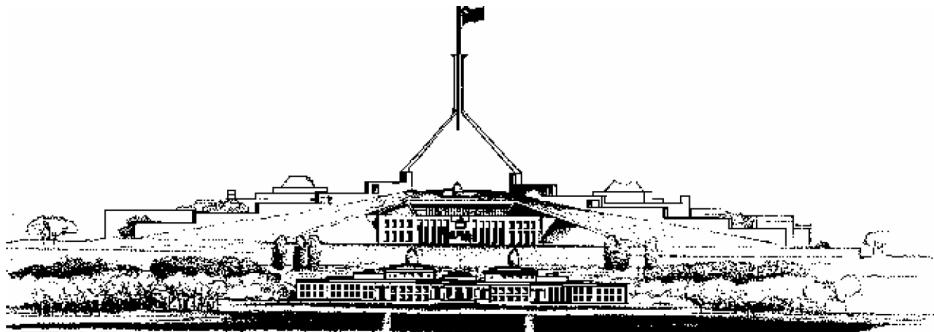




COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



House of Representatives

Official Hansard

No. 38, 1979
Thursday, 20 September 1979

THIRTY-FIRST PARLIAMENT
FIRST SESSION—FOUTH PERIOD

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

THIRTY-FIRST PARLIAMENT

(FIRST SESSION: FOURTH PERIOD)

Governor-General

His Excellency Sir Zelman Cowen, Knight of the Order of Australia, Knight Grand Cross of the Most Distinguished Order of St Michael and St George, Knight of the Most Venerable Order of the Hospital of St John of Jerusalem, one of Her Majesty's Counsel learned in the law, Governor-General of the Commonwealth of Australia and Commander-in-Chief of the Defence Force.

Third Fraser Ministry (Liberal Party—National Country Party Government)

*Prime Minister	The Right Honourable John Malcolm Fraser, C.H.	(LP)
*Deputy Prime Minister and Minister for Trade and Resources	The Right Honourable John Douglas Anthony	(NCP)
*Minister for Industry and Commerce	The Right Honourable Phillip Reginald Lynch	(LP)
*Minister for Primary Industry and Leader of the House	The Right Honourable Ian McCahon Sinclair	(NCP)
*Minister for Education, Vice-President of the Executive Council and Leader of the Government in the Senate	Senator the Honourable John Leslie Carrick	(LP)
*Minister for Industrial Relations	The Honourable Anthony Austin Street	(LP)
*Minister for Transport	The Honourable Peter James Nixon	(NCP)
*Treasurer	The Honourable John Winston Howard	(LP)
*Minister for Foreign Affairs	The Honourable Andrew Sharp Peacock	(LP)
*Minister for Defence	The Honourable Denis James Killen	(LP)
*Minister for Social Security	Senator the Honourable Margaret Georgina Constance Guilfoyle	(LP)
*Minister for Finance	The Honourable Eric Laidlaw Robinson	(LP)
*Minister for Employment and Youth Affairs and Minister Assisting the Prime Minister	The Honourable Robert Ian Viner	(LP)
*Attorney-General	Senator the Honourable Peter Drew Durack, Q.C.	(LP)
Minister for Health	The Honourable Ralph James Dunnet Hunt	(NCP)
Minister for Immigration and Ethnic Affairs and Minister Assisting the Treasurer	The Honourable Michael John Randal MacKellar	(LP)
Minister for Veterans' Affairs and Minister Assisting the Minister for Primary Industry	The Honourable Albert Evan Adermann	(NCP)
Minister for Administrative Services and Minister Assisting the Minister for Defence	The Honourable John Elden McLeay	(LP)
Minister for National Development	The Honourable Kevin Eugene Newman	(LP)
Minister for Science and the Environment	Senator the Honourable James Joseph Webster	(NCP)
Minister for Post and Telecommunications	The Honourable Anthony Allan Staley	(LP)
Minister for Productivity and Minister Assisting the Minister for Industry and Commerce	The Honourable Ian Malcolm Macphee	(LP)
Minister for Business and Consumer Affairs and Minister Assisting the Prime Minister in Federal Affairs	The Honourable Wallace Clyde Fife	(LP)
Minister for Special Trade Representations and Minister Assisting the Minister for Trade and Resources	The Honourable Ransley Victor Garland	(LP)
Minister for Home Affairs and Minister for the Capital Territory	The Honourable Robert James Ellicott, Q.C.	(LP)
Minister for Housing and Construction	The Honourable Raymond John Groom	(LP)
Minister for Aboriginal Affairs and Minister Assisting the Minister for Education	Senator the Honourable Frederick Michael Chaney	(LP)

*Minister in the Cabinet

PARTY ABBREVIATIONS

LP—Liberal Party of Australia; NCP—National Country Party of Australia.

Third Fraser Ministry (Liberal Party—National Country Party Government)

(From 27 September 1979)

*Prime Minister	The Right Honourable John Malcolm Fraser, C.H.	(LP)
*Deputy Prime Minister and Minister for Trade and Resources	The Right Honourable John Douglas Anthony	(NCP)
*Minister for Industry and Commerce	The Right Honourable Phillip Reginald Lynch	(LP)
*Minister for Education, Vice-President of the Executive Council and Leader of the Government in the Senate	Senator the Honourable John Leslie Carrick	(LP)
*Minister for Industrial Relations	The Honourable Anthony Austin Street	(LP)
*Minister for Transport and Minister for Primary Industry	The Honourable Peter James Nixon	(NCP)
*Treasurer	The Honourable John Winston Howard	(LP)
*Minister for Foreign Affairs	The Honourable Andrew Sharp Peacock	(LP)
*Minister for Defence	The Honourable Denis James Killen	(LP)
*Minister for Social Security	Senator the Honourable Margaret Georgina Constance Guilfoyle	(LP)
*Minister for Finance	The Honourable Eric Laidlaw Robinson	(LP)
*Minister for Employment and Youth Affairs, Minister Assisting the Prime Minister and Leader of the House	The Honourable Robert Ian Viner	(LP)
*Attorney-General	Senator the Honourable Peter Drew Durack, Q.C.	(LP)
Minister for Health	The Honourable Ralph James Dunnet Hunt	(NCP)
Minister for Immigration and Ethnic Affairs and Minister Assisting the Treasurer	The Honourable Michael John Randal MacKellar	(LP)
Minister for Veterans' Affairs and Minister Assisting the Minister for Primary Industry	The Honourable Albert Evan Adermann	(NCP)
Minister for Administrative Services and Minister Assisting the Minister for Defence	The Honourable John Elden McLeay	(LP)
Minister for National Development	The Honourable Kevin Eugene Newman	(LP)
Minister for Science and the Environment	Senator the Honourable James Joseph Webster	(NCP)
Minister for Post and Telecommunications	The Honourable Anthony Allan Staley	(LP)
Minister for Productivity and Minister Assisting the Minister for Industry and Commerce	The Honourable Ian Malcolm Macphee	(LP)
Minister for Business and Consumer Affairs and Minister Assisting the Prime Minister in Federal Affairs	The Honourable Wallace Clyde Fife	(LP)
Minister for Special Trade Representations and Minister Assisting the Minister for Trade and Resources	The Honourable Ransley Victor Garland	(LP)
Minister for Home Affairs and Minister for the Capital Territory	The Honourable Robert James Ellicott, Q.C.	(LP)
Minister for Housing and Construction	The Honourable Raymond John Groom	(LP)
Minister for Aboriginal Affairs and Minister Assisting the Minister for Education	Senator the Honourable Frederick Michael Chaney	(LP)

*Minister in the Cabinet

PARTY ABBREVIATIONS

LP—Liberal Party of Australia; NCP—National Country Party of Australia

Members of the House of Representatives

THIRTY-FIRST PARLIAMENT—FIRST SESSION: FOURTH PERIOD

Speaker—The Right Honourable Sir Billy Mackin Snedden, K.C.M.G., Q.C.

Chairman of Committees and Deputy Speaker—Mr Percival Clarence Millar

Deputy Chairmen of Committees—John Lindsay Armitage, Peter Hertford Drummond, Geoffrey O'Halloran Giles, Alan William Jarman, Henry Alfred Jenkins, Vincent Joseph Martin and the Honourable Ian Louis Robinson

Leader of the House—The Right Honourable Ian McCahon Sinclair

Leader of the Opposition—The Honourable William George Hayden

Deputy Leader of the Opposition—The Honourable Lionel Frost Bowen

Manager of Opposition Business—Mr Michael Jerome Young

PARTY LEADERS

Leader of the Liberal Party of Australia—The Right Honourable John Malcolm Fraser, C.H.

Deputy Leader of the Liberal Party of Australia—The Right Honourable Phillip Reginald Lynch

Leader of the National Country Party of Australia—The Right Honourable John Douglas Anthony

Deputy Leader of the National Country Party of Australia—The Right Honourable Ian McCahon Sinclair

Leader of the Australian Labor Party—The Honourable William George Hayden

Deputy Leader of the Australian Labor Party—The Honourable Lionel Frost Bowen

Member	Division	Party	Member	Division	Party
Adermann, Hon. Albert Evan	Fisher, Qld	NCP	Jacobi, Ralph	Hawker, S.A.	ALP
Aldred, Kenneth James	Henty, Vic.	LP	James, Albert William	Hunter, N.S.W.	ALP
Anthony, Rt Hon. John Douglas	Richmond, N.S.W.	NCP	Jarman, Alan William	Deakin, Vic.	LP
Armitage, John Lindsay	Chifley, N.S.W.	ALP	Jenkins, Dr Henry Alfred	Scullin, Vic.	ALP
Baillieu, Marshall	La Trobe, Vic.	LP	Johnson, Leonard Keith	Burke, Vic.	ALP
Baume, Michael Ehrenfried	Macarthur, N.S.W.	LP	Johnson, Hon. Leslie Royston	Hughes, N.S.W.	ALP
Birney, Reginald John	Phillip, N.S.W.	LP	Johnson, Peter Francis	Brisbane, Qld	LP
Blewett, Dr Neal	Bonython, S.A.	ALP	Johnston, James Roger	Hotham, Vic.	LP
Bourchier, John William	Bendigo, Vic.	LP	Jones, Barry Owen	Lalor, Vic.	ALP
Bowen, Hon. Lionel Frost	Kingsford-Smith, N.S.W.	ALP	Jones, Hon. Charles Keith	Newcastle, N.S.W.	ALP
Bradfield, James Mark	Barton, N.S.W.	LP	Jull, David Francis	Bowman, Qld	LP
Braithwaite, Raymond Allen	Dawson, Qld	NCP	Katter, Hon. Robert Cummin	Kennedy, Qld	NCP
Brown, John Joseph	Parramatta, N.S.W.	ALP	Keating, Hon. Paul John	Blaxland, N.S.W.	ALP
Brown, Neil Anthony	Diamond Valley, Vic.	LP	Kerin, Hon. Charles	Werris, N.S.W.	ALP
Bryant, Hon. Gordon Munro, E.D.	Wills, Vic.	ALP	Killen, Hon. Denis James	Moreton, Qld	LP
Bungey, Melville Harold	Canning, W.A.	LP	Klugman, Dr Richard Emanuel	Prospect, N.S.W.	ALP
Burns, William George	Isaacs, Vic.	LP	Lloyd, Bruce	Murray, Vic.	NCP
Burr, Maxwell Arthur	Wilmet, Tas.	LP	Lucek, Philip Ernest, C.B.E.	Lyne, N.S.W.	NCP
Cadman, Alan Glyndwr	Mitchell, N.S.W.	LP	Lusher, Stephen Augustus	Hume, N.S.W.	NCP
Cairns, Hon. Kevin Michael	Lilley, Qld	LP	Lynch, Rt Hon. Phillip Reginald	Flinders, Vic.	LP
Calder, Stephen Edward, D.F.C.	Northern Territory	NCP	MacKellar, Hon. Michael John	Warringah, N.S.W.	LP
Cameron, Hon. Clyde Robert	Hindmarsh, S.A.	ALP	Randal		
Cameron, Donald Milner	Fadden, Qld	LP	MacKenzie, Alexander John	Calare, N.S.W.	NCP
Cameron, Ewen Colin	Indi, Vic.	LP	McLean, Ross Malcolm	Perth, W.A.	LP
Carlton, James Joseph	Mackellar, N.S.W.	LP	McLeay, Hon. John Elden	Boothby, S.A.	LP
Cass, Hon. Moses Henry	Maribyrnong, Vic.	ALP	McLeay, Leo Boyce	Grayndler, N.S.W.	ALP
Chapman, Hedley Grant Pearson	Kingston, S.A.	LP	McMahon, James Leslie	Sydney, N.S.W.	ALP
Cohen, Barry	Robertson, N.S.W.	ALP	McMahon, Rt Hon. Sir William, G.C.M.G., C.H.	Lowe, N.S.W.	LP
Connolly, David Miles	Bradfield, N.S.W.	LP	McVeigh, Daniel Thomas	Darling Downs, Qld	NCP
Corbett, James	Maranoa, Qld	NCP	Macphee, Hon. Ian Malcolm	Balmain, Vic.	LP
Cotter, John Francis	Kalgoorlie, W.A.	LP	Martin, Vincent Joseph	Banks, N.S.W.	ALP
Dawkins, John Sydney	Fremantle, W.A.	ALP	Martyr, John Raymond	Swan, W.A.	LP
Dean, Arthur Gordon	Herbert, Qld	LP	Millar, Percival Clarence	Wide Bay, Qld	NCP
Dobie, Hon. James Donald	Cook, N.S.W.	LP	Moore, John Colinton	Ryan, Qld	LP
Mathieson			Morris, Peter Frederick	Shortland, N.S.W.	ALP
Drummond, Peter Hertford	Forrest, W.A.	LP	Neil, Maurice James	St George, N.S.W.	LP
Edwards, Dr Harold Raymond	Berowra, N.S.W.	LP	Newman, Hon. Kevin Eugene	Bass, Tas.	LP
Elliott, Hon. Robert James, Q.C.	Wentworth, N.S.W.	LP	Nixon, Hon. Peter James	Gippsland, Vic.	NCP
Everingham, Hon. Douglas Nixon	Capricornia, Qld	ALP	O'Keefe, Frank Lionel	Paterson, N.S.W.	NCP
Falconer, Peter David	Casey, Vic.	LP	Peacock, Hon. Andrew Sharp	Kooyong, Vic.	LP
Fife, Hon. Wallace Clyde	Farrer, N.S.W.	LP	Potter, James Robert	Barker, S.A.	LP
Fisher, Peter Stanley	Mallee, Vic.	NCP	Robinson, Hon. Eric Laidlaw	McPherson, Qld	LP
FitzPatrick, John	Riverina, N.S.W.	ALP	Robinson, Hon. Ian Louis	Cowper, N.S.W.	NCP
Fraser, Rt Hon. John Malcolm, C.H.	Wannon, Vic.	LP	Ruddock, Philip Maxwell	Dundas, N.S.W.	LP
Fry, Kenneth Lionel	Fraser, A.C.T.	ALP	Sainsbury, Murray Evan	Eden-Monaro, N.S.W.	LP
Garland, Hon. Ransley Victor	Curtin, W.A.	LP	Scholes, Gordon Glen Denton	Corio, Vic.	ALP
Giles, Geoffrey O'Halloran	Wakefield, S.A.	LP	Shack, Peter Donald	Tangney, W.A.	LP
Gillard, Reginald	Macquarie, N.S.W.	LP	Shipton, Roger Francis	Higgins, Vic.	LP
Goodluck, Bruce John	Franklin, Tas.	LP	Short, James Robert	Ballarat, Vic.	LP
Graham, Bruce William	North Sydney, N.S.W.	LP	Simon, Barry Douglas	McMillan, Vic.	LP
Groom, Hon. Raymond John	Braddon, Tas.	LP	Sinclair, Rt Hon. Ian McCahon	New England, N.S.W.	NCP
Haslem, John Whitton	Canberra, A.C.T.	LP	Shedden, Rt Hon. Sir Billy Mackie, K.C.M.G., Q.C.	Bruce, Vic.	LP
Hayden, Hon. William George	Oxley, Qld	ALP	Staley, Hon. Anthony Allan Street, Hon. Anthony Austin	Chisholm, Vic.	LP
Hodges, John Charles	Petrie, Qld	LP	Thomson, David Scott, M.C.	Corangamite, Vic.	LP
Hodgman, Michael	Denison, Tas.	LP	Uren, Hon. Thomas	Leichhardt, Qld	NCP
Holding, Allan Clyde	Melbourne Ports, Vic.	ALP	Viner, Hon. Robert Ian	Reid, N.S.W.	ALP
Howard, Hon. John Winston	Benalla, N.S.W.	LP	Wallis, Laurie George	Stirling, W.A.	LP
Howe, Brian Leslie	Batman, Vic.	ALP	West, Stewart John	Grey, S.A.	ALP
Humphreys, Benjamin Charles	Griffith, Qld	ALP	Willis, Ralph	Cunningham, N.S.W.	ALP
Hunt, Hon. Ralph James Dunnet	Gwydir, N.S.W.	NCP	Wilson, Ian Bonython Cameron	Gellibrand, Vic.	ALP
Hurford, Christopher John	Adelaide, S.A.	ALP	Yates, William	Sturt, S.A.	LP
Hyde, John Martin	Moore, W.A.	LP	Young, Michael Jerome	Holt, Vic.	LP
Imes, Urquhart Edward	Melbourne, Vic.	ALP		Port Adelaide, S.A.	ALP

PARTY ABBREVIATIONS

ALP—Australian Labor Party; LP—Liberal Party of Australia; NCP—National Country Party of Australia.

Members of the House of Representatives

THIRTY-FIRST PARLIAMENT—FIRST SESSION: FOURTH PERIOD

(From 27 September 1979)

Speaker—The Right Honourable Sir Billy Mackie Snedden, K.C.M.G., Q.C.

Chairman of Committees and Deputy Speaker—Mr Percival Clarence Millar

Deputy Chairmen of Committees—John Lindsay Armitage, the Honourable James Donald Mathieson Dobie, Peter Hertford Drummond, Geoffrey O'Halloran Giles, Alan William Jarman, Henry Alfred Jenkins, Vincent Joseph Martin and the Honourable Ian Louis Robinson

Leader of the House—The Honourable Robert Ian Viner

Leader of the Opposition—The Honourable William George Hayden

Deputy Leader of the Opposition—The Honourable Lionel Frost Bowen

Manager of Opposition Business—Mr Michael Jerome Young

PARTY LEADERS

Leader of the Liberal Party of Australia—The Right Honourable John Malcolm Fraser, C.H.

Deputy Leader of the Liberal Party of Australia—The Right Honourable Phillip Reginald Lynch

Leader of the National Country Party of Australia—The Right Honourable John Douglas Anthony

Acting Deputy Leader of the National Country Party of Australia—The Honourable Peter James Nixon

Leader of the Australian Labor Party—The Honourable William George Hayden

Deputy Leader of the Australian Labor Party—The Honourable Lionel Frost Bowen

Member	Division	Party	Member	Division	Party
Adermann, Hon. Albert Evan	Fisher, Qld	NCP	Jacobi, Ralph	Hawker, S.A.	ALP
Aldred, Kenneth James	Henty, Vic.	LP	James, Albert William	Hunter, N.S.W.	ALP
Anthony, Rt Hon. John Douglas	Richmond, N.S.W.	NCP	Jarman, Alan William	Deakin, Vic.	LP
Armitage, John Lindsay	Chifley, N.S.W.	ALP	Jenkins, Dr Henry Alfred	Scullin, Vic.	ALP
Baillieu, Marshall	La Trobe, Vic.	LP	Johnson, Leonard Keith	Burke, Vic.	ALP
Baume, Michael Ehrenfried	Macarthur, N.S.W.	LP	Johnson, Hon. Leslie Royston	Hughes, N.S.W.	ALP
Binney, Reginald John	Phillip, N.S.W.	LP	Johnson, Peter Francis	Brisbane, Qld	LP
Blewett, Dr Neal	Bonython, S.A.	ALP	Johnston, James Roger	Hotham, Vic.	LP
Bourchier, John William	Bendigo, Vic.	LP	Jones, Barry Owen	Lalor, Vic.	ALP
Bowen, Hon. Lionel Frost	Kingsford-Smith, N.S.W.	ALP	Jones, Hon. Charles Keith	Newcastle, N.S.W.	ALP
Bradfield, James Mark	Barton, N.S.W.	LP	Jull, David Francis	Bowman, Qld	LP
Braithwaite, Raymond Allen	Dawson, Qld	NCP	Katter, Hon. Robert Cummin	Kennedy, Old	NCP
Brown, John Joseph	Parramatta, N.S.W.	ALP	Keating, Hon. Paul John	Blaxland, N.S.W.	ALP
Brown, Neil Anthony	Diamond Valley, Vic.	LP	Kerin, John Charles	Werriwa, N.S.W.	ALP
Bryant, Hon. Gordon Munro, E.D.	Wills, Vic.	ALP	Killen, Hon. Denis James	Moreton, Qld	LP
Bungey, Melville Harold	Canning, W.A.	LP	Klugman, Dr Richard Emanuel	Prospect, N.S.W.	ALP
Burns, William George	Isacs, Vic.	LP	Lloyd, Bruce	Murray, Vic.	NCP
Burr, Maxwell Arthur	Wilmot, Tas.	LP	Lucock, Philip Ernest, C.B.E.	Lyne, N.S.W.	NCP
Cadman, Alan Glyndwr	Mitchell, N.S.W.	LP	Lusher, Stephen Augustus	Hume, N.S.W.	ALP
Cairns, Hon. Kevin Michael	Lilley, Qld	LP	Lynch, Rt Hon. Phillip Reginald	Flinders, Vic.	LP
Calder, Stephen Edward, D.F.C.	Northern Territory	NCP	MacKellar, Hon. Michael John	Warringah, N.S.W.	LP
Cameron, Hon. Clyde Robert	Hindmarsh, S.A.	ALP	Randal		
Cameron, Donald Milner	Fadden, Qld	LP	MacKenzie, Alexander John	Calare, N.S.W.	NCP
Cameron, Ewen Colin	Indi, Vic.	LP	McLean, Ross Malcolm	Perth, W.A.	LP
Carlton, James Joseph	Mackellar, N.S.W.	LP	McLeay, Hon. John Elden	Boothby, S.A.	LP
Cass, Hon. Moses Henry	Maribyrnong, Vic.	LP	McLeay, Leo Boyce	Grayndler, N.S.W.	ALP
Chapman, Hedley Grant Pearson	Kingston, S.A.	LP	McMahon, James Leslie	Sydney, N.S.W.	ALP
Cohen, Barry	Robertson, N.S.W.	ALP	McMahon, Rt Hon. Sir William, G.C.M.G., C.H.	Lowe, N.S.W.	LP
Connolly, David Miles	Bradfield, N.S.W.	LP	McVeigh, Daniel Thomas	Darling Downs, Qld	NCP
Corbett, James	Maranoa, Qld	NCP	Macphee, Hon. Ian Malcolm	Balaclava, Vic.	LP
Cotter, John Francis	Kalgoorlie, W.A.	LP	Martin, Vincent Joseph	Banks, N.S.W.	ALP
Dawkins, John Sydney	Fremantle, W.A.	ALP	Martyr, John Raymond	Swan, W.A.	LP
Dean, Arthur Gordon	Herbert, Qld	LP	Miliar, Percival Clarence	Wide Bay, Qld	NCP
Dobie, Hon. James Donald	Cook, N.S.W.	LP	Moore, John Colinton	Ryan, Qld	LP
Mathieson	Forrest, W.A.	LP	Morris, Peter Frederick	Shortland, N.S.W.	ALP
Drummond, Peter Hertford	Berowra, N.S.W.	LP	Neil, Maurice James	St George, N.S.W.	LP
Edwards, Dr Harold Raymond	Wentworth, N.S.W.	LP	Newman, Hon. Kevin Eugene	Bass, Tas.	LP
Ellicot, Hon. Robert James, Q.C.	Capricornia, Qld	ALP	Nixon, Hon. Peter James	Gippsland, Vic.	NCP
Everingham, Hon. Douglas Nixon	Casey, Vic.	LP	O'Keefe, Frank Lionel	Paterson, N.S.W.	LP
Falconer, Peter David	Farrer, N.S.W.	LP	Peacock, Hon. Andrew Sharp	Kooyong, Vic.	LP
Fife, Hon. Wallace Clyde	Maltez, Vic.	NCP	Porter, James Robert	Barker, S.A.	LP
Fisher, Peter Stanley	Riverina, N.S.W.	ALP	Robinson, Hon. Eric Laidlaw	McPherson, Qld	LP
FitzPatrick, John	Wannon, Vic.	LP	Robinson, Hon. Ian Louis	Cowper, N.S.W.	NCP
Fraser, Rt Hon. John Malcolm, C.H.	Fraser, A.C.T.	ALP	Ruddock, Philip Maxwell	Dundas, N.S.W.	LP
Fry, Kenneth Lionel	Curtin, W.A.	LP	Sainsbury, Murray Evan	Eden-Monaro, N.S.W.	LP
Garlands, Hon. Ransley Victor	Wakefield, S.A.	LP	Scholes, Gordon Glen Denton	Corio, Vic.	ALP
Giles, Geoffrey O'Halloran	Macquarie, N.S.W.	LP	Shack, Peter Donald	Tangney, W.A.	LP
Gillard, Reginald	Franklin, Tas.	LP	Shipton, Roger Francis	Higgins, Vic.	LP
Goodluck, Bruce John	North Sydney, N.S.W.	LP	Short, James Robert	Ballarat, Vic.	LP
Graham, Bruce William	Braddon, Tas.	LP	Simon, Barry Douglas	McMillan, Vic.	LP
Groom, Hon. Raymond John	Canberra, A.C.T.	LP	Sinclair, Rt Hon. Ian McCahon	New England, N.S.W.	NCP
Haslem, John Whittion	Oxley, Qld	ALP	Snedden, Rt Hon. Sir Billy Mackie, K.C.M.G., Q.C.	Bruce, Vic.	LP
Hayden, Hon. Willian George	Petrie, Qld	LP	Staley, Hon. Anthony Allan Street, Hon. Anthony Austin	Chisholm, Vic.	LP
Hodges, John Charles	Denison, Tas.	LP	Thomson, David Scott, M.C.	Corangamite, Vic.	LP
Hodgman, Michael	Melbourne Ports, Vic.	ALP	Uren, Hon. Thomas	Leichhardt, Qld	NCP
Holding, Allan Clyde	Bennelong, N.S.W.	LP	Viner, Hon. Robert Ian	Reid, N.S.W.	ALP
Howard, Hon. John Winston	Batman, Vic.	ALP	Wallis, Laurie George	Stirling, W.A.	LP
Howe, Brian Leslie	Griffith, Qld	ALP	West, Stewart John	Grey, S.A.	ALP
Humphreys, Benjamin Charles	Gwydir, N.S.W.	NCP	Willis, Ralph	Cunningham, N.S.W.	ALP
Hunt, Hon. Ralph James Dunnet	Adelaide, S.A.	ALP	Wilson, Ian Bonython Cameron	Gellibrand, Vic.	ALP
Hurford, Christopher John	Moore, W.A.	LP	Yates, William	Sturt, S.A.	LP
Hyde, John Martin	Melbourne, Vic.	ALP	Young, Michael Jerome	Holt, Vic.	LP
Innes, Urquhart Edward				Port Adelaide, S.A.	ALP

PARTY ABBREVIATIONS

ALP—Australian Labor Party; LP—Liberal Party of Australia; NCP—National Country Party of Australia.

THE COMMITTEES OF THE SESSION

(FIRST SESSION: FOURTH PERIOD)

STANDING COMMITTEES

ABORIGINAL AFFAIRS—Mr Ruddock (*Chairman*), Mr Calder, Mr Dawkins, Dr Everingham, Mr Falconer, Mr Holding, Mr Roger Johnston and Mr Thomson.

ENVIRONMENT AND CONSERVATION—Mr Hodges (*Chairman*), Mr Baillieu, Mr Cohen, Mr Cotter, Mr Fisher, Mr Howe, Dr Jenkins and Mr Simon.

EXPENDITURE—Mr Kevin Cairns (*Chairman*), Chairman of the Joint Committee of Public Accounts or his nominee, Mr Aldred, Mr Braithwaite, Mr John Brown, Mr Dawkins, Dr Edwards, Mr Fry, Dr Klugman (to 19 September), Mr Lusher, Mr McLean, Mr Leo McLeay (from 19 September) and Mr Morris.

HOUSE—Mr Speaker, Mr John Brown, Mr Gillard, Mr Peter Johnson, Mr Katter, Mr Martin and Mr Les McMahon.

LIBRARY—Mr Speaker, Mr Baillieu, Mr Bryant, Mr Barry Jones, Mr Martyr, Mr Morris and Mr O'Keefe.

PRIVILEGES—Mr Donald Cameron (*Chairman*), Mr Lionel Bowen, Mr Clyde Cameron, Mr Hodgman, Mr Jacobi, Mr Jarman, Mr Lucock, Mr Scholes and Mr Yates.

PUBLICATIONS—Mr Gillard (*Chairman*), Dr Blewett, Mr Chapman (from 20 September), Mr FitzPatrick, Mr Goodluck, Mr Hodges (to 20 September), Mr Howe and Mr Ian Robinson.

ROAD SAFETY—Mr Katter (*Chairman*), Mr Bradfield, Mr Goodluck, Mr Humphreys, Mr Peter Johnson, Mr Charles Jones, Mr Morris and Mr Porter.

STANDING ORDERS—Mr Speaker (*Chairman*), the Chairman of Committees, the Leader of the House, the Deputy Leader of the Opposition, Mr Anthony, Mr Bryant, Mr Kevin Cairns, Mr Giles, Dr Jenkins, Mr Scholes and Mr Young.

JOINT STATUTORY COMMITTEES

BROADCASTING OF PARLIAMENTARY PROCEEDINGS—Mr Speaker (*Chairman*), the President, Senator Hamer and Senator Douglas McClelland, and Mr Donald Cameron, Mr Corbett, Mr Barry Jones, Mr Jull and Mr Scholes.

PUBLIC ACCOUNTS—Mr Connolly (*Chairman*), Chairman of the House of Representatives Standing Committee on Expenditure, Senator Georges (from 16 October), Senator Keeffe (to 16 October), Senator Lajovic and Senator Watson, and Mr Bradfield, Mr Cadman, Mr Barry Jones, Mr Kerin, Mr Martin and Mr O'Keefe.

PUBLIC WORKS—Mr Bungey (*Chairman*), Senator Kilgariff, Senator Melzer and Senator Young, and Mr Calder, Mr Humphreys, Mr James, Mr Keith Johnson and Mr Sainsbury.

JOINT COMMITTEES

AUSTRALIAN CAPITAL TERRITORY—Senator Knight (*Chairman*), Senator Colston, Senator Ryan and Senator Teague, and Mr Burns, Mr Dean, Mr Fry, Mr Haslem, Mr Innes and Mr Lucock.

FOREIGN AFFAIRS AND DEFENCE—Mr Shipton (*Chairman*), Senator Bishop, Senator Kilgariff, Senator Martin, Senator Sibraa, Senator Sim, Senator Wheeldon and Senator Young, and Mr Armitage, Dr Blewett, Mr Bryant, Mr Dobie, Mr Jacobi, Mr Katter, Dr Klugman, Mr Lusher, Mr Martyr, Mr Neil, Mr Scholes, Mr Short and Mr Simon.

NEW AND PERMANENT PARLIAMENT HOUSE—Mr Speaker and the President (*Joint Chairmen*), the Minister for the Capital Territory, Senator Evans, Senator Maunsell, Senator Melzer, Senator Missen, Senator O'Byrne and Senator Young, and Mr Haslem, Mr Innes, Mr Keith Johnson, Mr Keating, Mr Lloyd and Mr Simon.

JOINT SELECT COMMITTEE

FAMILY LAW ACT—Mr Ruddock (*Chairman*), Senator Coleman, Senator Davidson, Senator Melzer, Senator Missen and Senator Walters, and Dr Blewett, Mr Lionel Bowen, Mr John Brown, Mr Kevin Cairns, Mr Falconer, Mr Holding, Mr Katter, Mr Lusher and Mr Martyr.

ESTIMATES COMMITTEES

ESTIMATES COMMITTEE A:

Parliament—Mr Speaker, Mr Bryant, Mr Burr, Mr Cadman, Mr Kevin Cairns, Mr Clyde Cameron, Mr Donald Cameron, Mr Les Johnson, Mr Lucock, Mr Lusher, Mr Ruddock, Mr Scholes, Mr Simon, Mr Wilson, Mr Yates and Mr Young.

Department of Administrative Services—Mr John McLeay (Minister for Administrative Services), Mr Donald Cameron, Mr Ewen Cameron, Mr Cotter, Mr Dean, Mr Fisher, Mr Holding, Mr Jacobi, Mr Les Johnson, Mr Barry Jones, Mr Jull, Mr MacKenzie, Mr Neil, Mr Wilson, Mr Yates and Mr Young.

Department of the Prime Minister and Cabinet—Mr Viner (Minister for Employment and Youth Affairs and Minister Assisting the Prime Minister), Mr Donald Cameron, Mr Ewen Cameron, Mr Cotter, Mr Dean, Mr Fisher, Mr Holding, Mr Jacobi, Mr Les Johnson, Mr Barry Jones, Mr Jull, Mr MacKenzie, Mr Neil, Mr Wilson, Mr Yates and Mr Young.

Department of Aboriginal Affairs—Mr Viner (Minister for Employment and Youth Affairs and Minister representing the Minister for Aboriginal Affairs), Mr Baillieu, Mr Burns, Mr Cadman, Mr Calder, Mr Dawkins, Dr Everingham, Mr Falconer, Mr Holding, Mr Humphreys, Mr Roger Johnston, Mr McLean, Mr Ruddock, Mr Thomson, Mr Wallis and Mr Wilson.

Department of Social Security—Mr Hunt (Minister for Health and Minister representing the Minister for Social Security), Dr Blewett, Mr Burns, Dr Cass, Mr Connolly, Mr Goodluck, Mr Hodges, Mr Howe, Mr Roger Johnston, Dr Klugman, Mr MacKenzie, Mr McLean, Mr Leo McLeay, Mr Moore, Mr O'Keefe and Mr Wilson.

Department of Health—Mr Hunt (Minister for Health), Dr Blewett, Mr Burns, Mr Calder, Dr Cass, Dr Everingham, Mr Falconer, Mr Graham, Mr Hodges, Mr Howe, Mr Roger Johnston, Dr Klugman, Mr McLean, Mr McVeigh, Mr Martyr and Mr Wilson.

Department of Veterans' Affairs—Mr Adermann (Minister for Veterans' Affairs), Dr Blewett, Mr Burns, Mr Calder, Dr Cass, Dr Everingham, Mr Falconer, Mr Graham, Mr Hodges, Mr Howe, Mr Roger Johnston, Dr Klugman, Mr McLean, Mr McVeigh, Mr Martyr and Mr Wilson.

Department of Immigration and Ethnic Affairs—Mr MacKellar (Minister for Immigration and Ethnic Affairs), Mr Cadman, Dr Cass, Mr Falconer, Mr Goodluck, Mr Graham, Mr Innes, Mr Les Johnson, Mr Peter Johnson, Mr Lusher, Mr McLean, Mr Leo McLeay, Mr Neil, Mr O'Keefe, Mr Sainsbury and Mr Young.

Department of the Capital Territory—Mr Ellicott (Minister for the Capital Territory), Mr Burns, Mr Cohen, Mr Dean, Mr Fry, Mr Haslem, Mr Hodgman, Mr Innes, Mr Jacobi, Mr Katter, Mr Lucock, Mr McLean, Mr Leo McLeay, Mr Short, Mr Simon and Mr Wilson.

Department of Home Affairs—Mr Ellicott (Minister for Home Affairs), Mr Burns, Mr Cohen, Mr Dean, Mr Fry, Mr Haslem, Mr Hodgman, Mr Innes, Mr Jacobi, Mr Katter, Mr Lucock, Mr McLean, Mr Leo McLeay, Mr Short, Mr Simon and Mr Wilson.

Department of Defence—Mr Killen (Minister for Defence), Mr Aldred, Mr Birney, Mr Falconer, Mr Graham, Mr Haslem, Mr Holding, Mr Les Johnson, Mr Peter Johnson, Mr Barry Jones, Mr Katter, Mr Kerin, Mr Neil, Mr Scholes, Mr Thomson and Mr Wilson.

Department of Foreign Affairs—Mr Peacock (Minister for Foreign Affairs), Dr Blewett, Mr Lionel Bowen, Mr Chapman, Mr Connolly, Mr Fry, Mr Hodgman, Mr Barry Jones, Mr Katter, Dr Klugman, Mr Martyr, Mr Moore, Mr Neil, Mr Ian Robinson, Mr Simon and Mr Yates.

Attorney-General's Department—Mr Viner (Minister for Employment and Youth Affairs and Minister representing the Attorney-General), Mr Birney, Mr Lionel Bowen, Mr N. A. Brown, Mr Dean, Mr Hodgman, Mr Holding, Mr Jacobi, Mr Keith Johnson, Mr Barry Jones, Mr Lusher, Mr MacKenzie, Mr Moore, Mr Neil, Mr Ruddock and Mr Wilson.

ESTIMATES COMMITTEE B:

Department of the Treasury—Mr Eric Robinson (Acting Treasurer), Mr Armitage, Mr Baume, Mr Bradfield, Mr Dawkins, Mr Dobie, Mr Hyde, Mr Barry Jones, Mr Katter, Mr Kerin, Mr McLean, Mr Moore, Mr Ian Robinson, Mr Sainsbury, Mr Short and Mr Willis.

Department of Finance—Mr Eric Robinson (Minister for Finance), Mr Baume, Mr Bradfield, Mr Dawkins, Mr Dobie, Mr Hyde, Mr Barry Jones, Mr Katter, Mr Kerin, Mr McLean, Mr Martin, Mr Moore, Mr Ian Robinson, Mr Sainsbury, Mr Short and Mr Willis.

Department of Science and the Environment—Mr Groom (Minister for Housing and Construction and Minister representing the Minister for Science and the Environment), Mr Bourchier, Mr Donald Cameron, Mr Ewen Cameron, Dr Cass, Mr Chapman, Mr Cohen, Mr Cotter, Mr Dean, Mr Gillard, Mr Innes, Mr Jull, Dr Klugman, Mr MacKenzie, Mr O'Keefe and Mr Wallis.

Postal and Telecommunications Department—Mr Staley (Minister for Post and Telecommunications), Mr Bourchier, Mr Donald Cameron, Mr Ewen Cameron, Dr Cass, Mr Chapman, Mr Cohen, Mr Cotter, Mr Dean, Mr Gillard, Mr Innes, Mr Jull, Dr Klugman, Mr MacKenzie, Mr O'Keefe and Mr Wallis.

Department of Industrial Relations—Mr Street (Minister for Industrial Relations), Mr Chapman, Mr Dobie, Mr Falconer, Mr Holding, Mr Keith Johnson, Mr Peter Johnson, Mr Barry Jones, Mr McVeigh, Mr Ian Robinson, Mr Ruddock, Mr Sainsbury, Mr Shipton, Mr Short, Mr West and Mr Young.

Department of Employment and Youth Affairs—Mr Viner (Minister for Employment and Youth Affairs), Mr Chapman, Mr Dobie, Mr Falconer, Mr Holding, Mr Keith Johnson, Mr Peter Johnson, Mr Barry Jones, Mr McVeigh, Mr Ian Robinson, Mr Ruddock, Mr Sainsbury, Mr Shipton, Mr Short, Mr West and Mr Young.

Department of Industry and Commerce—Mr Fife (Minister for Business and Consumer Affairs and Minister acting for the Minister for Industry and Commerce), Mr Baillieu, Mr Burr, Mr Cadman, Mr Chapman, Mr Cohen, Mr Dawkins, Mr Fisher, Mr Holding, Mr Hurford, Mr Hyde, Mr Peter Johnson, Mr Barry Jones, Mr Lusher, Mr Short and Mr Yates.

Department of Business and Consumer Affairs—Mr Fife (Minister for Business and Consumer Affairs), Mr Baillieu, Mr Burr, Mr Cadman, Mr Chapman, Mr Cohen, Mr Dawkins, Mr Fisher, Mr Holding, Mr Hurford, Mr Hyde, Mr Peter Johnson, Mr Barry Jones, Mr Lusher, Mr Short and Mr Yates.

Department of Education—Mr Staley (Minister for Post and Telecommunications and Minister representing the Minister for Education), Mr Baillieu, Mr Baume, Dr Blewett, Mr Braithwaite, Mr Clyde Cameron, Mr Chapman, Mr Cotter, Mr Dean, Mr Dobie, Dr Everingham, Mr Fisher, Mr Gillard, Mr Innes, Mr Barry Jones and Mr Wilson.

