

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

## HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 35

WEDNESDAY, 21 AUGUST 1985

1 The House met, at 10 a.m., pursuant to adjournment. Mr Speaker (the Honourable Dr H. A. Jenkins) took the Chair, and read Prayers.

2 **PRIVILEGE—STATEMENT BY MR SPEAKER:** Mr Speaker referred to the matter raised yesterday by Mr Braithwaite concerning the action of the Minister for Health (Dr Blewett) in authorising the distribution of information contained in an answer to a question on notice asked by him before the answer had been submitted to the Clerk of the House and transmitted to him.

Mr Speaker stated that breaches of the standing orders or practices of the House are not ordinarily dealt with as contempts and that also he had concluded that the actions of the Minister did not constitute actions which would actually obstruct the Member in the course of his duties.

Mr Speaker stated that, in his opinion, the matter did not constitute a *prima facie* case of breach of privilege and he could not accord precedence to a motion in respect of it.

3 **WHEAT MARKETING AMENDMENT BILL 1985—SENATE'S MESSAGE NO. 65:** The order of the day having been read for the consideration of Message No. 65 from the Senate (*reported 24 May a.m., see page 328*)—

The House resolved itself into a committee of the whole.

*In the committee*

## SCHEDULE OF THE AMENDMENT MADE BY THE HOUSE OF REPRESENTATIVES TO WHICH THE SENATE HAS DISAGREED

Clause 11, page 10, line 16, omit "3", substitute "4".

*Reasons of the Senate for Disagreeing to the Amendment of the House of Representatives*

1. Having regard to the fact that the Australian Wheat Board is an entirely self-funded body that is wholly and solely responsible for the disposal of its product, it is the view of the Senate that the amendment to the Bill by the House of Representatives should be rejected. It is the Senate's belief that the wheat growers of Australia should have majority control of the board.
2. The Government's desire to have people with special expertise (with which the Senate agrees) is accommodated by having three such people on the Board. However, the Government's arrogant threat as "proposed" by the Minister Representing the Minister for Primary Industry, Senator Walsh, to abandon entirely the Australian Wheat Board seems excessive in the light of the fact that the Senate

is proposing three members with special expertise as against four as proposed by the House of Representatives.

Mr P. F. Morris (Minister for Transport) moved—That the following new amendments, as an alternative to the amendment to which the Senate has disagreed, be made to the Bill:

(1) Clause 10, page 4, after proposed sub-section 33F (2) insert the following sub-section:

“(2A) In nominating a person for appointment as a member of the Board referred to in paragraph 34 (1) (d), the Committee shall have regard to the requirement that at least one of the members referred to in that paragraph is to be a wheat grower.”.

(2) Clause 11, page 10, lines 16 and 17, omit proposed paragraph 34 (1) (d), substitute the following paragraph:

“(d) 4 other members, each of whom has had extensive experience at a high level in finance, marketing or grain movement logistics and at least one of whom is a wheat grower.”.

Debate ensued.

Question—put and passed.

Resolution to be reported.

The House resumed; Mrs Child reported accordingly.

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

4 **BUILDING INDUSTRY BILL 1985:** 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.

It being 12.45 p.m., the debate was interrupted in accordance with sessional order 101A, and the resumption of the debate made an order of the day for a later hour this day.

5 **QUESTIONS:** Questions without notice were asked.

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

Asian Pacific Regional Trade Law Seminar, incorporating the 11th International Trade Law Seminar organised by the Attorney-General's Department, Canberra, 22-27 November 1984—Papers and summary of discussions.

Australian Postal Commission—Service and business outlook, for year 1985-86.

Australian Telecommunications Commission—Service and business outlook, for year 1985-86.

Canberra College of Advanced Education Act—Council of the Canberra College of Advanced Education—Report and financial statements, together with the Auditor-General's Report, for 1984.

Creating children—A uniform approach to the law and practice of reproductive technology in Australia—Report of Family Law Council, dated 24 July 1985.

Industries Assistance Commission—Reports—

Castors (developing country preferences), dated 4 July 1985 (No. 367).

Vinyl planar forms (developing country preferences), dated 5 July 1985 (No. 368).

Legal Aid Task Force—Final report, dated August 1985 together with discussion paper, dated November 1984.

Maritime College Act—Council of the Australian Maritime College—6th Annual Report and financial statements, together with the Auditor-General's Report, for 1984.

National Committee on Discrimination in Employment and Occupation—11th Annual Report, for year 1983-84.

Official Establishments Trust—5th Annual Report, for year 1983-84.

Repetition strain injury in the Australian Public Service—Report of Task Force, dated July 1985.

