

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
HOUSE OF REPRESENTATIVES
VOTES AND PROCEEDINGS

No. 140

WEDNESDAY, 19 NOVEMBER 1986

- 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 ORDER 48A:** Mr Young (Leader of the House), pursuant to notice, moved—That so much of standing order 48A, as amended by sessional order, be suspended for this sitting as would prevent (a) the Speaker proposing the question—That the House do now adjourn—at 10.15 p.m.; (b) the Speaker interrupting the debate at 11 p.m., and (c) a Minister requiring that the debate be extended until 11.10 p.m.

Debate ensued.

Question—put.

The House divided (the Speaker, Mrs Child, in the Chair)—

AYES, 68

Mr Baldwin	Mr Duffy	Mrs Jakobsen	Mr A. A. Morris
Mr Beazley	Mr R. F. Edwards	Mr Jenkins	Mr P. F. Morris
Mr Beddall	Ms Fatin	Mr Jones	Mr Mountford
Mr Blanchard	Mr Fitzgibbon	Mrs Kelly	Mr O'Keefe
Dr Blewett	Mr Free	Mr Kent	Mr O'Neil
Mr J. J. Brown	Mr Gayler	Mr Keogh	Mr Saunderson
Mr R. J. Brown	Mr Gear	Dr Klugman	Mr Scholes
Mr Brumby	Mr Gorman	Mr Lamb	Mr Scott
Mr Campbell	Mr Grace	Mr Lee	Mr Simmons
Mr Charles	Mr Griffiths	Mr Lindsay	Mr Snow
Dr Charlesworth	Mr Hand	Ms McHugh	Mr Staples
Mr Chynoweth	Mr Hayden	Mr McLeay	Dr Theophanous
Mr Cleeland	Mr Holding	Mr Maher	Mr Tickner
Mr Cohen	Mr Hollis	Mr Martin	Mr Uren
Mr Cross	Mr Howe	Mrs Mayer	Mr West
Mr Cunningham*	Mr Humphreys*	Mr Mildren	Mr Wright
Mr Dubois	Mr Hurford	Mr Milton	Mr Young

NOES, 57

Mr Adermann	Mr Downer	Mr McArthur	Mr Sharp
Mr Aldred	Mr Drummond	Mr McGauran	Mr Shipton
Mr Andrew*	Dr H. R. Edwards	Mr MacKellar	Mr Sinclair
Mr Beale	Mr Everingham	Mr McVeigh	Mr Slipper
Mr Blunt	Mr Fife	Mr Macphee	Mr Smith
Mr Burr	Mr T. A. Fischer	Mr Miles	Mr Spender
Mr Cadman	Mr Goodluck	Mr Moore	Mrs Sullivan
Mr D. M. Cameron	Mr Hall	Mr Nehl	Mr Tuckey
Mr E. C. Cameron	Mr Halverson	Mr Peacock	Dr Watson
Mr Carlton	Mr Hicks*	Mr Porter	Mr Webster
Mr Cobb	Mr Hodges	Mr Reith	Mr White
Mr Coleman	Mr Hodgman	Mr Robinson	Mr Wilson
Mr Connolly	Mr Jull	Mr Rocher	
Mr Conquest	Mr Katter	Mr Ruddock	
Mr Cowan	Mr Lloyd	Mr Shack	

* Tellers

And so it was resolved in the affirmative.

3 PUBLIC SERVICE LEGISLATION (STREAMLINING) BILL 1986: 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 by Mr Connolly who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “the Bill be withdrawn and redrafted to incorporate the principle of ‘no work as directed no pay’ for those Commonwealth employees who engage in—

- (1) the performance of work in a manner different from that in which it is customarily performed, or the adoption of a practice in relation to work, the result of which is a restriction or limitation on, or a delay in, the performance of the work;
- (2) a ban, limitation or restriction on the performance of work or on acceptance or offering for work, or
- (3) an unauthorised failure or refusal by persons to attend for work or an unauthorised failure or refusal to perform any work at all by persons who attend for work”.

Debate continued.