Department of Housing and Construction—Mr Groom (Minister for Housing and Construction), Mr Baillieu, Mr Bourchier, Mr Bradfield, Mr Cadman, Mr Chapman, Dr Everingham, Mr Goodluck, Mr Howe, Mr Humphreys, Mr Keith Johnson, Mr Jull, Mr McVeigh, Mr O'Keefe, Mr Sainsbury and Mr Uren.

Department of Transport—Mr Nixon (Minister for Transport), Mr Baume, Mr Cadman, Mr Ewen Cameron, Mr Chapman, Mr Connolly, Mr Dobie, Mr Roger Johnston, Mr Charles Jones, Mr Jull, Mr Lusher, Mr MacKenzie, Mr Les McMahon, Mr Morris, Mr Uren and Mr Wallis.

Department of Trade and Resources and Department of the Special Trade Representative—Mr Garland (Minister for Special Trade Representations and Minister Assisting the Minister for Trade and Resources), Mr Baume, Mr Lionel Bowen, Mr John Brown, Mr Cadman, Mr Ewen Cameron, Mr Chapman, Mr Connolly, Mr Dawkins, Mr Dobie, Mr Holding, Mr Roger Johnston, Mr Jull, Mr Lusher, Mr MacKenzie, Mr Les McMahon.

Department of Productivity—Mr Macphee (Minister for Productivity), Mr Baillieu, Mr Bradfield, Mr Burr, Mr Carlton, Mr Corbett, Mr Dawkins, Dr Edwards, Mr Holding, Mr Howe, Mr Roger Johnston, Mr Kerin, Mr O'Keefe, Mr Shack, Mr Short and Mr Willis.

Department of National Development—Mr Newman (Minister for National Development), Mr Baillieu, Mr Bradfield, Mr John Brown, Mr Burr, Mr Carlton, Mr Corbett, Mr Dawkins, Dr Edwards, Mr Roger Johnston, Mr Keating, Mr O'Keefe, Mr Shack, Mr Short, Mr Uren and Mr West.

Department of Primary Industry—Mr Nixon (Minister for Primary Industry), Mr Baume, Mr John Brown, Mr Bungey, Mr Donald Cameron, Mr Ewen Cameron, Mr Corbett, Mr Fisher, Mr FitzPatrick, Mr Hyde, Mr Kerin, Mr Porter, Mr Sainsbury, Mr Scholes, Mr Short and Mr Wallis.

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JOINT HOUSE

Secretary—E. J. Donnelly

THE ACTS OF THE SESSION

(FIRST SESSION: FOURTH PERIOD)

- Aboriginal Land Rights (Northern Territory) Amendment Act 1979 (Act No. 189 of 1979)—
An Act to amend the *Aboriginal Land Rights (Northern Territory) Act 1976*.
- Administrative Appeals Tribunal Amendment Act 1979 (Act No. 143 of 1979)—
An Act to amend the *Administrative Appeals Tribunal Act 1975*.
- Air Force Amendment Act 1979 (Act No. 134 of 1979)—
An Act to amend the *Air Force Act 1923*.
- Air Navigation (Charges) Amendment Act 1979 (Act No. 142 of 1979)—
An Act to amend the *Air Navigation (Charges) Act 1952*, and for related purposes.
- Albury-Wodonga Development Amendment Act 1979 (Act No. 96 of 1979)—
An Act to amend the *Albury-Wodonga Development Act 1973*.
- Appropriation Act (No. 1) 1979-80 (Act No. 144 of 1979)—
An Act to appropriate certain sums out of the Consolidated Revenue Fund for the service of the year ending on 30 June 1980.
- Appropriation Act (No. 2) 1979-80 (Act No. 145 of 1979)—
An Act to appropriate a sum out of the Consolidated Revenue Fund for certain expenditure in respect of the year ending on 30 June 1980.
- Australian Capital Territory Electricity Supply Amendment Act 1979 (Act No. 106 of 1979)—
An Act to amend the *Australian Capital Territory Electricity Supply Act 1962*.
- Australian Federal Police (Consequential Amendments) Act 1979 (Act No. 155 of 1979)—
An Act to amend certain Acts in connection with the enactment of the *Australian Federal Police Act 1979*.
- Australian Institute of Multicultural Affairs Act 1979 (Act No. 154 of 1979)—
An Act to establish an Australian Institute of Multicultural Affairs.
- Australian National University Amendment Act 1979 (Act No. 190 of 1979)—
An Act to amend the *Australian National University Act 1946*, and for related purposes.
- Australian Security Intelligence Organization Act 1979 (Act No. 113 of 1979)—
An Act relating to the Australian Security Intelligence Organization.
- Australian Security Intelligence Organization Amendment Act 1979 (Act No. 182 of 1979)—
An Act to amend section 18 of the *Australian Security Intelligence Organization Act 1979* for and in relation to the conferring of powers on the Australian Federal Police in respect of narcotics offences.
- Canberra College of Advanced Education Amendment Act 1979 (Act No. 191 of 1979)—
An Act to amend the *Canberra College of Advanced Education Act 1967*.
- Canned Fruit (Sales Promotion) Amendment Act 1979 (Act No. 163 of 1979)—
An Act to amend the *Canned Fruit (Sales Promotion) Act 1959*.
- Canned Fruits Levy Act 1979 (Act No. 161 of 1979)—
An Act to impose a levy upon certain canned fruits produced in Australia.
- Canned Fruits Levy Collection Act 1979 (Act No. 162 of 1979)—
An Act providing for the collection of levy imposed by the *Canned Fruits Levy Act 1979*.
- Canned Fruits Marketing Act 1979 (Act No. 160 of 1979)—
An Act relating to the marketing of certain canned fruits, and for related purposes.
- Coal Industry Amendment Act 1979 (Act No. 126 of 1979)—
An Act to amend the *Coal Industry Act 1946*.
- Commonwealth Inscribed Stock Amendment Act 1979 (Act No. 95 of 1979)—
An Act to amend the *Commonwealth Inscribed Stock Act 1911*.
- Compensation (Commonwealth Government Employees) Amendment Act 1979 (Act No. 111 of 1979)—
An Act to amend the *Compensation (Commonwealth Government Employees) Act 1971*.
- Conciliation and Arbitration Amendment Act 1979 (Act No. 110 of 1979)—
An Act to amend the *Conciliation and Arbitration Act 1904*.
- Crimes (Aircraft) Amendment Act 1979 (Act No. 129 of 1979)—
An Act to amend the *Crimes (Aircraft) Act 1963*.
- Customs Amendment Act 1979 (Act No. 92 of 1979)—
An Act to amend the *Customs Act 1901*.
- Customs Amendment Act (No. 2) 1979 (Act No. 116 of 1979)—
An Act to Amend the *Customs Act 1901*.
- Customs Amendment Act (No. 3) 1979 (Act No. 177 of 1979)—
An Act to amend section 133 of the *Customs Act 1901*.
- Customs Amendment Act (No. 4) 1979 (Act No. 180 of 1979)—
An Act to amend the *Customs Act 1901* for and in relation to the conferring of powers on the Australian Federal Police in respect of narcotics offences.

THE ACTS OF THE SESSION—*continued*

- Customs Tariff Amendment Act (No. 3) 1979 (Act No. 174 of 1979)—
An Act to amend the *Customs Tariff Act* 1966.
- Customs Tariff Amendment Act (No. 4) 1979 (Act No. 175 of 1979)—
An Act to amend the *Customs Tariff Act* 1966.
- Customs Tariff (Coal Export Duty) Amendment Act 1979 (Act No. 176 of 1979)—
An Act to amend the *Customs Tariff (Coal Export Duty) Act* 1975.
- Customs Tariff Validation Act (No. 2) 1979 (Act No. 178 of 1979)—
An Act to provide for the validation of certain collections of duties of Customs.
- Defence Amendment Act 1979 (Act No. 132 of 1979)—
An Act to amend the *Defence Act* 1903, and for related purposes.
- Defence Force (Retirement and Death Benefits Amendments) Act (No. 2) 1979 (Act No. 135 of 1979)—
An Act to amend the *Defence Forces Retirement Benefits Act* 1948 and the *Defence Force Retirement and Death Benefits Act* 1973.
- Evidence Amendment Act 1979 (Act No. 139 of 1979)—
An Act to amend the *Evidence Act* 1905.
- Excise Amendment Act (No. 3) 1979 (Act No. 165 of 1979)—
An Act to amend the *Excise Act* 1901.
- Excise Tariff Amendment Act (No. 3) 1979 (Act No. 164 of 1979)—
An Act relating to duties of Excise.
- Excise Tariff Validation Act 1979 (Act No. 179 of 1979)—
An Act to provide for the validation of certain collections of duties of Excise.
- Federal Court of Australia Amendment Act 1979 (Act No. 87 of 1979)—
An Act to amend the *Federal Court of Australia Act* 1976.
- Health Insurance Amendment Act (No. 2) 1979 (Act No. 123 of 1979)—
An Act to amend section 3 of the *Health Insurance Act* 1973.
- High Court Justices (Long Leave Payments) Act 1979 (Act No. 89 of 1979)—
An Act to make provision for payments, in lieu of long leave, on the retirement or death of Justices of the High Court.
- High Court of Australia Act 1979 (Act No. 137 of 1979)—
An Act to make provision with respect to the High Court of Australia.
- Homeless Persons Assistance Amendment Act 1979 (Act No. 130 of 1979)—
An Act to amend the *Homeless Persons Assistance Act* 1974.
- Homes Savings Grant Amendment Act 1979 (Act No. 186 of 1979)—
An Act to amend the *Homes Savings Grant Act* 1976.
- Income Tax (Companies and Superannuation Funds) Act 1979 (Act No. 152 of 1979)—
An Act to impose a tax upon incomes of companies and superannuation funds.
- Income Tax (Individuals) Act 1979 (Act No. 151 of 1979)—
An Act to impose a tax upon incomes, other than incomes of companies and of superannuation funds.
- Income Tax (Rates) Amendment Act 1979 (Act No. 150 of 1979)—
An Act to amend the law declaring certain rates of income tax.
- Income Tax Assessment Amendment Act (No. 4) 1979 (Act No. 146 of 1979)—
An Act to amend the law relating to income tax.
- Income Tax Assessment Amendment Act (No. 5) 1979 (Act No. 147 of 1979)—
An Act to amend the law relating to income tax.
- Income Tax Laws Amendment Act 1979 (Act No. 149 of 1979)—
An Act to amend the law relating to income tax.
- Judges (Long Leave Payments) Act 1979 (Act No. 90 of 1979)—
An Act to make provision for payments, in lieu of long leave, on the retirement or death of certain Judges (other than Justices of the High Court) and persons having the status of Judges.
- Judges' Pensions Amendment Act 1979 (Act No. 88 of 1979)—
An Act to amend the *Judges' Pensions Act* 1968.
- Judiciary Amendment Act 1979 (Act No. 86 of 1979)—
An Act to amend the *Judiciary Act* 1903.
- Judiciary Amendment Act (No. 2) 1979 (Act No. 138 of 1979)—
An Act to amend the *Judiciary Act* 1903.
- Lighthouses Amendment Act 1979 (Act No. 99 of 1979)—
An Act to amend the *Lighthouses Act* 1911 in consequence of certain amendments of the *Navigation Act* 1912.

THE ACTS OF THE SESSION—*continued*

- Loan Act 1979 (Act No. 97 of 1979)—
An Act to authorize the borrowing and expending of moneys for defence purposes.
- Loan (Farmers' Debt Adjustment) Repeal Act 1979 (Act No. 158 of 1979)—
An Act to repeal the *Loan (Farmers' Debt Adjustment) Act* 1935, and for related purposes.
- Loan (Income Equalization Deposits) Amendment Act 1979 (Act No. 148 of 1979)—
An Act to amend the *Loan (Income Equalization Deposits) Act* 1976.
- Local Government (Personal Income Tax Sharing) Amendment Act 1979 (Act No. 127 of 1979)—
An Act to amend the *Local Government (Personal Income Tax Sharing) Act* 1976.
- Migration Amendment Act 1979 (Act No. 117 of 1979)—
An Act to amend the *Migration Act* 1958.
- Migration Amendment Act (No. 2) 1979 (Act No. 118 of 1979)—
An Act to amend the *Migration Act* 1958.
- Ministers of State Amendment Act 1979 (Act No. 141 of 1979)—
An Act to amend the *Ministers of State Act* 1952.
- National Companies and Securities Commission Act 1979 (Act No. 173 of 1979)—
An Act to establish a National Companies and Securities Commission, and for purposes connected therewith.
- National Health Amendment Act (No. 2) 1979 (Act No. 91 of 1979)—
An Act to amend section 84 of the *National Health Act* 1953.
- National Health Amendment Act (No. 3) 1979 (Act No. 122 of 1979)—
An Act to amend section 4 of the *National Health Act* 1953.
- National Labour Consultative Council Amendment Act 1979 (Act No. 125 of 1979)—
An Act to amend the *National Labour Consultative Council Act* 1977.
- Naval Defence Amendment Act 1979 (Act No. 133 of 1979)—
An Act to amend the *Naval Defence Act* 1910.
- Navigation Amendment Act 1979 (Act No. 98 of 1979)—
An Act to amend the *Navigation Act* 1912, and for related purposes.
- Nitrogenous Fertilizers Subsidy Amendment Act 1979 (Act No. 109 of 1979)—
An Act to amend the *Nitrogenous Fertilizers Subsidy Act* 1966.
- Northern Territory Supreme Court (Repeal) Act 1979 (Act No. 85 of 1979)—
An Act to repeal the *Northern Territory Supreme Court Act* 1961, and to provide for related matters.
- Ombudsman Amendment Act 1979 (Act No. 107 of 1979)—
An Act to amend the *Ombudsman Act* 1976.
- Overseas Students Charge Act 1979 (Act No. 119 of 1979)—
An Act to impose a charge on certain overseas students enrolling in certain tertiary education courses in Australia.
- Overseas Students Charge Collection Act 1979 (Act No. 120 of 1979)—
An Act to make provision for and in relation to the collection of the charge imposed by the *Overseas Students Charge Act* 1979.
- Parliamentary Contributory Superannuation Amendment Act 1979 (Act No. 131 of 1979)—
An Act to amend the *Parliamentary Contributory Superannuation Act* 1948.
- Passports Amendment Act 1979 (Act No. 103 of 1979)—
An Act to amend the *Passports Act* 1938.
- Patents Amendment (Patent Cooperation Treaty) Act 1979 (Act No. 188 of 1979)—
An Act to approve the accession by Australia to the *Patent Cooperation Treaty* and to amend the *Patents Act* 1952.
- Pollution of the Sea by Oil (Shipping Levy Collection) Amendment Act 1979 (Act No. 100 of 1979)—
An Act to amend section 3 of the *Pollution of the Sea by Oil (Shipping Levy Collection) Act* 1972 in consequence of certain amendments of the *Navigation Act* 1912.
- Public Accounts Committee Amendment Act 1979 (Act No. 187 of 1979)—
An Act to amend the *Public Accounts Committee Act* 1951.
- Quarantine Amendment Act (No. 2) 1979 (Act No. 105 of 1979)—
An Act to amend the *Quarantine Act* 1908.
- Queensland Grant (Special Assistance) Act 1979 (Act No. 153 of 1979)—
An Act to grant financial assistance to Queensland.
- Remuneration and Allowances Act 1979 (Act No. 140 of 1979)—
An Act relating to certain remuneration and allowances.
- Remuneration Tribunals Amendment Act (No. 2) 1979 (Act No. 108 of 1979)—
An Act to amend the *Remuneration Tribunals Act* 1973.

THE ACTS OF THE SESSION—*continued*

- Remuneration Tribunals Amendment Act (No. 3) 1979 (Act No. 136 of 1979)—
An Act to amend the *Remuneration Tribunals Act* 1973.
- Repatriation Acts Amendment Act (No. 2) 1979 (Act No. 124 of 1979)—
An Act relating to repatriation and related matters.
- Sales Tax (Exemptions and Classifications) Amendment Act (No. 2) 1979 (Act No. 94 of 1979)—
An Act to amend the *Sales Tax (Exemptions and Classifications) Act* 1935.
- Sales Tax (Exemptions and Classifications) Amendment Act (No. 3) 1979 (Act No. 157 of 1979)—
An Act to amend the *Sales Tax (Exemptions and Classifications) Act* 1935.
- Sea-Carriage of Goods Amendment Act 1979 (Act No. 101 of 1979)—
An Act to amend section 10 of the *Sea-Carriage of Goods Act* 1924 in consequence of certain amendments of the *Navigation Act* 1912.
- Seamen's Compensation Amendment Act 1979 (Act No. 102 of 1979)—
An Act to amend section 11 of the *Seamen's Compensation Act* 1911 in consequence of certain amendments of the *Navigation Act* 1912.
- Seamen's Compensation Amendment Act (No. 2) 1979 (Act No. 112 of 1979)—
An Act to amend the *Seamen's Compensation Act* 1911.
- Snowy Mountains Hydro-electric Power Amendment Act 1979 (Act No. 156 of 1979)—
An Act to amend the *Snowy Mountains Hydro-electric Power Act* 1949.
- Social Services Amendment Act 1979 (Act No. 121 of 1979)—
An Act to amend the *Social Services Act* 1947 and for related purposes.
- States and Northern Territory Grants (Rural Adjustment) Act 1979 (Act No. 159 of 1979)—
An Act relating to an agreement between the Commonwealth and one or more of the States and the Northern Territory in respect of a scheme to provide assistance to persons engaged in rural industries.
- States Grants (Capital Assistance) Act 1979 (Act No. 128 of 1979)—
An Act to grant financial assistance to the States in connection with expenditure of a capital nature and to authorize the borrowing of certain moneys by the Commonwealth.
- States Grants (Schools Assistance) Act 1979 (Act No. 184 of 1979)—
An Act relating to the grant of financial assistance to the States and the Northern Territory for and in relation to schools.
- States Grants (Roads) Amendment Act 1979 (Act No. 104 of 1979)—
An Act to amend the *States Grants (Roads) Act* 1977, and for related purposes.
- States Grants (Tertiary Education Assistance) Amendment Act (No. 2) 1979 (Act No. 185 of 1979)—
An Act to amend the *States Grants (Tertiary Education Assistance) Act* 1978, and for related purposes.
- Sugar Agreement Act 1979 (Act No. 183 of 1979)—
An Act to approve an agreement relating to sugar and certain sugar products made between the Commonwealth and the State of Queensland, and for other purposes.
- Tasmanian Native Forestry Agreement Act 1979 (Act No. 93 of 1979)—
An Act relating to an agreement between the Commonwealth and Tasmania in connection with Tasmanian native forestry.
- Telecommunications Amendment Act 1979 (Act No. 115 of 1979)—
An Act to amend the *Telecommunications Act* 1975.
- Telecommunications (Interception) Act 1979 (Act No. 114 of 1979)—
An Act to prohibit the interception of telecommunications except where specially authorized in the interests of security or in connection with inquiries related to narcotics offences, and for related purposes.
- Telecommunications (Interception) Amendment Act 1979 (Act No. 181 of 1979)—
An Act to amend the *Telecommunications (Interception) Act* 1979 for and in relation to the conferring of powers on the Australian Federal Police in respect of narcotics offences.
- Wheat Industry Stabilization (Reimbursement of Borrowing Costs) Amendment Act 1979 (Act No. 169 of 1979)—
An Act to amend the *Wheat Industry Stabilization (Reimbursement of Borrowing Costs) Act* 1979.
- Wheat Levy Act (No. 1) 1979 (Act No. 167 of 1979)—
An Act to impose a levy upon wheat delivered to the Australian Wheat Board.
- Wheat Levy Act (No. 2) 1979 (Act No. 168 of 1979)—
An Act to impose a levy upon certain wheat sold by the Australian Wheat Board.
- Wheat Marketing Act 1979 (Act No. 166 of 1979)—
An Act relating to the marketing of wheat, and for other purposes.
- Wheat Products Export Adjustment Amendment Act 1979 (Act No. 170 of 1979)—
An Act to amend the *Wheat Products Export Adjustment Act* 1974.

THE ACTS OF THIS SESSION—*continued*

Wheat Research Amendment Act 1979 (Act No. 172 of 1979)—
An Act to amend the *Wheat Research Act* 1957.

Wheat Tax Act 1979 (Act No. 171 of 1979)—
An Act to impose a tax upon certain wheat sold by the Australian Wheat Board.

THE BILLS OF THE SESSION

(FIRST SESSION: FOURTH PERIOD)

- Atomic Energy Amendment Bill (No. 2) 1979—
Initiated in the House of Representatives. First Reading.
- Bankruptcy Amendment Bill 1979—
Initiated in the House of Representatives. First Reading.
- Bounty (Polyester-Cotton Yarn) Amendment Bill 1979—
Initiated in the House of Representatives. First Reading.
- Casey University-Australian Defence Force Academy Bill 1978—
Initiated in the House of Representatives. First Reading.
- Commonwealth Grants Commission Amendment Bill 1979—
Initiated in the House of Representatives. First Reading.
- Commonwealth Serum Laboratories Amendment Bill 1979—
Initiated in the House of Representatives. First Reading.
- Company Take-overs Bill 1979—
Initiated in the House of Representatives. First Reading.
- Company Take-overs (Fees) Bill 1979—
Initiated in the House of Representatives. First Reading.
- Criminology Research Amendment Bill 1978—
Initiated in the House of Representatives. First Reading.
- Customs Amendment Bill (No. 5) 1979—
Initiated in the House of Representatives. First Reading.
- Defence Service Homes Amendment Bill 1979—
Initiated in the House of Representatives. First Reading.
- Diesel Fuel Taxation (Administration) Amendment Bill 1979—
Initiated in the House of Representatives. First Reading.
- Income Tax Assessment Amendment Bill (No. 6) 1979—
Initiated in the House of Representatives. First Reading.
- Income Tax (Rates) Amendment Bill (No. 2) 1979—
Initiated in the House of Representatives. First Reading.
- Liquefied Gas (Road Vehicle Use) Tax (Repeal) Bill 1979—
Initiated in the House of Representatives. First Reading.
- Pipeline Authority Amendment Bill 1979—
Initiated in the House of Representatives. Third Reading.
- Pipeline Construction (Young to Wagga Wagga) Bill 1979—
Initiated in the House of Representatives. Third Reading.
- Whaling Amendment Bill 1978—
Initiated in the House of Representatives. Third Reading.

CONTENTS

THURSDAY, 20 SEPTEMBER 1979

CHAMBER

Petitions

Metric System	1347
Education	1347
National Women's Advisory Council.....	1347
Commonwealth Employees (Employment Provisions) Act.....	1347
Commonwealth Employees (Employment Provisions) Act.....	1347
Commonwealth Employees (Employment Provisions) Act.....	1348
Marine Radio Licence Fees	1348
Sale of Publicly Owned Enterprises	1348
Refugees.....	1348
Marine Radio Licence Fees	1349
Disarmament	1349
Marine Radio Licence Fees	1349
Red Army Choir.....	1349
Pensions	1349
National Health Scheme.....	1350
Pornographic Publications.....	1350
Health of Aboriginal Children.....	1350
Pensions	1351
Unemployment	
Notice of Motion.....	1351
Telecom Australia And Australia Post	
Notice of Motion.....	1351
Question	
QUESTIONS WITHOUT NOTICE.....	1351
Question	
SPECIAL YOUTH EMPLOYMENT TRAINING PROGRAM	1351
Question	
NAVY PATROL BOATS	1352
Question	
UNEMPLOYMENT	1352
Question	
TAXATION: INDEPENDENT ADVISORY COMMITTEE	1353
Question	
EMPLOYMENT AND TRAINING PROGRAMS	1353
Question	
HOME BUILDING COSTS	1353
Question	
UNEMPLOYMENT: MIGRANT INTAKE	1354
Question	
DONATIONS TO MEMORIAL TRUSTS: TAX DEDUCTIBILITY	1355
Question	
LOW ALCOHOL BEER	1355
Question	
INVESTMENT ALLOWANCE: UNEMPLOYMENT	1355
Question	
AID TO KAMPUCHEA	1356
Question	
DRUG SMUGGLING.....	1357
Question	
PRODUCTION OF ETHANOL	1357
Question	
MAJOR AIRPORT NEEDS OF SYDNEY.....	1358
Question	
AIR POLLUTION	1358
Question	
DONATIONS TO MEMORIAL TRUSTS: TAX DEDUCTIBILITY	1359
Australian Science And Technology Council.....	1359
Pig Meat Promotion Advisory Committee	1359
Department Of Administrative Services.....	1359

European Space Agency	1359
Committee On Official Establishments	
Report and Ministerial Statement	1360
Committee On Environment And Conservation: Report On Off-road Vehicles	
Ministerial Statement	1361
General Business.....	1364
Publications Committee	1365
Multilateral Trade Negotiations	
Discussion of Matter of Public Importance	1365
Conciliation And Arbitration Amendment Bill 1979	
Second Reading.....	1370
Defence Service Homes Amendment Bill 1979	
Second Reading.....	1373
Replacement Of Cranes At Cockatoo Island Dockyard	
Reference to Public Works Committee	1374
Compensation (Commonwealth Government Employees) Amendment Bill 1979	
Second Reading.....	1374
Seamen's Compensation Amendment Bill (No. 2) 1979	
Second Reading.....	1376
Australian Security Intelligence Organization Bill 1979	1376
Estimates Committees	
Report of Standing Orders Committee	1405
Reference Of Proposed Expenditures To Estimates Committees	1410
Australian Security Intelligence Organization Bill 1979	1410
Adjournment	
Education: Administration of Commonwealth Funds- Political Parties: Dissemination of Misinformation- Unemployment- Gilbert and Ellice Islands: Banabans- Senate Elections- Sydney Football Grand Final.....	1433

QUESTIONS IN WRITING

Answers To Questions

Conciliation and Arbitration: Financial Assistance (Question No. 3135).....	1439
Sierra Leone (Question No. 4028).....	1442
Finance: Motor Vehicles (Question No. 4293).....	1442
Post and Telecommunications: Motor Vehicles (Question No. 4302).....	1442
Diplomatic Courier Service (Question No. 4380)	1443
Diplomatic Service (Question No. 4399)	1443
United Nations Educational, Scientific and Cultural Organisation Conventions (Question No. 4405).....	1445
Export Market Development Grants (Question No. 4434)	1446
Foreign Affairs: Migrant Programs and Policies (Question No. 4440).....	1446
Aboriginal Housing (Question No. 4458).....	1447
Australia-Japan Trade Law Foundation (Question No. 4466)	1447
Aboriginal Welfare Relief (Question No. 4490).....	1448
Visits to United Nations Educational, Scientific and Cultural Organisation (Question No. 4497)	1448
Disarmament (Question No. 4514).....	1448
Trees for Malta (Question No. 4527)	1449
Aid to Pakistan (Question No. 4543).....	1449

Thursday, 20 September 1979

Mr SPEAKER (Rt Hon. Sir Billy Snedden) took the chair at 10.30 a.m., and read prayers.

PETITIONS

The Clerk—Petitions have been lodged for presentation as follows and copies will be referred to the appropriate Ministers:

Metric System

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled: The Petition of the undersigned citizens of Australia respectfully showeth:

That the plan to obliterate the traditional weights and measures of this country does not have the support of the people;

That the change is causing and will continue to cause, widespread, serious and costly problems;

That the compulsory tactics being used to force the change are a violation of all domestic principles.

Your petitioners therefore pray:

That the Metric Conversion Act be repealed to ensure that the people are free to utilise whichever system they prefer and so enable the return to imperial weights and measures wherever the people so desire;

That weather reporting be as it was prior to the passing of the Metric Conversion Act;

That the Australian Government take urgent steps to cause the traditional mile units to be restored to our highways;

That the Australian Government request the State Governments to procure that the imperial and metric systems be taught together in schools.

And your petitioners as in duty bound will ever pray.

by Mr Lynch, Mr Aldred, Mr Burns, Mr Goodluck, Mr Jarman, Mr Macphee and Mr Street.

Petitions received.

Education

To the Honourable, the Speaker and Members of the House of Representatives, of the Australian Parliament assembled. The Petition of certain citizens of New South Wales respectfully showeth:

Dismay at the reduction in the total expenditure on education proposed for 1980 and in particular to Government Schools.

Government School bear the burden of these cuts, 11.2 per cent while non-Government school will receive an increase of 3.4 per cent.

We call on the Government to again examine the proposals as set out in the guidelines for Education expenditure 1980 and to immediately restore and increase substantially in real terms the allocation of funds for education expenditure in 1980 to Government schools.

And your petitioners as in duty bound will ever pray.

by Mr Anthony, Mr Armitage, Mr Dobie, Mr Howard, Mr Les Johnson, Mr Sainsbury and Mr West.

Petitions received.

National Women's Advisory Council

To the Honourable the Speaker and Members of the House of Representatives assembled: The Petition of the undersigned citizens of Australia respectfully showeth:

That the National Women's Advisory Council has not been democratically elected by the women of Australia;

That the National Women's Advisory Council is not representative of the women of Australia;

That the National Women's Advisory Council is a discriminatory and sexist imposition on Australian women as Australian men do not have a National Men's Advisory Council imposed on them.

Your petitioners therefore pray:

That the National Women's Advisory Council be abolished to ensure that Australian women have equal opportunity with Australian men of having issues of concern to them considered, debated and voted on by their Parliamentary representatives without intervention and interference by an unrepresentative 'Advisory Council'.

And your petitioners as in duty bound will ever pray.

by Mr Braithwaite, Mr Fisher, Mr Lucock and Mr Martyr.

Petitions received.

Commonwealth Employees (Employment Provisions) Act

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled. The humble petition of electors of the State of N.S.W. respectfully showeth:

That the Commonwealth Employees (Employment Provisions) Act 1977 should immediately be repealed because:

It provides unfettered power to Ministers to suspend, stand-down and dismiss Commonwealth Government employees and places them in a markedly disadvantageous position as compared with all other Australian workers.

Its use places Commonwealth Government employees in direct conflict with the Government as it circumvents the arbitration tribunals and denies appeal rights.

Its use will exacerbate industrial disputes and inflame industrial relations in the Commonwealth area of employment.

The International Labour Organisation has condemned the Provisions of the Act as being incompatible with the rights of organised labour in a free society.

And your petitioners as in duty bound will ever pray.

by Mr Anthony.

Petition received.

Commonwealth Employees (Employment Provisions) Act

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled. The humble petition of electors of the State of Queensland, respectfully showeth:

That the Commonwealth Employees (Employment Provisions) Act 1977 should immediately be repealed because:

It provides unfettered power to Ministers to suspend, stand-down and dismiss Commonwealth Government employees and places them in a markedly disadvantageous position as compared with all other Australian workers.

Its use places Commonwealth Government employees in direct conflict with the Government as it circumvents the arbitration tribunals and denies appeal rights.

Its use will exacerbate industrial disputes and inflame industrial relations in the Commonwealth area of employment.

The International Labour Organisation has condemned the Provisions of the Act as being incompatible with the rights of organised labour in a free society.

And your petitioners as in duty bound will ever pray.

by Dr Everingham.

Petition received.

Commonwealth Employees (Employment Provisions) Act

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled. The humble petition of electors of the State of Western Australia, respectfully showeth:

That the Commonwealth Employees (Employment Provisions) Act 1977 should immediately be repealed because:

It provides unfettered power to Ministers to suspend, stand-down and dismiss Commonwealth Government employees and places them in a markedly disadvantageous position as compared with all other Australian workers.

Its use places Commonwealth Government employees in direct conflict with the Government as it circumvents the arbitration tribunals and denies appeal rights.

Its use will exacerbate industrial disputes and inflame industrial relations in the Commonwealth area of employment.

The International Labour Organisation has condemned the Provisions of the Act as being incompatible with the rights of organised labour in a free society.

And your petitioners as in duty bound will ever pray.

by Mr Martyr.

Petition received.

Marine Radio Licence Fees

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled. The humble petition of undersigned citizens of Australia respectfully showeth:

That the unprecedented 50 per cent increase in fees for mobile ship-to-shore boat radio licences and the 100 per cent increase in fees for life saving ship station radio licences is unjustified and discriminatory because the increases act as a disincentive for boat owners to obtain such radios thereby imperilling safety at sea while CB operators in motor vehicles still pay only \$25 for their licence and can have up to five radios on the one licence for unlimited use.

Your petitioners call on the government to reduce fees for these licences and to revise the regulations concerning boat radios.

And your petitioners as in duty bound will ever pray.

by Mr John Brown, Mr Humphreys and Mr James.

Petitions received.

Sale of Publicly Owned Enterprises

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled. The humble petition of undersigned citizens of Australia respectfully showeth:

There is a definite limit to the quantity of Australia's mineral resources.

Accordingly our resources should be managed and developed under Australian ownership and control.

Publicly owned trading enterprises and corporations have been established and operated for the benefit of Australians since Federation.

The Commonwealth Banking Corporation, Trans Australia Airlines, Housing Loans Insurance Corporation, Australian Meat and Livestock Corporation, Australian Wheat Board, were all designed to operate to the benefit of our Nation as a whole under public ownership.

The Fraser government's irresponsible proposals to sell off our Nation's interest in the Ranger Uranium Mine, the Housing Loans Insurance Corporation, and to dispose of other successful statutory corporations such as Trans Australia Airlines, would be contrary to the Nation's interests.

Your petitioners therefore humbly pray that the House of Representatives will reject outright proposals of the Fraser government to sell the Ranger Uranium Mine, the Housing Loans Insurance Corporation and Trans Australia Airlines.

And your petitioners as in duty bound will ever pray.

by Mr Armitage and Mr Morris.

Petitions received.

Refugees

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled. The petition of the undersigned citizens of Australia respectfully showeth:

That a grave threat to the life of refugees from the various States of Indo-China arises from the policies of the Government of Vietnam.

That, as a result of these policies, many thousands of refugees are fleeing their homes and risking starvation and drowning. Because of the failure of the rich nations of the world to provide more than token assistance, the resources of the nations of first refuge, especially Malaysia and Thailand, are being stretched beyond reasonable limits.

As a wealthy nation within the region most affected, Australia is able to play a major part in the rescue as well as resettlement of these refugees.

It should be possible for Australia to:

establish and maintain on the Australian mainland basic transit camps for the housing and processing of 200,000 refugees each year;

mobilise the Defence Force to search for, rescue and transport to Australia those refugees who have been able to leave the Indo-China States;

accept the offer of those church groups which propose to resettle some thousands of refugees in Australia.

The adoption of such a humane policy would have a marked effect on Australia's standing within the region.

And your petitioners as in duty bound will ever pray.

by Mr Fisher and Mr Jarman.

Petitions received.

Marine Radio Licence Fees

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled. The humble petition of the undersigned citizens of Australia respectfully showeth:

That we oppose the increase in Radio Licence Fees on Marine Radios for the following reasons:

- (1) Radios are an essential part of safety equipment.
- (2) Marine radio users save the government millions of dollars in search and rescue.
- (3) Increased licences will deter the boating fraternity from purchasing and using radios for their own, and others safety.

We also oppose the Radio Regulation that allows and encourages the use of CB radios in boats for the following reasons:

- (1) The difficulties and delays involved in obtaining positive identification that a boat is transmitting the message.
- (2) The break down in communication between marine radio bases and boats, and boats using CB radio that are in trouble.
- (3) Costs for search and rescue will escalate due to these delays.
- (4) Safety standards will be lowered, Sea Rescue Membership will decline, increasing work load on remaining members under less efficient radio communication.

Your petitioners therefore humbly pray the government will reconsider the licence fee and also consider a reduction for pensioners.

We also humbly pray that the regulation allowing the use of CB radio in Marine situations be rescinded.

by Mr Braithwaite.

Petition received.

Disarmament

To the Speaker and the House of Representatives in Parliament assembled.

The petition of the undersigned citizens of Australia respectfully showeth that the very survival of mankind is at stake, with the stockpile of nuclear weapons able to kill every person on earth 24 times over and with conventional arms of increasing sophistication having enough destructive power to destroy most life on earth.

Noting that, while millions starve, expenditure on the arms race is \$1000 million per day for the World and \$7 million per day for Australia; and noting that the UN Children's Fund (UNICEF) has listed 'peace and disarmament as a theme for the International Year of the Child'; and further noting that a reduction in expenditure on arms could contribute in both developed and developing countries to the eradication of hunger and disease and to the provision of more adequate housing, education, health services, economic security and social welfare for all people:

In the interests of children in Australia and around the world, particularly in developing countries, and as a matter of highest priority during the International Year of the Child,

We call upon the Australian Government to give political leadership both nationally and internationally in working towards

- (1) general and complete disarmament under effective international control;
- (2) the establishment of the Pacific and Indian Oceans as nuclear-free zones; and
- (3) the disbanding of all nuclear bases.

And your petitioners as in duty bound will ever pray.

by Dr Everingham.

Petition received.

Marine Radio Licence Fees

To the Honourable the Speaker and the members of the House of Representatives in Parliament assembled. The humble petition of the undersigned citizens of Australia respectfully showeth:

That we strongly oppose the increase in Marine Radio Licence fees for the following reasons:

- (1) Radios are an essential part of safety equipment.
- (2) Marine Radio users save the government millions of dollars in Search and Rescue.
- (3) Increased licence fees will deter the boating fraternity from purchasing and using radios for their own safety and assistance to other craft will be therefore reduced. Your petitioners therefore humbly pray that the government will not only reconsider the increased licence fee, but consider a reduction of same in the interest of Safety.

And your petitioners as in duty bound will ever pray.

by Mr James.

Petition received.

Red Army Choir

To the Honourable the Speaker and the Members of the House of Representatives in Parliament assembled. The humble petition of the undersigned citizens of Australia respectfully showeth:

That the Red Army Choir is a military propaganda unit glorifying the Soviet regime which is still hostile to the democratic way of life. The Red Army is the main instrument in keeping formally free people under subjugation, and its presence enables blatant violations of Human Rights to be perpetrated. The support, therefore, of such instruments of a totalitarian regime can only harm the development of free and liberal thought under it.

Your petitioners humbly pray that the Australian Government assert its support for the aspirations of subjugated people by denying entry into this country to the Red Army Choir.

And your petitioners as in duty bound will ever pray.

by Mr Jarman.

Petition received.

Pensions

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled.

The humble petition of undersigned citizens of Australia respectfully showeth that inflation is having a catastrophic effect on the living standards of the aged. To overcome this the Retired Persons' Rights Association recommend that:

1. The Government is called upon to announce a timetable for abolition of the income test, starting in the 1979 Budget—
 - (a) By restoring to the maximum rate the test free pension paid to all over 70 years of age.
 - (b) by conceding a test free pension (as paid to all over 70) to all over 69 years of age, by the end of the 1979-80 year.
2. Pending abolition of the income test, the Government is called upon, in the 1979 Budget—
 - (a) To restore half-yearly indexation of pensions.
 - (b) to increase the qualifying 'other incomes', both for the full pension and the health benefit card, by the amounts necessary to compensate for C.P.I. increases since the present amounts were fixed.

Your petitioners therefore humbly pray that action be taken to improve social security benefits for retired persons.

And your petitioners as in duty bound will ever pray.
by Mr MacKenzie.

Petition received.

Unemployment

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled. The petition of the undersigned citizens of Australia respectfully showeth:

That, as it is clear that unemployment is a long term problem in Australia, the Government should extend to the unemployed the same assistance as is given to any other disadvantaged member of the community. There is an urgent need to alleviate the financial hardship and emotional stress that the unemployed are suffering.

Your petitioners therefore pray:

1. That the Government adopt positive policies to reduce unemployment.
2. That the basic Unemployment Benefit be raised to at least the level of the poverty line as calculated by Professor Henderson,
3. In line with other Social Service additional income awards, and in order to encourage work creation schemes and the fostering of initiative and self respect, that the \$6 per week additional income limit be raised to at least \$20 per week.
4. That the financial penalties above the earning of \$20 per week, assessed on a monthly basis, be calculated at the same rate as other Social Security benefits.
5. That the Commonwealth grant subsidies to state governments so that the unemployed can be granted transport concessions in order that they are not penalised in job seeking.
6. That pharmaceutical and medical concessions be granted to the unemployed equivalent to those received by other Social Service beneficiaries.

And your petitioners as in duty bound will ever pray.

by Mr Leo McLeay.

Petition received.

National Health Scheme

To the Honourable the Speaker and Members of the House of Representatives in the Commonwealth Parliament assembled. The humble petition of the undersigned citizens of Australia respectfully showeth whereas

(1) it is our belief that at the next sittings of the parliaments it is the intention of the Government to increase the \$2.50 NHS patient contribution.

(2) We the undersigned strongly object to the Government taking this action.

We therefore do ask the Government of Australia not to take the action that is believed intended.

And your petitioners as in duty bound will ever pray.
by Mr Martyr.

Petition received.