**7 LAW REFORM COMMISSION—INTERIM REPORT—MOTION TO TAKE NOTE OF PAPER:** Mr Bowen (Attorney-General) presented the following paper:

Law Reform Commission Act—Law Reform Commission—Interim Report No. 26—Evidence—

Volume 1.

Volume 2.

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

**8 HUMAN RIGHTS COMMISSION—REPORT—MOTION TO TAKE NOTE OF PAPER:** Mr Bowen (Attorney-General) presented the following paper:

Human Rights Commission Act—Human Rights Commission—Report for year 1983-84, including the report of the operations of the Commissioner for Community Relations for year 1983-84.

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

**9 COST ALLOCATION REVIEW—EAST-WEST AIRLINES (OPERATIONS) LIMITED—INDEPENDENT AIR FARES COMMITTEE—REPORT AND DETERMINATION—MOTION TO TAKE NOTE OF PAPER:** Mr P. F. Morris (Minister for Aviation) presented the following paper:

Cost allocation review—East-West Airlines (Operations) Limited—Independent Air Fares Committee—Report and determination, dated 19 July 1985.

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

**10 HEALTH INSURANCE ORGANIZATIONS—REPORT—MOTION TO TAKE NOTE OF PAPER:** Dr Blewett (Minister for Health) presented the following paper:

National Health Act—Report on the operations of the registered health insurance organizations for year 1983-84.

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

**11 INSTITUTE OF FRESHWATER STUDIES—REPORT OF INTERIM COUNCIL—GOVERNMENT RESPONSE—MOTION TO TAKE NOTE OF PAPER:** Mr Jones (Minister representing the Minister for Resources and Energy) presented the following paper:

Institute of Freshwater Studies—Report of Interim Council—Government response.

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

**12 HISTORY OF BRITISH ATOMIC TESTS IN AUSTRALIA—PAPER—MOTION TO TAKE NOTE OF PAPER:** Mr Jones (Minister representing the Minister for Resources and Energy) presented the following paper:

History of British atomic tests in Australia—Paper prepared by Dr J. L. Symonds, dated April 1985.

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

- 13 FUTURE DIRECTIONS FOR COMMERCIAL TELEVISION—REPORT—MOTION TO TAKE NOTE OF PAPER:** Mr Duffy (Minister for Communications) presented the following paper:

Future directions for commercial television—Report by Department of Communications, dated 30 June 1985—

Volume 1—Report.

Volume 2—Appendices.

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

- 14 REMOTE COMMERCIAL TELEVISION SERVICES—AUSTRALIAN BROADCASTING TRIBUNAL—REPORT—MOTION TO TAKE NOTE OF PAPER:** Mr Duffy (Minister for Communications) presented the following paper:

Broadcasting and Television Act—Australian Broadcasting Tribunal—First report to the Minister for Communications of the inquiry into remote commercial television services, dated June 1985.

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

- 15 CONTEMPT OF COURT—REPRESENTATION BY MEMBER ON BEHALF OF CONSTITUENT—MINISTERIAL STATEMENT:** Mr Bowen (Attorney-General), by leave, made a ministerial statement concerning the law of contempt and representations made by Members of Parliament to the courts with particular reference to a letter to the Family Court of Australia written by Mr Sinclair (Leader of the National Party of Australia) on behalf of a constituent.

Mr Sinclair, by leave, also made a statement with reference to the matter.

Mr Bowen, by leave, made a further statement on the subject.

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

Mr Dobie, Mr Hicks, Mr Hunt, Mr Langmore, Mr MacKellar, Mr Ruddock, Mr Sharp and Mr Tickner—from certain citizens praying that there be no taxation on illness and no special taxation on those who seek to insure themselves against the cost of private health care.

Mr Beale, Dr Charlesworth, Mrs Child, Mr Chynoweth and Mr Hurford—from certain citizens praying that a national park be set aside for wild horses and action be taken to ensure that killing of feral animals be undertaken in a humane manner.

Mr Downer, Mr Hall, Mr Hurford, Mr Jacobi and Mr Porter—from certain citizens praying that proposals for cuts in children's services be reversed.

Mr Beale, Mr Chynoweth and Mr Mildren—from certain citizens praying that the national flag not be changed except by a referendum.

Mr Fife and Mr Ruddock—from certain citizens in similar terms to the last preceding petition.

Mrs Child, Mr Chynoweth and Mr Hurford—from certain citizens praying that sales tax be replaced by a broad based consumption tax with a uniform ad valorem rate.

Mr Downer, Mr Jacobi and Mr Porter—from certain citizens praying that the concessional price of fuel in rural areas be restored.

Mr Drummond, Mr Rocher and Mr Tuckey—from certain citizens praying that the Flags Amendment Bill receive a speedy passage.