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

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

AYES, 62

Mr Baldwin	Mr R. F. Edwards	Mr Jenkins	Mr Mountford
Mr Beddall	Ms Fatin	Mr Jones	Mr O’Keefe
Mr Blanchard	Mr Fitzgibbon	Mr Kent	Mr O’Neil
Dr Blewett	Mr Free	Mr Keogh	Mr Punch
Mr R. J. Brown	Mr Gayler	Dr Klugman	Mr Scholes
Mr Brumby	Mr Gear	Mr Lamb	Mr Scott
Mr Campbell	Mr Gorman	Mr Lee	Mr Simmons
Mr Charles	Mr Grace	Mr Lindsay	Mr Staples
Dr Charlesworth	Mr Griffiths	Ms McHugh	Dr Theophanous
Mr Chynoweth	Mr Hayden	Mr McLeay	Mr Tickner
Mr Cleeland	Mr Holding	Mr Maher	Mr Uren
Mr Cohen	Mr Hollis	Mr Martin	Mr West
Mr Cross	Mr Howe	Mrs Mayer	Mr Wright
Mr Cunningham*	Mr Humphreys*	Mr Milton	Mr Young
Mr Dubois	Mr Hurford	Mr A. A. Morris	
Mr Duffy	Mrs Jakobsen	Mr P. F. Morris	

NOES, 55

Mr Adermann	Mr Cowan	Mr Katter	Mr Rocher
Mr Aldred	Mr Downer	Mr Lloyd	Mr Ruddock
Mr Andrew*	Mr Drummond	Mr McArthur	Mr Shack
Mr Beale	Dr H. R. Edwards	Mr McGauran	Mr Sharp
Mr Blunt	Mr Everingham	Mr MacKellar	Mr Shipton
Mr Burr	Mr Fife	Mr McVeigh	Mr Slipper
Mr Cadman	Mr T. A. Fischer	Mr Macphee	Mr Smith
Mr D. M. Cameron	Mr Goodluck	Mr Miles	Mr Spender
Mr E. C. Cameron	Mr Hall	Mr Moore	Mr Tuckey
Mr Carlton	Mr Halverson	Mr Nehl	Dr Watson
Mr Cobb	Mr Hicks*	Mr Peacock	Mr Webster
Mr Coleman	Mr Hodges	Mr Porter	Mr White
Mr Connolly	Mr Hodgman	Mr Reith	Mr Wilson
Mr Conquest	Mr Jull	Mr Robinson	

* Tellers

And so it was resolved in the affirmative.

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Young (Special Minister of State), the Bill was read a third time.

4 **MINISTERIAL ARRANGEMENTS:** Mr Hawke (Prime Minister) informed the House that, during the absence abroad of Mr Dawkins (Minister for Trade), Mr Kerin (Minister for Primary Industry) was acting as Minister for Trade.

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

6 **AUSTRALIAN AUDIT OFFICE—REPORT—PUBLICATION OF PAPER:** Madam Speaker presented the following paper:

Audit Act—Australian Audit Office—Report by Auditor-General for 1985-86.

Mr Young (Leader of the House), by leave, moved—

(1) That this House, in accordance with the provisions of the *Parliamentary Papers Act 1908*, authorises the publication of the report by the Auditor-General of the Australian Audit Office for 1985-86, and

(2) That the report be printed.

Question—put and passed.

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

Australian Capital Territory—

Architects Board—Report for 1985-86.

Milk Authority—Report for 1985-86.

Surveyors Board—Report for 1985-86.

Postal Services Act—Australian Postal Commission—Report and financial statements, together with the Auditor-General's Report, for 1985-86.

Public Service Act—Department of Territories—Report for 1985-86.

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

Mr Beale, Mr Burr, Mr I. M. D. Cameron, Mr Carlton, Dr H. R. Edwards and Mr Hawker—from certain citizens praying that the closure of post office agencies be prevented and their services be extended.

Mr Blunt, Mr Carlton, Mr Cowan, Mr Fife, Mr Hicks and Mr Punch—from certain citizens praying that the Anzac Rifle Range, Malabar, NSW, be retained.

Mr Hollis, Mrs Jakobsen, Mr Kent, Mr Milton and Mr Scott—from certain citizens praying that importation of cobalt 60 and other radioactive substances be banned and regulations permitting irradiation of food in Australia be disallowed.