Pornographic Publications

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled. The humble petition of the undersigned citizens of Australia respectfully showeth:

That we the undersigned, having great concern at the way in which children are now being used in the production of pornography call upon the government to introduce immediate legislation:

1. To prevent the sexual exploitation of children by way of photography for commercial purposes;
2. To penalise parents/guardians who knowingly allow their children to be used in the production of such pornographic or obscene material depicting children;
3. To make specifically illegal the importation, publication, distribution and sale of such pornographic child-abuse material in any form whatsoever such as magazines, novels, papers or films;
4. To take immediate police action to confiscate and destroy all child pornography in Australia and urgent appropriate legal action against all those involved or profiting from this sordid exploitation of children.

Your petitioners therefore humbly pray that your honourable House will protect all children and immediately prohibit pornographic child-abuse materials, publications or films.

And your petitioners as in duty bound will ever pray.

by Mr Martyr.

Petition received.

Health of Aboriginal Children

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled. The humble petition of the undersigned citizens of Australia respectfully showeth:

That there are Australian Aboriginal children living under conditions of inadequate nutrition in a background of poor housing, hygiene, and overcrowding that amounts to 'a Third World enclave in the midst of affluence' (see also the Report from the House of Representatives Standing Committee on Aboriginal Affairs "Aboriginal Health" 1979);

That such a state of affairs is intolerable in our country;

That only an effort on an unprecedented scale could create conditions that would give these children the rights set out in the United Nations Declaration of the Rights of the Child.

Your Petitioners therefore humbly pray that the Government will make generous funding available for the specific purposes of:

Making a real improvement in the health, housing, education, employment and welfare of the Aboriginal people, doing so with due regard for the needs, hopes and aspirations of the Aboriginal people themselves;

Providing increased help, encouragement and opportunity for Aboriginal people to train as nursing aides and in other paramedical roles, and as fully qualified nurses, doctors and social workers;

Providing increased health education for Aboriginal people in ways that are acceptable to them.

by Mr Ruddock.

Petition received.

Pensions

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled. The petition of the undersigned citizens of Australia respectfully sheweth:

That restoration of provisions of the Social Security Act that applied prior to the 1978-79 Budget is of vital concern to offset the rising cost of goods and services.

The reason advanced by the Government for yearly payments 'that the lower level of inflation made twice-yearly payments inappropriate' is not valid.

Great injury will be caused to 920,000 aged, invalid, widows and supporting parents, who rely solely on the pension or whose income, other than the pension, is \$6 or less per week. Once-a-year payments strike a cruel blow to their expectation and make a mockery of a solemn election pledge.

Accordingly, your petitioners call upon their legislators to:

1. Restore twice-yearly pension payments in the Autumn session.
2. Raise pensions and unemployed benefits above the poverty level to 30 per cent of A.W.E.

And your petitioners as in duty bound will ever pray.

by Mr Shipton.

Petition received.

UNEMPLOYMENT

Notice of Motion

Mr YOUNG (Port Adelaide)—I give notice that on the next day of sitting I shall move:

That this House, recognising that:

- (1) For persons aged 55 years and over who show up in the June labour force survey, the average period of unemployment is 47 weeks;
- (2) For persons aged 45 to 54 the average period of unemployment is 44 weeks; and
- (3) For persons 35 to 45 the average duration of unemployment is 34 weeks;

and asserting that the lengthening period of unemployment for family heads has repercussions in social costs for which Australia will pay over the next generation, is of the opinion that the Federal Government should provide financial assistance to State and local government for adult job creation, training and retraining schemes.

TELECOM AUSTRALIA AND AUSTRALIA POST

Notice of Motion

Mr LUCOCK (Lyne)—I give notice that at the next sitting I shall move:

That in the opinion of this House legislation relating to Telecom Australia and Australia Post should be amended to provide the Minister and the Parliament with a larger role in the operation of those authorities.

I hope that because of the urgency of the situation the Leader of the House (Mr Sinclair) will give us an early opportunity to debate that matter.

QUESTIONS WITHOUT NOTICE

SPECIAL YOUTH EMPLOYMENT TRAINING PROGRAM

Mr YOUNG—I refer the Minister for Employment and Youth Affairs to his statements of December last year and January of this year when he stated:

Get off your tails and start hunting for jobs because the Government is not going to hand them to you.

Further, he stated:

To make work and work generating initiatives fashionable to them, a real impact will have to be made on the cool young to whom dole bludging is a bit of a joke rather than something to be overcome if humanly possible.

Is this the philosophy behind and the reason for the Government's decision to slash the Budget appropriation for the Special Youth Employment Training Program by \$55m or 69 per cent?

Mr VINER—As the honourable gentleman knows, the funding in this year's Budget for the Special Youth Employment Training Program flows from two decisions made last year. The first decision was made in the Budget of 1978 when the period of training was reduced from six months to 17 weeks and the amount of rebate, that is, subsidies to employers, was reduced from \$64 to \$45 per week. In December 1978 the Government decided that in order to cut out employer abuse of the Special Youth Employment Training Program it would review the eligibility criteria so that the young unemployed people who would benefit from the program would be those who would not meet the normal employment requirements of an employer. These people might be termed the hard core unemployed, that is, those young people who, because of a lack of educational competence or some other attributes, find it very difficult in a tight labour market to obtain employment. We thought—I think quite properly—that the public money which we were putting into this program should be put to the most effective use possible. We do not believe, as the Australian Council of Trade Unions does not believe, that the Government should be providing a direct wage subsidy to employers in

those circumstances. Therefore we limited the target group of young people to the specially disadvantaged in the current labour market.

From those two decisions in August 1978 and December 1978 flowed inevitable funding consequences which appear in this year's Budget in which we have provided enough funds for the anticipated demand by employers and the needs of this particular young unemployed group. Of course the other side of our funding, which the Opposition is not prepared to acknowledge, is the massive increase in the funds that we are making available to assist apprentices through our Commonwealth Rebate for Apprentice Full-time Training Scheme. We have almost doubled to \$55m the amount of money that we are providing to employers to engage more apprentices. When we are in a time of economic recovery and when there is increasing demand by industry for skilled workers and a demand by young people to obtain a skill, I think one can see the purpose behind the priority of the Government in putting \$55m towards apprenticeship support.

NAVY PATROL BOATS

Mr DEAN—Can the Minister for Defence inform the House on progress with construction of 15 new patrol boats for the Navy which are being built in north Queensland? Is the project proceeding satisfactorily? Will the lead ship being constructed in the United Kingdom be delivered to the Navy on time?

Mr KILLEN—The lead ship HMAS *Fremantle*, which is being constructed in the United Kingdom by Brooke Marine Ltd, was due to enter Australian waters towards the end of this year. I regret to inform the honourable gentleman and the House that she will not now arrive in Australian waters until February next year. I shall explain briefly to the House the reason for that. Trials have indicated that the lead ship is overweight by approximately 20 tonnes. I make it clear also that the Australian Government, the Australian taxpayer, is completely protected by way of an indemnity. The honourable gentleman will appreciate that North Queensland Engineers and Agents Pty Ltd, which is building the follow-on boats in Cairns in north Queensland, is doing so following the specifications prepared by Brooke Marine. As a consequence of that, boats 2, 3 and possibly 4 may be overweight.

I can assure the honourable gentleman and the House that trials are continuing to see in what manner and form the overweight can be reduced. Present trials indicate that the overweight has been caused by oversized hull plating, hull fitting and some equipment. I am

informed on technical and professional advice that there are good grounds for optimism that the overweight problem will be substantially reduced in relation to the boats to which I have adverted. As to the other boats which will follow on, there will be no problem in existence.

UNEMPLOYMENT

Mr HOWE—I direct my question to the Minister for Employment and Youth Affairs. Is it a fact that Australia has nearly the highest rate of youth unemployment in the Organisation for Economic Co-operation and Development countries? Is it also a fact that 60 per cent of our unemployed are under the age of 25 years? Is it also a fact that Italy is the only other country in the OECD where the unemployment rate has risen above the 60 per cent figure? Why has Australia performed so poorly in providing jobs for young people in comparison with the rest of the developed world?

Mr Viner—The basic reason that we have the present unemployment problem is because of the economic policies pursued by the Whitlam Administration in the years 1974 to 1975.

Opposition members interjecting—

Mr SPEAKER—Order! The Minister will resume his seat. I ask honourable members to remain silent while the Minister is answering the question.

Mr Viner—My simple statement brought raucous laughter from the Opposition. I wonder what these statistics will bring forth from Opposition members. Between May 1974 and May 1975 under the Whitlam Labor Government full time unemployment increased by 138,700.

Mr Howe—You have had four years.

Mr SPEAKER—Order! The honourable member for Batman asked a question. The Minister is now answering it. I suggest that the honourable member for Batman remain silent while the answer is being given.

Mr Viner—During that period, May 1974 to May 1975, civilian employment decreased by 55,000. It decreased because private employment, that is, employment in the private sector, decreased by a massive 155,000. That simply means that in one year under the Whitlam Administration 155,000 jobs were destroyed as a result of the economic policies of the day. During that same period government employment increased by nearly 100,000. In simple economic terms, that means that 155,000 jobs, which existed at no cost to the taxpayer, were replaced by 100,000 jobs which were financed by the taxpayer.

Is there any reason not to understand that the Labor Party policies of today under the Leader of the Opposition, like those of the Whitlam Administration, must depend upon high taxes, whereas our economic policies are dependent upon creating the conditions whereby we will get economic growth in the private sector and, through the private sector, real jobs that will be of lasting benefit to the community? The effectiveness of our policies is shown by the fact that over the last 12 months 64,400 additional jobs have been created in the work force, the bulk of which are in the private sector. This, we know, is where we will get increasing employment growth.

The other factor is that Australia came late into an era of high youth unemployment consequent upon economic policies the results of which appeared from 1974 to 1975. What we have done as a government, since we came into office in late 1975, is to embark upon a massive expansion of our manpower and training programs. Since we have come into office we have invested over \$400m in these programs which has assisted over 400,000 young and old Australians. This financial year, we will be investing \$132.2m in our manpower and training programs which will assist 210,000 people. In our National Employment and Training Scheme the number supported will be 31,000; in the Education Program for Unemployed Youth, 5,000; in the Special Youth Employment Training Program, 49,000; in our Commonwealth Rebate for Apprentice Full-time Training Program, 85,000; and in our Community Youth Support Scheme Programs, 40,000—a total of 210,000 Australians supported by government money which we are prepared to invest in their future.

TAXATION: INDEPENDENT ADVISORY COMMITTEE

Mr SHACK—In the past the Treasurer has expressed himself broadly in favour of an independent advisory committee on taxation in line with the Asprey Review Committee recommendation. Is the Treasurer able to inform the House whether he has further considered this proposal?

Mr HOWARD—It is true, as the honourable member for Tangney says, that I have commented favourably on a recommendation of the Asprey report that an independent advisory committee on taxation be established. I can tell the honourable member and the House that the Government has approved a recommendation of mine that such a committee be established. I believe that it will make a valuable contribution to

the advice on taxation matters currently coming to the Government. The committee will complement that advice and not compete with it.

I am presently giving consideration to the personnel who might be invited to serve on the committee and who might be interested in serving on the committee, and I have sought the views of a number of professional and other organisations as to suitable people. I hope within a matter of a few weeks to be able to announce both the personnel of the committee and the precise terms of reference of the committee. I see this particular committee as playing a very valuable role, particularly in terms of giving alternative technical advice to the Government on what is undoubtedly an act of this Parliament of continuing relevance to everybody.

EMPLOYMENT AND TRAINING PROGRAMS

Mr INNES—I ask the Minister for Employment and Youth Affairs: Is it a fact that by January 1980 only four out of every 100 officially registered unemployed people will receive training assistance? Is it a fact that last August the comparable figure was 13 out of every 100? Is it also a fact that the expenditure of \$140m on the National Employment and Training System, the Community Youth Support Scheme, the Commonwealth Rebate for Apprentice Full-time Training scheme and the Education Program for Unemployed Youth represents 0.12 per cent of the gross national product, while Canada and the United States of America spend six times that amount and Sweden spends 20 times that amount? Why are all the other member countries of the Organisation for Economic Co-operation and Development out of step with Australia?

Mr VINER—If the honourable gentleman gives me more particulars of the statistics that he produces from other countries, I will take his question on notice and give him a detailed answer.

HOME BUILDING COSTS

Mr BRADFIELD—Is the Minister for Housing and Construction aware of recent statistics and Press reports which indicate that home building costs have risen, particularly in the months of July and August of this year? Could the Minister identify the base causes of these rises? Could he also indicate whether these increases mean that homes will become more difficult for home buyers to obtain in the future?

Mr GROOM—I am pleased that the honourable member for Barton has raised this subject.

Earlier this week the Australian Bureau of Statistics released its figures on increases in home building material prices in Australia. The figures show that in the month of August an increase of 1.4 per cent occurred. This compares with an increase in the month of July of 1.3 per cent. So, there was a slight increase of 0.1 per cent over the previous month's figure. It is true that the figures for the last couple of months were higher than the figures for a number of previous months. The increase has been influenced by higher prices for clay bricks, for timber—both hardwood and softwood—and for steel and cement products. The honourable member asks why the increases have occurred. It is always difficult to pinpoint reasons for increases of these kinds in these sorts of indices. The figures for several months were extremely low and eventually it was obvious that some upward readjustment would occur. That has been a factor in the latest increases. Also, we have seen increases in petroleum and chemical prices which obviously feed through eventually to building material costs.

Despite the moderate increases which have taken place in the last two months, the Government certainly has a very good record in containing costs in the building sector. The house building materials index has declined in each of the years that this Government has been in office. I think that that is a very significant achievement indeed. As all honourable members on both sides of the House will know, by comparison, costs of all kinds soared during the period of the Labor Administration, and that included building costs. I give an example: In the year ending July 1979 this Government achieved a figure of 9.6 per cent and this compares with a Labor figure of 22.9 per cent in the 12-month period to the end of January 1975. For the latest 12-month period, including August, the figure is 10.5 per cent. This Government is now achieving inflation figures about half, or less than half, of what they were during the period for which the Labor Government was in office. For non-residential building material costs, the figure for August was 1.2 per cent. When the present Opposition was in government we saw figures two and three times that percentage. If we look back to April 1974 we see a figure for one month of 4.1 per cent, compared with 1.2 per cent for August 1979. We saw a yearly increase of 26 per cent at about that time. The figures during that period were very high indeed.

It is not possible to assess accurately the flow-on effect on the cost of new houses resulting from these price increases, but one point that

must be made is that the housing industry deserves great credit for the way in which it has kept prices down and absorbed cost increases over the past few years. In the whole of the 1978-79 financial year the new house price increase for the consumer price index was only 3 per cent. That was a significant achievement and much credit must go to the home building industry for achieving that amazing result. It has meant that new homes have become much more competitive in price. Although we are concerned about the latest cost increases and the upward movement in the last couple of months, our record in government is very good indeed and I expect that Australia will continue to do very much better than other comparable countries.

Mr SPEAKER—I suggest that the Minister wind up his answer.

Mr GROOM—I am just about to, Mr Speaker. We will certainly continue to be very much more successful than the Australian Labor Party was when it was in office.

UNEMPLOYMENT: MIGRANT INTAKE

Mr JOHN BROWN—I ask the Minister for Employment and Youth Affairs: Is it a fact that June labour force figures standardised by age give an unemployment rate of 7.7 per cent for the overseas-born work force compared with 5.6 per cent for the Australian-born work force? Why has the Government decided to boost the intake of unskilled migrant workers when already 88 unskilled manual workers are unemployed for every job vacancy and 24 semi-skilled workers are unemployed for every job vacancy? Is it therefore a fact that the majority of the increased unskilled migrant intake will join the dole queues?

Mr VINER—The answer is no. Many, if not all, of the unskilled migrants who are coming to Australia are very hard working migrants and make a great contribution to Australia both socially and economically. I know that my colleague the Minister for Immigration and Ethnic Affairs, in the administration of the numerical multifactor assessment system of determining eligibility for permanent entry into Australia, takes fully into account the occupational needs of industry in Australia as one of the basic factors of the NUMAS scheme. I do not think there is anybody on this side of the House who would decry the value of migrants to Australia historically and the value of those who are seeking to come here now. We know migrants have made a great contribution to Australia. Even though we have high levels of unemployment in Australia, migrants are welcome to this country. We do not

believe that we should restrict unduly the migrant intake simply because we have high unemployment levels. Quite properly, we must take into account the position in the areas in which there are shortages of skills and shortages of available people with special characteristics and attributes. But overall, as a government, we believe that there is plenty of room in Australia for the migrant intake level which we have established for this year.

DONATIONS TO MEMORIAL TRUSTS: TAX DEDUCTIBILITY

Mr BARRY JONES—I direct my question to the Treasurer. Did the trustees of the H. V. Evatt Memorial Trust apply to the Treasury to allow tax deductibility for donations on the same basis as they are available for donations to the R. G. Menzies Memorial Trust? Has a reply been given? If not, why not? Will the Treasurer give an undertaking that the Evatt Trust will be dealt with in the same way as the Menzies Trust?

Mr HOWARD—The answer to the honourable gentleman's question is yes. I first saw a letter last night, I think from a firm of solicitors on behalf of the trustees, but I was previously aware of an approach and I can tell the honourable gentleman that the matter is currently being considered.

LOW ALCOHOL BEER

Mr BIRNEY—I ask the Minister for Health: In view of the estimated 3,500 deaths in Australia in 1977 attributable to alcohol, does he support the recent introduction of low alcohol beer into New South Wales?

Mr HUNT—I have seen reports that a certain brewery in New South Wales has produced a low alcohol content beer. I have not had the opportunity to sample the brew but I am sure it will be a popular drop. I congratulate the brewery concerned in New South Wales for responding to a Senate committee under the chairmanship of Senator Peter Baume which recommended that low alcohol content beers should be available in Australia. The Committee's report entitled 'Drug Problems in Australia—an intoxicated society?' is currently under consideration by the Government. I think it is fair to assume that if there is a widespread development in the consumption of low alcohol content beers it could well reduce the incidence of road accidents and also have a very big influence on reducing the incidence of alcohol caused or related illnesses. Both my Department and I as Minister for Health welcome the introduction of low alcohol content beers in Australia. I notice the Minister

for Transport is having a little giggle. He likes the Carlton Light beer from Victoria, I think. I do commend the brewery for producing such a responsible brew. I wish the brew every success and I hope it takes the place of high alcohol content beers.

Mr SPEAKER—The message is clear.

INVESTMENT ALLOWANCE: UNEMPLOYMENT

Mr HAYDEN—I ask the Minister for Employment and Youth Affairs whether it is a fact that the Government spent approximately \$800m in the three-year period concluded in June this year on the investment allowance? Is it a fact that the effect of the investment allowance is to replace employees in manufacturing industry with, for instance, capital equipment? Is that policy of the Government reflected by employment in manufacturing industry which fell from a peak in mid-1974 to mid-1979 by some 200,000 jobs or 15 per cent? Is it a fact that at June 1974 the Australia and New Zealand Banking Group Ltd index of factory production of 169 was at about a peak and at May 1979, in spite of a reduction of over 200,000 jobs in manufacturing employment, it was still at a level of 169? Is this the magnificent contribution to job security in this country that the Minister has been talking about, namely, policies of the investment allowance at a time of high and worsening unemployment designed to aggravate that problem in manufacturing industry?

Mr VINER—We know that the investment policies of this Government have been a very important factor in increasing the competitiveness of Australian industry through greater efficiency because of modernisation of plant and equipment. We know that the investment allowance and other special tax incentives that this Government has offered will for example, enable the great North West Shelf development to go ahead on a firm economic basis. We also know that the bulk of those 155,000 jobs that were destroyed between May 1974 and May 1975 by the Whitlam Administration were in the manufacturing sector of Australian industry. That occurred for a number of reasons and I will mention two. One was the tariff policies of the Whitlam Administration with a 25 per cent across the board tariff cut.

Mr Hayden—Oh, come on, that is Andrew's thinking.

Mr VINER—The second reason why those jobs were so—

Mr SPEAKER—Order! The Minister will resume his seat.

Mr Hayden—They have a policy for every occasion and every minute.

Mr SPEAKER—The Leader of the Opposition will remain silent. I ask all honourable members to remain silent while the answer is being given by the Minister.

Mr Viner—The destruction of jobs in the manufacturing sector of the magnitude that I have indicated can be brought home to two things: Firstly, the tariff policies of the Whitlam Administration, particularly the 25 per cent across the board tariff cut; and, secondly, the wages policy of the administration of the day which allowed wages to explode by about 40 per cent. The Leader of the Opposition, the last Labor Treasurer, knew that no economy could absorb a wages explosion of that kind. Yet at the Australian Labor Party Conference in Adelaide he was prepared to go along with the left wing of his party with a wages policy which will produce the same result.

Mr SPEAKER—I ask the Minister to keep his answer relevant to the question asked.

Mr Viner—We know that the wages policy that the Australian Council of Trade Unions Congress has just announced will lead to the same result. I gave a figure earlier in Question Time of 64,400 civilian jobs, the bulk of which are in the private sector, which were created between May 1978 and May 1979 as a result of our economic policies. As a result of the incentives that we give to manufacturing industry, particularly the export incentives, employment in the manufacturing sector has increased by 13,100 people. Therefore, I have no hesitation in saying to this House that our policies will create jobs in the manufacturing sector in contrast to the policies of the Labor Administration which destroyed jobs.

AID TO KAMPUCHEA

Mr Burns—I direct a question to the Minister for Foreign Affairs. I refer to his announcement in the House on 12 September of the Government's decision to provide 3,500 tonnes of rice for humanitarian relief in Kampuchea and reports in the Press that political obstacles are preventing the distribution of food and medical supplies to those threatened by disease and famine in that country. Can the Minister assure the House that no political strings are attached to Australia's humanitarian aid to Kampuchea? Will he provide assurances that every possible effort is being made to distribute Australia's aid

to the people of Kampuchea as quickly as possible?

Mr PEACOCK—I am grateful for the honourable member's reference to the announcement last week of the Government's decision to provide 3,500 tonnes of rice for humanitarian relief in Kampuchea. What is not known is that the world food program asked for 2,000 tonnes towards their integrated program. The Government believed that it should do more and, consequently, an additional 1,500 tonnes will be made available as a first response. The problems in mounting a large scale relief operation in Kampuchea are obviously enormous. The country has been devastated and the almost total absence of an administrative infrastructure, including communications and transport facilities, makes it extremely difficult to set up a major relief program in a short period. The international relief agencies are doing a marvellous job. They are being well supported by voluntary organisations in Australia which are now seeking an appeal from Australians through the Australian Council for Overseas Aid. The International Red Cross and the United Nations International Children's Emergency Fund have been negotiating with Kampuchean authorities over the past weeks on the methods and conditions for a large scale relief operation.

Unquestionably, international channels are the best approach for effectively distributing supplies to those in greatest need throughout the country. The Government has become concerned with the delay in getting the administrative framework into place. As a consequence, we have been holding discussions with the Thai Government to commence the delivery of supplies across the border with the assistance of that Government. I have decided that part of the initial rice contribution of 3,500 tonnes should be used immediately to replace rice obtained locally. It is to be distributed to approximately 100,000 starving people in the area adjacent to the Thai border. The Australian Embassy in Bangkok has been actively involved in efforts to mount this relief program. The Australian contribution will be among the first to reach Kampuchea. This operation will be one of the first practical steps towards what will need to be a much larger and comprehensive operation in seeking to alleviate the acute suffering of Khmer civilians in Kampuchea. I can assure the House that not only is the Australian Government deeply concerned, but it is also acting expeditiously. I can only trust that other nations will follow our lead.

DRUG SMUGGLING

Mr CLYDE CAMERON—I direct my question to the Minister for Immigration. By way of preface, I should like to inform the House that when I was Minister for Immigration, information came to me and to my Department that heroin smuggled into Australia came principally via New Zealand. People were using the Tasman route, pretending to be New Zealanders—some were New Zealanders—and they were getting into Australia without being subject to control or checking. I can also say by way of preface—

Mr SPEAKER—I think the honourable gentleman ought to ask his question.

Mr CLYDE CAMERON—Yes. It is about heroin. It is an important matter. The two Ministers concerned reached tacit agreement on the introduction of a system of control by which everybody crossing the Tasman, in either direction would be required to identify themselves so that proper and effective control over the smuggling of heroin could be brought about.

Mr SPEAKER—Now the question.

Mr CLYDE CAMERON—I publicly give my permission to the Minister to search through all my files—everything that passed over my desk—and to disregard the convention saying that a Minister must not look at his predecessors documents. I now ask the Minister whether he has turned his mind to introducing, as I had intended to do, a system of identity control, either by way of passport and visas or by way of identification card, to prevent in some way the trafficking in heroin that we now know takes place mainly via New Zealand and the Tasman route?

Mr MACKELLAR—Naturally I know of the honourable gentleman's continuing concern in relation to this matter, and I share it. Movement across the Tasman is of a considerable scale each way every year. There is a special relationship between Australia and New Zealand which I am anxious to preserve. I think the common histories of the two countries is of importance. I would not like to bring about a situation which would unnecessarily hinder the free movement of people who are eligible to travel between the two countries. Having said that, I am concerned not only about the possibilities of heroin smuggling but also the possibilities of the free entry arrangements being used by other than New Zealand citizens or British subjects who are eligible to use them. To this end, over a period of time now, I have been having negotiations with my New Zealand counterpart. These negotiations have progressed very satisfactorily.

Meetings of State Ministers associated with immigration and myself are held regularly under this Government and they now include the New Zealand Minister for Immigration. At these meetings the question of trans-Tasman movement has been brought up. Recently, a senior officer of my Department was in New Zealand for discussions with New Zealand departmental officials and the current Minister for Immigration in New Zealand. We are anxious to bring about a situation in which abuses of the arrangement can be minimised. I would like to see in existence an arrangement whereby the total immigration procedures of the two countries are brought as far as possible into harmony. I take into consideration the matters raised by the honourable member. They are under active investigation at present by both the New Zealand Government and me.

PRODUCTION OF ETHANOL

Mr BRAITHWAITE—The Minister for National Development would be aware of the trend in other countries, particularly the United States of America, towards the production of ethanol fuel on the farm for that farm's use. Because of an interest in Australia in the production of similar on-farm fuel, particularly in the sugar industry, would the Minister recommend to the Government the exemption from excise duties of farm produced fuel in order to encourage its production by decreasing its cost?

Mr NEWMAN—The Government has a policy of encouraging the use of ethanol as a fuel extender. For that reason, as part of our research and demonstration program, we have placed particular emphasis on research concerning ethanol. I think the amount currently being expended on that program is about \$1.5m. That has meant that we have encouraged research into a great variety of feed stocks ranging from sugar cane and cassava in Queensland to sugar beet in Tasmania. I am very pleased that recently Ampol Petroleum Ltd and Biotechnology Australia Pty Ltd announced that they will start a pilot plant in Sydney which, it is claimed, could provide Australia leadership in continuous fermentation of feed stocks for ethanol. I just wanted to make the point, first of all, that we are very keen to promote ethanol as the extender. I believe that our work is now starting to show results, particularly as we have commercial interests taking steps to start such important pilot programs as that which I have just mentioned.

The honourable member's question referred to a particular problem involving farm units producing ethanol in farm installations. The Minister for Business and Consumer Affairs and I are very conscious of some of the problems that exist both in licensing and in excise arrangements for farm operators who might choose to install their own home ethanol production units. We have this matter under close scrutiny and I hope that very soon, after the Government has had the chance to consider our recommendations, we will be in a position to make an announcement.

MAJOR AIRPORT NEEDS OF SYDNEY

Mr LES JOHNSON—My question, which is directed to the Minister for Transport, refers to the Major Airport Needs of Sydney study. Has the delay in bringing down a report caused widespread concern in many electorates, such as Barton, Hughes, Kingsford-Smith, Grayndler and St George? Are many people concerned that property values have been adversely affected? Will the failure to resolve this matter greatly increase the cost to the Australian taxpayer of providing an additional airport? Is any end in sight to this scandalous delay? If so, when—

Mr SPEAKER—Order! The honourable gentleman is not entitled to import into his questions words of that kind.

Mr LES JOHNSON—Has the Minister any idea whether this report will ever be completed? Can he say when it is likely to be tabled in this Parliament?

Mr NIXON—I welcome this question. The fact is that I have written to the Minister for Planning and Environment in New South Wales, who has equal responsibility with me for the report of the Major Airport Needs of Sydney study, informing him that I think 14 December is an appropriate date for the study to report to both the New South Wales Minister and me.

Mr Young—After the election?

Mr NIXON—The date suggested is 14 December 1979.

Mr Young—After the election.

Mr NIXON—We are clever today, are we not? The fact is that the MANS study has been very thorough both in its activities and its public participation and is studying all the questions relevant to coming to a decision about and a conclusion as to what will be the future airport needs of Sydney. I look forward to receiving the report on 14 December. I also look forward to consultations with my colleague, the New South Wales Minister for Planning and Environment, Mr Landa, so that the two Governments can settle

down and rationally provide a proper solution to take away all of the concerns of the people of Sydney—that is those who might be affected by any changes—and also to get a proper development so that the future needs of Sydney are properly planned. I hope that the honourable member who is taking an interest in this matter will also encourage his State colleagues—being in the same political party—to settle down at the table so that we can get this matter resolved once and for all and we will not dillydally any further.

AIR POLLUTION

Mr CADMAN—Is the Minister for Transport aware that despite the obvious advantages of liquefied petroleum gas and diesel fuel in contributing to the quality of air in the inner city areas, and in particular in the City of Sydney, that the New South Wales Government on 27 July gazetted a regulation under the Clean Air Act 1961 that requires motor vehicle manufacturers to proceed to the costly, and in the case of pollution control, unsatisfactory implementation of phase 3 of Australian Design Rule 27A? Furthermore, will the Minister inform the House of the approximate number of State Government vehicles at present utilising the cleaner fuel LPG or diesel?

Mr NIXON—I shall take the last part of the honourable member's question first. No, I am unable to give him that information. I will see if I can obtain it from the New South Wales Government and provide it for him. It is a fact that the New South Wales Government has passed regulations to gazette something equivalent to the third stage of Australian Design Rule 27A. This will have the effect of increasing the fuel consumption of motor cars by up to 5 per cent. Indeed, it is quite regrettable that the New South Wales Government has gone against the recommendation accepted by the majority of the States in the Commonwealth at the last Australian Transport Advisory Council meeting on this matter. I am convinced, as are other State Ministers for Transport, that there are more cost effective ways of improving the current pollution control situation. These include more stringent evaporative hydrocarbon controls at minimal cost. Also they provide an energy saving, overcoming in-service problems with present vehicles to improve emission and fuel performance with proper attention to other sources of hydrocarbons. I think New South Wales has made a serious mistake in implementing these regulations. It will be a costly mistake in terms of fuel consumption.

The previous South Australian Government unfortunately followed the party line taken by New South Wales in this matter. I am hopeful that as a result of discussions with the new Minister for Transport, he might be able to convince his Government of the wisdom of moving back from the position adopted by his predecessor. I look forward to those discussions at an early date because I think the new South Australian government will take a more flexible attitude when compared with the dogmatic approach taken by the previous Administration. The interesting thing about Sydney is that I am informed that there was a marginal improvement in the air quality between 1976 and 1977. This information comes as a result of monitoring the air quality of Sydney. Therefore, it seems to me that New South Wales is quite unwise to impose this further cost on the motor car user when such doubtful benefits—if any at all—are to be gained by its action.

DONATIONS TO MEMORIAL TRUSTS: TAX DEDUCTIBILITY

Mr MALCOLM FRASER—(Wannon—Prime Minister)—With your indulgence, Mr Speaker, could I add to a question that was answered by my colleague the Treasurer (Mr Howard) about the Evatt Trust?

Mr SPEAKER—The right honourable gentleman may proceed.

Mr MALCOLM FRASER—I was approached earlier in this year and in response to that initial approach a letter rejecting the application was given. Then Mr Wran wrote to me a short while ago and I discussed this matter with some of my colleagues. The matter is being re-examined as the Treasurer indicated. I am advised that some of the purposes of the Trust have very particular Labor Party associations. That was not included in the initial letter to me or in Mr Wran's letter to me. I have asked my Department to conduct an examination to see exactly what the purposes and objectives of this Trust are. I should also note, of course, that in the terms of memorials to significant Australians, the John Curtin School of Medical Research does commemorate a very great Australian Prime Minister. We believe that the Menzies Trust will commemorate another great Australian Prime Minister for purely national purposes. Whether that practice should extend to other significant Australians who have been members of this Parliament is a matter for consideration.

AUSTRALIAN SCIENCE AND TECHNOLOGY COUNCIL

Mr MALCOLM FRASER—(Wannon—Prime Minister)—Pursuant to section 27 of the Australian Science and Technology Council Act 1978 I present the Annual Report of the Australian Science and Technology Council for 1978-79.

PIG MEAT PROMOTION ADVISORY COMMITTEE

Mr SINCLAIR (New England—Minister for Primary Industry)—Pursuant to section 16 of the Pig Meat Promotion Act 1975 I present the Fourth Annual Report of the Pig Meat Promotion Advisory Committee for 1978-79.

DEPARTMENT OF ADMINISTRATIVE SERVICES

Mr JOHN McLEAY (Boothby—Minister for Administrative Services)—For the information of honourable members I present an interim statement of the Department of Administrative Services 1978-79.

AUSTRALIAN TELECOMMUNICATIONS COMMISSION

Mr STALEY (Chisholm—Minister for Post and Telecommunications)—For the information of honourable members I now present the Australian Telecommunications Commission Service and Business Outlook for 1979-80.

COMMONWEALTH SCIENTIFIC AND INDUSTRIAL RESEARCH ORGANIZATION

Mr GROOM (Braddon—Minister for Housing and Construction)—For the information of honourable members I present the Annual Report of the Commonwealth Scientific and Industrial Research Organization for 1978-79 together with the text of a statement by the Minister for Science and the Environment relating to that report.

EUROPEAN SPACE AGENCY

Mr GROOM (Braddon—Minister for Housing and Construction)—For the information of honourable members I present an agreement between the European Space Agency and Australia on the establishment of a space vehicle tracking station in support of the European Space Agency space program together with the text of a statement by the Minister for Science and the Environment relating to that agreement.

COMMITTEE ON OFFICIAL ESTABLISHMENTS

Report and Ministerial Statement

Mr MALCOLM FRASER (Wannon—Prime Minister)—I had intended to table the report of the Committee on Official Establishments and ask leave to make a short statement about it, but I understand that a copy of that statement might have reached the Leader of the Opposition (Mr Hayden) only 10 minutes ago. I would be happy to defer my statement.

Mr Hayden—It is okay.

Mr MALCOLM FRASER—In that case, for the information of honourable members I present the final report of the Committee on Official Establishments and seek leave to make a short statement on that report.

Leave granted.

Mr MALCOLM FRASER—Honourable members may recall that the interim report of the Committee was tabled in May 1977. This independent committee was appointed by the Government in September 1976 to advise on the operation, conservation and longer term development of the four official residences of the Commonwealth Government—Government House and the Lodge in Canberra and Admiralty House and Kirribilli House in Sydney. The Chairman of the Committee was Mr Andrew Grimwade. Its other members were Mr Guilford Bell, Dame Helen Blaxland, the Honourable James Cope, and Mrs Ruth Gullett. I wish to thank Mr Grimwade and all the members of the Committee for their work which had involved, as I know, a considerable sacrifice of their time.

The four establishments are official residences serving the ongoing needs of government. The buildings have already been declared part of the National Estate and are well worthwhile preserving as symbolic items in our country's history and cultural heritage. Already these four residences contain significant items of Australiana which includes pieces of early Australian furniture and works of art. For example, a short while ago a notable portrait of Mr Watson, the first Australian Labor Party Prime Minister, came into the possession of the Australiana Fund and that now hangs in the Lodge. The report recommends that there be continuing machinery in the form of a permanent advisory trust to be responsible for advice to the Government on the conservation, development and efficient operation of the buildings and grounds of the official establishments. The Government agrees that such continuing machinery is necessary and is

establishing a permanent body to be known as the Official Establishments Trust.

Most of the other recommendations of the Committee have been accepted. Included in these is the proposal that the Trust evaluate which of two sites is the more appropriate for a possible new Prime Ministerial residence which one day may be necessary. So that the second site may be released for other purposes, the Government has asked the new Trust to advise as soon as possible which of the two sites is the more suitable. I emphasise that no decision has been taken to build a new Prime Ministerial residence. The present Lodge is serving its function well and is expected to continue to do so for a long time to come.

A few of the Committee's recommendations will be referred to the permanent body for further consideration. These cover suggested working arrangements in the financial area and require further consideration before decisions are reached. The Government has decided not to accept recommendations that future planning for Government House be based on eventual demolition of existing structures other than the historic stables. Nor does it accept at this time the proposal that official establishment facilities be provided in Melbourne. Both proposals would involve expenditure outlay which the Government sees as inconsistent with the general restraint that it is currently maintaining on its spending. Implementation of the recommendations accepted will, of course, be subject to examination and funds approval in the normal budgetary processes. I seek leave to table for the information of honourable members a listing of those recommendations accepted, those rejected and those to be referred to the new permanent body.

Mr SPEAKER—Is the right honourable gentleman seeking to table the recommendations or to have them incorporated in *Hansard*?

Mr MALCOLM FRASER—I do not mind. I think tabling would be adequate.

Mr SPEAKER—Leave is not required to table a document.

Mr MALCOLM FRASER—Once again I thank the Committee for its work. As a result of its efforts the Government now has a firm basis on which to plan for the conservation and future development of the official establishments, an important part of Australia's heritage. I am pleased to be able to inform the House that Mr Andrew Grimwade as Chairman, Mr Guilford Bell, Dame Helen Blaxland, the Honourable James Cope, and Mrs Ruth Gullett have agreed

to become the inaugural members of the Official Establishments Trust.

COMMITTEE ON ENVIRONMENT AND CONSERVATION: REPORT ON OFF-ROAD VEHICLES

Ministerial Statement

Mr GROOM (Braddon—Minister for Housing and Construction)—by leave—For the information of honourable members I wish to make a statement on action taken so far by the Government on the recommendations on the House of Representatives Standing Committee on Environment and Conservation following that Committee's inquiry into off-road vehicles. The Government has taken a number of initiatives as a consequence of recommendations arising from the inquiry into off-road vehicles. I would like to inform the House of these. This is in keeping with the Government's policy that Ministers should make a statement on action stemming from reports of parliamentary committees.

The House of Representatives Standing Committee on Environment and Conservation resolved in September 1975 to inquire into the impact of off-road vehicles on the Australian environment. The Committee's report was tabled in the House in March 1977. The major responsibility for managing off-road, or recreation, vehicles is vested in the State governments. Recommendations in this report refer only to action by the Commonwealth, independently or in conjunction with the States and local government and other bodies. The Government has examined all recommendations and taken a number of actions as a result.

But Government action can be effective only if it is backed by community awareness and concern. This is particularly true in the case of recreation vehicles, where the behaviour of individual riders and drivers is critical to the protection of the environment. Because of this, the Government has been especially concerned to implement the Committee's recommendations aimed at promoting environmental awareness in recreation vehicle users. One contribution to this has been a film produced by Film Australia for the former Department of Environment, Housing and Community Development. The film, called 'Making Tracks', shows in a simple way the effects which vehicles can have on the bush and the beach. It has been made for showing to recreation vehicle clubs, schools, environment centres and all groups which have an interest in recreation vehicles.

Another activity undertaken by the former Department in this direction was the preparation of a code of ethics for recreation vehicle users. This code was discussed with recreation vehicle organisations and relevant State bodies as recommended by the Standing Committee. The code has been printed as a poster and as a sticker for doors and motorcycle fuel tanks and has been distributed to recreation vehicle clubs, motor registries, automobile associations, environment centres and other relevant bodies.

The Standing Committee also recommended that the Commonwealth encourage a national symposium on off-road vehicles. A national workshop on off-road vehicle management was held at the Canberra College of Advanced Education last December, and was attended by representatives from the Commonwealth, State and local government, off-road vehicle clubs and environmentalists. The workshop aimed to bring administrators, planners, managers, users of the recreation vehicles and others to a closer understanding and appreciation of the problems involved in the use of recreation vehicles and the potential environmental damage. Other recommendations of the Committee were that the importation of over-snow recreation vehicles be prohibited and that an environmental impact assessment should be carried out before any new type of off-road recreational vehicle was imported. The Government examined these recommendations, but considers that legislation and controls on use after entry into Australia would be far more effective than import restrictions.

A number of recommendations concerned defence training areas. In association with the Commonwealth Scientific and Industrial Research Organisation, the Defence Department is continuing its program of regenerating areas damaged by defence training activities. Environment impact statements on the establishment of new defence training areas include consideration of the effects of vehicles on the terrain. The Australian Capital Territory is one area in which the Commonwealth has a direct concern in the regulation of recreation vehicles. The Department of the Capital Territory has examined carefully the Standing Committee's recommendations. At present the Department monitors the use of trail and mini bikes, operates three bike tracks in the Australian Capital Territory and is looking at further sites for these activities. It is also reviewing the need for a registration system for recreation vehicles. In the States, Victoria and Queensland already have legislation and other

States and the Northern Territory are considering legislation or other forms of control.