Mr I. M. D. Cameron and Mr Conquest—from certain citizens praying that the tax proposals outlined in the Government's White Paper be rejected.

Mr Carlton and Ms McHugh—from certain citizens praying that all federal funding to children's services be restored.

- Mr Drummond and Mr McArthur—from certain citizens praying that the Social Security and Repatriation Assets Test Abolition Bill be passed.
- Mr Fife and Mr McArthur—from certain citizens praying that the rights of private enterprise be protected and any inequitable additional taxes be rejected.
- Mr Lloyd and Mr P. S. Fisher—from certain citizens praying that sufficient funds be allocated to the Australia Council to ensure ongoing funding of State arts councils.
- Mr Adermann—from certain residents of the Division of Fairfax praying that the assets test be reconsidered.
- Mr Slipper—from certain residents of the Division of Fisher in the same terms as the last preceding petition.
- Mr Braithwaite—from certain citizens praying that urgent financial assistance be provided to canegrowers.
- Mr Cadman—from certain citizens praying that a referendum be held on strengthening Australia's defence relationship with the United States.
- Mr Campbell—from certain citizens praying that action be taken in relation to reporting and recording of adverse drug reactions, labelling of drugs, drug surveillance and liability of companies for their products.
- Dr Charlesworth—from certain citizens praying that the export of koalas be discontinued, their habitats be revegetated and funding be made available for research into koala diseases.
- Mrs Child—from certain citizens praying that legal aid must represent any pensioner for any type of court appearance.
- Mrs Child—from certain citizens praying that efforts for nuclear disarmament be intensified, US military bases on Australian soil be removed and the Pacific and Indian Oceans be kept nuclear free.
- Mrs Child—from certain citizens praying that the establishment of an Australian aerospace agency be supported.
- Mr Conquest—from certain citizens praying that the right to work be acknowledged and protected and certain other action be taken to protect workers.
- Mr Conquest—from certain citizens praying that post secondary tuition fees not be re-introduced and certain other action be taken in regard to post secondary education.
- Mr Conquest—from certain citizens praying that the present funding level of family allowance be indexed to Consumer Price Index movements and that certain other action be taken in relation to family allowance.
- Mr Cowan—from certain citizens praying that society be protected from taxation changes and the introduction of new taxes.
- Mrs Darling—from certain citizens praying for the continuation of the public inquiry into the legislation relating to video classification.
- Mrs Darling—from certain citizens praying that wild horses be protected from industry and indiscriminate slaughter.
- Mr Downer—from certain citizens praying that biological control of Paterson's Curse be implemented.
- Mr Fife—from certain citizens praying that the laws which banned the entry and sale of hard-core and violent pornography be re-enacted.
- Mr T. A. Fischer—from certain residents of Deniliquin and district, NSW, praying that Commonwealth funding to pre-schools be restored.
- Mr P. S. Fisher—from certain residents of Victoria praying that closure of the Aboriginal Development Commission area office in Swan Hill, Vic., be prevented.
- Mr Free—from certain citizens praying that watercups be placed at regular intervals along roads and highways.
- Mr Goodluck—from certain citizens praying that the price of petrol be reduced by 3 cents per litre.

- Mr Fife—from certain citizens in similar terms to the last preceding petition.
- Mr Lamb—from certain residents of Victoria praying that positive steps be taken in the Budget to halt the destruction of ABC programming.
- Mr Lloyd—from certain citizens praying that funding be made available immediately to reopen wards and correct salary anomalies for specialised nursing staff at Heidelberg and other repatriation general hospitals.
- Mr McArthur—from certain citizens praying that no change be made to the funding of local government without the consent of representatives of local government.
- Mr MacKellar—from certain citizens praying that the introduction of a compulsory identification card be rejected.
- Mr Mildren—from certain citizens praying that the tax threshold be raised to \$10 000 and certain other action be taken in support of low income earners and those on social welfare.
- Mr Porter—from certain citizens praying that present federal funding of pre-school education be maintained.
- Mr Rocher—from certain citizens praying that the Australia Post agency at Joondanna, WA, continue to operate.
- Mr Ruddock—from certain citizens praying that the European Parliament's resolution in respect of the Baltic States be supported.
- Mr Sharp—from certain citizens praying that all changes to benefits for veterans and conditions of service for military personnel announced in the May Economic Statement be withdrawn.
- Mr Sharp—from certain citizens praying that the present Australian flag be retained.
- Mr Slipper—from certain residents of the Division of Fisher praying that the existing national flag remain sacrosanct.
- Mr Tickner—from certain citizens praying that any increase in or expansion of indirect tax be opposed.

