford	Mr McLeay	Mr Willis
Mr Cunningham	Mr Innes	Mr McMahon	Mr Young
Mrs Darling	Mr Jacobi	Mr Milton	

* Tellers

And so it was resolved in the affirmative.

Clauses agreed to.

Clauses 19 to 23, by leave, taken together.

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

Clause 19—

Page 14, sub-clause (1), lines 9 and 10, omit “as soon as practicable but in any case not later than 60 days”, substitute “(including a decision under section 20 to defer the provision of access to the document) as soon as practicable but in any case before the expiration of the relevant period”.

Page 14, lines 12—16, omit sub-clause (2), substitute the following sub-clauses:

“(2) In sub-section (1), the reference to the period in relation to a request received by or on behalf of an agency or a Minister shall be construed as a reference—

(a) in a case where the request is received before—

(i) the expiration of 2 years after the date of commencement of this Part;
or

(ii) if, before the expiration of 2 years after the date of commencement of this Part, a regulation takes effect prescribing, for the purposes of this sub-paragraph, a date after the expiration of 2 years after the date of commencement of this Part—the date so prescribed—

to a period of 60 days;

(b) in a case where a request is received on or after the expiration of 2 years after the date of commencement of this Part but before—

(i) the expiration of 4 years after the date of commencement of this Part;
or

- (ii) if, before the expiration of 4 years after the date of commencement of this Part a regulation takes effect prescribing, for the purposes of this sub-paragraph, a date after the expiration of 4 years after the date of commencement of this Part—the date so prescribed—

to a period of 45 days; and

- (c) in any other case—to a period of 30 days.

“(3) A regulation prescribing a date for the purposes of sub-paragraph (2) (a) (ii) or (2) (b) (ii) shall not take effect until each House of the Parliament has resolved that it take effect.

“(4) Sub-sections 48 (4), (5), (5A) and (6) and section 49 of the *Acts Interpretation Act* 1901 do not apply to regulations prescribing a date for the purposes of sub-paragraph (2) (a) (ii) or (2) (b) (ii).”

Debate continued.

Amendments negatived.

Mr Bowen moved the following amendment: Clause 22, page 15, omit paragraphs (a), (b) and (c) of sub-clause (1), substitute the following paragraphs:

- “(a) a decision is made not to grant a request for access to a document on the ground that it is an exempt document; and
- (b) it is practicable for the agency or Minister to make a copy of the document with such deletions that the copy would not be an exempt document.”

Debate continued.

Amendment negatived.

Clauses agreed to.

Clauses 24 to 32, by leave, taken together.

Mr Bowen moved the following amendment: Clause 24, page 17, lines 3-12, omit sub-clause (2).

Debate continued.

Amendment negatived.

Clauses agreed to.

Clause 33—

Mr Bowen moved—That the clause be omitted, and the following clause be substituted:

Documents affecting national security, defence and international relations

“33. A document is an exempt document if disclosure of the document under this Act could reasonably be expected to cause damage to—

- (a) the security of the Commonwealth;
- (b) the defence of the Commonwealth; or
- (c) the international relations of the Commonwealth.”

Debate continued.

Question—That the clause proposed to be omitted stand part of the Bill—put and passed.

Proposed new clauses—

Mr Bowen, by leave, moved—That the following new clauses be inserted in the Bill:

Documents affecting relations with States and the Northern Territory

“33A. A document is an exempt document if disclosure of the document under this Act—

- (a) could reasonably be expected to substantially impair relations between the Commonwealth and any State or the Northern Territory; and
- (b) would be contrary to the public interest.”

“33B. (1) Where—

- (a) a request is received by an agency or Minister in respect of a document that has originated with, or has been received from, or contains information that originated with, or has been received from, the Government of a State or the Northern Territory; and

(b) it appears to the officer or Minister dealing with the request, or to a person reviewing under section 44 a decision refusing the request that the Government of the State or the Northern Territory might reasonably wish to contend that the document is an exempt document under section 33A, a decision to grant access under this Act, to the document or to that part of the document that contains the information referred to in paragraph (a) shall not be made unless—

(c) the agency or Minister has given to the Government of the State or the Northern Territory, as the case may be, a reasonable opportunity of making submissions in support of a contention that the document is an exempt document under section 33A; and

(d) the person making the decision has had regard to any submission so made.

“(2) Where, after any submissions have been made in accordance with sub-section (1), a decision is made that the document or that part of the document that contains the information referred to in paragraph (1) (a), is not an exempt document under section 33A—

(a) the agency or Minister shall cause notice in writing of the decision to be given to the Government of the State or the Northern Territory, as the case may be, as well as to the person who made the request; and

(b) access shall not be given to the document, or to that part of the document that contains the information referred to in paragraph (1) (a), unless—

(i) the time for an application to the Tribunal by the Government of the State or the Northern Territory in accordance with section 59A has expired and such an application has not been made; or

(ii) such an application has been made and the Tribunal has confirmed the decision.”.

Debate ensued.

Dr Klugman, who had already spoken twice again addressed the committee, by leave.

Proposed new clauses negatived.

Clauses 34 and 35, by leave, taken together.

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

Clause 34, page 23, lines 22—43, omit sub-clauses (2) to (5) (both inclusive).

Clause 35, page 24, lines 16—37, omit sub-clauses (2) to (5) (both inclusive).

Debate continued.

Question—That the sub-clauses proposed to be omitted stand part of the clauses—put.