The Standing Committee's report has been drawn to the attention of members of the Council of Nature Conservation Ministers, the Australian Environment Council and the Recreation Ministers' Council. The Ministers concerned have agreed to discuss the recommendations with other State colleagues. In this way, I hope that the report may influence the preparation of control legislation in States which do not have it. Through the ministerial councils we will follow these developments.

I would just like to add one further point. In this statement the term 'recreation vehicle' has generally been adopted rather than the term 'off-road vehicle' which was the term used in the report. The name 'recreation vehicle' is preferred to the term 'off-road vehicle' which I believe encourages a use of vehicles which are intrinsically damaging to the environment. All vehicles should preferably be driven or ridden on some kind of track. In conclusion, let me repeat that the Government has considered the report and taken action as it believes necessary. I hope that recreation vehicle users will support government activity in this field and take care to protect the environment.

I present the following paper:

Committee on Environment and Conservation: Report on Off-Road Vehicles—Government's Response—Ministerial Statement, 20 September 1979.

Motion (by Mr Sinclair) proposed:

That the House take note of the paper.

Mr MORRIS (Shortland) (11.38)—The Opposition welcomes the statement just made by the Minister for Housing and Construction (Mr Groom). I am responding to the Minister's statement in the absence of my colleague, the honourable member for Robertson (Mr Cohen), because he is attending a very important conference at Wagga Wagga today. As I said, the Opposition welcomes the statement but its preparation has taken two and a half years. It is 2½ years since the report of the House of Representatives Standing Committee on Environment and Conservation was tabled in the Parliament. In essence the Government's response to the Committee's recommendations has been flimsy and deplorable. This nation has a serious problem. Clearly environmental responsibility has been the unwanted child of this Government. Honourable members will recall that with the change of Government in 1975 the environment

ministry was abolished by the Fraser Government. It was absorbed into the odds and sods department, namely, the Department of Environment, Housing and Community Development. Environment was downgraded further still by later becoming a division of the Department of Science. Now it comes within the Department of Science and the Environment. Let us be clear where this Government stands in relation to environment matters. Its priorities in that regard are very low indeed.

Environmental management and the impact of off-road vehicles on the Australian continent are very serious problems. They are matters which create problems for the environment itself. The disturbance created by the use of off-road vehicles is a problem to communities. In this regard I refer to an article relating to the use of off-road vehicles published in the *Sydney Morning Herald* as far back as April 1976. The article outlines the basic conflict between the use of off-road vehicles and the preservation of the environment and environmental qualities in urban areas. The article states:

The root problem is that the type of use desired by ORV recreationists—challenging terrain—is in direct conflict with the soil conservation techniques that have been developed over the years. Despite their claims, the ORV enthusiasts have not succeeded in rewriting these rules in the way that nature understands. The effects of soil loss are, in terms of our lifetimes, permanent and negative.

That is the basic conflict because these vehicles are damaging and they are even more damaging when they are not used in a responsible way. We should note that in many areas of Australia there is intense public opposition to the activities of irresponsible off-road vehicle users. Let me make it quite clear that my criticism is directed to the irresponsible use of off-road vehicles. I instance a case in the Newcastle area only a matter of months ago where public reaction against the use of some of these vehicles was so strong that wires were strung across bush tracks used by trail bike riders, obviously in an attempt to decapitate a trail bike rider who came along. Fortunately the wire was discovered before a fatality occurred. That indicates the intensity of public reaction to the activities of some of these off-road vehicle users.

It is also rather a sad reflection on governments in Australia generally that State governments have refused consistently to pick up the responsibility for setting aside areas for use exclusively by off-road vehicle enthusiasts. An off-road vehicle can be a work vehicle, as is used by departments or as is used by land users, or it can be a recreational vehicle, as is used by thousands upon thousands of Australians. There are

organised clubs or groups which do have sound principles and régimes to follow as to where they use their vehicles and how they use their vehicles, and which do have regard to the noise problem that they create. But it is clear from the Minister's statement that to date there has been insufficient evaluation by governments of the suitability of areas that should be set aside for off-road vehicle use.

The use of these vehicles has several aspects. First, there is the damage to the environment itself—the damage to ground vegetation and to beach and foreshore areas, the destruction of wilderness areas and reserves, and the erosion problem overall in all those cases. Then there is the noise problem. This is much more a problem in urban and outer urban areas. I acknowledge the problem that it creates to wildlife, but I want to deal more specifically with the problem for urban and outer urban areas. There are cases of people virtually being driven out of their homes by the high pitched whine and noise of these vehicles because they are operated without silencers or are used irresponsibly by people without regard to the disturbance they are creating. Then there is the danger to the users themselves. There are regular instances of vehicles overturning, of accidents and of users being killed because of poor operation of the trail bike, the sand dune buggy or the beach buggy, whatever was being used. But added to that is the public danger of these vehicles careering along beaches. So there is the noise, the damage, the despoilation and, as I said before, the danger to the people who are using the beaches for swimming, for sunbaking or just for quite walks. This report from the Government does not really face up to those problems. However, it does admit that they are problems.

I find it rather regrettable that six of the 15 recommendations put forward in the report of the House of Representatives Standing Committee on Environment and Conservation—a report that took some 18 months to bring down, a report that took a great deal of effort by the Committee's members, together with submissions from any organisations—did not even rate a mention in the Minister's response. A key recommendation of the Committee was recommendation No. 5, which states:

specific legislation should be introduced in the Australian Capital Territory and the Northern Territory as soon as possible and should cover the following points:

- registration of vehicles for recreation use;
- display of registration plates;
- third party insurance of these vehicles;
- age/power limits as in Victorian legislation;

compliance with ADR28 on noise levels;

provision of areas specifically intended for ORV use;

prohibition of the use of vehicles off road except in areas specifically set aside for off-road use.

The last item does not even rate a mention in the Minister's response. Yet that is an area—this is still the case in the Australian Capital Territory and it was the case in the Northern Territory—in which this Government could have acted in the past 2½ years. But it has obviously decided not to act.

Let us turn to recommendation No. 7, which reads:

the Commonwealth Government encourage research to be undertaken on the carrying capacity of various ecosystems.

A key part of the evaluation of the measures that need to be taken to maintain the environment and thereby make the use of these vehicles compatible with the management and preservation of the environment does not rate a mention by the Government. Recommendation No. 8 reads:

the Commonwealth Government sympathetically consider request from non-government bodies for financial assistance for this type of research.

Once again there is not a mention of this in the Minister's response because it is not a financial priority. I do not think that it even rates with the moral priorities. Recommendation No. 9 reads:

the import of over-snow vehicles for recreational purposes be prohibited.

The Government's response to that has been to say: 'We shouldn't use our import powers to control the entry of these vehicles. Let's wait until after they get here and leave it to somebody else to sort it out'. That is exactly what the Government has done and that is exactly how this problem has arisen over the years. It is a confession of failure.

Mr Groom—You misinterpret what I said.

Mr MORRIS—It is not a misinterpretation, as the Minister interjects. I will read his words to him. He said:

the importation of over-snow recreation vehicles be prohibited and that an environmental impact assessment should be carried out before any new type of off-road recreational vehicle was imported.

Now that is all off-road recreation vehicles, not just over-snow recreation vehicles. As the Minister said in his speech, the Government considers that legislation for controls on use after entry into Australia would be more effective than import restrictions. That is a confession of failure. It is a refusal to face up to what I have said is a very serious problem. In effect the Government is

passing the buck down the line to State governments and further down the line to local government, and local government receives the major impact of complaints. There is intense public opposition to the way in which some of these vehicles are being used and local government, least of all, has the powers to control and regulate this problem. It is the Government's refusal to face up to that that is at the core of this problem.

Recommendation No. 10 reads:

rehabilitation of tracks no longer in use should be undertaken by the company, government department or person responsible for creating the tracks.

That is a non-defence area. The Minister's statement referred to activities by the Department of Defence in respect of areas under its control. We welcome that. But the Minister makes no reference to other areas of land under the control of non-defence departments of government. There the Government should have acted, but it has not acted. Recommendation No. 13 reads:

further research be done by the Commonwealth Department of Transport with a view to decreasing the maximum noise limits imposed on motor bikes under ADR 28.

This is the important problem that I referred to earlier in my remarks. That is where the greatest upset and disturbance are created, particularly for aged people in urban and outer urban areas. People have been forced to sell up their homes and get away from the constant noise created by the use of these vehicles travelling around urban streets. Recommendation No. 14 reads:

responsible authorities require proprietors of ORV parks to implement good conservation programs.

No mention at all was made of this in the Minister's speech. Again, it could have been part of the public relations exercise; it could have been included in the code that has been developed; it could have been an exercise that could have been readily carried out by the Federal Government if it had had the desire.

I turn back to recommendation No. 4 which reads:

the Minister for Environment, Housing and Community Development—

That was the name of the portfolio in earlier days—

request the Council of Nature Conservation Ministers to develop national guidelines for legislation and management policy regarding off-road vehicles.

The Minister has referred to that in his statement. But, regrettably, all he has said was: 'That matter has been taken up with the State conservation Ministers'. But the Government has had 2½ years in which to take it up and to consider it?

Mr Jacobi—That is pretty quick for it.

Mr MORRIS—Yes, I confess that it is, for this Government. The Committee of the House and the Parliament are entitled to be told what progress has been made in the 2½ years. Are we to be told after another 2½ years: 'We are sorry that after five years we have not been able to achieve anything'? In essence, the way in which the Minister has responded to that recommendation has been simply to say: 'We have taken it up with the State Conservation Ministers and it is under discussion, but we cannot tell you anything about it'. That indicates the lack of concern by the Government for this very important problem.

On behalf of the Opposition, I thank the members of the House of Representatives Standing Committee on Environment and Conservation who participated in the inquiry. They will be sorry to see that the Government has not given the Committee's report any serious consideration and has not taken the action that it should have taken. I thank also those people who made submissions to the Committee. At the same time let me emphasise that the remarks I have made about much of the damage caused by off-road vehicles is directed to the irresponsible users of those vehicles. If the people who are participating in the organised use of off-road vehicles continue on those organised lines, in the absence of any firm action by this Government the community itself can try to do something to solve the problem.

Debate (on motion by Mr Chapman) adjourned.

GENERAL BUSINESS

Mr SCHOLES (Corio)—I seek leave to move General Business Notice No. 1 standing in my name, namely:

That the Joint Parliamentary Committee on Foreign Affairs and Defence be requested to conduct an urgent inquiry into—

- (1) the advisability of hiring a Hong Kong based, wholly foreign-owned company to carry out surveillance functions involving the protection and security of remote areas of Australian sovereign territory and coastline;
- (2) the reasons why Australian companies competent to perform this nationally important function were rejected, and
- (3) the dangers that could arise through the lack of legal accountability to the Australian Government of such foreign-owned companies carrying out this function.

Mr DEPUTY SPEAKER (Mr Millar)—Is leave granted?

Mr Sinclair—Not at this time. The Minister for Transport (Mr Nixon) is not available at this time. He is inspecting an electric motor car. Accordingly, I am prepared to allow the motion to

come on at another time, when it is convenient to the Minister for Transport.

Mr DEPUTY SPEAKER—Leave is not granted at this stage.

PUBLICATIONS COMMITTEE

Motion (by Mr Sinclair)—by leave—agreed to:

That Mr Hodges be discharged from attendance on the Publications Committee, and that, in his place, Mr Chapman be appointed a member of the Committee.

MULTILATERAL TRADE NEGOTIATIONS

Discussion of Matter of Public Importance

Mr DEPUTY SPEAKER (Mr Millar)—Mr Speaker has received letters from both the Deputy Leader of the Opposition (Mr Lionel Bowen) and the honourable member for St George (Mr Neil) proposing that definite matters of public importance be submitted to the House for discussion today. As required by Standing Order 107, Mr Speaker has selected the matter which, in his opinion, is the most urgent and important, that is, that proposed by the Deputy Leader of the Opposition, namely:

The Government's failure to disclose its policy in respect of the multilateral trade negotiations and the codes of conduct thereunder.

I therefore call upon those members who approve of the proposed discussion to rise in their places.

More than the number of members required by the Standing Orders having risen in their places—

Mr LIONEL BOWEN (Kingsford-Smith) (11.55)—The matter before the House is of importance and is self-explanatory. The Government has not disclosed to the Parliament or to the people concerned what its policy is in respect of the multilateral trade negotiations—particularly the concessions that the Government has given—and its attitude to the codes of conduct which are prescribed under those negotiations. For some time the Opposition in this House has been urging the Government to declare and disclose what its policy is on these vital matters. The reason for so doing is that it affects the whole of Australian industry. In a series of statements that have been made in the House and outside the House we have all sorts of views put forward by Government Ministers. At this stage we might say that we have about four Ministers for Trade—the Prime Minister (Mr Malcolm Fraser), the Deputy Prime Minister (Mr Anthony), the Minister for Special Trade Representations (Mr Garland) and the Minister for Foreign Affairs (Mr Peacock) who has now

come in with his ideas as to how trade should be conducted.

We can understand the situation in terms of members of the Government trying to grapple with a policy which apparently they have not yet been able to agree upon amongst themselves; but it does little credit to the Government, when it is talking about unemployment and the problems of creating employment opportunities, that it cannot give any lead to industry. People in the textile and apparel manufacturing industry would like to know where they are going to stand from the point of view of investment. They are working on the basis of a life of virtually six months or 12 months, depending on what the Government is going to decide. If honourable members take notice of what the Minister for Foreign Affairs said yesterday and look at the report on negotiations with the Third World, they will see that the reasoning adopted there is that there is no need for us to have a textile and apparel industry. That might be argued, but at the present time we have 107,000 people in that industry and, with the multiplier factor, the employment of another 200,000.

The industry leaders come to the Government and say: 'What is your policy? Are we expected to survive or do you want us to go out of business? If it is the latter, why should we bother to invest in new machinery? Why should we bother to put our money into something which has no future? What is the Government's policy in this regard?' I am impressed that they are able to produce figures which show that there has been a substantial reduction in the manufacturing base; that some 57,000 employees have gone in the last three years. The textile and apparel industry says: If this continues, why should there be any will to keep going?' For example, the industry leaders say that, should no permanency be given to the industry from the point of view of a five or seven year plan, 10,000 jobs could be lost in Ballarat and Bendigo alone. They talk about the fact that a factory in Talbot, Victoria, has opened and closed four times in the last five years. They are able to say that if the Government is going to get rid of that industry areas such as Geelong, Ararat, Stawell, Castlemaine, Warrnambool, Talbot, Wangaratta and others will lose substantial numbers of employees, and that every industry in Swan Hill has been forced out in the last 15 years. I have given honourable members the details of just one industry.

There is a genuine concern that we cannot find out what the Government has offered by way of

concessions in the multilateral trade negotiations. It is not valid to say that we are increasing our capacity because our exports have increased in value. The big argument is in connection with the quantity. That is the point. Mr Deputy Speaker, you know of the extraordinary situation in which the sugar industry finds itself now because of the attitudes adopted by the European Economic Community in subsidising its sugar, dumping it on the world, and virtually wrecking our industry. So, when we are talking about doing business with the world, let us look at it on the basis that we are basically doing business with the developed countries of the world and those countries are out to look after themselves. When we ask in this Parliament what concessions we have given to the EEC, we are unable to find out. When we ask in this Parliament what concessions we have given to Japan, we cannot find out. We are told that we have got some concessions. We are told that we have been allowed to sell some buffalo beef and a few tonnes of cheese. But what did we give in return? In regard to the EEC, I am advised that, whilst we might have got \$200m work of concessions from it, we might have given \$400m by way of our concessions and this can affect our industry.

We do not want any more secrecy. We do not want any more ineptitude. The real thrust of what we are about is that we seem to have four Ministers all saying different things. Somebody has said that they ought to be called the 'gang of four' or the Marx Brothers. No solution is evident from what they say. We want to know what is the Government's policy. Not only should we know it in the interests of ordinary democracy. What about the industry leaders, the trade union movement and everybody else wanting to know where funds ought to be invested or where there will be job opportunities? These arrangements have been made under the multilateral trade negotiations. We were not able to participate directly. It would appear that we had to rely on the Japanese to put our case. The question is: What industries have been affected? We have been told nothing about the matter although a number of statements have been made.

I make the salient point that it appears that the United States of America Congress has been told all about it. I have here a document entitled: 'A Message from the President of the United States to His Congress', dated 19 June. That document indicates the arrangements that have been made with Australia. It deals with the understanding on meat and the understanding on dairy products, United States tariff concessions and section IV deals with Australian tariff concessions. This

document can be obtained in any area in Australia because it has been tabled in the United States Congress. These matters have not been discussed or disclosed and have not even been tabled or prepared to be discussed in this Parliament. The document relates to a number of matters, including: Tobacco, refrigerators, tractors and textiles. All these matters are the subject of concessions. We cannot find out what they are. This will have a serious effect on the confidence of industry leaders. They have come to the Opposition and said that it is about time that the Government clearly indicated its position. There has been no consultation with industry leaders and the trade union movement as to the direction we are heading. It is understandable that the Japanese, the European Economic Community and the United States are keen to look after themselves. They have obviously made their own arrangements as to how they will give safeguards to their employees and manufacturers. That is not the situation in Australia.

I turn now to the two big problems associated with the codes of conduct. They relate to specific instances. The codes provide that there be no subsidies, countervailing duties or government procurement. The people who have made representations to us have said that the removal of subsidies could well affect the whole of the Export Expansion Grants Scheme if the arrangements entered into are deemed to be illegal. This could well be so. Export finance could be deemed to be a subsidy. If that is the position the Government's policy in this area could be declared illegal if it adopts the codes of conduct. I turn now to government procurement. I understand that if government purchases are over \$175,000 the contracts cannot have the protection of being open only within the domestic market; they have to be open to the international market. At present goods and services procured by the Australian Government are estimated to amount to \$4 billion per annum. The codes of conduct would also cover State government purchases which involve an additional \$8 billion—a total of \$12 billion. Australian industry could well have to forfeit that amount of government money which it is presently receiving. Do honourable members think that the textile and apparel industry could survive if it is unable to get government procurement contracts? Hospital bedding, linen, sheets and nurses uniforms amount to a significant factor to that industry. If the Government enters into the arrangements provided under the codes of conduct, then a procurement contract of over \$175,000 would be liable to go to the international market. In other

words, it would go to an overseas country. This is an important factor.

The last Budget provided \$170m to encourage the Export Expansion Grants Scheme. If the codes of conduct as determined by the EEC, the United States and Japan is agreed upon this scheme would be illegal. So it is in the interest not only of normal parliamentary courtesy and debate but also of industry following its recommendations that the Government refrain from taking a decision on the subsidy codes of conduct for some time until it becomes clear from the actions of our trading partners what the consequences might be. Whilst there may be no doubt that the United States, the EEC and Japan will look after themselves and will sign the codes of conduct, it is important that we clearly indicate our position. I make it clear that if we accept this package we will concede not only the disadvantage of distance but also the disadvantage of unequal concessions. The Government has again demonstrated its inability or unwillingness to accept the realities of world trade. We understand the problems which arise from imposing too much protection. Nobody would argue about that. But at present, with coming recessions, the energy crisis and rapidly increasing unemployment throughout the world it is important that we look at the purchasing power of other nations. Purchasing power in the Third World is not readily identifiable but it can be expected to survive in the countries which have a stranglehold on us if we are put in the position of having to subscribe to these codes of conduct. This would mean that our industries could go to the wall. We are not talking about restrictions on the Third World. We are talking about our understanding of the position at present because of unplanned action by the Government.

I refer to tyres which are covered in this document. In the Firestone Australia Pty Ltd factory at Auburn in Sydney on 21 August 700 workers were laid off because the company could not keep up with the competition. That is indicative of what is happening. Again I make the point that we have to have structural adjustment. There has to be change. But let it be understood what we are about. Do not let us have all the hypocrisy from the Prime Minister. He becomes a free trader overseas and an arch protectionist at home. I am told that in a speech on 9 May at the United Nations Conference on Trade and Development meeting he clearly indicated that he would virtually drop tariffs. Yet when he came back to Australia he imposed an import customs duty on previously freely imported commodities. This behaviour brings Australia into

disgrace in world negotiations. Last year the Government seemed to be extremely protectionist. This year its policy is one of extremely free trade. Is it any wonder that industry in Australia does not know which way to turn? This is reminiscent of the problems we had—extremist and inconsistent.

In raising this discussion of a matter of public importance we urge the Government to provide a draft statement of what it has in mind before making any final decisions on the codes of conduct and to make public in full the tariff concessions offered before they are settled. That is the important thing we say to the Government. It is useless for us to talk to industry leaders on what we understand the situation to be. Despite repeated requests in this Parliament we cannot get details. Yet astoundingly we are able to get them by a normal process of obtaining a copy of what was tabled in the United States. I ask permission of the right honourable gentleman to table the concessions which are outlined in the document entitled: 'A Message from the President of the United States to his Congress' and which relate to what is called an agreement with Australia.

Mr DEPUTY SPEAKER (Mr Armitage)—Is leave granted?

Mr Anthony—No, leave is not granted.

Mr DEPUTY SPEAKER—Leave is not granted.

Mr LIONEL BOWEN—That is indicative of the situation. This published information can be obtained somewhere else. Major industry leaders want an undertaking—I hope one is given in reply—that the Government will not agree to the codes of conduct until everybody has had a chance to put their point of view. I repeat that having no subsidies and countervailing duties could affect the whole of the Export Expansion Grants Scheme. But most importantly, under the codes of conduct, government procurement contracts would be thrown open to world tender if they involve more than \$175,000. I make the point that \$12 billion a year is involved in that area. If those contracts are thrown open it would destroy our industry. That is what the people from industry are saying when they come to us. They cannot get any decision from the Government. They have approached the Opposition, for which they never vote—let us make that clear—to find out our position which is to provide stability in Australia, economic development and understanding of future employment opportunities. In

fairness to the people of Australia the Government should now indicate what its attitude will be.

Mr ANTHONY (Richmond—Minister for Trade and Resources) (12.9)—The Deputy Leader of the Opposition (Mr Lionel Bowen) in proposing this matter of public importance is trying to discredit the Government's negotiating performance at the round of Multilateral Trade Negotiations and he is trying to heap confusion and concern on the minds of people involved in certain sections of Australian industry. If anything, his effort today really displays his own lack of knowledge. He has not kept himself as well informed of what is going on as he might have. I am very pleased to have this opportunity to speak so that some of those people who might be confused will know how eminently successful the Australian Government has been in the course of these negotiations and in what it has achieved for Australia. What are negotiations of this nature? They are negotiations by Australia to seek certain benefits such as access to markets at the lowest possible price. Although we have to give concessions, naturally we want to keep them as minimal as possible. By the same token, we want to achieve our objectives of lower tariffs round the world and of getting access to markets. What we have done has been of immense importance and value to the Australian export industries and it has had a negligible effect on Australian domestic industry.

We have maintained a consistent policy approach and we have continued to make information available to the Australian public during the negotiations and when we have been in a position to notify the public of what has been going on. We have accepted the challenge to become involved in the Multilateral Trade Negotiations round to try to liberalise international trade. As Australia is a major trading nation it is important that we do everything possible to keep international trade flowing. Our major objective in these negotiations, which have been continuing since 1972, has been to achieve a greater liberalisation of agricultural trade—to get greater access to the North American market, to Japan and into the European Economic Community. We have used whatever political weight and influence we have to try to get a recognition of our point of view.

The Deputy Leader of the Opposition has made some play on the fact that a number of Ministers have been involved in making comments related to these negotiations. If we can get a benefit from a visit by the Prime Minister (Mr Malcolm Fraser) to Europe, to the United States

or Japan then why not take advantage of his position which enables him to exercise great influence on other governments? Within the EEC in which we have needed to do immense lobbying to have our point of view accepted we have had a special Minister who has devoted a great deal of time to becoming acquainted and familiar with the people who make the decisions in Europe. A lot of homework was necessary on Europe because it was during the three years of the Labor regime that Australia was almost entirely shut out of Europe. Of course it was during that period that we were also shut out of Japan. In 1974 Japan completely shut out our beef.

Mr Lionel Bowen—That is not so. You negotiated the arrangements. You are still shut out with hides.

Mr ANTHONY—Listen to the Deputy Leader of the Opposition making those inane comments. Australia, as well as the whole world, has been shut out from exporting hides into Japan. But it was during the Labor Government of 1974 that Australia was actually shut out of Japan. Diplomacy was required to get our points of view registered and heard in order to establish a new relationship with these countries and today, we have that situation. I quite frankly admit that the result of negotiations, particularly as far as agriculture is concerned, has not been as good as we hoped. But at least we made some progress—very valuable progress. Most significant gains have been made for Australia's biggest single industry—the beef industry. This year it is producing something like \$2,500m worth of produce. A few years ago the beef industry was in a terrible state because it could not get rid of its produce. There was a reduction in the amount of produce it could get into the United States; it was practically shut out of the EEC and Japan. The industry was in a terrible situation of oversupply and ruinously low prices. But as a result of the Multilateral Trade Negotiations we have made the most remarkable achievement for the Australian cattle industry. It is the most significant thing that has ever happened for Australia's cattle industry. Bear in mind that this year it is Australia's biggest industry.

What have we achieved? We have achieved guaranteed access to the markets of the United States, the EEC and Japan and soon I hope to be able to finalise arrangements with Canada for a quantity of Australian meat to go in to its market no matter what the circumstances. In other words, a minimum amount of meat can be sold through those markets. If all the export quotas were reduced to the minimum amount it would

account for approximately 70 per cent of Australia's beef exports. That is a remarkable and wonderful security for the beef industry. The industry has never before had anything like that. It always has been completely exposed and vulnerable to the closing off of overseas markets as we saw during the period Labor was in office. But now we have a guaranteed access for a minimum amount and that has been the biggest achievement in the Multilateral Trade Negotiations. We placed a good deal of emphasis on the industry because it was in a tremendously desperate situation and needed some form of security for the future. It now has arrangement that will cover it for the next 10 years, for the decade of the 1980s. I hope the people associated with and dependent on the Australian cattle industry appreciate what the Australian Government has done. As well we have accomplished other smaller things.

Mr Lionel Bowen—What are the concessions?

Mr ANTHONY—I will discuss the concessions in a minute.

Mr Lionel Bowen—You have five minutes left.

Mr ANTHONY—That is adequate to cope with the honourable member when I tell him what some of the concessions are. We have concessions that will help the dairy industry. One concession involves an increase of the cheese quota into the EEC and the United States. Previously we had a quota of only 1,600 tonnes in to the United States whereas now we have a quota of 4,000 tonnes. What about wool? Since the beginning of this century we have been arguing and fighting with the United States for reduction in the wool duty. As a result of those negotiations we have a 60 per cent reduction in the tariff level on wool and I hope that the revival of, and the additional sales of wool to, the United States market will be worth a lot to the Australian industry. The United States market is one of the biggest markets in the world but manufacturers virtually ceased to use our wool because of the deterrent of the higher duty on wool imports. We have been able to get many other useful benefits in course of the negotiations including quotas on fresh fruits, dried fruits, canned fruits, meat offals, wheat gluten and beef tallow which although relatively small benefits are important to our industries.

We have endeavoured to keep the Australian public informed on these negotiations. It all started in 1972 in informal discussions in Geneva when officers of my then Department indicated their willingness to participate in these great international talks which were to take place. In

1973 the Tokyo declaration was made and since then there has been progressive development. I felt that in Australia there was a bipartisan approach to the international negotiations but obviously the Department Leader of the Opposition is trying to make some political capital out of them. Last year a major statement was made on Australia's new approach to the negotiations. We were prepared to enter into them on the formula approach. In other words, we were prepared to trade a 40 per cent across the board tariff cut, if that was necessary, with certain qualifications. This year after major negotiations which I was involved in had taken place, I made a statement to the House on the progress up to that stage. The Prime Minister and the Minister for Special Trade Representations (Mr Garland) made statements on 9 May this year. I have made Press statements concerning the code and had provided to industry information which I will mention in a minute.

Honourable members might well ask what we have paid to get the benefits for which I have asked. We have given concessions. Basically, those concessions have amounted to a binding of existing levels of tariff. In other words, we have been able to get the full benefit of the 25 per cent across-the-board tariff cut that the Labor Government inflicted upon industry in 1974. We have negotiated to get the full benefit of that tariff cut. As a result, not one single industrial tariff will be reduced. We have bound approximately 120 items. That has been the price that we have had to pay. There has been no reduction at all in industrial tariffs. There have been a few reductions in non-industrial tariffs but we have not had to pay any price. All we have done is frozen approximately 120 items. There will be no tariff cuts on industrial items. I said initially that the whole purpose of negotiations is to try to get the best benefit at the least price. Honourable members must acclaim that we have done a magnificent job in our negotiations when we have come out of them without having to pay anything more than making a binding on industrial tariffs. If there have to be any adjustments on those bindings because of an Industries Assistance Commission investigation there will have to be further negotiations and we will have to pay in another area.

Mr Lionel Bowen—What about the codes?

Mr ANTHONY—The honourable member asked about the codes. I am coming to them. Five codes are under examination. The Government has not committed itself on whether it will be a signatory to those codes. It has circulated them to all the relevant industry people. Officers

of my Department are travelling from State to State talking with State governments, industry people and the trade unions. When we get a response from these people the Government will be in a position to know whether it will sign all these codes or none at all. What could be a more responsible way of approaching this matter than that? We are canvassing the reaction of industry, trade unions and State governments as to whether we ought to sign these codes. When we have their response we will be able to make a decision. How else would we make such a decision?

Mr Lionel Bowen—They start on 1 January.

Mr ANTHONY—The Government will have time because the codes have been circulated for a couple of months. Already we are getting reactions from industry. We will make our decision in ample time. We will be successful in this operation, as we have been in all the others. What I have said today ought to expose the falseness of the Deputy Leader of the Opposition in the statements he has made. He would like us to reveal the nature of our negotiations. In some cases that would be completely discourteous. At the worst it would be irresponsible. Why should we give away the advantage of negotiations by declaring in advance what the arrangements have been? Negotiations are still proceeding with Canada and Switzerland. Until settlement of the negotiations with all the countries involved, it is not the intention of the Government to reveal them in this House. That could embarrass some of the negotiations which are taking place.

Mr DEPUTY SPEAKER (Mr Armitage)—Order! The right honourable member's time has expired.

Mr BRYANT (Wills) (12.24)—Mr Deputy Speaker—

Motion (by Mr Hodges) put:

That the business of the day be called on.

Mr DEPUTY SPEAKER—The question is:

That the business of the day be called on.

Those of that opinion say aye, of the contrary no. I think the ayes have it.

Mr Bryant—No.

Mr DEPUTY SPEAKER—Is a division required?

Mr Bryant—If my dissent is recorded I will be satisfied. People will know the malevolence that there is in this place.

Question resolved in the affirmative.

CONCILIATION AND ARBITRATION AMENDMENT BILL 1979

Bill presented by Mr Street, and read a first time.

Second Reading

Mr STREET (Corangamite—Minister for Industrial Relations) (12.25)—I move:

That the Bill be now read a second time.

This Bill proposes amendments to the Conciliation and Arbitration Act which are designed to remedy deficiencies in the operation of the Act which have become evident in recent months. The amendments will:

- require a commissioner to consult with his deputy president before making or varying an award relating to wages and conditions;

- prohibit the Commission from ordering, recommending or sanctioning in any way, an employer paying wages to an employee for time when the employee was engaged in industrial action;

- provide for the expeditious hearing of stand-down applications, either before a single member of the Commission or a full bench;

- provide that the question of whether an industrial dispute exists may be the subject of a reference to a full bench;

- enable an industrial dispute or part of an industrial dispute to be referred to a full bench at the conciliation stage;

- reinforce the powers of the President of the Commission by enabling him to withdraw a matter from another member of the Commission and either deal with it himself or refer the matter in a full bench; and

- provide increased protection for the community by creating an alternative path to the deregistration of organisations and thereby remove delays in the deregistration process in cases where the safety, health or welfare of the community are put at risk by industrial action.

Consultation with the National Labour Consultative Council

Before dealing more fully with the substance of the proposed amendments, I want to refer to the process of consultation in the National Labour Consultative Council. The Government established the National Labour Consultative Council by statute in 1977 as a continuing, tripartite consultative body. As a general practice, proposals involving industrial relations and manpower issues, including possible legislation,

are submitted to the Council for discussion and expression of views for Government's consideration. The Government's initial proposals about the particular issues dealt with in the Bill before the House were discussed by the NLCC at its 12th meeting on 6 August this year.

Representatives of the Australian Council of Trade Unions and the Council of Australian Government Employee Organisations did not attend that meeting. Both organisations had formally advised me that their executives had jointly resolved on 16 July not to participate in NLCC discussions pending resolution of certain matters.

I wrote to both organisations on 26 July, stressing the importance the Government placed on the role of the Council. I received no response to these letters prior to 6 August meeting of the NLCC. I might add that I subsequently received replies in late August and early September advising that both organisations were prepared to resume their participation in NLCC discussions subject to certain conditions. I replied to their letters on 7 September and I hope to see both organisations resume their participation in Council.

The Council regretted the absence of union representatives at the 6 August meeting. Nevertheless, the Council felt obliged to carry out its statutory functions. As on previous occasions, the Government, in finalising its proposed legislation, has given careful consideration to the points raised in the Council's discussions.

Requirement of Consultation by Commissioners

The Bill proposes that a commissioner be required to consult with his deputy president before making or varying an award with respect to wages and conditions. There is a complex range of awards and registered agreements operating in industries coming within the jurisdiction of the Conciliation and Arbitration Commission. This very fact demands consistency of principle in decision making within the Commission itself. Regrettably there have been some occasions when such consistency has been lacking. The consequences for the community have been very serious, both industrially and economically. The proposed consultative process is designed to provide greater co-ordination and consistency in decision making within the Commission.

Powers of the Commission in Relation to Payments to Workers for time lost through industrial action

I turn next to the proposal to limit the powers of the Commission in relation to payments to workers for time lost through industrial action.

At present the Commission may provide for payment to employees in respect of time not worked because they were engaged in industrial action. This is undesirable by any standards. Not only does it encourage irresponsible industrial action, but also it forces the employer to pay for the very disruption that puts his business at risk and damages the economic and social life of the community. It is an outlandish concept and indeed makes a mockery of any supposed 'right to strike'. This legislation now makes it quite clear that the Commission will not be able to award, or in any way sanction, payment for time lost through industrial action. Accordingly the Bill proposes an amendment to the Act to provide that the Commission is not empowered to make an award, certify a memorandum of agreement, make a recommendation or take any other action, whether by way of conciliation or arbitration, in respect of a claim for the making of a payment to employees in respect of a period during which those employees were engaged in industrial action.

Stand-down applications

The Bill proposes amendments to require the Commission to deal expeditiously with stand-down applications. A stand-down clause is one that authorises an employer not to pay some or all of his employees in specified circumstances, for example, where they cannot be usefully employed because of a breakdown of machinery or industrial action by other employees. Applications for stand-down clauses are usually dealt with by a Commissioner or Deputy President. There are 3 main reasons why the Government is proposing these amendments to speed up the process for consideration of stand-down clauses in awards. Firstly, the harmful effects of industrial action on any enterprise are often serious, and they can be disastrous in the case of small employers. There is little they can do to protect themselves. Employers should not be required to 'carry' employees for whom there is no work because of the industrial action of other employees. Secondly, stand-down clauses protect employees from being sacked—they enable the employer to avoid the need to dismiss employees for whom no work is available as a result of industrial action by others. Thirdly, provision for prompt access by employers to the Commission in applications for stand-down clauses should encourage unionists generally to exert a moderating influence on particular union members and officers who are quick to call strikes rather than use the processes of conciliation and arbitration. A decision to take industrial action all too often

gravely affects innocent people not directly involved. Any person considering industrial action should be sensitive to the possible consequences of that action for his fellow workers and for the well-being of the community.

References to a Full Bench

I now turn to the proposed amendments which remedy deficiencies in the Conciliation and Arbitration Act inhibiting the referral of matters to a full bench of the Commission. Those deficiencies were highlighted during proceedings in the Conciliation and Arbitration Commission concerning a claim by the Australian Telecommunication Employees Association for a 20 per cent increase in all wage levels of ATEA members employed by the Australian Telecommunications Commission. The Telecommunications Commission resisted the claim on the grounds that it conflicted with the principles governing wage indexation. ATEA members then imposed bans and limitations which caused the breakdown of the Australian Telecommunications system with very serious social and economic consequences. Because of the gravity of the situation, it was essential, in the public interest, that the matter be referred to a full bench. However, there were difficulties in getting such a reference. It is clearly unacceptable that the processes of the Commission for the proper settlement of industrial disputes should be frustrated because of procedural deficiencies. It is proposed to remedy those deficiencies by the following amendments to the Act:

First, an amendment to provide that the question whether or not an industrial dispute exists may be the subject of a reference to a full bench of the Commission.

Second, an amendment to enable an industrial dispute or part of an industrial dispute to be referred to a full bench at the conciliation stage.

Third, an amendment to empower the President of the Commission to withdraw a matter from a member of the Commission and deal with it himself by conciliation and/or arbitration or refer it to a full bench.

Cancellation of Registration

For some time now the Government has recognised that in certain situations there is a need to provide an alternative to the form of deregistration processes presently available under the Conciliation and Arbitration Act. The need arises from the actions of a few pursuing selfish interests with reckless disregard for the community. Many unions, or sections of them,

are strategically placed to interfere with the provisions of goods and services to the community. Indeed, they have used the vulnerability of the community to their disruptive tactics as a powerful industrial weapon, and even, on occasions, for blatantly political purposes. The Government does not believe that any member of our community, whether a direct participant in industrial relations or not, should have to put up with tactics which threaten their health, safety or welfare.

We believe that it is proper for all organisations effectively to represent the legitimate interests of their members. But these organisations also have a responsibility to the community. It is an unfortunate fact that some of these organisations, or sections of them, have in the past ignored that responsibility and rejected the proper process for settling their disputes. I need only remind honourable members of the disruption caused by members of the Transport Workers Union in support of claims for wage increases under a number of awards. That disruption had a dramatic effect, for example, on the supply of milk and other vital foodstuffs.

This Government is concerned about the rights of individuals. We have already acted to protect the rights of individuals in relation to industrial organisations. We will not stand by and watch while individual Australians are denied their right to obtain goods and services affecting their safety, health or welfare.

Registration under the Conciliation and Arbitration Act confers very significant rights and privileges upon an organisation. It also carries with it obligations. The Government believes that the present deregistration provisions are not adequate to deal with the special circumstances where organisations, or sections of them, endanger the safety, health or welfare of Australian families. In this context, the existing grounds for deregistration do not sufficiently protect individuals or the public interest. Accordingly, this Bill proposes that another process of deregistration be provided which will be additional to the existing provisions. I will briefly deal with the main features of the proposed new provision.

The Minister may apply to a full bench of the Commission for a declaration that industrial action by an organisation or a group of its members has had, is having, or is likely to have, a substantial adverse effect on the safety, health or welfare of the community or a part of the community. At this point I ask honourable members to note that it is not any adverse effect due to industrial action that will make an organisation

liable to deregistration by these processes; the adverse effect must be substantial. Moreover, the right to initiate proceedings is restricted to the Minister, and the decision as to whether the threshold test has been satisfied lies with a full bench of the Commission.

Where the full bench makes a declaration the Governor-General may within 6 months direct the Registrar to cancel the organisation's registration or make orders suspending the rights, privileges or capacities of the organisation or giving directions as to the exercise of any of its rights, privileges or capacities or for restricting the use of its funds or property to ensure observance of the order. Cancellation of registration need not follow a declaration. If the organisation undertakes not to pursue the industrial action that might be the end of the matter. If it were to go back on its undertaking, deregistration could be directed at any time up to 6 months after the declaration by the full bench. After that time, of course, the Minister would need to obtain another declaration by a full bench.

The orders that the Governor-General may make as an alternative to cancellation of registration are the same as those that may be made as an alternative to deregistration under the existing provision for cancellation of registration. Where such an order has been made it will remain open to the Governor-General, within the next 6 months, to direct that the organisation's registration be cancelled. I remind honourable members that the Acts Interpretation Act provides that a reference to the Governor-General in an Act shall, unless the contrary intention appears, be read as referring to the Governor-General acting with the advice of the Executive Council, that is, with the advice of Ministers. No contrary intention is expressed in these amendments. Consequently, in exercising powers under the section, the Governor-General will act with the advice of the Executive Council. Finally, where the Governor-General has directed that an organisation's registration be cancelled, the organisation cannot be re-registered without the consent of the Governor-General. He may make his consent conditional upon the organisation complying with conditions he prescribes.