Mr Blunt, Mr Fife, Mr Hawker and Mr Hicks—from certain citizens praying that the fringe benefits tax legislation be repealed.

Mr I. M. D. Cameron—from certain citizens in similar terms to the last preceding petition.

Dr H. R. Edwards, Mr Fife and Mr Wilson—from certain citizens praying that deletion of the 45 commonly prescribed drugs from the Pharmaceutical Benefits Scheme be reconsidered.

Mr Aldred—from certain citizens praying that the decision to phase down the Glen Waverley Rehabilitation Centre, Vic., be reversed.

Mr Blanchard—from certain residents of Western Australia praying that the decision to deny secondary allowances to Year 11 students under the age of 16 years be reversed and allowances not be made directly payable to students.

Mr Blunt—from certain citizens praying that the existing national flag remain sacrosanct.

Mr Blunt—from certain residents of the Division of Richmond praying that the capital gains tax be repealed.

- Mr I. M. D. Cameron—from certain residents of the Division of Maranoa praying that the ABC's proposals to cease broadcasting certain country programs be reconsidered and that it not disregard its rural listeners.
- Mr Cobb—from certain residents of the Division of Parkes praying that means be sought for the protection of the people's interests to prevent Ayers Rock being handed over to an Aboriginal Land Council.
- Mr Connolly—from certain citizens praying that there be more commitment in establishing peaceful relations with all people.
- Mr Hand—from certain citizens praying that the Industries Assistance Commission's recommendations for the textile, clothing and footwear industries be rejected and the unions' alternative plan for the industries be accepted.
- Mr Hawker—from certain citizens praying that the Australian Bill of Rights Bill be opposed and certain other action be taken in relation to the Bill.
- Mr Hawker—from certain citizens praying that the commitment to the oil import parity pricing policy be honoured.
- Mr Hawker—from certain citizens praying that the assets test, capital gains tax, fringe benefits tax and tax on lump sum superannuation be repealed.
- Mr Hawker—from certain citizens praying that the assets test on pensions be repealed.
- Mr Hawker—from certain citizens praying that family allowance payments be increased and proposed changes to the spouse rebate be rejected.
- Mr Hawker—from certain citizens praying that the national flag not be changed except by a referendum.
- Mr Hawker—from certain residents of the Division of Wannon praying that tertiary education remain free to all students.
- Mr Hollis—from certain citizens praying that Australia use its influence to establish a nuclear test moratorium and comprehensive nuclear test ban treaty.
- Mr Kent—from certain citizens praying that the Government support the stand taken by the New Zealand Government on nuclear vessels and that the policy of developing zones of peace and nuclear free zones in the Indian and Pacific Oceans be implemented.
- Mr Lee—from certain citizens praying that the Summerland Point Post Office, NSW, be reopened.
- Mr McArthur—from certain citizens praying that the Flags Amendment Bill receive a speedy passage.
- Mr McArthur—from certain citizens praying that the Australian Constitution be reformed in order to recognise significant public expressions of concern.
- Mr Milton—from certain citizens praying that the US Government be urged to join the Soviet Union's nuclear test ban.
- Mr Milton—from certain residents of Victoria praying that the decision to sell uranium to France be reversed.
- Mr Milton—from certain staff of the ABC and the SBS praying that certain action be taken in relation to the Staff Elected Director of the ABC following the ABC's amalgamation with the SBS.
- Mr Shack—from certain citizens praying that the right of employees to select their own superannuation scheme be guaranteed and certain other action be taken in relation to superannuation.
- Mr Shipton—from certain citizens praying that 1988 be proclaimed the first International Earth Repair Year.
- Mr Webster—from certain citizens praying that conditions of service and remuneration for servicemen be reviewed and the decision to discount their retirement benefits be reversed.

Petitions received.

9 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—LIVING STANDARDS: The House was informed that Mr Beale had proposed that a definite matter of

public importance be submitted to the House for discussion, namely, "The impact on living standards for hundreds of thousands of ordinary Australians caused by the failure of the Government's housing, interest rate and relevant taxation policies".

The proposed discussion having received the necessary support—

Mr Beale addressed the House.