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

AYES, 59

Mr Adermann	Mr Dean	Mr Hunt	Mr Rocher
Mr Baume	Mr Drummond	Mr Hyde	Mr Ruddock
Mr Birney	Dr Edwards	Mr Jull	Mr Sainsbury
Mr Bouchier	Mr Falconer	Mr Katter	Mr Shack
Mr Bradfield	Mr Fife	Mr Killen	Mr Shipton
Mr Braithwaite	Mr Fisher*	Mr Lusher	Mr Sinclair
Mr Cadman	Mr Giles	Sir Phillip Lynch	Mr Spender
Mr D. M. Cameron	Mr Goodluck	Mr McLean	Mr Street
Mr E. C. Cameron	Mr Groom	Mr Moore	Mr Tambling
Mr I. M. D. Cameron	Mr Hall	Mr Newman	Mr Thomson
Mr Carlton	Mr Harris	Mr Nixon	Mr Tuckey
Mr Chapman	Mr Hicks	Mr O'Keefe	Mr Viner
Mr Coleman	Mr Hodges*	Mr Peacock	Mr White
Mr Connolly	Mr Hodgman	Mr Porter	Mr Wilson
Mr Cowan	Mr Howard	Mr Robinson	

NOES, 48

Mr Armitage	Mrs Darling	Mr Jacobi	Mr Milton
Mr Beazley	Mr Dawkins	Dr Jenkins	Mr Morris
Dr Blewett	Mr Duffy	Mr Johnson*	Mr Morrison
Mr Bowen	Dr Everingham	Mr B. O. Jones	Mr Mountford
Mr R. J. Brown	Mr Free	Mr C. K. Jones	Mr Scholes
Mr Campbell	Mr Fry	Mr Keating	Mr Scott
Dr Cass	Mr Hawke	Mrs Kelly	Dr Theophanous
Mr Charles	Mr Holding	Mr Kent	Mr Uren
Mrs Child	Mr Howe	Mr Kerin	Mr Wallis
Mr Cohen	Mr Humphreys*	Dr Klugman	Mr West
Mr Cross	Mr Hurford	Mr McLeay	Mr Willis
Mr Cunningham	Mr Innes	Mr McMahon	Mr Young

* Tellers

And so it was resolved in the affirmative.

Clauses agreed to.

Proposed new clause—

Mr Bowen moved—That the following new clause be inserted in the Bill:

Exceptions to Cabinet and Executive Council documents

“35A. Sub-section 34 (1) and sub-section 35 (1) do not apply to a document that has been submitted to the Cabinet for its consideration, or is proposed by a Minister to be so submitted, or is submitted to the Executive Council for its consideration, or is proposed by a Minister to be so submitted, by reason that—

- (a) the document contains only factual or statistical material and not opinion, advice or recommendation;
- (b) the document is a report (including a report concerning the results of studies, surveys or tests) of scientific or technical experts, whether employed within an agency or not, including reports expressing the opinions of such experts on scientific or technical matters;
- (c) the document is a report prepared for a Minister or an agency by a consultant who is not a member of the staff of that Minister or agency, or a member of, or an officer of that agency; or
- (d) the document is a report, or a statement containing the advice or recommendation of a government advisory body or organisation, being a body established by or under an enactment, or by the Governor-General or a Minister, that has the function of providing advice or making recommendations to an agency or Minister.”

Debate ensued.

Proposed new clause negatived.

Clauses 36 and 37, by leave, taken together, and agreed to.

Clause 38—

Mr Bowen moved—That the clause be omitted, and the following clause be substituted:

Documents to which secrecy provisions of enactments apply

“38. (1) A document is an exempt document if it is a document in respect of which a provision of an enactment that is specified in Schedule 3 prohibits or restricts the disclosure of the document or of information or other matter contained in the document.

“(2) The regulations may amend Schedule 3—

- (a) by inserting an additional provision or additional provisions in the Schedule, being a provision or provisions of an enactment that prohibits or restricts the disclosure of documents or of information; or
- (b) by omitting from the Schedule a provision or provisions contained in the Schedule.

“(3) A regulation made for the purposes of sub-section (2) shall not take effect until each House of the Parliament has resolved that it take effect.

“(4) Sub-sections 48 (4), (5), (5A) and (6) and section 49 of the *Acts Interpretation Act 1901* do not apply to regulations made in accordance with this section.”

Debate continued.

Question—That the clause proposed to be omitted stand part of the Bill—put and passed.

Clause 39—

Mr Bowen moved—That the clause be omitted, and the following clause be substituted:

Documents affecting financial or property interests of the Commonwealth

“39. A document is an exempt document if its disclosure under this Act—

- (a) would have a substantial adverse effect on the financial or property interests of the Commonwealth or of an agency; and
- (b) would be contrary to the public interest.”.

Debate continued.

Question—That the clause proposed to be omitted stand part of the Bill—put and passed.

It being 10 p.m.—Progress to be reported.

The House resumed; Mr Jarman reported accordingly.

12 **ADJOURNMENT:** The question was accordingly proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 10.30 p.m.—Mr Deputy Speaker adjourned the House until tomorrow at 1.45 p.m.

PAPER: The following paper was deemed to have been presented on 23 February 1982, pursuant to statute:

Public Service Act—Public Service Board Determination—1982/1.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Dobie and Mr Macphee.

J. A. PETTIFER,
Clerk of the House of Representatives