These new provisions are designed specifically to protect the job security, safety, health or welfare of Australian men and women and their families. They would be used only where these rights, fundamental to any democracy, are threatened. If any group acts in a way which puts these rights at risk, then they cannot expect the community to continue granting them the privileges to which they would otherwise be entitled.

When the basis of life is under attack, the public is entitled to expect its Government to protect its interests. Irresponsible behaviour endangering the very foundation of our society is, fortunately, uncommon. But it does occur and cannot be dealt with by the usual means. This proposed legislation recognises that fact, and will provide the Government with the necessary procedures to protect its citizens. I commend the Bill to the House.

Debate (on motion by Mr Young) adjourned.

DEFENCE SERVICE HOMES AMENDMENT BILL 1979

Bill presented by Mr Adermann, and read a first time.

Second Reading

Mr ADERMANN (Fisher—Minister for Veterans' Affairs) (12.43)—I move:

That the Bill be now read a second time.

This Bill has two main purposes. Firstly, it proposes to give effect to those recommendations which were made by the House of Representatives Expenditure Committee which looked at the defence service homes scheme and which were accepted by the Government in November last and require amending legislation. These are the introduction of freedom of choice for beneficiaries in the selection of a house insurer and revision of the long title of the principal Act. Secondly, it provides for the removal from the Defence Service Homes Act of a number of restrictive lending conditions. Since the inception of the scheme in 1919, it has been compulsory for defence service homes to be insured and for the insurance to be effected under the defence service homes insurance scheme. It is proposed to change the legislative provisions so that persons who obtain loans under the scheme may, if they wish, insure their properties with another insurer. This proposal follows the Government's decision last year that the insurance scheme be updated to conform with current insurance practice.

Honourable members will recall that last November, the Defence Service Homes Act was amended to authorise the Defence Service Homes Corporation to provide insurance cover under terms set out in a statement of conditions, thereby enabling changes to the terms and conditions to be made by administrative rather than legislative process. The statement and any variations to it are subject to the approval of the Minister and must be tabled in Parliament. However, the commencement of this provision was deferred so that the further changes now proposed

in clause 9 of this Bill could be incorporated in the new arrangements. The proposal in clause 9 enabling beneficiaries under the Act to decide whether to insure their homes with the Corporation or with another insurer is, of course, subject to the Corporation retaining the normal rights of a mortgagee. It will be necessary for the home to be insured adequately with an insurer authorised under the Insurance Act 1973 and for the insurer to enter into an agreement of a kind that would protect the Corporation's interests notwithstanding any breach of policy conditions by the mortgagor.

As the Act stands, an applicant for an advance cannot insure his home with the Corporation until it has acquired an interest in that home. To ensure that an eligible person is not disadvantaged during the waiting period for an advance, clause 9 authorises the Corporation, if the applicant so chooses, to insure his home during this period. Insurance cover taken out with the Corporation in these circumstances will be terminated on reasonable notice if it becomes evident that the loan will not be granted. I emphasise, Mr Deputy Speaker, that the opportunity to insure with the Corporation will be limited to eligible persons to whom it is proposed to make an advance or to whom an advance has been made.

The provisions relating to the change in the long title of the Act are contained in clause 3. The existing long title is to be repealed and replaced by a new title which more accurately reflects the provisions and purposes of the Act. The proposed amendments to the Act to remove certain restrictive lending conditions are set out in clauses 5 and 6. Clause 5 amends section 21 to remove the statutory limitation on the loan to valuation ratio. Clause 6 repeals section 24 which imposes certain limitations on the discretion to make a loan. The Government is satisfied that these restrictions are not now necessary and believes, as in the case of insurance, that applicants should have the maximum freedom of choice in the selection of a home. The interests of the Corporation will be adequately protected by the amendment of section 25 proposed in clause 7 and by other provisions of the Act.

The amendment to section 40A proposed in clause 10 is in keeping with the Audit Amendment Act 1979 and provides for interest on the investment of moneys of the Defence Service Homes Insurance Trust Account to be credited directly to that Account. Under the current arrangements interest is paid into the Consolidated Revenue Fund, and this requires a specific parliamentary appropriation for an equivalent

amount to be paid to the Insurance Trust Account. The remaining provisions of the Bill cover minor machinery amendments of a technical and administrative nature. I commend the Bill to the House.

Debate (on motion by Mr Young) adjourned.

REPLACEMENT OF CRANES AT COCKATOOS ISLAND DOCKYARD

Reference to Public Works Committee

Mr GROOM (Braddon—Minister for Housing and Construction) (12.47)—I move:

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 investigation and report: Replacement of cranes at Cockatoo Island dockyard, Sydney, N.S.W.

The proposal is for the replacement of existing obsolete cranes at Sutherland Dock at Cockatoo Island with three new portable cranes of 30 tonnes, 5 tonnes and 3 tonnes capacity respectively. Ship towing facilities are incorporated in the 5 tonne and 3 tonne cranes. The work will also include associated crane rails and beams on the north and south sides of the dock, building alterations, new pavement around the dock and electrical and civil engineering services. The estimated cost of the proposed works at July 1979 prices is \$4.2m. I now table plans of the proposed work.

Question resolved in the affirmative.

Sitting suspended from 12.49 to 2.15 p.m.

COMPENSATION (COMMONWEALTH GOVERNMENT EMPLOYEES) AMENDMENT BILL 1979

Bill received from the Senate, and read a first time.

Second Reading

Mr HUNT (Gwydir—Minister for Health) (2.15)—I move:

That the Bill be now read a second time.

The main purpose of this Bill is to provide for increases in benefits payable under the Compensation (Commonwealth Government Employees) Act which provides workers' compensation for employees of the Commonwealth Government and its statutory authorities. This legislation was last amended for this purpose during the 1976 Budget session of the Parliament. Since then there have been significant increases in the cost of living and in the benefits payable under the workers' compensation legislation in New South Wales, Western Australia, Tasmania and Queensland, while legislation is pending in Victoria. It is therefore necessary that the benefits

under the Compensation (Commonwealth Government Employees) Act should again be increased.

Compensation for Total Incapacity

Employees who have been injured in activities connected with their work are entitled to receive weekly compensation payments equal to their normal full sick pay rate during the first 26 weeks of total incapacity for work. For long term cases, where total incapacity has exceeded 26 weeks, the compensation is based on fixed weekly rates that are specified in the Act. Under the Bill, the fixed weekly rate for a totally incapacitated employee without dependants will increase from \$80 to \$90. The additional weekly supplement for a dependent spouse will increase from \$21 to \$23.60 and the weekly supplement for each dependent child will increase from \$10 to \$11.25.

Compensation for Partial Incapacity

A similar increase, from \$80 to \$90 a week, will also apply to the ceiling which operates in relation to the compensation payable for partial incapacity for work.

Compensation for Death

The Bill also provides for increases in the amounts of compensation payable where an injury results in the death of an employee. The basic lump sum payable to dependants will increase from \$25,000 to \$28,000. The weekly amount payable in respect from \$10 to \$11.25 and the minimum total amount payable for each child will increase from \$1,000 to \$1,125. The maximum amount payable in respect of funeral expenses will increase from \$650 to \$730.

Compensation for Specified Losses

The lump sums payable under the Act for specified losses will also increase. The maximum lump sum payment for such a loss will increase from \$25,000 to \$28,000 in the same proportion. For example, payments for severe and permanent facial disfigurement will increase from \$12,500 to \$14,000 and compensation for loss of the sense of taste or smell will increase from \$2,500 to \$2,800.

Other Increases

The maximum amount payable for alterations to buildings or vehicles, or repair or replacement of certain aids and appliances, will go up from \$700 to \$780. However, clause 7 of the Bill will allow the Commissioner for Employees Compensation to approve payments beyond this limit where he is satisfied that the circumstances of the case would justify an increased payment.

Other Amendments

The opportunity has also been taken to make other amendments of a relatively minor nature. The first of these, in clause 3 of the Bill, increases the upper age limit for a dependent student child from 21 years to 25 years, standardising the definition of a student child in Commonwealth compensation legislation with that applicable under the Social Services Act. The amendments in clauses 4 and 5 will clarify the application of offsetting provisions of the principal Act to employees of Commonwealth authorities and of the Northern Territory administration where invalid pensions are payable for the same injury. Clauses 6 and 9 are consequential upon changes in other legislation referred to in the principal Act. Clause 8 will allow partial invalidity superannuation pensions to be taken into account in calculating compensation entitlements. The amendments in clauses 10, 11, 12 and 13 will facilitate handling of requests for reference to a compensation tribunal for reconsideration of a compensation determination. The amendment in clause 14 is consequent on the amendments in clause 15 which provides for references of questions of law from a compensation tribunal or a prescribed court to the Federal Court of Australia.

Application of Amendments

The Bill provides that the increases in monetary benefits come into operation on 1 September 1979. All other amendments will come into operation on the day the Act receives the Royal Assent. The Bill also contains the usual provisions for the increased weekly payments to apply from 1 September 1979, notwithstanding the the payments relate to an injury sustained before that date. The increased lump sums for death and specified losses will also apply from 1 September 1979 in all cases where the death occurs or the loss is suffered after that date, even though the death or loss may have resulted from an injury sustained before that date. Increases in other benefits will apply in a similar way.

Cost of Increased Benefits

The total cost of the increased benefits authorised by the Bill is estimated to exceed \$1m in a full year. I commend the Bill to the House.

Debate (on motion by Mr Lionel Bowen) adjourned.

SEAMEN'S COMPENSATION AMENDMENT BILL (No. 2) 1979

Bill received from the Senate, and read a first time.

Second Reading

Mr HUNT (Gwydir—Minister for Health) (2.21)—I move:

That the Bill be now read a second time.

The main purpose of this Bill is to increase the rates and amounts of compensation payable under the Seamen's Compensation Act to seamen and their dependants. The Bill will ensure that the monetary rates payable under the Act are kept in line with those contained in the Compensation (Commonwealth Government Employees) Amendment Bill 1979. I should mention, however, that the proposed amendments will not involve any cost to the Commonwealth Government as payments under the Seamen's Compensation Act are the responsibility of the shipowners.

Increased Compensation

Under clause 4 of the Bill the weekly compensation for total incapacity for work is to be increased from \$80 to \$90 for a seaman without dependants. The additional weekly supplement for a dependent wife will be increased from \$21 to \$23.60 and that for each dependent child from \$10 to \$11.25. The ceiling which applies in certain circumstances in relation to the weekly payment for partial incapacity is also to be increased from \$80 to \$90. In addition to the increases in weekly incapacity payments, the Bill provides for the lump sum death benefit, to which the lump sum benefits for specified injuries and maximum compensation are related, to be increased from \$25,000 to \$28,000. The weekly payment in respect of each dependent child of a deceased seaman will be increased from \$10.00 to \$11.25 and the minimum total amount payable for each child will increase from \$1,000 to \$1,125. The maximum amount payable in respect of funeral expenses will increase from \$650 to \$730.

Other Amendments

The opportunity has also been taken in clause 3 to make other amendments of a relatively minor nature. The first of these is in response to representations from the parties to the Maritime Industry Seagoing Award 1975 and operates to prevent the application of offsetting provisions of the principal Act to make-up provided by virtue of that agreement. A further amendment in clause 3 increases the upper age limit for a dependent student child from 21 years to 25 years. This is in line with a similar amendment to the Compensation (Commonwealth Government

Employees) Amendment Bill 1979 and will standardise the definition of 'child' in Commonwealth compensation legislation with that applicable under the Social Services Act.

Application of Amendments

The Bill provides for the increases in monetary benefits to come into operation from 1 September 1979. The other amendments will come into operation on the day that the Act receives Royal Assent. The Bill also contains the usual provisions for the increased weekly payments to apply from 1 September 1979 notwithstanding that the payments relate to an injury sustained before that date. The increased lump sums for death and specified losses will also apply from 1 September 1979 in all cases where the death occurs or the loss is suffered after that date, even though the death or loss may have resulted from an injury sustained before that date. The increases in other benefits will apply in a similar way. I commend the Bill to the House.

Debate on motion (by Mr Lionel Bowen) adjourned.

**AUSTRALIAN SECURITY
INTELLIGENCE ORGANIZATION BILL
1979**

In Committee

Consideration resumed from 19 September.

Clauses 1 to 4—by leave—taken together, and agreed to.

Clause 5 (Meaning of subversion when not of foreign origin).

Mr LIONEL BOWEN (Kingsford-Smith) (2.27)—I move:

Clause 5, page 3, line 5, omit 'ultimately'.

We are commencing a debate on the Australian Security Intelligence Organisation Bill as drafted by the Government. The Opposition is putting forward a series of amendments because the Government is not prepared to draft the Bill other than in its present form. I hope that the Government will give serious consideration to the matters we will mention because we make this contribution in a bipartisan manner. Clause 5 relates to the meaning of subversion when not of foreign origin. We say that the clause should be amended so as to delete the word 'ultimately'. There has been a lot of comment on how difficult it is to define subversion. At present the clause defines subversion in this way:

(a) activities that involve, will involve or lead to, or are intended or likely ultimately to involve or lead to, the use of force or violence or other unlawful acts . . . for the purpose of overthrowing or destroying the constitutional government . . .

Everybody agrees that any act which has the intention of destroying the constitutional government is subversion. If one gets to the point of saying that an act will ultimately do that, one is really drawing a long bow as to its intent. That is the danger of the word 'ultimately'. It enables some value judgments to be made about what will happen in the long term. In other words, one could imagine that each and every one of us would be prepared to make a prediction but not a judgment. What we are saying is that we want a judgment, not a prediction. The actions of people have to be directly related to overt activities from which one can form the view, with experience and appropriate intelligence gathering, that what is intended is the constitutional overthrow of the lawfully elected government. Mr Justice Hope said:

Subversion is difficult to define, but is nonetheless . . . very real, and may be . . . very dangerous . . .

Of course, if the subversion is very real and very dangerous there must certainly be a fair amount of evidence as to its reality and the dangerous nature of it. To read into that that an act which is not yet dangerous might well be dangerous in the future requires subjective judgment. We believe that the definition of subversion should be centred on the question of the reality of violent action. It can be confined to that. The word 'ultimately' does not assist the security service in conducting surveillance of people who it thinks are reasonably likely to commit violent action. In other words, one would be expanding the whole concept if one made a prediction or took the view that a person may be likely to cause violent action in the future. There would be a lot of surveillance of people and a lot of telephone tapping. There would be a lot of interference with the mail and with the human and civil rights to which people are entitled. Under this legislation these rights can be infringed on the basis that people at some stage in the future might be likely to commit violent action.

We say that taking out the word 'ultimately' would still leave the security service free to conduct surveillance of people likely to use force. However, this would not allow it to conduct surveillance of people because they might engage in rhetoric or have something in the constitution of their organisation to bring about an ultimate change in the nature of society. People can talk about new ideas of government. They can talk about a better form of government. That is part of the normal democratic process. The omission of the word 'ultimately' would make the clause

much clearer and would centre it on the essential concept of violence. As His Honour Mr Justice Hope endeavoured to say: Subversion does mean overthrow and ruin; it does have a direct relation to activity associated with the immediate overthrow of a government. One could get to the point where somebody might say: 'I think that in the future I will run a campaign to get rid of the government that we have at present'. That is rhetoric or a platform about which people in Australia can form a judgment. If the person making those sorts of statements is putting them on the basis that it would only happen with the support of the majority of Australians, nobody could take objection to them.

One has to use this definition clause in a most efficient and very rigid way. We have no objection at all to defining activities that would involve or lead to the destruction of a constitutional government, but to use the word 'ultimately' brings this mental decision by officers of ASIO as to how they think people or a number of persons may eventually act. That is like a psychiatrist trying to suggest whether any one of us in five to ten years time will be fit to be here or otherwise. None of us would want to be under that sort of a judgment. That is a judgment by people about other people's ultimate intentions. It is on that basis that we are suggesting that this legislation would be improved in the public interest—the thrust of all our amendments is in the public interest—if the definition section was limited to the extent I have mentioned. There should be a definite sanction as to the people who are to be subject to infringement of their liberties without them knowing. This should centre on those people who are likely to engage immediately in violent action. In our view that would be adequate. It is on that basis that we make the submission in regard to clause 5. We hope that there will be some intelligent and rational discussion as to why it should be otherwise.

Mr KERIN (Werriwa) (2.35)—I fully support the remarks made and the amendment moved by the Deputy Leader of the Opposition (Mr Lionel Bowen). This provision is so wide that it is singularly dangerous. It is capable of almost indefinite extension. As it is worded, it would provide an excellent charter for the secret police of any state, including Pinochet's police in Chile and the KGB. It is all encompassing as it is. The Deputy Leader of the Opposition is proposing that we remove the word 'ultimately'. By doing that we would at least put some stress back on the Australian Security Intelligence Organisation

to consider fully the definition of the word 'subversion', which is far too wide.

As it is, it could affect anyone, as we have pointed out during the second reading debate. It could affect church groups, civil rights groups, protest groups, minority political groups and, in fact, any opposition party. It could affect any Australian who works with, is married to, does business with, employs, is a friend of, drinks beer with, attends the same club as, goes to church with, is a neighbour of or talks to any member of the groups I have just mentioned. The Bill provides for a very wide definition and interpretation of the word 'subversion'. The very vagueness of the definition as it stands also leaves a massive amount of discretion to low grade operatives. I stress the term 'low grade operatives' because there is a tendency when speaking of ASIO to feel that all is well because it has a Director-General of integrity in Mr Justice Woodward. The fact is that many decisions on surveillance are made at a lower level and in State branches. If a low level or low grade officer is given an inch, he will end up by taking a lot more. I think we have abundant evidence of that in what Mr Justice White said following his investigation in South Australia. Very importantly, we have evidence of that also in what the right honourable member for Lowe (Sir William McMahon) said. As a former Prime Minister, he would know exactly what transpired on many occasions in the operation of our security forces. He said again this morning on the radio program *A.M.* that he knew of occasions when ASIO went beyond its charter.

The product of the kinds of attitudes to subversion contained in this definition leads to the abuses described by Mr Justice White in his report on the South Australian Special Branch in the early 1950s. He said, for example:

After 1953/4, Special Branch files assumed a new dimension of intense interest of Labor opinion and Labor trade unions. All elected State Labor leaders became subjects of index cards, and sometimes of subject sheets and files. Interest in extreme right wing organisations dwindled into insignificance. Interest in moderate right wing opinion was virtually non-existent. Interest in centre, moderate left radical and extreme left opinion was the main preoccupation.

So we know for a fact by the process of judicial audit, if one likes to put it that way, that ASIO has been overly concerned and has exhibited political bias. A former Liberal Prime Minister—the right honourable member for Lowe—has hinted that he knew of this when he was Prime Minister. I believe that we need to remove the word 'ultimately' from paragraph (a) of sub-clause (1) of clause 5 because, as I said at the outset, it would at least put some pressure back

on to ASIO to be more careful when it handles, when it deals with and when it acts under all the inferences contained in this rather wide-ranging definition of the word 'subversion'. The definition is unsatisfactory. It needs to be much more precise. I basically believe that we in this country have a democracy which is robust enough to enable us to accept precision written into laws which concern security and intelligence and which protect the rights of every Australian person. That is what the Opposition in this place is about; we are here to protect civil rights and to protect the rights of every Australian. It should not be hard to compose a form of words that guarantees those civil rights. I believe that if we remove the word 'ultimately' we will go at least some way towards doing that.

Mr BARRY JONES (Lalor) (2.39)—I think that clause 5 is drawn far too broadly. In going through the *Shorter Oxford English Dictionary* and looking at the precise wording of that clause, the words that begin the clause, I find they are far too wide. Clause 5 (1) reads:

For the purposes of this Act, the activities of persons—
The following words are in parenthesis—
other than activities of foreign origin or activities directed
against a foreign government—

That part can be left out for the purposes of the
meaning of the clause—

that are to be regarded as subversion are—

The clause then sets out the activities in paragraphs (a), (b) and (c). The point about the definition of the word 'regarded' is that it contains an absolutely and totally subjective judgment. The clause does not say that those things 'are' or 'are to be defined as subversive'; it states that they 'are to be regarded as'. What is troubling about this dragnet definition of the word 'subversion' and what makes it different from the definition of 'arson', 'theft', 'rape' or any other kind of offence is that all those offences have an objective element in them. In the case of arson something has to be burned down. One cannot say: 'Look, notionally, cognitively, I am going to regard that as a matter of arson. Of course, nothing has burned down but I choose to regard it as so.'

The *Shorter Oxford English Dictionary* has an enormously long definition of the word 'regard'. I will not inflict the whole of that definition on the Committee, but the essential sections of it are: To take notice of; to pay attention to; to give heed to. Synonyms for 'regard' are: Repute, account, or estimation. We are not even saying that subversion consists of a particular matter. The definition simply refers to activities which

are to be regarded subjectively, in somebody else's judgment, as subversion. That is far from saying that it is subversion, that it is to be defined as a particular offence. The clause goes on to state in paragraph (a):

activities that involve . . . or are intended or likely ultimately to involve or lead to . . .

The point again is that that puts in an extremely subjective judgment, because the word 'ultimately' might mean 100 years, 150 years or 200 years, and that could lead to such an extraordinarily cautious or repressive view being taken of what is legitimate or illegitimate behaviour that we will find ASIO's powers being extended in a way which I think is quite objectionable in a democratic community like ours.

Again, I applaud the amendment moved by the Deputy Leader of the Opposition. Consider the insertion of the word 'unlawful' at the beginning of paragraph (b), which reads:

activities directed to obstructing, hindering or interfering with the performance by the Defence Force . . .

At least by inserting the word 'unlawful' there we have an objective test rather than purely a subjective test. Paragraph (c) of the clause talks about activities directed to promoting violence or hatred between different groups of persons. Not one of us would not like to see a reduction in the amount of hatred in the community. I have very grave doubts about whether one can eliminate hatred by legislation, as much as one might like to do that. I think that is a futile kind of exercise.

The CHAIRMAN—Order! Is the honourable member foreshadowing his remarks on the subsequent amendments? We are currently dealing with amendment No. 1.

Mr BARRY JONES—I confess that I have probably strayed to some extent, but I will talk about the word 'ultimately'. Perhaps I could give a brief example to illustrate my concern about the unduly wide range of the definition of the 'activities of persons' that are to be regarded as subversive. I shall describe a brief incident in my own career. It is the only time to my absolutely certain knowledge that my telephone was tapped. I am not particularly paranoid about telephone tapping, but I will relate one particular instance of which I am absolutely sure. It has a bipartisan flavour to it because a Liberal Minister was involved.

In February 1967, prior to the hanging of Ronald Ryan, a number of people—not just those in the Labor Party but also those on the other side of politics—were concerned about the matter. An incident occurred in the middle of the night which made me quite convinced that my

telephone was being tapped. The sequence of events is as follows: Around midnight on a particular night a drunk, I think, rang my home number. At the time a number of us were sitting around there wondering what we were going to do next. The person on the telephone suggested that there was only one way in which to have the hanging put off and that was to kidnap a Cabinet Minister or, if not a Cabinet Minister, some official or senior member of the Victorian Parliament. I was not then in the Victorian Parliament. I replied that I did not think that abduction was a particularly useful activity to engage in and that it was not likely to improve the situation, certainly so far as Ronald Ryan was concerned. So I disregarded that completely. A few minutes later, a friend rang—I think perhaps that I should spare his feelings and not name him, but suffice it to say, he is a Minister in the Victorian Government—to say that he thought that there was a senior member of the Victorian parliamentary Liberal Party whom we ought to go to see and that if we went to see him, he might be able to have quite a significant influence on the Premier, Sir Henry Bolte, even at that late stage. We agreed that we would meet at the home of this senior parliamentarian in about 20 minutes' time.

So at, I suppose, about quarter past one in the morning we arrived independently at his address in a Melbourne suburb. Within a matter of seconds a police car had pulled up with its siren going and its blue light flashing. Policemen jumped out and grabbed us. We both said: 'What are you trying to do to us?' My friend was not then a Minister but a State member. The police said: 'Well, we have reason to believe that an attempt is going to be made tonight to kidnap a Minister of the Victorian Government or a senior parliamentarian'. My friend, now the Minister, said: 'Turn it up. I am a member of the Victorian Parliament myself. It is extremely unlikely that we would be involved in that kind of activity'. It seemed quite clear to me that the only way in which a police car could have come with that particular story at that particular spot at that particular time was if my telephone had been tapped. It is clear that this was not an ASIO operation but that somewhere in the State Special Branch in Victoria it was thought: These people are probably engaged in some kind of dangerous activity, therefore it is necessary to treat their activities as potentially subversive so far as Victoria is concerned and tap their phones. In that case we behaved with absolutely perfect propriety and in a politically bipartisan way. My friend pursued his political career; I maintained

my political interest. But the point is that there was, I believe, a quite illegitimate police interference in what we were doing. That is the sort of thing that concerns me. That is the only experience I can speak of where I have been personally interfered with. But I do not wonder that there would be many other people in the trade union movement who would be similarly placed. I think that such action is coercive. I do not believe that the State ought to exercise this kind of surveillance of people's activities unless there is some kind of *prima facie* case that there is likely to be a breach of the peace or some illegal act, and so on. Even then, I have very great doubts about it. So I believe that we ought to remove the word 'ultimately' because if we do so it means that there has to be some real pre-supposition that something illegal, something that will disturb the public peace, will happen. It is not enough to rely on the this extraordinary broad dragnet clause wherein we use the word 'regarded'—a completely subjective test.

Mr KEVIN CAIRNS (Lilley) (2.49)—I think the Opposition is showing an unnecessary fear with respect to the word 'ultimately'. Quite frankly I do not understand the concern the Opposition is showing for this word. Reading through the Senate debates, I suggest that the same kind of concern was shown by the Opposition there, but it never came through in the substance of the propositions the Opposition put forward for the deletion of the word 'ultimately'. Of course this whole section requires that there be judgment. Since there has to be a judgment about an action which has not yet occurred—that is what we are talking about; the overthrow of a constitutional government—therefore there have to be difficulties.

I turn my attention to the word 'ultimately'. Let me give an example. If a series of actions take place, which on all accounts can be quite similar to one another, but one of which has an ultimate intention of bringing about the overthrowing or the destroying of a constitutional government of the Commonwealth or a State, that can be very different from a similar action whose ultimate aim is not to do that. Let me give honourable members an example from recent history. I choose a strike, not because it was a strike, but because it is appropriate. When there were the great strikes on the coalfields in New South Wales during the late 1940s, the Prime Minister of the day, Mr Chifley, was very concerned. We all know that he took a very deliberate and unique action in respect of those coal strikes. He was concerned not merely because it was another strike, but because involved

in that strike were quite powerful communist elements, who made no bones of the fact that they intended to alter the nature of government within Australia. So Mr Chifley took quite deliberate action. Going back to the earlier strikes, the great strikes of the 1890s, they were just as effective. They held up economic life in those days just as greatly as did the strikes on the coalfields in the 1940s. But the strikes in the 1890s were Australian strikes about Australian issues and there was no intention to have, as the final end of those strikes, a change to the constitutional process within the States at that time.

Those two actions which, on looking at them, could be on all fours similar, could have and ultimately were judged to have a different final aim and end. I suggest, therefore, that to take out the word 'ultimately' would destroy that capacity to make different judgments about those two events because different judgments were made by those in constitutional power and those events were blessed with authority at each time. To take out the word 'ultimately', I believe, would do a disservice and would betray an unnecessary anxiety on the part of the Opposition. I turn it round the other way: If 'ultimately' is taken out and if judgment is to be made as to what would be a subversive action, is the task too difficult to accomplish? If it is taken out one has to demonstrate that there is an approximate and almost immediate relationship between the action contemplated and the revolutionary overthrow of a government of the Commonwealth or the State. If there is to be an approximate and immediate relation between the two, that is a task that is so difficult that it would be almost impossible to accomplish. The hurdle would be too great.

So I suggest that for sound reasons and without having any secondary aim about the word, 'ultimately' ought to be left in. If it is taken out, the task is too great and too impossible to prove. If it is left in one can make an appropriate judgment between those who are undertaking a course of action which may have several connections to it and several gradations of incidents to it, but whose ultimate aim is a revolutionary aim and whose final course of action can be a revolutionary aim. We ought not to put that proposition out of our minds and we ought not to remove that series of actions from others which would contemplate an appropriate judgment being made as to the action itself. For those reasons I suggest that the word 'ultimately' ought to remain in the clause and, in fact, being in, it can be a protection as much as anything else.

Mr WEST (Cunningham) (2.54)—I believe that all the clauses up to clause 5 are symptomatic of what is very dangerous legislation. This is anti-democratic legislation because it simply redefines and widens the Australian Security Intelligence Organisation's powers to collect information regarding national security. It also legalises many previously illegal activities pursued by ASIO which were exposed in the Hope report. But I believe also that because the Hope report precedes all of this legislation, it ought to be seen also as morally fraudulent because it identifies problems and then relies on ASIO to reform itself from within.

The CHAIRMAN—Order! For the benefit of the honourable member for Cunningham I point out that the Committee is presently addressing itself to an amendment proposed to clause 5. In that respect the honourable member is required to address his remarks exclusively to that particular question; namely, that the word proposed to be omitted stand part of the question.

Mr WEST—With respect, Mr Chairman, I thought that we were dealing with all the clauses up to clause 5, besides the actual amendment.

The CHAIRMAN—Clauses 1 to 4 have been resolved.

Mr WEST—What I am attempting to do is to preface my remarks regarding the amendment by dealing with the earlier clauses because they relate to it.

The CHAIRMAN—The Chair will hear the honourable member further, but requests him to sustain relevance.

Mr WEST—All right. I was saying that the conclusions of the Hope report were inadequate and, since these introductory clauses also follow the Hope conclusion through, the legislative controls over ASIO will also be seen to be inadequate. I believe that these security organisations ultimately take on a life of their own and automatically identify their own interests with the national interest, which of course they see as the interests of conservative administration which supports their organisations' operation. I am coming to the point in regard to the word 'ultimately' and the words to which it relates. Mr Chairman, I draw your attention to the definitions of espionage, sabotage, subversion, security and so on, and I then move on to the amendment to clause 5. Clause 5 (1) (a), in dealing with the 'meaning of subversion when not of foreign origin', reads:

activities that involve, will involve or lead to, or are intended or likely ultimately to involve or lead to, the use of force or violence . . .

The definition is the key to the use of the word 'ultimately'. The key words, of course, are 'security' and 'subversion'. Any definition of those words is very important to the use of the word 'ultimately'. In my belief, the key word is 'security'; but one has to examine the question, 'Security for whom?' before one can examine what is meant by this clause in a definitive way. The very nature of the ASIO beast ensures that security will remain a matter of subjective definition. ASIO lives in the shadows of overseas multinationals that control Australia and the structure of the society which incorporates the ASIO creature must be retained if ASIO is to survive. So ASIO will always oppose political and social change, because such a change challenges its very existence.

The CHAIRMAN—Order! The honourable member is not at all relevant to the question before the Committee. I must ask him to become immediately relevant or to resume his seat.

Mr WEST—Mr Chairman, with respect, what I am trying to show is that, if we are talking about the word 'ultimately' and what these facts will ultimately lead to, it is obvious that they will ultimately lead to a threat of subversion or a threat to security. Surely a proper examination of what is meant there must hinge on what is meant by 'security' and 'subversion'.

The CHAIRMAN—The Chair cannot accept the honourable member's argument.

Mr WEST—All right. Thank you, Mr Chairman. I will proceed. The use of the word 'ultimately' implies the use of judgment, and one accepts the argument of the honourable member for Lilley (Mr Kevin Cairns). The question is: Whose judgment? If one reads the Hope report one will see that Mr Justice Hope was not at all impressed by the calibre of the ASIO agents who would be seen to exercise judgment. I ask honourable members to read the Hope report in that respect. This is the cardinal point on this matter: The use of the word 'ultimately' and what sort of a person is making a judgment on what acts will ultimately lead to further unlawful acts.

As I have said, if honourable members read the Hope report they will see that Mr Justice Hope did not have any confidence in the ability of employees of ASIO to reach such judgments. That is why, during the late 1960s and early 1970s we had the spectacle of ASIO agents placing under surveillance people who marched in anti-Vietnam demonstrations—clergymen, academics and trade union leaders—because in their judgment those actions were ultimately

bound to lead to threats against security and constituted subversion. When the record of ASIO agents is considered, I suggest that one can have no confidence in their judgment on these matters. If we can have no confidence in the people who are going to make those judgments, then obviously any word such as 'ultimately' ought to be removed since the legislation needs to be as clear and definitive as possible.

Mr RUDDOCK (Dundas) (3.2)—What has been suggested by the honourable member for Cunningham (Mr West) is absolute nonsense. The fact of the matter is that the people who he is suggesting should not make a judgment in relation to the word 'ultimately' are called upon to make all sorts of other judgments in terms of the other definitions in this clause. Those definitions are quite sweeping. They include an assessment of the following:

activities that involve, will involve or lead to, or are intended or likely—

Without the word 'ultimately'—

to involve or lead to, the use of force or violence or other unlawful acts . . . for the purpose of overthrowing or destroying the constitutional government of the Commonwealth or of a State or Territory;

The people who he is suggesting should not do it in case of that one word 'ultimately' are the people who are going to be making the sweeping judgments, as he alleges, in relation to the balance of that clause and in relation to the whole scheme of this legislation. If he is not prepared to entrust it in that limited extent to the personnel, why is he prepared to entrust any of these decisions to those personnel? Obviously he is prepared to trust them to make those decisions, otherwise he would have voted against the whole scheme of the legislation.

Mr Carlton—Which he will do in Committee.

Mr RUDDOCK—I am not certain about that. Honourable members opposite have indicated general acceptance of the scheme of the legislation and the honourable member has accepted that by his votes to date. If he is going to vote in a different way, if he is going to oppose the clause entirely and vote against the legislation entirely, that may be another matter. The word 'ultimately' was dealt with by the Attorney-General (Senator Durack) in another place and it is perhaps timely that I read out why the Government believes that this word is important. I quote from the Senate *Hansard*, where the Attorney-General is recorded as saying:

The Government believes that anybody or any organisation which believes in and has a commitment to the use of force or violence at some future stage, even though it may not be engaged in such activities at the moment or may not

even intend to engage in them in the near future, for the purposes of overthrowing the constitutional Government of this country should be regarded as subversive and should be kept under surveillance.

The scheme of this legislation does not mean anything more than that the security organisation will obtain, correlate and evaluate intelligence relevant to security. So, in relation to the word 'subversion', again all the personnel are doing is obtaining, correlating and evaluating information.

What honourable members opposite are suggesting is that, because we use the word 'ultimately' in relation to our definition of acts that might lead to the overthrowing of our constitutional government, that is an extension of a power which gives an organisation a significant control over the events of men and their lives. Of course that is not the case. The scheme of this legislation is to establish an organisation that is simply going to correlate, evaluate and collect information. I hasten to suggest to honourable members that, when we are looking at what organisations say they might want to do and perhaps looking at their constitutions, there is no certainty that they will tell us in an obvious way at all times that their intention is subversive.

We have only to look at the Communist parties in Europe at the moment. The Italian Communist Party seems to be putting aside its objectives which it has had for a long time—with other Communist parties—ultimately to overthrow our systems of government. Now it has changed its tack. It is saying that it is not so concerned with this objective because it wants to win an election. At least we ought to have an awareness of what these parties are about. In making our judgments are we not entitled to look at what ultimately might be their purpose and objective? Now they might be saying that they are not interested in doing such a thing. It was and maybe still is in their platforms but they are putting that objective aside to create a facade, an image of moderation. Should we put aside such considerations and not be cautious when looking at what governments are doing? How can anyone have any objection to a little caution?

All that is provided for in this legislation is the collecting of information—obtaining it, correlating it and evaluating it according to the functions set out in clause 17. That is the important test. That is all the Organisation is required to do. The word 'security' is defined in the Bill. Clause 5 seeks to qualify that definition. That is the scheme of it. It ought to be obvious to all honourable members that this is not an unreasonable

provision. In my view it is certainly not something that can be categorised in the broad and sweeping way that it has been categorised by honourable members opposite. In my view and judgment the clause is deserving of the support of this Committee.

Mr HOWE (Batman) (3.7)—I support the argument that has been put by various members of the Opposition with regard to this clause. Our concern is expressed in this context: Throughout a great deal of Australia's history as a nation—certainly in the postwar period—we have been pre-occupied with the question of so-called subversion. I shall quote some of the final sentences of Richard Hall's book on security services which deal with the concern that we have about this clause. Referring to domestic security, he wrote:

It must reject the whole obsession about subversion cultivated over the past two generations. A free society can and should suppress violence but when it suppresses free inquiry it is no longer a free society.

When one expresses concern about this clause and about the word 'ultimately' within the context of the clause I think one is simply trying to underline, in the course of this debate, what has been the experience of people who have been associated with all sorts of movements that have come into conflict in our society. They have been labelled by the state or by other sections of society as being involved in actions or movements that threaten the whole basis of the state. It seems to me that that problem has been encountered so often in the past. This definition ought to make some genuine attempt to come to terms with the problem. This clause ought to seek to distinguish between those people who certainly are concerned about transformation or change in our society in some respect, perhaps in fundamental respects, and those people who might be classified as violent revolutionaries. Quite clearly this clause does not allow one to make any such distinction. It refers to 'activities that involve, will involve or lead to, or are intended or likely ultimately to involve or lead to the use of force'. I think that the use of the word 'force' as an additional word to the word 'violence' is open to some question.

I had a look at the dictionary of the honourable member for Lalor (Mr Barry Jones) and I saw that one of the definitions of the word 'force' is simply to exert one's strengths to the utmost. Some people in our society passionately believe in causes such as the saving of some rain forests in New South Wales or the prevention of their houses being destroyed by the building of a freeway. In my own electorate I was involved in a

peaceful demonstration which caused something like 400 police to attend to deal with a relative handful of local residents whose only concern was the construction of a freeway that would destroy their homes and pollute their environment. That brought about that kind of display of force. People got the impression that somehow this rather scraggly group of local residents was a group of revolutionaries. They were photographed on that occasion. They were just members of a local group concerned about a particular action that was being taken that would have an effect on their homes and on the environment in which they were living. One can mention many issues—in a society which is divided on many issues—on which people have exerted themselves to the utmost to defend their interests, to push a particular point of view or perspective. Surely within the context of a democratic society that is their right.

Yet the use of the word 'ultimately' in terms in which it is used in this clause leads to possibilities. As previous speakers have suggested, there is no objectivity in this clause; it provides for a subjective judgment to be made between different groups of people as to whether one group of people is ultimately concerned to overthrow the state. Even that requires some definition. I guess that many Australians are concerned to see some quite fundamental reforms made to the nature of the Australian state. For example, many would prefer the state to become a republican state as opposed to being currently a monarchy.

Mr McLean—Would you?

Mr HOWE—Certainly. That point of view certainly involves fundamental changes to the constitutional government of the Commonwealth and it might be seen by some people to be quite revolutionary. One can imagine people who advocate that point of view being caught up within this definition of subversion. It is extremely important in a situation such as this that the Parliament attempts to get some real consensus on critical terms. Last night when the honourable member for Lowe (Sir William McMahon) spoke in the course of this debate he indicated some real dangers associated with the legislation. He, a former Prime Minister, claimed that he had been denied information by the Director-General of ASIO. That seems to me to indicate that there is deep division within this Parliament about this legislation. Quite clearly, there are wide divisions of opinion concerning the effect of this clause.

In my view this clause has been drawn too wide. Inevitably it will affect groups of people who certainly have no revolutionary purpose, no purpose whatever to change the nature of the state of this society. But in the terms of this definition their actions may be seen to represent some kind of threat to the status quo, to the established order. Under this legislation it is open for people in security organisations to interpret the actions of such people as actions which will, in the final analysis, lead to the overthrow of the state—to the overthrow of the government of the Commonwealth, of a State or of a territory. It is simply a chain reaction. How much subjectivity can there be in respect of the kind of imaginative judgment that has to be made to determine that somehow, because of specific action or a set of circumstances, a person or a group of people represents a threat? Yet consistently, throughout the history of this Organisation, that is the sort of judgment that has been made. Time and again innocent people have been photographed, their telephones have been intercepted and they have been pursued by this Organisation without any evidence whatsoever of their involvement in an attempt to overthrow the State or to produce fundamental change.

That is the history of this Organisation and it is set out in the Hope report. That report refers to the dubiousness of the evidence collected and the way that people's lives have been destroyed because of the existence of the earlier legislation. The situation is not resolved by this legislation. We know that in the past this Organisation has used the legislation in a totally one-sided way. It has been used in a way which has been directed at picking up people who are about social reform, people who are concerned about class distinction in this society, about inequalities and the deprivation of rights.

Mr Barry Jones—Aboriginal welfare.