Discussion ensued.

Discussion concluded.

- 10 **PUBLIC WORKS COMMITTEE—REPORT—STATEMENT BY MEMBER:** Mr Keogh presented the following report from the Parliamentary Standing Committee on Public Works:

Report relating to the construction of a new wharf and seamanship school at HMAS *Cerberus*, Crib Point, Vic. (11th report of 1986)—

and, by leave, made a statement in connection with the report.

- 11 **PUBLIC WORKS COMMITTEE—REPORT—STATEMENT BY MEMBER:** Mr Keogh presented the following report from the Parliamentary Standing Committee on Public Works:

Report relating to the development of HMAS *Albatross*, Nowra, NSW, Stage 1 (12th report of 1986)—

and, by leave, made a statement in connection with the report.

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

Report on the 88th series of proposed variations of the plan of lay-out of the City of Canberra and its environs, together with a copy of the minutes of proceedings.

Ordered—That the report be printed.

Mrs Kelly, by leave, made a statement in connection with the report.

- 13 **SUPERANNUATION LEGISLATION AMENDMENT BILL (NO. 2) 1986:** 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 by Mr Connolly who moved, as an amendment—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 the Government has failed to apply adequately the provisions of the Superannuation Act relating to the payment of invalidity pensions thus causing a significant loss of revenue to the Commonwealth".

Debate continued.

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

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

AYES, 69

Mr Baldwin	Mr Duffy	Mr Jenkins	Mr O'Keefe
Mr Beazley	Mr R. F. Edwards	Mr Jones	Mr O'Neil
Mr Beddall	Ms Fatin	Mrs Kelly	Mr Punch
Mr Blanchard	Mr Fitzgibbon	Mr Kent	Mr Saunderson
Dr Blewett	Mr Free	Mr Keogh	Mr Scholes
Mr Bowen	Mr Gayler	Mr Kerin	Mr Scott
Mr J. J. Brown	Mr Gear	Dr Klugman	Mr Simmons
Mr R. J. Brown	Mr Gorman	Mr Lamb	Mr Snow
Mr Brumby	Mr Grace	Mr Lee	Mr Staples
Mr Campbell	Mr Griffiths	Mr Lindsay	Dr Theophanous
Mr Charles	Mr Hand	Ms McHugh	Mr Tickner
Dr Charlesworth	Mr Hayden	Mr McLeay	Mr Uren
Mr Chynoweth	Mr Holding	Mr Maher	Mr West
Mr Cleeland	Mr Hollis	Mr Martin	Mr Wright
Mr Cohen	Mr Howe	Mrs Mayer	Mr Young
Mr Cross	Mr Humphreys*	Mr Milton	
Mr Cunningham*	Mr Hurford	Mr A. A. Morris	
Mr Dubois	Mrs Jakobsen	Mr P. F. Morris	

NOES, 54

Mr Adermann	Mr Cowan	Mr Katter	Mr Rocher
Mr Aldred	Mr Downer	Mr Lloyd	Mr Ruddock
Mr Andrew*	Mr Drummond	Mr McArthur	Mr Sharp
Mr Beale	Dr H. R. Edwards	Mr McGauran	Mr Shipton
Mr Blunt	Mr Everingham	Mr MacKellar	Mr Sinclair
Mr Burr	Mr Fife	Mr McVeigh	Mr Slipper
Mr Cadman	Mr T. A. Fischer	Mr Macphee	Mr Smith
Mr D. M. Cameron	Mr Goodluck	Mr Miles	Mr Spender
Mr E. C. Cameron	Mr Hall	Mr Millar	Dr Watson
Mr I. M. D. Cameron	Mr Halverson	Mr Moore	Mr Webster
Mr Cobb	Mr Hicks*	Mr Nehl	Mr White
Mr Coleman	Mr Hodges	Mr Porter	Mr Wilson
Mr Connolly	Mr Hodgman	Mr Reith	
Mr Conquest	Mr Jull	Mr Robinson	

* Tellers

And so it was resolved in the affirmative.

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

Message from the Governor-General: Message No. 203, dated 22 October 1986, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.

The House resolved itself into a committee of the whole.