Petitions received.

- 17 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—WAGES POLICY AND ECONOMIC GROWTH:** The Deputy Speaker informed the House that Mr Howard (Deputy Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The uncertainties surrounding wages policy and economic growth revealed by last night's Budget".

The proposed discussion having received the necessary support—

Mr Howard addressed the House.

Discussion ensued.

Discussion concluded.

- 18 AUSTRALIAN CAPITAL TERRITORY—JOINT COMMITTEE—REPORT:** Mrs Kelly (Chairman) presented the following report from the Joint Committee on the Australian Capital Territory:

Report on the 85th series of proposed variations of the plan of lay-out of the City of Canberra and its environs, together with copies of the minutes of proceedings and the transcript of evidence.

Ordered—That the report be printed.

- 19 FOREIGN STATES IMMUNITIES BILL 1985:** Mr Bowen (Attorney-General), pursuant to notice, presented a Bill for an Act relating to foreign State immunity.

Bill read a first time.

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

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

- 20 **CENSUS AND STATISTICS AMENDMENT BILL 1985:** Mr Hurford (Minister Assisting the Treasurer), for Mr Keating (Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Census and Statistics Act 1905*.

Bill read a first time.

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

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

- 21 **STATES (WORKS AND HOUSING) ASSISTANCE BILL 1985:** Mr Hurford (Minister Assisting the Treasurer), for Mr Keating (Treasurer), pursuant to notice, presented a Bill for an Act to grant financial assistance to the States in connection with expenditure of a capital nature, to make loans to the States and the Northern Territory for public housing and to authorise the borrowing of certain money by the Commonwealth.

Bill read a first time.

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

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

- 22 **OVERSEAS STUDENTS CHARGE AMENDMENT BILL 1985:** Mr Dawkins (Minister representing the Minister for Education) presented a Bill for an Act to amend the *Overseas Students Charge Act 1979*.

Bill read a first time.

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

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

- 23 **POSTPONEMENT OF NOTICE:** Ordered—That notice No. 4, government business, be postponed until a later hour this day.

- 24 **QANTAS AIRWAYS LIMITED (LOAN GUARANTEE) BILL 1985:** Mr P. F. Morris (Minister for Aviation), pursuant to notice, presented a Bill for an Act relating to the provision of certain equipment for Qantas Airways Limited.

Bill read a first time.

Mr P. F. Morris moved—That the Bill be now read a second time.

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

- 25 **EXPORT MARKET DEVELOPMENT GRANTS AMENDMENT BILL 1985:** Mr Dawkins (Minister for Trade), pursuant to notice, presented a Bill for an Act to amend the *Export Market Development Grants Act 1974* and the *Export Market Development Grants Amendment Act 1982*, and for related purposes.

Bill read a first time.

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

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

- 26 **BUILDING INDUSTRY BILL 1985:** The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—

Debate resumed.

Mr Willis (Minister for Employment and Industrial Relations) addressing the House—

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*Adjournment negated:* It being 7.15 p.m.—The question was proposed—That the House do now adjourn.

Mr Willis requiring the question to be put forthwith without debate—

Question—put and negated.

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Mr Willis continued his speech.

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

Leave granted for third reading to be moved forthwith.

Mr Willis moved—That the Bill be now read a third time.

Debate ensued.

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

27 **ADJOURNMENT:** Mr Willis (Minister for Employment and Industrial Relations) moved—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 8 p.m.—Mr Speaker adjourned the House until tomorrow at 10 a.m.

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**PAPERS:** The following papers were deemed to have been presented on 21 August 1985:

Christmas Island Act—Ordinance—1985—No. 5—Endangered Species (Repeal).  
Cocos (Keeling) Islands Act—Ordinance—1985—No. 1—Endangered Species (Repeal).

Coral Sea Islands Act—Ordinance—1985—No. 1—Endangered Species (Repeal).  
Fisheries Act—Regulations—Statutory Rules 1985, No. 194.

Nursing Homes Assistance Act—Regulation—Statutory Rules 1985, No. 192.

Overseas Telecommunications Act—Regulation—Statutory Rules 1985, No. 193.

Public Service Act—Parliamentary Presiding Officers' Determination—1985—No. 4.

Radiocommunications Act—Regulations—Statutory Rules 1985, No. 195.

Seat of Government (Administration) Act—Ordinances—1985—

No. 33—House of Assembly (Amendment) (No. 2).

No. 36—Business Franchise (Tobacco and Petroleum Products) (Amendment).

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**MEMBERS PRESENT:** All Members were present (at some time during the sitting) except Dr H. R. Edwards and Mr Jull.

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**A. R. BROWNING**

Clerk of the House of Representatives