Mr HOWE—People who are concerned about such things as Aboriginal welfare and those who are concerned about the deprivation of rights. In the past those people have been picked up by this Organisation and treated as though they were subversives. That sort of thing will happen again if we allow the definition to remain unaltered.

The CHAIRMAN—Order! The honourable member's time has expired.

Mr Viner (Stirling—Minister for Employment and Youth Affairs) (3.17)—This debate today in the Committee of the Whole House completely justifies the decision of the Government that this forum—the Committee of the

Whole House—is the appropriate and best forum in which to debate this legislation. The other interesting aspect of this debate—I think it will be obvious as the debate unfolds—is that we will be able to discern those who do not wish to have a security organisation in Australia at all and those who simply desire to improve the structure and substance of the legislation.

I thank the honourable member for Lilley (Mr Kevin Cairns) and the honourable member for Dundas (Mr Ruddock) for their contributions because they have demonstrated the reason for the presence of this word 'ultimately' in the definition of subversion. Of course it must be a matter of judgment. From the very nature of the subversive acts intended to be kept under surveillance it must be a matter of judgment, both by the Australian Security Intelligence Organisation as well as by society, because a mixture of social, political and constitutional elements of the framework of Australian democracy are involved. I think this is an important matter to appreciate when we are talking about ASIO.

One honourable member referred to the Organisation as 'this beast'. I simply say to the honourable member for Cunningham (Mr West) that ASIO is not a foreign beast like the KGB or even the Central Intelligence Agency. It is a creature of the Australian democratic body politic. It was established by a parliament of this country. Let me also remind him that ASIO began under the charter of Prime Minister Chifley in 1949. It was put into legislative form and given the authority of legislation by the Menzies Government in 1956. In 1974 the Whitlam Government established the Royal Commission on Intelligence and Security under the chairmanship of Mr Justice Hope. This legislation is the product of that Royal Commission. All along the way the Parliament of this country has been improving, strengthening and tightening the framework of ASIO.

Subversion necessarily being a matter of judgment, as the honourable member for Lilley has pointed out, one cannot limit the judgment of ASIO to conduct presently being committed. One must be prepared to look at what is beyond that conduct, the end intention of that conduct, the belief which underlies the conduct, so that it can be said that whatever is happening, whatever is being done, has, or is likely to have, as the end result the overthrow of the constitutional government of the country or the destruction of the constitutional government of the Commonwealth, a State or Territory. I think the example cited by the honourable member for Lilley is apposite to

the matter that we are debating. As he illustrated, a strike of one kind may have no subversive element in it at all but a strike of another kind, such as the great coal strikes of the late 1940s led and underwritten by communist elements in this country, had, one could say, as their ultimate intention the overthrow or destruction of the constitutional government of this country.

The inclusion of this word 'ultimately' in the definition is not merely something that was in the mind of the Government; in fact, it picks up the recommendation of the Hope Royal Commission. Let me, in summary, again point to the basic reasons we believe the definition should remain as it is written in the Bill. We believe, as the Hope Commission did, that any body or any organisation which believes in or has a commitment to the use of force or violence at some future stage, even though it may not be engaged in such activities at the moment or may not intend to engage in them in the near future, for the purpose of overthrowing the constitutional government of the country, should be regarded as subversive and therefore should be capable of being kept under surveillance by the ASIO. Therefore, the Government cannot accept the amendment that has been moved by the Opposition.

Mr LIONEL BOWEN (Kingsford-Smith) (3.25)—About the only advantage in having a committee stage debate is that the Opposition gets a chance to reply to the remarks of the Minister who is in charge of the legislation. I just want to place on record that I do not see any real advantage in replying to the remarks that have been made by the Minister for Employment and Youth Affairs (Mr Viner). We of the Opposition are trying to talk about the drafting of legislation. This debate has nothing to do with the Communist Party in Italy and it has nothing to do with the coal miners strike in New South Wales.

Mr Viner—I did not mention it.

Mr LIONEL BOWEN—The Minister highly praised two Government supporters for their valuable contributions about this question of why the word 'ultimately' should remain in this clause. Let me get to the point of what this Government is about.

Mr Viner—Nobody mentioned it.

Mr LIONEL BOWEN—If I may be permitted to speak without interruption, it is very significant that the people on the Government side who allegedly were so anxious to be involved in

voting in favour of this legislation going to a parliamentary committee for discussion are not present in the chamber today. Obviously they have given it away. I suggest that if we were assembled in a legislation committee we would not have heard the same nonsense that we have heard in the last few minutes. Our argument is about the drafting of the legislation. We are not playing politics. Let us consider what the honourable member for Lilley (Mr Kevin Cairns) had to say. Of course there was a coal mine strike. Something had to be done about that strike because it was affecting the supply of electricity and could have brought the State to a standstill. If the strike had involved the buses it would not have mattered. That is the significant point. All of those strikers were fellow Australians. They were not all members of some subversive group. Far from it.

Back in the old days of the 1890s trade unions had to be formed to get some rights for the workers and back in the Industrial Revolution in the early 1820s something had to be done to get children out of the mines. Honourable members opposite have gone back to the issue of strike action being taken to achieve improved conditions. We have had nothing but success since the Coal Industry Tribunal was established. We have had no more worries since there has been a better apportionment of what were deemed to be the financial resources derived by mining coal. By the same token, I would not be anxious to persuade others that people such as the honourable member for Lilley and the honourable member for Dundas (Mr Ruddock) would be appropriate intelligence officers to keep files on people whom they think would ultimately be the sorts of people to cause the violent overthrow of the Constitution. They would exhibit all the paranoia that has been exhibited today.

Mr Ruddock—I find that a reflection.

Mr LIONEL BOWEN—I withdraw the remark if it is objectionable.

Mr Baillieu—He is not speaking to the clause.

Mr LIONEL BOWEN—I am speaking in reply to the Minister for Employment and Youth Affairs. One person is in charge of the proceedings of this Committee, that is, the Chairman. I would be grateful if there were no more interjections. We have listened to nonsense about the Communist Party in Italy. We do not mind the Communist Party in Australia. We of the Labor Party can beat it every time. We are involved in the trade union movement. We are out on the hustings doing battle. Honourable members opposite only create communists.

The CHAIRMAN—Order! I think that the honourable gentleman is straying from the clause.

Mr LIONEL BOWEN—I may be straying from the clause but I am speaking in reply to what has been said. The other significant point in what was hoped might be an intelligent debate is how we should draft the clause. In the New Zealand security legislation the word 'ultimately' is not used in relation to subversion. That legislation refers to illegal action or action by force. It does not use the word 'ultimately'. We are trying to achieve a proper definition of subversion. The United States legislation does not use the word 'ultimately' in its definition of subversion. It talks about illegal means prohibited by statute. There is an intelligent way of drafting this clause. I do not know of any other country in the world with statutes dealing with subversion which has drafted such a clause in this way. That is the reason for the Opposition's objection to this clause.

Without straying too far from the clause, I remind honourable members that they should bear in mind that His Honour Mr Justice Hope said that the most dangerous groups happened to be the right wing radical groups that existed in this country. They were not mentioned by the Government. Members of those groups are also members of the Liberal Party of New South Wales. We are trying to promote intelligent discussion by the Committee. The discussion will not be intelligent if it is allowed to proceed in the way in which it did on the last occasion. That is no reflection on you, Mr Chairman. You are entitled to make the point that people can argue to the extent of proving what the legislation is about. I make the point that I believe in the need for a new Constitution for Australia. I am anxious for people throughout Australia to meet in order to achieve this end. Do honourable members opposite suggest that that is subversive? I do not advocate a republican Constitution but it will not belong to a monarchy either. It will belong to Australia. It is nonsense to say that people who form groups to talk about a new ideal are subversive. What we are concerned about is violence, illegal acts and the possible overthrow of a constitutional government by force. To take out the word 'ultimately' would still leave us with all the protection we need.

We have spent an hour considering one clause of this Bill. We have heard a lot of garbage as to what people in this country have to put up with. The Hope report clearly shows that there are subversive elements in this country but that they are basically within the radical right wing. Many

of them try to overthrow governments in other countries. For that very reason we cannot allow certain heads of state to come here. We are anxious to avoid terrorism. We are fully in accord with the principles of ASIO provided its operation relates to our needs. The appendix to the Hope report indicates that 70,000 assessments a year are made on people. Is this worth while? Effectively, perhaps only 70 are essential. We want to reduce that margin of error. The information, once collected, can be distributed right across the length and breadth of this land. As was said by the honourable member for Lalor (Mr Barry Jones), who watches the people who watch us? Who are the custodians of those who themselves are deemed to be the custodians? We are arguing in simple terms that there is no need to retain the word 'ultimately'. Other democracies, such as New Zealand and the United States, have not had to do it. We would achieve a better definition by deleting the word.

Mr RUDDOCK (Dundas) (3.30)—The speech of the Deputy Leader of the Opposition (Mr Lionel Bowen) was, to say the least, disappointing. I expect far more of him. I expect him not to indulge in descriptions of honourable members on our side of the chamber in the way in which he does. I expect him to bring greater credit on his office in leading for the Opposition and indicate that he can rise to a higher standard. The sort of innocence with which he has spoken—

Mr Lionel Bowen—It is a normal tactic. Talk about the facts.

The CHAIRMAN—Order! The Deputy Leader of the Opposition will remain silent. The honourable member for Dundas will address himself to the question before the House.

Mr RUDDOCK—Mr Chairman, through you and in response to the remarks of the previous speaker—

The CHAIRMAN—Order! There is some misconception. A Minister has the right to respond in a debate at any frequency which he determines. Members on respective sides of the chamber do not have the right to respond in a manner other than within their ordinary entitlement, which requires relevance.

Mr RUDDOCK—What I am saying is very relevant to the clause we are debating. We have just been told that if a person advocates a new Constitution for this country or espouses in a peaceful way the establishment of a republic in Australia he will be in conflict with the definition of subversion in this clause. Nothing is further from the truth. There are three parts to the

definition. The first deals with activities. The second deals with the way in which a person carries out an act. The third deals with the purpose of the act. Simply to advocate a new Constitution does not amount to subversion in terms of the three parts of this clause. Honourable members opposite have to understand that. A person has to indulge in activities which will lead to the use of force, violence or other unlawful acts for the purpose of overthrowing a constitutional government. Quite clearly, each of the three parts of this clause have to be satisfied. We have to consider what a person is ultimately likely to do and what it will lead to in terms of force, violence or other unlawful acts as well as the purpose of such acts.

The simple advocating of a new Constitution for Australia would not be subversive in terms of the definition in this clause. The simple advocacy of a republic is not subversive. It is specious of the Deputy Leader of the Opposition to suggest that it is or to suggest that we would like to stop his advocating that approach. I am quite happy to listen to his arguments. If he were convincing I would be happy to be persuaded. He has not been convincing to date. That is part of our system. We are not trying to undermine it. We want to look at the organisations which do not believe in our system. I am happy to talk about organisations of the right and any totalitarian organisations that do not permit people to have their own points of view.

Mr Holding—Can you name one from the right?

Mr RUDDOCK—I would certainly not support any fascist regime. But I will not accept any suggestion by the honourable member that I might be a fascist. I would not support any totalitarian regime that does not permit different points of view. I am equally critical of the far Right as I am of the far Left. I am waiting for honourable members opposite to speak equally about the activities of the KGB as they do about the activities of the Central Intelligence Agency. I am waiting for them to look at the activities of that organisation in the same critical way as they look at those of the United States organisation. The United States is a country in which people can speak out. They have an opportunity to express their concerns. We have the same opportunity to do so when participating in this debate. We do not hear about the security organisations in communist countries. We do not hear about what might constitute subversion in those countries and about how their people are denied freedom of speech. I do not want to be restricted by any organisation that gives us the capacity to resist movements that want to take that freedom

from us, regardless of whether they come from the Right or the Left.

I am prepared to support a definition which enables us to do what the legislation will permit us to do, that is, simply to look at those movements. That is all we will be doing. It does not enable them to be arrested and it does not enable them to be taken in charge. If one goes on from that definition as to what is subversion—because it relates to security—and then looks at where security comes into the functions of the organisation one sees that Clause 17 states:

(1) The functions of the Organisation are—

(a) To obtain, correlate and evaluate intelligence relevant to security;

That is what its purpose is. It is to obtain, correlate and evaluate information. The Government is saying that if organisations have these sorts of subversive objectives—whether they want to make them overt in quite and obvious way or hide them in the bowels of their organisation—we ought to be able to look at them and be able to know what they are doing. I do not see how any reasonable person could object to that approach.

The DEPUTY CHAIRMAN (Mr Giles)—Order! May I just remind the honourable member that the amendment aims to omit the word 'ultimately'. I am under a disadvantage, having just assumed the chair. Would the honourable member care to return to the point in the remaining time as to why the word should remain or why it should be removed?

Mr RUDDOCK—The word certainly should not be removed. I have given the reasons for that. What has been suggested in debate on this clause is that the arguments of honourable members on this side of the House have been in some way irrelevant; in some way they have been extreme; in some way they represent some extreme right wing point of view. I accept that the honourable member opposite was asked to withdraw the remark. He suggested that it evidenced some paranoia on my part in relation to security. I found that suggestion offensive. Quite properly the honourable member withdrew the inference. But the fact of the matter is that in terms of this debate people simply want to know, and want our security organisation to know, what is going on in organisations that are subversive. We are defining subversive so the community will know what these organisations are about and what we believe constitutes subversion so that these organisations can be monitored and our community and our Government

will be informed through the Australian Security Intelligence Organisation being able to do that.

The word 'ultimately' in this context is designed to give the organisation the capacity to be able to monitor those activities, whether the organisation wishes to hide its objective, whether it wants to try to put it aside in some surreptitious way, or whether it wants to indicate in an open way that it preaches subversion. It certainly does not—as has been suggested by honourable members opposite in this debate—prevent people from going out into the community and advocating a different form of democratic government. That was the suggestion. Honourable members opposite were suggesting that there was some fear that they should not or that they would be constrained not to go out and advocate a republic and that we do away with our monarchical system. They felt that they might be restricted in some way from going out to advocate, as a result of events that have taken place in this country, that there ought to be a different form of constitution. It is quite clear from the definition in clause 5 (1) (a) that they would not be prevented. The scheme of the legislation would not prevent them from doing it in any event because the scheme requires the organisation only to evaluate and collect information. I do not see how honourable members opposite would be worried about that, in any event. The Deputy Leader of the Opposition (Mr Lionel Bowen) would probably send ASIO a copy of his speeches, I imagine, as he is so proud of what he has to say.

How can one be afraid of advocating a course like that and be concerned—even if one could extend the wording in a way in which the Opposition has suggested—or scared of some organisation monitoring one's activities in support of that point of view? The Opposition ought to be proud of the position it is taking if it really believes it. I think that is the point of the matter. Whilst I would not want to be unparliamentary I suggest that if there is any paranoia in relation to these matters it is not on this side of the House.

The DEPUTY CHAIRMAN (Mr Giles)— Before I call on anyone I remind the Committee that the honourable member for Dundas (Mr Ruddock) really spoke during the major part of his speech on clause 5 itself, which is the meaning of subversion when not of foreign origin. Obviously in debating clause 5 I, from the chair, must allow some reference to that. What I am anxious to have honourable members do in future speeches—I am at a disadvantage in that I have just assumed the chair—is to try to inform the Committee why the word 'ultimately' should

or should not remain in the clause. That is what the amendment is all about.

Mr HOLDING (Melbourne Ports) (3.40)— If one were to approach this clause in another way, could any member of the Government say: 'If we were in fact to accept the amendment so that the words 'likely ultimately' were omitted from the Bill, would we seriously jeopardise the functions and the activities of the Australian Security Intelligence Organisation?' That would leave a definition section of subversion which states:

Activities that involve, will involve or lead to, or are intended to involve or lead to, the use of violence or other unlawful acts for the purpose of overthrowing or destroying the constitutional government of the Commonwealth.

I believe that if the clause were worded in that way that would be a sufficiently wide mandate to enable ASIO to properly discharge its responsibilities to the Government and to the people of Australia.

Mr Graham— What is the difference?

Mr HOLDING— I will tell the honourable member what the difference is. Even though we might want to be preoccupied with the KGB or the Federal Bureau of Investigation, I think our responsibility has to be with our own intelligence Organisation. One cannot judge the activities of that organisation in a vacuum or on a basis of what it is going to do or is likely to do in the future. One has to look at the historic background of that organisation. Looking at the background of ASIO, no member of Parliament can say that in the past it has not abused its prerogatives and has not—in many cases wrongly, on a number of occasions illegally—jeopardised the fundamental rights of many thousands of Australian citizens. I do not ask the honourable gentleman to accept my word for that. I ask him to look at all the independent judicial inquiries which have examined the record.

Mr Graham— They do not state that at all.

Mr HOLDING— I am sorry if the honourable gentleman takes that view. Obviously he has not looked at the detail of the Hope report. If he looks at the Hope report he will find that Mr Justice Hope referred quite specifically to numerous occasions on which, for reasons which he made clear in his report, he was not prepared to enumerate. I remind the honourable gentleman to look at the details of the findings of Mr Justice White in South Australia. Could there be any stronger indictment than the fact that he indicated he looked at some 41,000 dossiers and he stated:

I have seen a number of cards where information, patently false to my knowledge has been used to the attempted disadvantage of certain persons . . .

Can one have a stronger finding than that?

Mr Graham—How can something be patently false to his knowledge if he does not explain how and why?

Mr HOLDING—I am delighted to have that interjection. I was not wanting to take up the time of the House, but let me inform the honourable gentleman that Mr Justice White did explain. This is what he said:

My perusal of Special Branch files shows that many hundreds of people have done nothing more than take an active part in many causes which time and changing opinion have usually proved them to be right . . . campaigns against involvement in the Vietnam war or conscription for the purposes of that war, the importance of the environment and ecology and so on.

Then he states:

They are the kinds of activities that active persons with a social conscience and a vision of a better Australia are entitled to be involved in without the brand of suspected subversion . . .

Let me take the honourable member for Dundas (Mr Ruddock) back to the situation when, in my own State, in Melbourne, some hundred thousand people, by virtue of their view of a former government's involvement in the Vietnam war, and by virtue of their view about conscription, marched as was their right. When they marched, the Leader of the Liberal Party in this House accused them of being pack raping bikies, raping democracy. I ask the honourable gentlemen opposite to look back to their positions at that time. Did they not say that there would be blood flowing down the streets of Melbourne? Was there not going to be violence and were not the whole constitutional foundations of our democracy threatened? Of course, that is what they said and the *Hansard* record shows that they not only said it but also believed it.

The DEPUTY CHAIRMAN—Order! Once again, I think I had better drag the honourable member for Melbourne Ports back to a discussion of the word 'ultimately'.

Mr HOLDING—I was just coming back to that very point. I am referring to an historic situation where it was the considered view of the people who now comprise this Government that that sort of action was undermining the whole democratic system and there was no way that such action by a citizen would not fall within this definition.

Mr Graham—That is nonsense.

Mr HOLDING—I am sorry, I do not know how to put it to anyone as dense as the honourable member. I keep trying.

The DEPUTY CHAIRMAN—Order! The honourable member for Melbourne Ports will not use extravagant language that may impute the goodwill of another member.

Mr HOLDING—I withdraw that, Sir. The term 'likely ultimately' is so wide that it involves a substantive political judgment which covers virtually any form of legitimate political activity in this community. For example, one of my colleagues might decide to hold a street corner meeting in order to speak against some of the policies of this Government and he might get a large audience. I have heard someone as mild and gentle as the honourable member for Capricornia (Dr Everingham) being accused in such circumstances of inciting the people in Queensland to violence. The point is that we should not give our security intelligence forces responsibilities for legal interpretations which by their very nature must involve some subjective analysis as to whether there has been force, or whether the actions in question, are an essential part of the political fabric of the particular organisation which is under scrutiny, and use of that force is part of the ongoing methods that they regard as both legitimate and proper. Use of the term 'likely ultimately' means that a whole range of very normal political activities and citizens who are involved in normal political activities can be encompassed in that definition and because of that can be the subject of a security dossier. That is the thrust of the Opposition's argument.

Mr Ruddock—No way.

Mr HOLDING—I ask the honourable member for Dundas whether he has not been involved in such political situations. He may have been speaking on a street corner—I do not know whether he does things like that—or he may have been speaking at a heavy meeting of his party's State council. Can he say that he has never been involved in a situation that was 'likely ultimately' to involve the use of force?

Mr Ruddock—Use of force, violence or illegal acts.

Mr HOLDING—I do not want to go into the internal details of the Liberal Party. I believe that the omission of this particular clause would not neuter the Australian Security Intelligence Organisation. It would give that organisation a very legitimate and proper charter. There is no compelling reason for parliamentarians having to balance the rights of the ordinary Australian citizen and the rights of a security intelligence organisation or to make any presumption in favour of that organisation as against the rights of the

Australian citizen. That is what it comes down to. I believe that the first duty of any government instrumentality or any government police force is to preserve and enhance the rights of the Australian citizen. Legislation which by its very definition tends to reduce the rights and liberties of the Australian people is bad legislation. This clause is too widely drafted. I support the argument which has so ably put by the Deputy Leader of the Opposition, the honourable member for Kingsford-Smith (Mr Lionel Bowen).

The DEPUTY CHAIRMAN—I remind the Committee once again that we are debating an amendment proposed by the Opposition to remove the word 'ultimately' from the clause. I will insist that honourable members devote the majority of their speeches to debating whether it should or should not be in the clause. There is one thing I must say to the honourable member for Melbourne Ports. I did not interrupt him, being a gentle soul like the honourable member for Capricornia, but I will not allow him to continue talking while I am speaking from the Chair. That applies to the House generally.

Mr DONALD CAMERON (Fadden) (3.51)—Some one and a half hours have passed since discussion commenced on the meaning and the effects of the words 'likely ultimately'. If ever there was an example of how wise it would be to have a discussion in a legislation committee instead of holding up the entire proceedings of the Parliament, this is most certainly it. Unfortunately, that battle was lost last night when the Government in its wisdom decided that everything was going to be done in this chamber. Given the fact that the Australian Labor Party proposes 11 pages of amendments, we could well be here for two years. I have listened to the debate very carefully, in this chamber, or in my office. I have listened to the cut and thrust from both sides of the House. I was deeply impressed by the sincerity of the arguments put by the honourable member for Dundas (Mr Ruddock). I was equally impressed by the arguments put by members on the other side of the House, although there are some weaknesses in those arguments.

The point is that the words 'likely ultimately'—just two words—have become a stopping stage so early in the Committee stage of the debate. I can see why the Government wants to safeguard against possible events; I can see why the Government wants to allow the security organisation to place interpretations on likelihoods; but I can also understand the fear of some of the members opposite, that when this definition is

left in the hands of those who do not answer to even the Parliament, it is possible that that definition could be wrongly interpreted.

Mr Viner—They do answer to the Parliament, through the Attorney-General.

Mr DONALD CAMERON—Answer to the Parliament? The Deputy Chairman will not allow me to deviate from those two words but I remind the Minister for Employment and Youth Affairs (Mr Viner) that all the Director-General has to do is to give a little report to the Leader of the Opposition and to the Minister. It is not even specified how detailed that report must be. That report might exclude everything of importance. The Minister's remark was very provocative. He is causing me almost to fall into the trap whereby the Deputy Chairman will bring me to order. Far be it from me to want to attract his wrath.

I do not want to wander away from the clause, but I believe that if we are not to make amendment to the Act we must ensure that we have a group comprising members from the Opposition and from the Government parties with whom the Director-General will consult annually as to how the provisions of the Act are being enacted. That would allay much concern. Many of the proposals being put forward by the Opposition would probably be abandoned if the Government would agree to this point. The fear which is being expressed in this discussion today—perhaps it is more obvious to the listening public than it is to members of this House—is the fear of the unknown. Perhaps the Government sees political advantage in having the Opposition continually offside with the Australian Security Intelligence Organisation. I believe that the protection of the security of this nation is way above the level of politics. I hope that the Government will accommodate the reasoned views of members on both sides of the House and not simply dismiss them out of hand.

Mr BARRY JONES (Lalor) (3.55)—I want to take up the point made by the now absent honourable member for Dundas (Mr Ruddock). I think that he completely misread the clause. Clause 5 (1) (a) is capable of being read in several ways. It can be read narrowly, which is the way he chose to read it, that is that before the Australian Security Intelligence Organisation regards activity as subversive there were to be three elements. The first was activities which were deemed to have a likely result; the second was violence; and the third was the purpose of overthrowing a constitutional government. It is also possible to read that same clause, with its preamble, in a broad way. That broad way can

be read to encompass activities that are 'likely ultimately' to 'involve or lead to the use of force . . . by others'. Now that 'ultimate' and the 'use of force . . . by others' brings us to a situation that must be fresh in the minds of many honourable members.

We can take the case of the recent Brisbane street marches. They have involved the use of force—the use of force by others. In this case the others were the Queensland police. One could secure the opinion—and it would be entirely subjective, I remind the honourable member for North Sydney (Mr Graham)—of the Premier of Queensland. What if we had asked him his opinion, subjectively, or Mr Russell Hinze or Mr Charles Porter, other distinguished ministers in Queensland? What if we had asked this question: 'Do these street marches constitute a threat to the established constitutional government of Queensland?' I have little doubt they would have said: 'Yes'. Nobody knows that better than the honourable member for Lilley (Mr Kevin Cairns). A coach and horses can be driven between the narrow definition which was put up by the honourable member for Dundas and the broad definition which is just as fair and can be just as reasonably read into the Act.

This clause constitutes a very bad double. First of all, the context in which this clause appears is that the activities of ASIO are to be exempt from scrutiny. The other leg of the double is that dragnet powers are provided. When honourable members are dealing with this situation I wish that they would give a specific example in an Australian context of what they would regard as subversive activity. If they could give just one example of a subversive activity—

Mr Graham—I will give one.

Mr BARRY JONES—I look forward to hearing the honourable member for North Sydney, as I always do.

The DEPUTY CHAIRMAN (Mr Giles)—I wonder whether the honourable member for Lalor could explain to the Chair how the removal of the word 'ultimately' will affect the sort of argument he is putting forward. It seems to be what the discussion is about.

Mr BARRY JONES—Yes. The question of 'ultimately' is that it can be argued that it gives ASIO a dragnet power. I could say to the honourable member for Bonython (Dr Blewett), if he does not object to the example: 'We are scrutinising your activities'. He says: 'But I did not intend any harm or violence'. The answer then is to say: 'Yes, but you perhaps could not foresee what the ultimate effect of it was'. He says: 'What do you

mean by ultimate?' I say: 'Of course, it could have an ultimate effect 10, 15 or 25 years in the future'. He says: 'I did not know that'. I say: 'Yes, but we have the power to deal with what we believe is ultimately going to happen'.

Mr Kevin Cairns—Likely to happen.

Mr BARRY JONES—All right, 'ultimately likely' to happen in the subjective judgment of somebody. I would not mind accepting the judgment of the present Director-General of security as to how that might be read, or the judgment of Mr Justice Hope or somebody like that. But if, by some extraordinary act, the Minister for Employment and Youth Affairs (Mr Viner) were appointed the next Director-General of ASIO—

Mr Kevin Cairns—A very good choice.

Mr BARRY JONES—I am not so sure it would be such a wonderful choice although he could hardly do worse than he is doing now. But nevertheless one would be very apprehensive about his definition of what 'ultimately' might be. I think it has a dragnet effect. Mr Chairman, there was some discussion before you came in. I think that for the purpose of this argument you would agree that the words of preamble in clause 5 (1) have to be read concurrently with clause 5 (1)(a). We have been given no specific example of the kind of subversion which might legitimately be regarded as being within ASIO's field. The examples that have been quoted before, such as urban terrorism in Italy, the Sudentenland in 1938, the Profumo case in Britain and other cases, are very remote from the Australian experience. I think we have a very homogenous society on a whole number of social issues but not on economic issues, perhaps. We would all be in the debt of the Government if somebody could provide a specific example or two of what ASIO is going to fight against.

Another problem is that we know so little about ASIO's track record. Since 1949 ASIO has produced virtually a nil return. I would like somebody on the other side of this chamber to give us one example of one ASIO triumph, a single ASIO success since 1949. I think it is no accident that the members of ASIO are known as 'spooks' because essentially they are ghost hunters pursuing paranoid nightmare fears. Centuries ago people were readily persuaded that witches really existed and the name 'witchhunt' has a pejorative significance which has a deeply rooted historical origin. We know that members of ASIO have had enormous success in picking targets such as school cadets for example. They are very good there. They have been pretty good

in surveilling street marches. But how do they operate in the big league?

I remember something that a former President of the United States, Lyndon Johnson, said about some of the Kennedy camp followers. He said 'They could not pour' something or other, which escapes me at the moment, 'out of a boot, even with the instructions printed on the heel'. I think that is a fair description of ASIO. It seems to be an absolutely incompetent organisation from what we can learn about it. If in fact ASIO has succeeded in saving this country from subversion and revolution in the last 30 years then somebody on the other side ought to be able to get up and timidly squeak out some evidence. I hope the honourable member for North Sydney will take up that opportunity.

Mr GRAHAM (North Sydney) (4.2)—I cannot resist the immaculate charm and intellectual superiority which exudes from the honourable member for Lalor (Mr Barry Jones). Having on past occasions listened to him on the radio and watched him on television, I am aware of the acquisitions that are the result of his great capacity and I want to congratulate him. I want to say that I am absolutely intent upon giving him the cases to which he referred. I know that the honourable gentleman is gifted. I know that he can read and I know that he will study the cases, for example, of those people who in the early days of the Labor Government of Mr Curtin attracted the attention of the right honourable member for Barton who was the honourable Dr H. V. Evatt. I know he will know of the gentleman known as the 'Publicist' and the man named P. R. Stephensen. I would have thought that the honourable member for Lalor would have needed to be on this side of the House in the context of this debate had he needed to deal with the activities of the government of the day and the way in which it did deal with those people. He may like to know that they were given no opportunity of explaining their activities. Assumptions were made in relation to their guilt. I understand that they were cast into durance vile for a particular time with all of the contumely that could be heaped upon them by those gracious members of the Australian Labor Party.

Mr Barry Jones—That is a very bad example, I agree.

Mr GRAHAM—I do thank the honourable member for his comment. Furthermore, I would like to say that in the years before I came to this place, in 1946-49, after most of us had returned from a distressing experience that lasted from 1939 to 1945, there were periods when the

Government of this country led by the right honourable member for Macquarie, the late Mr J. B. Chifley, had judgments that there were people in this country seeking, as they said in the Parliament—it can be read in *Hansard*—to ultimately confuse the people and to destroy the economy. I say to the honourable member for Lalor that he should go into the Parliamentary Library and look at the editions of the *Sydney Morning Herald* for that period. By the heavenly mass, I assure him that if he does he will find a full page edition of an advertisement which says that communism is an attempt ultimately to destroy the Australian economy, and that it is a connivance, a conspiracy and a horrible, monstrous attempt to destroy Australia. At the bottom of that page he will find the names Joseph Benedict Chifley and Herbert Vere Evatt.

If the honourable gentleman is so junior and so lacking in what might be described as those maturities which one hopes will eventually emerge, besides his hirsute qualities, he would not know these facts. The Deputy Leader of the Opposition (Mr Lionel Bowen) knows about them because he was a distinguished member of the Legislative Assembly of New South Wales. If I may say with very great respect, the Premiers of that State at that time—not men of my own political persuasion; men like Mr McGirr and Mr Cahill—had very definite views. I am led to believe, if I may say so, that it was only because of a co-ordination of the views of Mr Cahill when he was the Premier of NSW and certain distinguished gentlemen with greater appreciation in higher places than this place that certain events that occurred in Victoria did not occur in New South Wales. If I use three letters, the distinguished honourable member for Lalor may understand what I mean. I refer to the letters D, L and P.

In those circumstances I am quite sure that it would be realised that the use of the word 'ultimately' is important. The fact of the matter is this: If one does not look at organisations and envisage them as being in due course led into a situation in which they can create problems then one does less than justice to the duties of the Australian Security Intelligence Organisation. If there were people in 1937 and 1938 who could have envisaged the fact that Philby was to become an active member of a government that was totally against the welfare of the government of the United Kingdom, is it the judgment of members of the Opposition that that ought not have been stated in some paper about him? Is it their view that if people such as Burgess and McLean exist in the Australian civil service they

should be protected? Do they not understand anything at all about ASIO? Do they not understand that the welfare of their nation is protected directly in ratio to the significance of the national security organisation? Have they no historical knowledge of their own political party? I suggest that they go back to 1942 and read what their party and its leaders said when Yamashita captured Singapore. I have the honour to tell them that what they read will not make them proud men.

Mr SCHOLES (Corio) (4.9)—I do not think that the justification for the Opposition's case could be more eloquently put than it was put by the honourable member for North Sydney (Mr Graham). The people he mentioned were the people who kept the security files in the United States, the people who would have made the judgments on the ultimate likelihood of a security file being required. Burgess and McLean were part of a security organisation. This clause places responsibility for making subjective judgment in the hands of people at that level.

The danger of a clause such as this is that a subjective judgment is to be made by a person who may or may not be competent to make that judgment—that also is a subjective judgment—on the future of a person who may be 16, 17 or 18 years of age. That judgment will affect that person's prospects of advancement through this society. It is a judgment that can ultimately lead to their being denied positions for which they are qualified and to which they are entitled on the basis that a security file on them exists. I think that the Committee should remember that the commencement of a security file on any person is a significant disadvantage to that person, irrespective of whether any subversive or other activity ever takes place. The persons that the honourable member for North Sydney mentioned are not the type of people who one would be talking about as ultimately taking part in a subversive activity. They were known to have taken part and were taking part in a subversive activity.

Mr Viner—It is the people you have to protect your country against.

Mr SCHOLES—I think we have to protect the country and I think we have to protect the country against people who believe that an individual's rights should be subject to the political needs or thoughts of a person such as the Minister.

The DEPUTY CHAIRMAN (Mr Giles)—Order! The honourable member for Corio had

better watch out that he does not impute improper motives against honourable members during this debate.

Mr SCHOLES—I thought that interjections were also out of order, Mr Deputy Chairman. I suggest that you should take the Minister to task. It seems to be a practice of the Chair now to call the speaker to order and not the person who interjects.

The DEPUTY CHAIRMAN—Order! The honourable member will withdraw that remark.

Mr SCHOLES—I withdraw the remark. I will make an official complaint. It is happening all the time. The facts are that the Government wants to be in a position in which it can disadvantage for life anyone whom it feels or one of its officers feels may become a political activist or just an activist.

Mr Ruddock—One of the amendments you ought to move is one to give the Government more power.

The DEPUTY CHAIRMAN (Mr Giles)—Order! The honourable member for Dundas has made his speech.

Mr SCHOLES—The clause we are talking about—

The DEPUTY CHAIRMAN—Order! If the honourable member for Corio wishes to get protection from the Chair while he is talking he should not try to shout down the occupant of the Chair when that person is talking.

Mr SCHOLES—I just said that the words of the clause we are discussing—I cannot think of anything more relevant—say that if an activity or involvement of a person may ultimately be a security risk a security file can be opened on that person.

Let us look at the facts about the success of these security organisations. How many political bombings have taken place in Australia in the last 10 years? About how many of them have we been forewarned by the Australian security organisations? How many people have been disadvantaged in Australia—denied Australian citizenship, denied positions in the Public Service and denied normal civilian rights in Australia—because of the existence of a security file?

Mr McLean—How many?

Mr SCHOLES—I can name two members of the Victorian Parliament if the honourable member wants me to do so.

Mr McLean—Go on.

Mr SCHOLES—Sgro and Sidiropoulos, who are both currently members of the Victorian Parliament and who were both denied citizenship of this country by a Liberal government because of security reports. I can name a business house in South Australia which was closed as a security risk because it was in the proximity of Salisbury. It was not closed because of any security risk but because the security officers could not get the favours that they demanded from the proprietor. That is the sort of power that will be given by this Bill.

The DEPUTY CHAIRMAN (Mr Giles)—Order! The honourable member for Corio is the only speaker so far who has not attempted to explain to the Chair or the Committee why the word 'ultimately' should or should not remain in this Bill. I now invite him to do so.

Mr SCHOLES—Mr Deputy Chairman, the word 'ultimately' gives almost unlimited power as to whether to start a security file on a person without any specific reason or need for any specific reason where security is involved or seen to be involved. The word 'ultimately' means that if, in the subjective judgment of an individual public servant who happens to be in security, that person ultimately sees a threat—it may be to his own position—in the activities or any activity which is taking place, a security file may be started. It may be started on a young person who is attending a meeting about which he knows nothing and which he is attending to find out what it is all about. Some people have an inquisitive nature. That person can find himself with a security file for life. He has no opportunity to examine that file or to have the file examined. He has no access to it and no chance to disprove what is contained in it.

The danger which we see and which I think any thinking person would see in that sort of practice is that a person's whole life is disadvantaged because there is no need to justify the opening of a file. That situation may be acceptable in totalitarian countries but it is certainly not acceptable in a democracy. Surely persons have the right to expect there to be some substantial reason for their entire careers being disadvantaged. Anyone who suggests that the opening of a security file on a person does not disadvantage that person, does not know how our system works.

If the security systems around the world had a good record—a record of documents not being leaked and of documents not being found in places where they could disadvantage people who were not friends of certain people—then it

might be an acceptable practice. However, it is not an acceptable practice judging by the track record of the organisations concerned. Certainly it is not an acceptable practice when there is no means by which the judgment to open that file on an ultimate but not actual fact can be tested by any person. Nor can the information which is contained in that file be examined. If I were to stand in this House and say that the honourable member for Ombligalabla—I do not think there is such an electorate—was seen robbing a bank, someone could challenge that statement. If that information is submitted in a secret way to a security organisation and if the note which is submitted goes in the person's file, whilst the information may be evaluated as being of no consequence, the collection of such items can be of substantial significance.

What I am protesting about is that a person can have a file into which that information can be placed without there being any justification for the existence of that file. I do not know why the Government finds it necessary to maintain the word 'ultimately' in the clause. It is not unreasonable to require some justification for the opening of a file before a person's future is threatened. It is not unreasonable for a person whose entire future could be involved to have some protection. I would have thought that in a democratic society the Parliament was responsible for and required to provide that protection. It appears that this House is involved in a practice of denying protection to citizens and acquiring for instrumentalities of the Government of the day means by which the rights of individuals can be denied rather than protected.

Mr CARLTON (Mackellar) (4.18)—Mr Deputy Chairman, I intend to direct my remarks to the word 'ultimately'. Obviously there is a problem in this debate in that the Opposition is suggesting that by omitting the word 'ultimately' all the complaints that have been expressed by its members against paragraph (a) of sub-clause (1) of clause 5 will somehow be eliminated. I just cannot understand that reasoning. For the information of anybody coming from Mars or anybody who has just turned on his radio I point out what we are actually discussing at the moment is the definition of the word 'subversion', which is an extremely difficult matter. After stripping out the words that are not immediately relevant in the clause, clause 5 (1) reads:

For the purposes of this Act, the activities of persons . . . that are to be regarded as subversion are—

- (a) activities that involve, will involve or lead to, or are intended or likely ultimately to involve or lead to, the use of force or violence or other unlawful acts . . .

The remarks of Opposition members are intended to suggest that by leaving out the word 'ultimately' all of their objections will somehow disappear. It strikes me that most of their remarks have been directed towards attacking the idea of defining 'subversion' in any form. If the word 'ultimately' were crossed out, we would still be left with such phrases as 'or lead to'. It strikes me that that phrase is very much in the same context as the word 'ultimately'. I think that the matter of individual judgment which has to be applied is no less severe when a person looks at the words 'or lead to' than it is when he looks at the word 'ultimately'. In other words, even if the Government were to accept the amendment put forward by the Opposition I fail to see how that would put its fears to rest.

In fact, the speech of the honourable member for Lalor (Mr Barry Jones) and the speech of the honourable member for Corio (Mr Scholes) were directed, it seemed to me, against any definition of the word 'subversion'. Does the Opposition really want to eliminate any definition of the word 'subversion'? Basically I challenge the honourable member for Lalor in this matter because he seemed to be asking a series of questions. He seemed to be asking whether there really was any such thing as subversion which could be defined within the Australian community. He asked honourable members on the Government side to give examples of subversion. My friend, the honourable and gallant member for North Sydney (Mr Graham) gave an excellent example of what was meant.

Mr Barry Jones—Contemporary examples.

Mr CARLTON—I think one could quite easily consider contemporary examples of the same kind. Unless the Opposition can come up with substantial arguments related specifically to the one word which it asks us to withdraw and unless it can explain how the withdrawal of that one word will remove all of its objections to that part of the clause, I am afraid I will have to support the retention of that word. I believe that the definition of 'subversion' is an extraordinarily difficult thing. I do not think any of us on either side of the House are particularly happy about the necessity to have a security intelligence organisation. None of us is particularly happy about having to get down to the rather dreadful business of defining the word 'subversion'. I feel very sorry indeed for the draftsmen who have to come up with a definition which will somehow deal with all kinds of possible actions which could lead to the destruction of our society and which does not in any way infringe individual liberties.