In the committee

Bill, by leave, taken as a whole.

Mr Hurford (Minister representing the Minister for Finance), by leave, moved the following amendments together:

Clause 32—

Page 18, lines 16-18, omit the proposed definition of “prescribed maximum rate”, substitute the following definitions:

“‘prescribed maximum rate’ means—

(a) before the operation of sub-section (2)—\$19,200 per annum increased by the relevant percentage of that rate; or

(b) after the operation of that sub-section—the rate that is the prescribed maximum rate by virtue of that sub-section;

‘prescribed percentage’, in relation to a prescribed year, means the prescribed percentage in relation to that year for the purposes of section 148;

‘prescribed year’ means a prescribed year within the meaning of Part X, other than a year commencing before 1 July 1988;

‘relevant maximum rate’, in relation to an invalidity pensioner, means—

(a) the prescribed maximum rate; or

(b) 75% of the amount per annum that the Commissioner, having regard to any changes in the rates of remuneration that have occurred since the pensioner ceased to be an eligible employee and any other matters that the Commissioner considers relevant, determines would have been the annual rate of salary of the pensioner if the pensioner had not ceased to be an eligible employee and had continued to occupy the position held immediately before so ceasing,

whichever is the greater;”

Page 18, after the proposed definition of “relevant pension rate” in proposed sub-section 73A (1) insert the following definition:

“‘relevant percentage’ means the percentage that represents A—B expressed as a percentage of B, where—

A is the only, or earliest, all groups consumer price index number for the weighted average of the 8 capital cities published by the

Australian Statistician in respect of the March quarter of 1987; and

B is the only, or earliest, all groups consumer price index number for the weighted average of the 8 capital cities published by the Australian Statistician in respect of the June quarter of 1986.”

Page 18, lines 26-28, omit proposed sub-section (2), substitute the following sub-section:

“(2) Where rates at which invalidity pensions were payable immediately before the commencement of a prescribed year are increased in accordance with section 148, the rate that, immediately before that commencement, was (because of paragraph (a) of the definition of ‘prescribed maximum rate’ or the previous operation of this sub-section) the prescribed maximum rate is increased, with effect from that commencement, by the prescribed percentage, in relation to that prescribed year, of that rate.”

Page 18, line 38, omit “prescribed maximum rate”, substitute “relevant maximum rate for the pensioner”.

Paper: Mr Hurford presented an explanatory memorandum to the proposed amendments to the Bill.

Debate continued.

Amendments agreed to.

Bill, as amended, agreed to.

Bill to be reported with amendments.

The House resumed; Mr McLeay reported accordingly.

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

14 ABORIGINAL LAND RIGHTS (NORTHERN TERRITORY) AMENDMENT BILL 1986:

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 Wilson addressing the House—

15 ADJOURNMENT: It being 10.15 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 11 p.m.—Madam Speaker adjourned the House until tomorrow at 10 a.m.

PAPERS: The following papers were deemed to have been presented on 19 November 1986:

Bounty and Subsidy Acts—Amended returns for 1985-86 (*in substitution for papers presented on 7 October 1986*) pursuant to the following Acts:

Bounty (Agricultural Tractors).

Bounty (Agricultural Tractors and Equipment).

Bounty (Books).

Bounty (Commercial Motor Vehicles).

Bounty (Injection-moulding Equipment).

Phosphate Fertilizers Subsidy.

Export Control Act—Export Control (Orders) Regulations—Orders—1986—

No. 10—Game, Poultry and Rabbit Meat as amended (Amendment).

No. 11—Export Control (Fruits and Vegetables).

No. 12—Export Control (Fees) (Amendment).

Lands Acquisition Act—Statements (2) of lands acquired by agreement authorised under sub-section 7 (1).

Parliament House Construction Authority Act—Direction pursuant to sub-section 9 (1), dated 7 November 1986.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Bilney, Mr Bowen, Mrs Darling, Mr Dawkins, Mr Dobie, Mr Duncan, Mr P. S. Fisher, Mr Hawker, Mr Jacobi*, Mr Keating, Mr Langmore, Mr Price and Mr Willis.

*On leave

A. R. BROWNING
Clerk of the House of Representatives