To me it is an almost impossible task. Certainly members of the Opposition acknowledged that point when they said that there was an element of individual judgment in this matter. I cannot see how it would make any difference to the ASIO operator, at whatever level, in his selection of a matter for a file if the word 'ultimately' were left out. I am not a draftsman; I am not a legal person. I find it difficult to see the need for all the words in the paragraph concerned. The one thing that I am absolutely certain of is that the removal of this one word would not remove the objections of the Opposition to that part of the clause.

Mr HOLDING (Melbourne Ports) (4.23)—I want to take up the point which the honourable member for Mackellar (Mr Carlton) was making by referring to an existing situation in Australia. The thrust of our arguments goes to the deletion of these two words 'likely ultimately'.

The DEPUTY CHAIRMAN (Mr Giles)—Order! The Chair understands that only one word is mentioned in the amendment.

Mr HOLDING—That is right, but that is the context. Let me postulate a set of facts. The problem is: What sort of political problem do we drop on the plate of the Director-General? I wish to refer to a situation which is occurring constantly in Queensland, namely, the question of street marches. If a citizen participates in a street march in Queensland—street marches are against the law—does that constitute a set of circumstances which ought to be brought to the attention of the Director-General for the purpose of keeping such a person under scrutiny and under surveillance for the purposes of this Act? That is, does the act of marching by a person who feels strongly against that law render the citizen who exercises that right subject to the definition of 'subversion'?

Mr Graham—What about if he flies from Sydney to Brisbane just to march?

Mr Ruddock—Even if the definition covers it, ultimately it does not alter it.

The DEPUTY CHAIRMAN—Order! Honourable members have made their speeches.

Mr HOLDING—My own view would be, and I believe many members of the Liberal Party would support my view, that the action of any citizen in marching in order to protest against a law that prohibits marching is not the sort of act which ought to attract the operation of this section, and it should not attract the attention of the Director-General.

Mr Kevin Cairns—Of course it depends a little on when you march, you know.

Mr HOLDING—Well, here it comes.

Mr Kevin Cairns—No, it depends a little on when you march.

Mr HOLDING—I am grateful for the interjection because—

The DEPUTY CHAIRMAN—Order! The Chair is not grateful for the interjection. The Chair still wants to know how you think the situation would be overcome by omitting the word 'ultimately'. To my mind you still have not established this.

Mr HOLDING—That is what I now propose to deal with. If one were to have a Director-General who was a man of small 'l' liberal approaches, and he looked at this section on what falls within the definition of subversion—and subversion is what we are talking about—because the act has to involve or lead to an unlawful act—he could rule that the act of marching was an unlawful act. On any interpretation, I think it is true to say that the act of marching will lead to an unlawful act because it will involve a breach of a law which, whether people like it or not, is unlawful.

Mr Viner—It involves marching.

Mr HOLDING—That is right. We have now got to that stage. The question now is whether that act was carried out for the purpose of destroying the constitutional government of the Commonwealth or of a State. I take the view—and I believe many small 'l' liberals would agree with me—that the act of marching by a citizen who wants to protest against a State government which says that he cannot march without a permit, is not the kind of political or social action which ought to attract the operation or the attention of security forces in order to prescribe that citizen as being involved in a possible act of subversion. When that problem arises and is on the desk of the Director-General I think that if he were to take the view that I have just expressed, he could argue that way. But can any Director-General, no matter how small 'l' a liberal he might be, or could the honourable member for Dundas (Mr Ruddock) for that matter, take the view that the act of marching cannot constitute a situation which is likely ultimately—and that is the problem—is likely ultimately to overthrow the State?

Mr Kerin—Bjelke takes that view.

Mr HOLDING—There can be no doubt that the Premier of Queensland has made it perfectly clear that he regards the act of marching per se as

ultimately directed to overthrowing the State. The honourable member for Lilley (Mr Kevin Cairns) says that he believes that way too, although it depends, he seems to think, what time of day or night the march takes place. The point I make is that the use of the term 'ultimately' involves a series of judgments. It is a very different thing for anybody to say: 'Well, perhaps a march today and tomorrow might not ultimately involve the overthrow of the state'.

Mr Barry Jones—Or violence by others.

Mr HOLDING—That is right. That is the dilemma, and I do not believe that the Director-General ought to be placed in that dilemma. If I have to choose as to the role and the responsibilities of our security organisations, I do not believe they ought to be wasting time collecting dossiers on people who are marching up streets in Brisbane and being grabbed by sturdy policemen. I take the point made by the honourable member for North Sydney (Mr Graham) about Burgess, McLean and Philby. The point about all of those gentlemen is that they were not the type of people—they were too well bred; they were so much part of the establishment to attract the attention of the security organisation—

Mr Barry Jones—But they were part of the security organisation.

Mr HOLDING—I appreciate that; I am going to come to that. Not only were they part of the security organisation, but the security organisation, instead of worrying about Burgess, McLean and Philby, was probably trailing some trade union secretary to a meeting. That is the dilemma. The dilemma of this clause is that it imposes a responsibility on the Director-General which means that he does have seriously to consider whether he is going to waste the time and funds of his organisation by placing officers of security in buildings in Brisbane to take photographs of people who are exercising their democratic rights. That is what it comes down to. I do not believe that that is a situation that ought to be on the plate of the Director-General. I think that far more serious and far more important things ought to be occupying his attention. Whether one likes street marches or not, that argument is really part of the ongoing democratic argument in our community and in my view ought to be excluded from security surveillance. So long as this clause is worded in this way I do not believe any Director-General could safely say: 'Well, I take the view that those actions by those citizens cannot be likely ultimately to lead to an overthrow of the state'.

This is political conjecture that he is involved in where I think he would be bound to act somewhat strictly in accordance with the terms of the legislation. That is what worries honourable members on this side of the chamber. I do not believe that those sorts of actions ought to be able to be placed within the context of subversion because I do not believe that they are subversion, and I do not believe that the Director-General ought to have to consider whether those actions constitute subversion, and they should not be taking up the time and the funds of our security organisation. That is the point I make. To leave the clause in this way creates that problem for the Director-General. I come back to the point that I made previously, that a narrow definition—and it will be slightly narrower if the amendment is carried—will not, in my view, seriously hamper for one moment the operations of our security organisation. I do not believe that we should be involving the Director-General of Security in situations where we give him a definition that is so broad, so wide that he finishes up having to involve himself and having to involve his service in what has been described as spook activities which are directed towards the legitimate rights, the legitimate expression of view and the legitimate exercise of the civil liberties of the Australian people.

Mr GRAHAM (North Sydney) (4.33)—Very quickly and very briefly I would like to say this: I came to this place in 1949-50 into the Nineteenth Parliament. This is now the Thirty-first Parliament. If I learnt anything in those years, listening to the elders who were in this place, I learnt something that perhaps in my own mind made me a little more mature and a bit more aware than I was in previous years. Every comment that the distinguished and honourable member for Melbourne Ports (Mr Holding) has made, with all the years of experience he has had in the Parliament of Victoria, seem to indicate that he has learnt absolutely nothing from history. Is it a fact that the honourable member for Lalor (Mr Barry Jones), a distinguished historian, has learnt absolutely nothing? Does he not understand that the people who started during the Weimar Republic in the previous decades, were seen marching in the streets? Has he never heard of Captain Ernst Roehm? Has he never heard of the SA—the Sturmabteilung? Has he heard nothing at all of the brownshirts? Has he heard nothing at all of what was called the National Socialist German Workers Party? Why was it given a name of that description if it were not, as a national socialist German workers party, to make in the ultimate sense an appeal to those people less sophisticated

than the great majority of electors in that country? The fact of the matter is this: The story can be seen throughout the whole history of Europe. I ask the honourable member for Lalor to stand in this place and tell us of Prince Ruediger von Starhemberg in Vienna, to tell us about Dollfuss and the way he was murdered, to tell us about the ultimate event that took place in Prague, to tell us about Dr Edward Benes, Jan Masaryk, and all of those people who were part and parcel of the picture of 50 years of subversion.

The word ‘ultimately’ has a long term connotation and deals with judgment. If there were people who could have made a judgment in 1930, 1932, 1934, 1936 and 1937, does the honourable gentleman understand that millions of people who are now dead might be alive today? Does he understand that there might have been some negotiations, some co-ordinated cohesion of human beings, that would have perhaps avoided the horrific World War II? Do these events mean nothing to the intellectual giant who comes amongst us and tells us that we should argue only in the contemporary context? Mr Deputy Chairman, I have heard some nonsense in my life, but by the heavens I have heard no such nonsense as that which I have heard in recent times.

Had the former leader of the Labor Party in the Victorian Parliament become the Premier of that State, in my judgment based on some of the speeches that he has made in the past, he would have made it clear to the honourable member that he would not have tolerated masses of people, activated by emotions, reasons and influences of which he would not have approved, charging up and down Collins Street and creating great misery for the people in the great city of Melbourne. When people go from Victoria and New South Wales to Queensland and pay money to fly interstate, at levels of which the Labor Party is always complaining—and go there, I might add, at the taxpayers’ expense—to appear as though they are in some Gilbert and Sullivan fantasy, to march up and down the streets of Queensland to irritate a Scandinavian who is now the Premier of that State, it seems to me to be nothing less than bizarre.

I repeat that if we want to know what members of the Labor Party truly think and what are their emotions about subversion, we have to go back beyond the rump that sits in this Parliament. In my mind there is a clear understanding that the Ministry in 1948 and 1949 knew what subversion was. Do honourable members opposite know what their greatest

Prime Minister did? He put the soldiers into the coal mines. Honourable members opposite would have stood like a pack of people immune from a concentrated judgment. They would have stood, as in the present context, to moan, groan and complain about direction from the Prime Minister. That is the sort of thing that members of the Labor Party do when they are in government. But when they are in opposition—I must admit that this is what most oppositions do—they cry with the *savoir-faire* and charm that are normally detectable in Montmartre and San Antoine.

Dr BLEWETT (Bonython) (4.37)—I cannot see what the last five minutes rhetoric has to do with the word ‘ultimately’. I just ask to have half the time used by the honourable member for North Sydney (Mr Graham) simply to correct the prime historical fallacy, because it relates fundamentally to this debate. As I suggested the other day, the important point is that, both in the case of Weimar Germany and in the case of democratic Austria in the 1930s, the government was betrayed by its secret police. In both of those cases forces within the secret agencies owed their loyalty either to an old regime or to bodies outside the democratic government. The whole of our purpose in this debate is not to destroy the authority of democratic governments but to prevent those sorts of things from happening—to make sure that the secret agencies which we necessarily have to employ but which we regret employing are, in fact, responsible to the democratic government.

Mr Viner (Stirling—Minister for Employment and Youth Affairs) (4.39)—This debate has gone on for quite some time and has been a matter of great interest; but that is not unexpected as this is the very first amendment to be debated. There has swirled around this one word argument against the very substance of the legislation and the very existence of the Australian Security Intelligence Organisation. As time goes on in this debate it will be most revealing to see where those speakers who spoke against the inclusion of the word ‘ultimately’ ultimately stand with respect to the very existence of ASIO. Therefore, let me take a moment to refer to some of the things said by Mr Justice Hope in his report. I do so because people listening to this debate might think that neither this Government, Mr Justice Hope, nor ASIO itself, has any regard for the individual rights and freedoms of Australian citizens. This Government knows, as did Mr Chifley and the Menzies Government before us, that in this area there is a delicate balance between those individual rights and freedoms and

the security of our nation. We know also that at times it presents dilemmas to us—

Mr Lionel Bowen—Mr Chairman, I take a point of order. The Minister is virtually making a second reading speech in reply to what he thinks the Opposition’s view is on ASIO. It is quite clear that we support ASIO. We are arguing the definition of ‘subversion’ in the context of whether the word ‘ultimately’ should be in that definition. It has nothing to do with a wide-embracing debate that we would love to have at any time on the merits of intelligence forces. We support an intelligence force, but we do not support the definition which apparently has been drawn by some parliamentary counsel who, I submit, is not even a member of the Government. We are talking about words. If this sort of speech is to be made, every one of us will get up again in order to reply to the sort of innuendo that has been created. Let me make it very clear that we want to talk about only the drafting of the clause, not the principle of the Bill.

The CHAIRMAN—The question before the Committee at the moment of necessity has invited debate which has possibly sorely taxed the matter of relevance; but, on the assumption that the debate has met with the approbation of the Committee and has not contravened Standing Orders, the Chair has been inclined to be tolerant. During the course of the debate the matters to which the Minister presently refers have been advanced and accepted as relevant. Therefore, I am prepared to hear the Minister further.

Mr Viner—Thank you, Mr Chairman. Mr Justice Hope said:

I have started by considering whether Australia needs a security service such as ASIO was created to provide. That leads to a consideration of what is, or should be, the proper place of a domestic security service in a liberal democracy like Australia.

I have had in mind throughout my inquiries that a balance between the rights of individual persons and the preservation of the security of Australia as a nation is no simple or easy thing to achieve. But, ‘in the final analysis, public safety and individual liberty sustain each other’.

I refer to another statement of Mr Justice Hope, particularly to answer a statement made by the honourable member for Fadden (Mr Donald Cameron) Mr Justice Hope said:

ASIO is an organ of the executive government of the Commonwealth. Although many of its operations must be secret, it is nevertheless answerable to Ministers, and through them to the Parliament and the people.

I quote that because the honourable gentleman quite fallaciously said that ASIO is not answerable to the Government or the people. This legislation shows how ASIO is answerable to the

Attorney-General and, through the Attorney-General, of course, to the Parliament and the people. Furthermore, as ASIO is an organ of the executive government of the Commonwealth, this Government must be answerable for the activities of ASIO to this Parliament and to the people. Much of the criticism of the use of the word 'ultimately' turned on the fact that the Australian Security Intelligence Organisation might mismanage or misuse the authority that is given to it. We know that no man or woman in this world is perfect and therefore it is understandable that Mr Justice Hope said that:

As an organisation ASIO needs management. Over a number of years ASIO's management was not as good as it should have been. If Australia needs a security service—and I shall show that it does—it must be well run. Those working in it must have high personal qualities.

When speaking of the fact that he found some disorder in ASIO's files he said this:

I have taken the view . . . that my task is to make recommendations for the future rather than to seek to track down the truth or otherwise of past errors or alleged past errors.

I think those words might well be quoted to some of the honourable members who have spoken in this debate. Nor is it an answer to the use of the word 'ultimately' in this definition to refer to the White report upon the activities of the Special Branch of the South Australian State police. We are not debating the State Special Branch of South Australia; we are debating a Bill to give special authority to the Australian Security Intelligence Organisation. I make it quite clear that the State Special Branch is not ASIO. So let us debate upon the basis of the Hope report and not of the White report. The Government has not simply plucked this word 'ultimately' out of the air. As I said earlier, it was, in fact, a recommendation of Mr Justice Hope that the word be used in the juxtaposition of the three fundamental elements of the meaning of subversion as provided for in clause 5 (1) (a). It refers to:

activities that involve, will involve or lead to, or are intended or likely ultimately to involve or lead to,

That is one element. The second element is:

the use of force or violence or other unlawful acts—

The third element—of course, this is a fundamental and vital element—in the clause is:

for the purpose of overthrowing or destroying the constitutional government of the Commonwealth or of a State or Territory;

I think that when one understands those three fundamental elements one can quickly draw the conclusion that the kind of example that the honourable member for Melbourne Ports (Mr Holding) was referring to would not come within the meaning of 'subversion'. He used the

example of street marches in Queensland. Of course, what is lacking from his example is the third element. There is a clear distinction between activity intended to or likely to change the law or change a government at the ballot box on the one hand and activity which has as its purpose the overthrow or destruction of a constitutional government as we know it in Australia. I think that distinction must be very clearly borne in mind. It will be borne in mind if one appreciates the three fundamental elements in the meaning of 'subversion', and that is why the word 'ultimately' is critical to the authority of ASIO to act in the interests of national security. Having said that and having listened to all the contributions in this debate from both sides of the House for which I thank honourable members, I think that the House will see why the Government cannot accept the amendment proposed to remove that word 'ultimately' from the clause.

Question put:

That the word proposed to be omitted (Mr Lionel Bowen's amendment) stand part of the clause.

The Committee divided:

(The Chairman—Mr P. C. Millar)

Ayes	69
Noes	30
Majority	39

AYES

Adermann, A. E.	Johnston, Roger
Aldred, K. J.	Jull, D. F.
Anthony, J. D.	Katter, R. C.
Baume, M. E.	Luccock, P. E.
Birney, R. J.	Lusher, S. A.
Bourchier, J. W.	Lynch, P. R.
Braithwaite, R. A.	MacKellar, M. J. R.
Brown, N. A.	MacKenzie, A. J.
Bungey, M. H.	McLean, R. M.
Burns, W. G.	McLeay, John
Burr, M. A.	McMahon, Sir William
Cadman, A. G.	McVeigh, D. T.
Cairns, Kevin	MacPhee, I. M.
Calder, S. E.	Martyr, J. R.
Cameron, Donald	Moore, J. C.
Cameron, Ewen	Neil, M. J.
Carlton, J. J.	Newman, K. E.
Chapman, H. G. P.	Nixon, P. J.
Cotter, J. F.	O'Keefe, F. L.
Dean, A. G.	Porter, J. R.
Dobie, J. D. M.	Robinson, Eric
Drummond, P. H.	Robinson, Ian
Ellicott, R. J.	Ruddock, P. M.
Falconer, P. D.	Sainsbury, M. E.
Fife, W. C.	Shack, P. D.
Fisher, P. S. (Teller)	Shipton, R. F.
Giles, G. O'H.	Short, J. R.
Goodluck, B. J.	Simon, B. D.
Groom, R. J.	Staley, A. A.
Haslem, J. W.	Street, A. A.
Hodges, J. C. (Teller)	Thomson, D. S.
Howard, J. W.	Viner, R. I.
Hunt, R. J. D.	Wilson, I. B. C.
Hyde, J. M.	Yates, W.
Jarman, A. W.	

NOES

Armitage, J. L.	Innes, U. E.
Blewett, N.	Jacobi, R.
Bowen, Lionel	Johnson, Keith (Teller)
Brown, John	Johnson, Les (Teller)
Bryant, G. M.	Jones, Barry
Cameron, Clyde	Kerin, J. C.
Cass, M. H.	Klugman, R. E.
Cohen, B.	McLeay, Leo
Dawkins, J. S.	Martin, V. J.
Everingham, D. N.	Morris, P. F.
Fry, K. L.	Scholes, G. G. D.
Holding, A. C.	Wallis, L. G.
Howe, B. L.	West, S. J.
Humphreys, B. C.	Willis, R.
Hurford, C. J.	Young, M. J.

PAIRS

Corbett, J.	FitzPatrick, J.
Edwards, H. R.	McMahon, Les
Hodgman, M.	Jones, Charles
Lloyd, B.	Jenkins, H. A.
Garland, R. V.	Uren, T.

Question so resolved in the affirmative.

Mr LIONEL BOWEN (Kingsford-Smith) (4.58)—I move:

Clause 5, page 3, line 9, before "activities" insert "unlawful".

In debating the Australian Security Intelligence Organization Bill we are dealing—grappling might be the more appropriate word—with a legal definition of the word 'subversion'. In an attempt to define the meaning of subversion, clause 5 reads:

(b) activities directed to obstructing, hindering or interfering with the performance by the Defence Force of its functions or the carrying out of other activities by or for the Commonwealth for the purposes of security or the defence of the Commonwealth;

Nobody would have any objection to the principle that there should be no hindrance to the performance of the Defence Force in looking after the security of the nation. The key point in the sub-clause is that subversion is deemed to exist when the activities are directed towards that purpose. From a drafting point of view, what activities are considered to be subversive? The point I am trying to make is that there is no objection at all to the whole weight of the clause being applicable to activities that are directed to obstructing, hindering or interfering with the performance by the Defence Force of its functions. It is a question of what sort of activities are deemed to do so. The Opposition is attempting to define the activities because they are related to subversion. When activities have an element of subversion in them a file is made on those people who are involved in the activities. In our view it is appropriate to define the activities as being unlawful activities which will hinder the Defence Force and prevent it from looking after the security or the defence of the nation.

It will be noted that the whole purpose of the clause centres on the effects of activities but the clause does not categorise the activities. Again it leaves that to a subjective judgment. We of the Opposition say that the activities ought to be defined as unlawful. Let me cite an example of what we would deem to be a bona fide activity. A union dispute on the waterfront about a vessel being a health hazard because it had not been fumigated could be interpreted by somebody to be in some way, remote as the dispute may be from subversive activity, to be hindering the performance of the Defence Force because the vessel is being used for carrying supplies somewhere up north. It can be seen that there has to be an intelligent appraisal, and I use the word 'intelligent' in terms of skill, as to what we are about. The words 'hindering or interfering' are well known in industrial law. They simply cannot be translated from the industrial context to a definition of subversion. In intelligence operations skill is required to determine the real intent of the activity. It seems that, in determining whether an activity is interfering with the performance of the Defence Force or of its function, the activity must be identified on an intelligent basis as being an activity that is related to the overthrow of the nation or interfering with the security of the nation.

Another example of a bona fide activity in which people may be engaged from the point of view of their conscience involves those people saying that others should not join the armed forces. That could be their point of view. We have what is called conscientious objection. If people were to engage in that sort of activity would it be deemed to be hindering the function of the Defence Force? Some people could suggest that it would be. In our view, those people again could be deemed to be guilty of the act of subversion.

Mr Ruddock—It is not guilty of an act. It is warranting surveillance.

Mr LIONEL BOWEN—I am trying to make that point. When does a person become liable to surveillance. I want to make it very clear that—

Mr Ruddock—Make it clear that that is what it is—not guilty of an act.

Mr LIONEL BOWEN—Guilty of an unlawful act; that is the point. I invite the honourable member in due course to talk about the point I have just made. If someone says: 'I don't think people should be joining the armed forces' and he is making speeches to that effect, that could be deemed to be an activity that could hinder the recruitment of people to the forces, but it is not an

unlawful activity. There is a distinction. It is as clear as can be. Let me come to the point of what the Opposition is about in regard to this difficult matter of the definition of subversion. We need to give guidance to the people who will operate under this legislation. Mr Chairman, you know that the legislation was not drafted by Government members. It had to be drafted by a parliamentary counsel. I submit that if three different counsel were to draft this clause there would be three different versions. The whole purpose of this debate is to try to indicate the difficulties in the wording of the clause. Let me quote what Mr Justice Hope had to say on the question of intelligence skills. He said:

Thus intelligence assessment is no simple or routine activity but a highly skilled and subtle task. I must report that I saw little evidence in ASIO that the qualities of mind and expertise needed were recognised, or available in any large measure.

I do not think that the whole course of ASIO has been changed since Mr Justice Hope made those remarks. We have to give it some guidance. In other words, we have to impart what democracies are all about and what opposition parties mean when they talk about a bipartisan attitude to security. We do not want files to be kept on people simply because their activities can be interpreted in accordance with this clause, through the lack of skill in drafting it, as necessitating some action. Because somebody makes a speech urging people not to join the armed forces he should not be deemed to be guilty of subversion. The Hope report clearly shows that intelligence gathering in the past has been a failure. As members of parliament we all know that a lot of information about people has been wrongly collected and used against them. Mr Justice Hope said so. Adverse reports have affected people's livelihoods.

Mr Graham—You do not believe that. You did not accept that as a senior Minister in your Government. Do you really mean that?

Mr LIONEL BOWEN—I really mean it. The honourable gentleman made a delightful contribution to the debate this afternoon. Far be it from me to downgrade him for his skill in this regard. He should look at what Mr Justice Hope said about adverse reports. The honourable member is always a gentleman and is prepared to listen to an argument. I invite him to look at page 63 of the second report of the Royal Commission. It states:

Among the records I have seen are cases where an adverse assessment has been acted upon, and where a mistake of fact or of judgement may have been made. If such a mistake is made, a grave and permanent injustice may be done to the

person the subject of the assessment, whether or not the assessment is followed by the employer authority.

Mr Graham—He says that it may have been made.

The CHAIRMAN—Order! The honourable member for North Sydney will have an opportunity to speak if he so desires.

Mr LIONEL BOWEN—It has happened. The evidence is there. The point I am making in relation to the drafting of this difficult definition of subversion is that all activities, in some cases, might be interpreted as hindering the defence forces. But such activities have to be unlawful activities in that they directly relate to preventing the forces from looking after the security of the nation. Otherwise we fall into the difficulty of the intelligence authorities interpreting the words in this clause in their own way.

The CHAIRMAN—Order! The honourable member's time has expired.

Mr RUDDOCK (Dundas) (5.8)—Clause 5 (b) deals with activities directed to obstructing, hindering or interfering with the performance by the defence forces of their functions or the carrying out of other activities related to the security and defence of the Commonwealth. The Opposition is proposing that this clause be qualified by stating that the activities which obstruct or hinder our defence forces must be regarded as unlawful before the Australian Security Intelligence Organisation would be in a position to take some notice of them and to obtain, correlate or evaluate intelligence about them. This is a remarkable proposition. It would have been easier simply to remove the clause altogether than to characterise it as requiring some unlawful connotation before ASIO could become involved. If it is unlawful for people to do what they are doing, let the police deal with them. Perhaps it would be appropriate for some civil authority to move in and punish those who had carried out an unlawful activity. Why does the Opposition want to qualify the clause in this way? What is it attempting to achieve? It became quite clear that while the Deputy Leader of the Opposition (Mr Lionel Bowen) may have had other examples in mind—he referred to conscientious objection—his intention was to protect the trade union movement and its right to act in any area in industrial disputes in any way it saw fit. What he is saying in effect is that even though such activity may obstruct, hinder or interfere with the performance of our defence forces it is, in his view and in the view of his Party, defensible. I find that suggestion quite objectionable.

Dr Everingham—That would be unlawful anyway.

Mr RUDDOCK—It would not be unlawful unless a union was indulging in certain activities which were, by their character, unlawful. If it were maliciously damaging property or something of that nature such activity would be unlawful. The defence forces may be genuinely involved in the defence of the country. I am not referring to Vietnam which was necessarily related to a quasi political issue. Some people in the trade union movement might protest or refuse their labour in order to undermine the effort of our defence forces. The Opposition is saying that our security force would not be able to carry out its function of obtaining, correlating and evaluating intelligence in order to protect our defence forces. I regard that approach with a degree of abhorrence. Nobody wants to persecute unreasonably the trade union movement for its pursuit of its industrial causes. Other legislation deals with those matters in any event. But if its activities are directed to obstructing, hindering or interfering with the performance of our defence forces, surely we want information about them?

The Australian Security Intelligence Organisation is not designed to stop people from doing what they want to do. It is designed to collect intelligence information to enable us to be informed about their activities. The Deputy Leader of the Opposition spoke of a guilty act. He directed his attention to these words and suggested that the activities would make somebody guilty of an act. That implies that some consequence in relation to a person's or a union's activities will arise from this legislation. No consequences flow from a person's directly obstructing, hindering or interfering with the performance of the defence forces except the consequence of allowing the Australian Security Intelligence Organisation to collect and evaluate information about people who are carrying out those activities. How can the Opposition find that consequence objectionable in the context of our defence forces whose function it is to protect the security of the country? Let us not get hidebound in words designed to limit the function of the Organisation to collect information. Let us not circumscribe it in words such as 'unlawful'. That would mean that we would have to show that some other Act of Parliament had been breached before an activity could be reviewed and, in the words of the Act 'correlated and evaluated' as intelligence information.

This clause is a proper clause as it is drawn. It is a responsible function of the Security Organisation to protect our defence forces and collect information to ensure that it is free and able to carry out its proper role of defending and protecting this country. I strongly urge the Committee to reject this amendment and certainly not to circumscribe this clause in such a way that would prevent ASIO from protecting our defence forces in the role they have to carry out for us all.

Mr BRYANT (Wills) (5.15)—The honourable member for Dundas (Mr Ruddock) really wrings my heart. Let us imagine some of the situations in which these adverse reports may be developed about members of the Public Service; for example, people employed in the railways, who strike at a time when they should be carrying a load of military material somewhere. It is not unusual, it has happened. In 1944, when I was returning from defending the north, in Darwin, we could not take the train because there was a strike on. It was not against the defence effort or anything else but against the working conditions at the time. We had to come back from Darwin some other way. In the atmosphere of the times the honourable member for Dundas would have said that was subversion and interfering with the defence effort. Somebody such as he, working for the security service—at the time we did not have a security service of this type to protect us—writes out the details which go in a report somewhere.

The person working in the system has perhaps never been naturalised. At some stage he puts in his application to be naturalised. When he puts in his application, it is denied for various reasons. So the honourable member for Dundas has a word with the Minister about it. The Minister, being a courteous gentleman in those times—later on when I discussed a similar matter with him, he had something on—would have said: 'Well, as a matter of fact, perhaps I should not say this, but he is adversely known'. That is about all there is to it, adversely known. The particular person I am thinking about was not involved in the Darwin matter but in similar activities at another time. His naturalisation was held up for many years. As Mr Justice Hope said, this creates injustice that can flow on for a lifetime. This subject is one that can be resolved only around the table in discussions, which we were holding last night, about whether we ought to go to a different form of committee discussion on the legislation.

I would not like to have to sit down and to write a definition of subversion any more than I

could of liberty or democracy or any such abstract subjects. I studied this clause. The draftsman has been working hard at trying to cover everything and, in so doing, one might say he covers nothing. There are very few activities that honourable members could indulge in politically that could not be covered under clause 5 (a). Remember that in dealing with politics one deals with the nuances of politics, but there are people involved in defining these clauses who are committed perhaps one way or another and living a life of isolation. In many respects that legislation prevents the people who are involved in the Australian Security Intelligence Organisation from being a general part of the community. It is unlikely that its members belong to the Australian Labor Party. It is unlikely that they attend, as a normal thing, the ordinary meetings at which trade unionists are involved, or even people involved in various other activities in the community.

My impression is that the security service becomes an increasingly isolated life in which an evaluation is likely to be made out of that background. In all these matters, the atmosphere of the day could change dramatically so that we could have a totally different view of the meaning of subversion, and the people making the judgments would have totally different views. This does create great difficulties. So anything can be obstructing the defence forces. If there is a petrol strike or the people who are supposed to be handling the petrol at Fairbairn Air Force Base stop the RAAF taking off after a few days, they would be obstructing the Defence Force. People such as myself, who took part in the demonstrations and who gave the encouragement to people not to register during the Vietnam conflict, would be obstructing the development of the Defence Force because we discouraged people from joining up.

Mr Ruddock—You are leaving out the additional words: ' . . . for the purposes of security or the defence of the Commonwealth'. It is not just obstructing the Defence Force. It is in the exercise of its functions.

Mr BRYANT—I will try to simplify it—I withdraw that because I know the honourable gentleman is making an effort to see what it is all about, looked at from my point of view. I have lived through one of the most turbulent times in Australian political history.

Mr Donald Cameron—You caused it.

Mr BRYANT—A good deal of it, yes, and brought it to a satisfactory conclusion; we removed you lot from office in 1972. When I first

became involved in politics, the Communist Party Dissolution Bill was one of the principal factors in public discussion. Nearly everybody, even people who just gave out tickets for the Labor Party at the referendum, were being dubbed as communists and so on. Communists, by definition, were people who were against the defence of the Commonwealth. People were being judged in an atmosphere which, to most of us here now, seems so foreign and alien that it is hard to believe. But it could occur again.

I think we have embarked upon an almost impossible task to attempt to define subversion in this way. Most of the people involved in making these judgments are people isolated from the community in many respects. They are making judgments probably from fixations and obsessions and prejudices of their own—as we all must—and then they are recorded somewhere. It is true it is not an executive instrument, as I think I heard the honourable member for Lilley (Mr Kevin Cairns) say in the course of the debate, but insofar as it helps in the construction of administrative judgments it is a very powerful instrument for injustice. I think this clause sets out on an impossible task. I do not think one can define subversion. I think one can define particular acts and that is the best one can do. We have the Crimes Act, the Defence Act and probably other areas where these matters are defined.

As mentioned in clause 5, activities directed to promoting violence or hatred between different groups of persons in the Australian community so as to endanger the peace, order or good government of the Commonwealth, can include a lot of people—all the Government members who have attacked me so vigorously in the past, and so on. Sometimes I may even have defined them in a similar way. I make the point that these are not facts in the strict sense of judgments about people's attitudes and behaviour which cannot be defined.

In ASIO, which we are not just creating but strengthening in its own work rather than in the nation's work, we are likely to be marching down a path that will perpetuate injustices and probably compound them. I do not know that the Australian community needs that kind of definition. I think there must be better ways of doing it.

I agree with the Deputy Leader of the Opposition (Mr Lionel Bowen) that this provision needs reconsideration. I do not believe we can give it consideration in this sort of give and take. There must be some way in which we can all sit around and finally put on the statute books

exactly what we mean, if the majority of people think we need to have it defined this way. I do not happen to agree that we need to do it. I know that Australian society has changed in the past 30 years. It is a substantially different society in its ethnic background from what it was, but it is one of the few countries in the world that, in the strict sense, has never had a traitor. We have never had to shoot anybody for betraying us. On many occasions people have been accused of having done that but we have never had to shoot them. We have never had to shoot any soldiers. Under the circumstances, we are dealing with a society that is different from most others. ASIO itself was created out of a particular problem at a particular time in the late 1940s. I am not too sure that the legislation and the actual apparatus that we are considering here has not become an anachronism. Perhaps we need to take a fresh look at the whole situation.

Mr DONALD CAMERON (Fadden) (5.24)—I will be very brief because I cannot see any real point in taking up the full 10 minutes, as the three previous speakers have done, in the Committee stage. That it is happening underlies once again the plea I made yesterday evening that this matter would be far better discussed by a legislation committee because we have spent three hours 10 minutes discussing two words all afternoon. In my second reading speech on Tuesday night I said that anyone who opposed this particular clause would be opposing motherhood itself. I never really believed that anybody could possibly come out against this clause. But then we heard the quaint interpretation of the previous speaker, the honourable member for Wills (Mr Bryant). I say that with respect, because although often we disagree violently with the views of the honourable member, there is a feeling of friendship towards him. He cited as an example his experience when coming back from the defence of Darwin. I am not sure whether he served outside Australia. Did he?

Mr Martin—Of course he did. He was a gallant soldier.

Mr DONALD CAMERON—He was a soldier who had served overseas and in the defence of Darwin. He talked about a train stoppage, a strike, when he was coming back on leave. There was a strike and the soldiers had to find alternative means of getting back to Melbourne or wherever they were going to take their leave. That underlies the quaint, shortsighted approach which has been espoused by the honourable member. The fact is that the shipping of armaments to men involved in the defence of Darwin and men fighting in the Pacific and in Europe,

men who were laying down their lives in the name of this country and in the name of freedom, could well have been affected because some stupid shortsighted people back here decided to pull on a strike. As one who is too young to remember the war, it surprises me to learn that there are members of the Opposition who are quite happy to accept that even in that time of national emergency people just went out on strike as they chose. I have spoken for exactly two and a half minutes. I endorse the preservation of the clause in its present form. I am quite sure that the Minister for Employment and Youth Affairs (Mr Viner), who is at the table, will be rather stunned.

Mr BARRY JONES (Lalor) (5.27)—I also will try not to take the full 10 minutes which I have at my disposal. I agree that at first glance there is a kind of 'motherhood' element in this particular sub-clause. But if we are to ask the questions that are implicit in the clause as it is drafted, we have to ask first of all: What is to be 'regarded as subversion'? Sub-clause (b) states that it relates, among other things, to 'activities directed to obstructing, hindering or interfering with the performance of the Defence Force'. We then go further and ask whether such activities have to be unlawful. The answer is no, they may be perfectly lawful. But they are still subversive, whether lawful or unlawful.

I must admit that it is harder to think in this case, where something relates specifically to the Defence Force. At least this has the merit of involving a specific identifiable group of people at the other end who have to be subverted. That makes it much more specific. In one way this sub-clause is not quite so vague as sub-clause (a). But then we see that the activities to be covered are not just unlawful activities, about which we might very well have consensus in the House, but activities which are unlawful—presumably—and also activities which are perfectly lawful. Some other existing Acts may need to be broadened. Perhaps some of the state crimes Acts or some defence Acts need to be broadened. But let us examine a very well informed criticism of the Defence Force. Supposing we take the criticisms expressed in another place by Senator Hamer, for example, about the ramshackle nature of our defence operation and how ineffectual it is. If those words were uttered outside the Parliament—they were certainly trenchantly critical and were very deeply resented, as we all remember, by the Minister for Defence (Mr Killen)—would that be regarded as an activity which hinders or interferes with the performance of the Defence Force?

Mr Yates—No.

Mr BARRY JONES—That is absolutely a matter of opinion. In this case I would be prepared to accept the opinion of the honourable member for Holt because in many ways he is an old-fashioned liberal. I think his judgment could be relied upon more than the judgments of some of the more rabid members of the Liberal Party, not to mention the members of the National Country Party. If we want to equate subversion with unlawful activity, that is all right. But if we are talking about general activities, I am concerned about how broad the dragnet can become by the elimination of a single word. We are talking about onus on proof—about whether it should be taken for granted that the activities of ordinary citizens are to be regarded as legal unless there is some prescription to the contrary, or whether we say: ‘Oh no, we are going to work on the basis that the powers to be conferred on the Australian Security Intelligence Organisation are to be carried out perfectly legally; it is to have the broadest possible range of powers. We believe that if there is to be any infringement on liberty, it must be on the liberty of the subject and not on the liberty of the organisation.’ I think that is an absolutely unacceptable dichotomy.

Progress reported.

ESTIMATES COMMITTEES

Report of Standing Orders Committee

Mr SPEAKER—I present a report from the House of Representatives Standing Orders Committee.

Ordered that the report be printed.

Mr SINCLAIR (New England—Leader of the House)—by leave—I move:

That, unless otherwise ordered, the following sessional orders to provide for the operation of estimates committees, be adopted:

Committee and consideration in estimates committee:

- (1) After the speech of the Leader of the Opposition, or a Member deputed by him, on the motion for the second reading of the main Appropriation Bill for a year, the proposed expenditures for the departments and services contained in the Schedule to that Bill may be referred to an estimates committee. Such referral (which shall not affect the second reading debate on the Bill) shall be on motion, moved by a Minister, of which notice has been given. A committee may be ordered to report by a specified date.
- (2) There shall be 2 estimates committees, to be known as Estimates Committee A and Estimates Committee B which shall not vote on, but shall examine and report upon proposed expenditures for the Parliament, Advance to the Minister for Finance and each Department of State; such report may contain a resolution or expression of opinion of the committee but shall not vary the amount of a proposed expenditure.

Members:

- (3) Each estimates committee, to consider each proposed expenditure, shall consist of the Minister responsible in the House of Representatives for the proposed expenditure under consideration, together with not less than 12 Members and not more than 18 Members, excluding the Chairman.
- (4) Members of an estimates committee shall be nominated by either the Prime Minister, the Leader of the House, the Government Whip or the deputy Whip and either the Leader of the Opposition, the Deputy Leader of the Opposition, the Opposition Whip or the deputy Whip and every nomination of a member of the committee shall be forthwith notified in writing to the Speaker.
- (5) In nominating Members to an estimates committee to consider each proposed expenditure regard shall be had to the qualifications and interests of those Members nominated and to the composition of the House. Either the Prime Minister, the Leader of the House, the Government Whip or the deputy Whip and either the Leader of the Opposition, the Deputy Leader of the Opposition, the Opposition Whip or the deputy Whip, shall have power to discharge from time to time any of those Members nominated by them and to nominate others in substitution for those discharged. The responsible Minister may nominate another Minister to act for him as required.
- (6) The nomination of Members to consider the proposed expenditure of each department or service shall be incorporated in the Votes and Proceedings.

Chairman:

- (7) The Chairman of an estimates committee shall be—
 - (a) the Chairman of Committees; or
 - (b) a Deputy Chairman of Committees to be appointed by the Chairman of Committees.
- (8) The Chairman of Committees, a Deputy Chairman of Committees or any member of the committee shall take the Chair temporarily whenever requested so to do by the Chairman of the Committee during a sitting of that committee.

Quorum:

- (9) The quorum of an estimates committee shall be 5, excluding the Chairman, and, if at any time a quorum be not present, the Chairman shall suspend the proceedings of the committee until a quorum be present, or adjourn the committee.

Participation by other Members:

- (10) Members of the House, not being members of the committee may participate, at the discretion of the Chairman, in the proceedings of the committee, but shall not vote, move any motion or be counted for the purpose of a quorum.

Minutes of Proceedings:

- (11) All proceedings of a committee shall be recorded by the Clerk to the Committee, and such records shall constitute the Minutes of Proceedings of the committee, and shall be signed by the Clerk to the Committee.

Proceedings in estimates committee:

- (12) Consideration of proposed expenditures in an estimates committee shall follow, as far as possible, the procedures observed in a committee of the whole with the following exceptions:

- (a) Speech time limits and the restriction on the number of times a Member may speak to each question (S.O. 91) shall not apply.

- (b) Voting shall be taken by a show of hands; tellers shall not be appointed.

Time limits on report:

- (13) During consideration in the House of the reports from Estimates Committees A and B, the maximum period for which a Member may speak shall be—
Each question before the Chair—
Ministers—Periods not specified
Any other Member—10 minutes.

Report from estimates committee and further consideration:

- (14) A report of an estimates committee shall be presented by the Chairman of that committee or a member of the committee deputed by him and shall contain any resolutions or expressions of opinion of the committee.
 (15) On a report from a committee being presented, a future day shall be appointed for taking the report into consideration.
 (16) On the calling on of the order of the day for the consideration of a report from an estimates committee, the following question shall be proposed in respect of each proposed expenditure:
 “That the proposed expenditure be agreed to (and that the resolution(s) or expression(s) of opinion agreed to by the committee in relation thereto, be noted).”
 (17) Upon the completion of consideration of the reports of Estimates Committees A and B the question shall be proposed forthwith—“That the remainder of the Bill be agreed to”.
 (18) When an Appropriation Bill which has been referred to an estimates committee is finally agreed to by the House, a future day shall be fixed, on motion, for the third reading.

The discussions that were held by the Standing Orders Committee are reflected in the report which is being distributed to honourable members. It recommends some modifications of the original draft sessional orders which were circulated to honourable members at the end of the autumn session. The proposals take into account what I believe is a reasonable compromise between the concern of all members of this House to get these Estimates committees started, at least on a trial basis, the concern of the Government to ensure that its program will be completed and the concern of the Opposition to ensure that there will be an adequate opportunity within the procedures of the Parliament for members to examine the Estimates in the manner that they believe necessary.

Quite obviously, our difficulty is the necessity for the Government to provide adequate debating opportunities in this Parliament for a number of legislative measures which are either on the Notice Paper or are yet to be introduced. We are concerned that at the same time, in the scrutiny of these estimates, we must ensure that this committee system shall work. There is therefore a number of procedures which will certainly require co-operation between the Opposition and the Government. I can assure the Opposition that

it is my intention to co-operate with it as far as possible to ensure that its particular concerns are met. I hope that in turn I will receive the co-operation of the Opposition. I believe that as a result the Estimates committees in the form envisaged could be given a fair trial. Obviously, a number of debates will be held in this chamber which might make it difficult for the Estimates committees to meet. Divisions or other matters will require the attendance of members in this chamber. It is the intention of the Manager of Opposition Business (Mr Young) and me to confer and to try to ensure that, as far as possible, Estimates committees will not meet when those matters are taking place. Accordingly, it is the intention that there be reference on the daily program to the particular committee or committees which will be meeting on that day. I hope that honourable members will take note of that program. It will also be possible for them to get an overall idea of when the particular committees in which they have a specific interest will be meeting so that their membership within their party arrangements can be accommodated.

A further motion will be necessary to implement those detailed procedures. The motion that I have just moved sets down the framework. The next motion that I will move will set down the particular estimates to be referred to the committees and the program for those committees. I hope that some flexibility will be permitted in this regard for, as I have suggested, there might well be occasions when, because of the occurrence of debates in this chamber on the day when it is suggested in the daily program that Estimates committees will meet, it might not be practicable as a result of the discussions between the Manager of Opposition Business and me for the Estimates committees to meet. It could mean that there will have to be some adjustments to the program over the course of the period that we have set down. It is my intention to resume the debate on the Appropriation Bill on Tuesday so that the Estimates committee can at least meet on that day and, I hope, start the procedure.

I presume that the program after that will depend a little on how far the House progresses on the other matters before it that are temporarily adjourned. But on Tuesday we will return to the Appropriation Bill and enable the Estimates committees to commence their deliberations and, I hope, to commence the procedure and practice. If it can be arranged, I will therefore be moving the other motion for reference to the committees later this day.

Mr YOUNG (Port Adelaide) (5.39)—Mr Speaker, as you know, a week in politics is a long time. A week ago it did not seem possible that we would reach this stage with this matter. The Opposition welcomes the opportunity to experiment with the Estimates committees. We have reached some understanding as to how they will operate. That was not available to us prior to the meeting of the Standing Orders Committee yesterday. We led a very powerful delegation to it and were able to persuade those present that perhaps the Opposition had some right to have some say in these matters.

It appears that the committees will be able to give a great deal more time to scrutinising the Estimates than was possible in the Committee of the Whole. In fact, some people have suggested that the way in which the estimates were dealt with in debates previously was really a bit of a joke, given the role of the Senate and the long-winded second reading debate that took place on the Budget. This will give us a more specific opportunity to question Ministers and perhaps get answers from the bureaucracy than was previously available to us.

I do not underestimate the ability of my colleagues on both sides of the Senate, but I think we have a fair bit of talent in this House as well. We should be given the opportunity to compete with them. As I said yesterday, I think it is more the responsibility of this House than of the Senate to carry out this task. I do not know that Sir John Kerr would agree with me, but that is the point of view I hold.

I think that the manner in which we have been able to resolve this matter in that the two committees will meet over the period from next Tuesday to the third week in October and both committees will be dealing with no more than two departments per day with the time allocated and the times for the meetings being placed on the daily program each morning gives all members of the House an excellent opportunity to be able to arrange their day—their party meetings, their House duties, et cetera—so that they can attend either as a member or observer at the meetings of the Estimates committees and see whether they work. I would urge those honourable members who do not intend to participate in the activities of either of the committees to go along to a meeting and see for themselves whether they are fruitful in the running of the House. I believe that the procedure of letting honourable members know what is to occur will be beneficial to them. The times set down for the committees to meet seems to be ample. According to advice received from the Government, the Committee of the Whole

dealt with the Estimates last year for 27½ hours. On this occasion we are to have something like 46 hours, taking into account the time taken up by both committees in looking at the estimates. So ample time is being provided.

One problem still to be discussed with the Leader of the House (Mr Sinclair) is the amount of time we will have to debate the committees' reports to the Committee of the Whole. We know that that is something that cannot be solved at the moment in terms of defining that time, but if the committees do not take up all the time that is allocated to them and if the Government continues as it has for the last four years with the policy of not having very important business dealt with by the House, we will be able to give proper discussion to the reports as they come back here. I hope that we can overcome that problem.

Another matter which will have to be the subject of discussion between the Leader of the House and me is what is to be debated in the House when the Estimates committees meet. The Opposition has indicated that, if the Budget debate continues, it will have no objection to the Estimates committees meeting at the same time. We will have to play that by ear and see what legislation comes before the House. If we consider it to be of such importance and we want people readily on hand to come into the House to take part in debates, obviously we would not want the Estimates committees to meet at such a time.

The Standing Orders Committee also took into account the fact that one of the committees may make approaches to meet outside the normal sitting hours of the House. I do not think that is likely. The attitude of most honourable members in this day and age, is that from Monday night to Friday morning is long enough to be in Canberra and we like to return to our electorates. Nevertheless, we have made provision for leave of the House to be given should a committee find it necessary to meet outside the normal sitting times of the House. I hope we have found a successful way in which to experiment with a little more reform of the House of Representatives. Reform of institutions of this nature is very slow. Nonetheless the Labor Party, as the party of reform, has moved quickly to accommodate the suggestion put to it by the Government. I hope that it will work out. I put it to you, Mr Speaker, that the Opposition feels that it would be in order for the Standing Orders Committee to review the operation of these committees. If we do run into problems, perhaps that Committee could meet

again and do as it did yesterday, that is, overcome the objections of both sides.

Mr YATES (Holt) (5.43)—Let anyone should gain the impression that the Opposition is the sole and only party of reform, I think I should point out that there is a large number of private members on this side of the House who are just as interested and active as the Opposition in examining government expenditure and in ensuring that the Executive does not exceed itself. That is the reason why, about a fortnight ago, I made rather a violent speech during the adjournment debate pressing for reforms of this nature. The framework of these committees is sensible. I hope that their establishment will receive the full support of the House. It is only charitable that I should say to the Leader of the House (Mr Sinclair) that those private members on this side of the House who have been actively involved in seeking reforms of this sort are grateful. I assure the House that we will play a full part in the operation of these committees.

Mr SCHOLES (Corio) (5.44)—Someone famous once said that he was taking a small step. I think that a more liberal attitude—I use the expression hesitantly—towards the manner in which the legislation and Estimates committees are used can help this House to perform the functions its members are elected to perform. Those functions are twofold. One is to provide a representative forum in which to examine and, in the case of honourable members opposite, to support the actions of the government of the day and the other is to provide a representative forum of the people of Australia in order to ensure that the government of the day is under constant scrutiny by the only body which has a realistic chance of performing that role. Because of an accident of numbers some years ago which denied the then government a majority membership of the Senate and, I think it is fair to say, because of the reformist zeal of Mr Justice Murphy when Leader of the Opposition in the Senate and of other members of the Senate, the Senate's procedures have changed dramatically over the last 10 years. It undertook roles which were the responsibility of this House.

In fact one of those roles was the establishment of Estimates committees which deal in detail with the actual line and form of the Estimates. One of the results of that situation is that now we have available a detailed and prepared set of estimates of Departments in much finer detail than ever existed before. I am not sure whether the Departments like that, but certainly it means that a closer examination is possible merely because that information is available.

This particular reform will work if the committees function as we see they should. At this stage I think we all have varying views on how they should in fact operate. We are now confronted with the problem of determining the actual method of operation in the very short time that is left before the committees operate. Certainly, I would have liked to have seen this motion accompanied by a motion which would have required a re-examination of the operations of committees after this session of Parliament is over. Then no one could say: 'Well, we will have a look at the situation sometime'. I would have liked this to be a terminal resolution that had to be re-adopted as a fresh set of sessional orders prior to the next Budget session. I again make reference to the fact that the reform of Parliament should be a continuing process. I believe that reform is not within the ambit of the Standing Orders Committee whose report ultimately brings the reform to the Parliament, but as an incidental occurrence rather than as an initiative.

We still have before us the report of the Joint Committee on the Parliamentary Committee System which examined this matter in extreme detail and which carried out its work during the period of two governments. The report was ultimately presented to the Parliament when the Committee was under the chairmanship of the President of the Senate, Sir Magnus Cormack. That report made numerous suggestions, some of which are probably dated already by changes in procedures. But one of the more significant recommendations was the suggested creation in this House of a procedures committee. There has been on the Notice Paper since March of this year a Notice of Motion in my name for the establishment of that committee, although I do not claim credit for originating that idea. I believe that if back bench members of the Government who have shown an interest in the reform of Parliament take up the cause of that committee and allow that motion to be debated by the House, we will take major steps forward in the manner in which this House operates. As members of the Parliament we can consider what is the best and most effective structure of the Parliament, and the means by which members of Parliament can best carry out the functions for which they are elected. I have always felt that the best results in the examination of our procedures come from honourable members collectively putting their own points of view. Governments of whatever colour have a vested interest in the procedures of this Parliament which is different from that of the honourable members.

Obviously the Leader of the House (Mr Sinclair) has a very definite responsibility. He has to keep to the Government's legislation program. The members of the House have a different responsibility. Their responsibility is to scrutinise the legislation of the Government to the extent that it is possible and within their power to bring about changes, without unduly taxing the time of the House and without in fact making it impossible for the actual performance of honourable members' duties other than those that they have in this Parliament. This reform is long overdue. Whether it will work will very much depend on how successfully the forms and the procedures of these committees can be established without prior experience, and without real prior consideration by the Parliament or its members. I believe that future reforms depend on goodwill and on a continual examination of our procedures with continual recommendations on change. I believe that situation depends on the ultimate establishment of a procedures committee and I ask the House to move to that matter quickly.

Mr HYDE (Moore) (5.49)—This is a relatively small but significant step in the improvement of procedures in this chamber. The chamber should note that it came from the work of private members of the chamber. For the record and with appreciation I would like the chamber to note the work that was done in developing these committees over quite some time by a group of back bench members on this side of the House. On behalf of that group I thank both the Government and members of the Opposition who co-operated in that venture.

Mr BRYANT (Wills) (5.50)—I want to promulgate an idea which will be regarded as a major heresy. In fact, it may well be regarded as subversive under the terms of the Australian Security Intelligence Organisation Bill which we are discussing.

Mr Sinclair—Preaching succession, are you, Gordon?

Mr BRYANT—Yes, that is right. The problem that I see is that when we start on the Estimates we look at history. We sit there and drag information out of people and make an input of some sort, but that is about all that we will do. The time is long past, I think, when the Parliament had some input into the construction of the Estimates. I do not regard that statement as heresy, as do some of my more progressive colleagues. For instance, there are thousands of people scattered throughout the Australian Public Service who for a number of months before

the final construction of the Budget have had their input. They draw up the estimates for their little section and it is sent through the system. Their estimates are analysed at departmental and various other levels. Some of those people have been elected to this Parliament although I am not one of them, of course. When they are elected to this Parliament they are not allowed to take part in any sort of discussion like that. I do not think it would be difficult at an early stage in the consideration of the Estimates to have the apparatus of departments and Ministers placed at the disposal of the Parliament so that some ideas can be put into the Estimates from the electorates which we represent. This is a collective responsibility which we have.

Of course the final decision about the actual priorities could well be left to the departments and the Ministers. I can see no real difficulties in that sort of system at all. I hope that each of us has a more intimate knowledge of problems of the communities which we represent than even the most gifted person in the Public Service or even the most gifted, wise, omniscient and omnipotent Ministers such as those who are sitting at the table. I therefore hope that we will eventually get around to that sort of approach. Perhaps the Ministers at the table had better agree to that now so that when they are on this side of the House again—they would both be in serious danger at an election—they will be able to take part in Estimates committees instead of being on the outer. I thank honourable members opposite who took the matter up and who have managed to persuade the fairly difficult and incorrigible people on the other side of the House with whom we have to deal at times, for making this possible. They have succeeded. Mr Speaker, while I think that sometimes you might be a bit rough on us when it comes to our expressing a point of view, you rapidly called the Standing Orders Committee together. The firm hand you applied to the meeting yesterday has made something happen in 24 hours which has taken about 24 years in gestation. Of course this makes elephants look pretty spritely.

Dr BLEWETT (Bonython) (5.54)—As it was necessary yesterday to make a protest about our non-involvement in the evolution of these schemes, I take this opportunity today to congratulate those back bench members of the Government who were responsible for the evolution of this scheme. I hope that in the future when efforts are made to reform this institution—and I believe that is necessary—we will be able to do that activity at least co-operatively. I also think that this is an important advance in what I

see as being a major institutional struggle in this country between the two Houses of this Parliament. It always seemed to me to be an anomaly that the Senate should have Estimates committees and that this House, which, whatever the debate, is certainly the primary House in the field of finance, did not have such committees.

I think it was regrettable that when the Joint Committee on Committees for the Parliament examined these issues, although it recognised the prior claims of the House of Representatives in finance it nevertheless decided against recommending the establishment of Estimates committees for this House. I think that in making this decision today a minor but significant gain has been made in what we see as being a vital institutional struggle in this country. Of course, it is now up to the members of this House to make sure that our Estimates committees work more successfully than, according to rumour do some of the Senate Estimates committees.

Mr SPEAKER—Before I put the question, I indicate that the co-operation that existed in the House in achieving this reform was something that was welcomed by me. The members of the Standing Orders Committee were very glad to have the opportunity to play a role in bringing the matter to finality yesterday, and they are willing to stand at the service of the House at any time.

Question resolved in the affirmative.

Sitting suspended from 5.57 to 8 p.m.

REFERENCE OF PROPOSED EXPENDITURES TO ESTIMATES COMMITTEES

Mr SINCLAIR (New England—Leader of the House) (8.0)—by leave—I move:

That the proposed expenditures for the departments and services contained in Schedule 2 of the Appropriation Bill (No. 1) 1979-80 be referred, as indicated, to Estimates Committees A and B for examination and report on 25 October 1979:

ESTIMATES COMMITTEE A

- Parliament
- Department of the Prime Minister & Cabinet
- Department of Administrative Services
- Department of Immigration and Ethnic Affairs
- Department of Aboriginal Affairs
- Department of Social Security
- Department of Health
- Department of Veterans' Affairs
- Department of Foreign Affairs
- Department of the Capital Territory
- Department of Home Affairs
- Department of Defence
- Attorney-General's Department

ESTIMATES COMMITTEE B

- Department of the Treasury
- Department of Finance

- Advance to the Minister for Finance
- Department of Housing and Construction
- Department of Education
- Department of Science and the Environment
- Postal and Telecommunications Department
- Department of Employment and Youth Affairs
- Department of Industrial Relations
- Department of Industry and Commerce
- Department of Business and Consumer Affairs
- Department of Productivity
- Department of Primary Industry
- Department of National Development
- Department of Trade and Resources
- Department of Special Trade Representative
- Department of Transport

The motion sets out the specific Estimates committees but, as I intimated before the sitting was suspended for dinner, it would be the intention of the Opposition and the Government to confer on the specific order in which these matters will be dealt with to try to ensure that there is not a conflict with the matters that are conducted in the House.

Mr LIONEL BOWEN (Kingsford-Smith) (8.1)—I see no objection to this motion. My colleague is not able to be present in the chamber at the moment but I understand that he has had discussions on this matter with the Leader of the House (Mr Sinclair). As far as I am aware there is no objection, so I think that we are in agreement at this stage.

Question resolved in the affirmative.

AUSTRALIAN SECURITY INTELLIGENCE ORGANIZATION BILL 1979

In Committee

Consideration resumed.

Mr CARLTON (Mackellar) (8.2)—We are discussing clause 5 (1) (b) of the Australian Security Intelligence Organisation Bill to which the Opposition has moved an amendment which seeks to insert the word ‘unlawful’ before the word ‘activities’. The clause at present provides that activities regarded as subversion will include:

activities directed to obstructing, hindering or interfering with the performance by the Defence Force of its functions or the carrying out of other activities by or for the Commonwealth for the purposes of security or the defence of the Commonwealth;

The Opposition seeks to insert the word ‘unlawful’ before the word ‘activities’ so that before the Australian Security Intelligence Organisation is able to regard an activity as a matter requiring attention that activity should be unlawful. There are a couple of points I would like to make about this. The first is that activities have to be directed to obstructing, hindering, et cetera. It is not enough that the activities simply obstruct or

hinder, et cetera. For example, something could happen inadvertently. The defence forces, in the course of their duties, may be obstructed by something on the road which had got there for whatever reason—

Mr Barry Jones—But not unlawful activities.

Mr CARLTON—The honourable member for Labor will please restrain himself. I am coming to that point. The fact is that the activities must be directed to obstructing. In other words, there must be some intention to obstruct. For example, there has to be an intention to obstruct the defence forces in the performance of their duty, not just some activity that they may be engaged in but activity which is for the purposes of security or defence of the Commonwealth. On the interpretation of this particular clause there is that restriction.

As with all the clauses in the ASIO Bill, there is a question of judgment on the part of ASIO as to what is considered subversive under this particular clause. The Deputy Leader of the Opposition (Mr Lionel Bowen) has suggested—and I am grateful to him for raising this example—that there could be industrial activities which could obstruct the Defence Force in the performance of its functions. One could easily imagine something happening on the wharves, as the honourable member suggested, which might make it impossible for the Army or the Navy to receive materials which may be essential for a particular defence purpose. Therefore the point is that although these activities may not be strictly unlawful under the Conciliation and Arbitration Act, nonetheless the Australian Security Intelligence Organisation may feel that it is obliged to build up a file on those engaged in these activities. This is a very interesting example because it raises quite an important point.

I think that it would be possible to have a trade union activity which in itself was lawful but which was being engaged in with the objective of obstructing the defence forces in the performance of their legitimate duties. I think we have to be very realistic in our consideration of this matter because there are certain elements within the trade union movement—and I hasten to add, before anybody from the Opposition side jumps on me, that they are extreme minority elements—which would not be democratic in their intentions. It is conceivable that such people could make use of an industrial situation to carry out activities which were designed to restrain the defence forces in their legitimate activities.

The situation, in the present context, is perhaps not as serious as it could be in a future context. I draw the Committee's attention to the recent decisions taken at the Australian Labor Party Conference in Adelaide. This is quite important because within the decisions of the conference in Adelaide were a number of resolutions which related to the legal position of trade unions and trade unionists. Resolutions were passed at that conference which sought to remove the activities of unionists from judicial oversight in very significant respects. I suggest that the Committee should regard this with the utmost seriousness. As this legislation presumably will last for a number of years and as it is not inconceivable—perish the thought—that there could be a change of government, and as the principal Opposition party has decided at its annual conference that the trade union movement will be removed from certain judicial restraints, legal restraints, it is quite possible that trade unionists could be in a position of being able to indulge in certain activities which are quite legal under Commonwealth law but which quite clearly could obstruct the defence forces in their essential duties.

I am not drawing a long bow here in any respect because the principal Opposition party passed at its Adelaide conference a number of resolutions which would remove trade unions and trade unionists from legal restraint. I point out that its resolutions are binding on the parliamentary members of its Party. Within that context, I think it would be essential for a security intelligence organisation to be able to make a determination of its own as to whether activities, which under the statutory arrangements were lawful or unlawful, were directed to obstructing, hindering or interfering with the performance by the Defence Force of its functions out of other activities by or for the Commonwealth for the purposes of security or the defence of the Commonwealth. I think, therefore, that it is essential for us to retain this clause in its present form.

There is a secondary argument which I think I should mention. I should think that under the various defence Acts—again, I am not totally familiar with all aspects of the law—activities directed to obstructing, hindering, et cetera would be, ipso facto, illegal. I cannot imagine that the Defence Act or the various laws relating to the defence forces would allow members of the general population to obstruct, hinder or interfere with the performance of those forces when they were engaging in activities for the purposes of security or the defence of the Commonwealth, without deeming them to be acting

illegally. To a degree, one could say that under this clause activities directed to doing those things would be illegal anyway. I would not want to have a situation in which a person employed by the Security Intelligence Organisation had to think about 400 times whether a particular activity was strictly legal or illegal before that person observed it as something which was potentially subversive.

It is important to retain this sub-clause in its original condition. I do not think that the Opposition's amendment is a good one. In particular, I do not think that it is wise to accept this amendment, in view of the decisions of the Australian Labor Party Conference in Adelaide which sought to remove the trade union movement and members of unions from judicial restraint. Under that decision, if it were enacted by a Labor government, the Security Intelligence Organisation would be quite restrained specifically by this clause from taking note of activities which could be absolutely subversive because of the particular quirk of the government of the day as to what it regarded as legal or illegal.

Mr BARRY JONES (Lalor) (8.12)—Let me just go through the point about the word 'unlawful' again, to show the absolute hollowness of the argument that is put forward. We might be able to solve the problem by putting in a compromise wording. Let us suppose that we changed the wording slightly—absolutely in accord with what the honourable member for Mackellar (Mr Carlton) said. Let us suppose that we changed clause 5 (1) (b) to say that things to be 'regarded as subversion' include 'lawful or unlawful activities'. If we say 'lawful or unlawful activities' the real hollowness of the argument comes through because what is being said is simply that activities that are defined as perfectly lawful are still to be deemed to be subversive. When it is put in that way, I do not think that there is anyone on the Government side who would accept that wording; Government members would say: 'No; we do not want to find ourselves committed in a statute to saying that lawful activity is subversive too'. But that is the logic of it.

Mr Ruddock—How about 'permitted'?

Mr BARRY JONES—I find that suggestion about 'permitted' very objectionable because very often there is a basic assumption that civil liberties in Australia is what is left over after the police, Customs, the Australian Security Intelligence Organisation and various other authorities have had their go. They say to the ordinary citizen: 'What is left over is yours. That is what you are permitted to do'. I do not believe that there is

a single Government member here who would accept an amendment which said that clause 5 (1) (b) would begin with the words 'lawful or unlawful activities'. If those words were adopted it would reveal the absolute hollowness of what is being done; it would reveal just how wide the dragnet is being cast.

I do not think for a minute that some honourable members opposite have thought this thing through seriously. They have taken it for granted that there has to be an organisation which will protect society and that all the Government has to do is to say that that organisation has its own reasons. One of the most horrifying remarks that I have heard—it is horrifying because of its implications—came from the honourable member for Dundas (Mr Ruddock) this afternoon. I am sure that he did not think it through. His argument was: If people have nothing to be ashamed of, what have they to be frightened of if ASIO is surveilling their activities? We could come to the stage where we accept that it is a perfectly normal and routine thing, say, for telephones to be tapped. I remember going to a public meeting in Auckland, New Zealand in 1977 on this issue and being horrified. One fellow got up and said: 'I have strong evidence that my telephone is being tapped; but I do not mind, because I have nothing to hide. Why should anyone in this society be worried if his telephone is tapped, if the people all have clean consciences?' Once we accept that basic premise and say 'Yes, it is all right if they tap our telephone and it is all right if they intercept our mail. We all have clean consciences. They can do what they like', it means immediately that the rights of the private citizen are annihilated.

Mr Carlton—But that is not suggested.

Mr BARRY JONES—No. I am simply saying that once we accept it—

Mr Carlton—That is totally unacceptable.

Mr BARRY JONES—I am glad to hear the honourable member say that. I am glad to see an element of spirit.

Mr Yates—There has to be a warrant.

Mr BARRY JONES—I am aware of that. But, once the dragnet has been cast so wide that it encompasses unlawful and lawful activities and the Government says 'They are to be regarded as part of the process of surveillance', that is the first step towards some kind of police state where the rights of the citizen are qualified and where the rights of the security organisation are unlimited; where the Parliament keeps putting restraints on itself and keeps giving carte blanche

to somebody else. What this debate is all about is that there are honourable members in this chamber who say of themselves: 'We cannot be trusted with power; they can. We do not mind limiting our power, but we will give all the more power to them because their judgment is better than our judgment'. What sort of a democratic parliamentary institution are we if we really are abdicating our rights and saying to somebody else: 'You take them. You go away with them. You can be trusted with them; we cannot'?

Mr YATES (Holt) (8.17)—I am just trying to get back to the actual clause. What this operation is all about is something perfectly simple. It is whether the Organisation shall have the right, at its discretion, after a warrant has been issued when it comes to telephone tapping, to make a report on a situation which it thinks is correct and justifiable. Therefore, I agree with my friend, the honourable member for Lalor (Mr Barry Jones), that there is an element of trust involved in this, and this Committee has to decide this evening whether it is going to insist on not putting in 'unlawful'. That in itself would not succeed. It would put another onus upon those who have to do the reporting work. They would then have to consider whether they were going to make a report because they thought that the activity was unlawful.

I do not think that an organisation set up to look after the affairs of our country can operate within that parameter. I understand my friend's objections, but I must come down in support of my friend on this side of the chamber—the honourable member for Mackellar (Mr Carlton). I do not want the Opposition to think that we are always concerned with the problems of just the trade unions or the very extreme elements in the trade unions. We are not. We are sometimes involved in a situation in which the Defence Act might be called into operation and the Services called upon to aid the civil power. In those cases, if somebody obstructs the forces called to aid the civil power, surely a report can be made upon the person who is doing the obstructing.

Mr Les Johnson—You are very prone to giving that kind of thing a licence.

Mr YATES—The honourable member has made his speech and has given his views. I am sure that we paid attention to them. Surely he must show us the courtesy of allowing us to explain our views. I have done so. The more one thinks about it, the more one has sympathy with the point made by the Minister for Employment and Youth Affairs (Mr Viner), and my friend the

honourable member for Mackellar, that to put in the word 'unlawful' would make the situation even more difficult. Therefore, the Committee would be very well advised to leave out the word 'unlawful'.

Mr BRYANT (Wills) (8.20)—The honourable member for Mackellar (Mr Carlton) confirmed our worst fears. The moment we come to some form of definition of what we mean here he turns to the Australian Labor Party's policy and actions of the trade union movement. I suppose that in a sense some of the matters we quoted invite that. But this shows exactly how the Government will go step by step until it has removed all sorts of protections from people.

Mr Carlton—Don't trivialise the argument. You know what I was talking about. It was limited.

Mr BRYANT—It was not. As the honourable member for Holt (Mr Yates) put it, we should at least be paid respect. We have been around for a long while and we have been through much of this activity. Do not let us fool ourselves. I have lived close enough to it. I have had brought to my notice in my time things which I regarded as very dangerous to the rights of individuals and their future. These things can flow only from the system that we have developed.

Two aspects are involved. One is the law. The other is the collection of information. I expect that in general none of us is against the collection of information. We do not need to send out spooks to see what is happening in a trade union movement. We can telephone somebody after a meeting to ask who said what about which. On a number of occasions I have met people outside meetings and have said that they could either enter the meeting or be supplied with a list of those attending. We were not ashamed. But that is easy. If somebody driving a train goes on strike the facts are easy to determine. We are concerned about reports on individuals and information that ends up on dossiers and files which may be considered when people apply for jobs in the Commonwealth Public Service or are considered for promotion somewhere in the system. A person's report may indicate that he once behaved in a subversive fashion. I do not think it is possible to define the sort of things we are talking about in the way proposed. The Opposition is totally dissatisfied about the protection of the rights of individuals under this Bill.

The legislation provides for the collection of information and I am not sure that the Australian Security Intelligence Organisation is the best body to do that. There have been instances

of people undergoing military training in forests somewhere. Apparently that has gone on for some time before being detected. We have only to look at what is happening in the rest of the world to see the difficulty of the problem. The point I am making is that it is easy to go beyond the limits of tolerance in these matters and to take action in respect of the activities of people with whom we disagree substantially on some political basis. A person may be involved in a major confrontation in the community. Ten years later after the confrontation has subsided his involvement is still noted on his dossier. That is the element of danger. There is no way that this situation can be corrected under this legislation. There must be a better way of meeting the situation.

Mr KERIN (Werriwa) (8.23)—When the Opposition's amendment to this clause was being debated in the Senate the Attorney-General (Senator Durack) said that a clause of this kind must be interpreted in a commonsense way. I do not find that point of view altogether satisfactory. I do not think we should be attempting to place on the statute book laws that have to be interpreted in a commonsense way. Legal interpretation is bad enough. If one looks at this clause in a commonsense way, one finds that sub-clause (1)(a) refers to 'other unlawful acts'. Yet in relation to sub-clause (1)(b) the Government is saying that we cannot insert the word 'unlawful'. Looking at this clause in a commonsense way, I do not know why it is all right to have that word in one paragraph and not have it inserted in the other one.

People are worried about two areas of this clause. They are worried in relation to the problems of picketing, of people exercising their right of protest—for example, outside an office where people were being conscripted during the Vietnam War. Under this legislation this is one action which could be interpreted as obstructing the Defence Force. The other area of concern, as other honourable members have pointed out, is with respect to trade unions—for example, where the Transport Workers Union of Australia held up the supply of petrol or the operations of Garden Island Dockyard so that a ship could not be fitted out.

There has been discussion about the actions of the trade unions and about the use of the word 'unlawful'. That is what we are talking about. The Australian Security Intelligence Organisation provided definitions of the meaning of 'subversion' to the Royal Commission on Intelligence and Security. We all accept how difficult it is to express the meaning of 'subversion' and to

phrase it in a legal form. As the Deputy Leader of the Opposition (Mr Lionel Bowen) has said, we are talking about wording. But it is quite clear that ASIO did not want it described in terms as broad as the definition in this Bill. For example, in the report of Mr Justice Hope the second definition of 'subversion' is given as overthrow by force and undermining by unlawful means and the definition of 'subversive activity' is given as overthrow of the Constitution by revolution or sabotage, overthrow by force or violence and destruction of Commonwealth property. The definition is very definite and succinct. Because the Opposition simply wants to put in this clause the word 'unlawful' suddenly the Government is very worried. If one also looks at the section of Mr Justice Hope's report as to trade unions one will see that it states:

ASIO does not, and properly does not, surveil employer organisations or trade unions as such.

Many people would disagree with that. The report continues:

However, the surveillance by ASIO of left-wing radical organisations judged to be subversive or potentially subversive, and of the members of those organisations, has led to ASIO obtaining intelligence concerning the activities of trade unions which are controlled by members of those organisations or which the members of those organisations seek to control.

Relating this clause to defence, and specifically to defence contracts, paragraph 244 of the report states:

However, industrial disruption may affect security, and thus properly attract the attention of ASIO. This could be the case in respect of the disruption of undertakings carrying out defence contracts, but it could be in other cases as well. If I may illustrate this point by way of analogy, Australia has a 'key points' system in its defence organisation. These 'key points' are places the destruction of or damage to which would affect Australia's defence and security.

The paragraph goes on to say that these key points include defence installations and essential features or services, such as water and power services. The upshot of the conclusion by Mr Justice Hope is that intelligence collected by ASIO could be referred to the Department of Industrial Relations. The report did not go much further than that. It states that it may be fair enough to collect intelligence on the activities of people within trade unions, but I do not think that our amendment conflicts in any way with what Mr Justice Hope said about the communication of intelligence about trade unions or with what ASIO said when it put up some definition of subversion to the Royal Commission.

Mr RUDDOCK (Dundas) (8.28)—In a quiet way I would like to add to this discussion. Both sides of the chamber have cited examples. Some clearly represent legal or lawful actions which

honourable members on this side of the chamber regard as being undesirable if they obstruct, hinder or interfere with the performance of the defence forces. Honourable members on the other side of the chamber have given examples of what might be described as lawful actions with which one would have no complaint. The nature of some of the examples given would not be harmful even to the extent that they may obstruct, hinder or interfere with the performance of the Defence Force in certain circumstances. Whilst we may be able to gather some examples of circumstances in which there would be a lawful act which we would not regard as being undesirable, the very fact that there are numbers of lawful activities—or as I put it earlier, permitted activities, because they have not been made unlawful by any specific statute—does not mean that it may not be very undesirable that such activity which obstructs, hinders or interferes with the performance of the Defence Force in its functions is not to be brought under notice.

Mr Barry Jones—Will that not make a common law offence if it is not covered by statute?

Mr RUDDOCK—I do not know that there would be necessarily a common law offence. There may be a common law offence. If there is then of course, in any event, the action would be encompassed by the inclusion of the word 'unlawful'. No, I am not suggesting that. I suggest if there were a suggestion in this place to make an activity illegal we would all in a bipartisan way want to make it illegal. But at this time in looking at an organisation and at the way in which it will and does function and at what it is required to do—bearing in mind that it is merely an information gathering organisation—we have to ask ourselves whether it is reasonable, in terms of the Opposition's approach, to fetter its investigations. I think that is what the Opposition wants to do.

Mr Barry Jones—We want to define—

The CHAIRMAN—Order! The Chair interrupts the conversation between the honourable member for Lalor and the honourable member for Dundas to remind the honourable member for Lalor that interjections are out of order and to remind the honourable member for Dundas to address the Committee through the Chair.

Mr RUDDOCK—Mr Chairman, in respect of police forces we do not fetter them by saying: 'You shall investigate only what have already been established to be unlawful activities.' We say to them: 'You are entitled to undertake certain investigations and when you have established that that conduct is unlawful you then

bring the people before the courts to have them dealt with'. The police forces are given very wide powers of investigation. Certainly we circumscribe, as we have in this legislation, the circumstances in which members of the police forces may eavesdrop, tap telephones and so on. In fact, we do not give the police, except by State legislation, the power to tap telephones. The fact of the matter is that we circumscribed the nature of the investigations but we do not limit the extent to which police can investigate matters by requiring them to establish that the activity that they are investigating is unlawful. I think that is the point.

Why should our intelligence organisation look at activities which in this clause relate to our defence forces carrying out their functions as defence forces for the purposes of the security and defence of the Commonwealth? We have to look at sub-clause (1) (b), as we did in respect of the previous sub-clause. We have to look at all its elements because in addition to establishing that the activities are directed to obstructing, hindering or interfering with the performance of the defence forces in carrying out their activities, it must also be established that the functions of the defence forces in that instance are for the purpose of security or the defence of the Commonwealth. This is not an exercise but it is something that is involved directly in the security and the defence of the Commonwealth. It is already circumscribed and the Opposition is saying that in a time of war—because that could be the circumstance—there might well be such activity. That is what I am looking at. It is not all of the activities in which people might be involved that obstruct, hinder or interfere with the performance of the Defence Force. There could be some activities which are permitted because no specific statute makes them illegal. Then everyone in a bipartisan way would acknowledge that they are of such a character that information ought to be collected about those who are involved in them. It is for that reason that I very strongly support this proposal of the Government. We reject the Opposition's amendment which seeks to add the word 'unlawful' in relation to qualifying the word 'activities' in clause 5(1) (b).

Mr HOLDING (Melbourne Ports) (8.35)—I think the difference between the honourable member for Dundas (Mr Ruddock), the Government and the Opposition on this matter really comes back to an approach to the responsibilities—as supporters of the government see them—and the role of the security forces and our approach in balancing that role with the rights and liberties of Australian citizens. Again I

repeat the point which does not seem to have formed any impression on the mind of the honourable member for Dundas. It is one of the functions of our intelligence and security forces to protect and enhance the rights and liberties of the Australian people. If we as a parliament and as legislators are to make a judgment, we must be conscious all the time of balancing those two factors. Again I make the point that I made earlier about this very clause. When we are dealing with the definition of subversion it is important not to cast the net so widely that we continually impose upon the Director-General the obligation to involve himself in surveillance activities and in activities related to subversion which is a very serious allegation.

This legislation is asking the Director-General to continually involve himself in areas which in fact do not really go to the defence of the realm or to problems related to the role of our armed services. The difference between the honourable member for Dundas, the Minister for Employment and Youth Affairs (Mr Viner) and members of the Opposition is simply this: We say that when it comes to balancing those two issues the presumption always has to be and should be on defending the rights of the citizen, not on imposing additional and complex responsibilities on the Director-General.

Let me look at the width of that definition. The fact of the matter is, as the honourable member for Dundas well knows, that the attitude of the courts to the defence powers has always been one of wide interpretation. Whenever there has been a tendency to extend the power of the Commonwealth over the States or anyone else there has always been the tendency to look at the defence powers and at the traditional breadth of decision that the courts have always taken.

Mr Ruddock—In times of war?

Mr HOLDING—Not just in times of war. Let me look at the operations of the Department of Defence in relation to its handling of information for this Parliament and this Government. I refer to the speech that was recently made by Senator Hamer in another place. He made a very scathing indictment on the operations of that Department. The Department takes the view that almost everything it does can be defended and can be done in secrecy. Its attitude towards the Parliament is that because it is a defence matter none of us have any rights at all. So when we are talking about the defence powers we are talking about a tradition of judicial interpretation and about an attitude within the bureaucracy towards what constitutes the defence of the

realm. We on this side of the Committee do not say that people ought to be able to deliberately obstruct and destroy the role of the armed services. What we are saying is that if that is what it is all about, then that of its very nature is an illegal activity. The Minister for Employment and Youth Affairs shakes his head.

Mr Viner—It may not be.

Mr HOLDING—Let me say this to the Minister: I find the situation extraordinary. On one view of the matter within the framework of this interpretation one could say that if Senator Hamer had made his statements in a public place or if he had repeated the same speech within the councils of the Liberal Party at its State conference it would be open to argument—and is certainly not an argument that could be lightly rejected—that that was an activity which interfered with and hindered the performance or functions of the defence forces.

Mr Viner—You are a lawyer, are you not?

Mr HOLDING—I was always paid better and had better briefs than the Minister and for good reason.

Mr Viner—You leave a word out of the clause all the time.

Mr HOLDING—I will be happy to join issue with the Minister at any time he likes.

The CHAIRMAN—Order! The honourable member for Melbourne Ports will address himself to the question before the House.

Mr HOLDING—A group of railway workers, waterside workers or any other group of workers can involve themselves legitimately in a strike for a direct industrial purpose. They might want an extra \$5 a week or extra long service leave.

Mr Cotter—They can go to arbitration.

Mr HOLDING—The difference between a parliamentarian and the average worker is that workers do not have the kinds of tribunals by which parliamentarians get their wage increases. Often, unlike honourable gentlemen opposite, they have to indulge in industrial action in order to keep up with the cost of living. They do not have wage increases handed out to them on a platter. If the honourable member for Kalgoorlie was paid on the basis of his performance he would be on the dole.

Mr Cotter—You would not work in an iron lung.

Mr HOLDING—The honourable member never has. He would know all about not working in an iron lung. He would never want payments

on the basis of capacity of performance and certainly not on the basis of productivity in this place. It is extraordinary how honourable gentlemen opposite get upset and concerned about people going on strike. When this Government's representatives go to International Labor Organisation conventions they recognise the right to strike. Any group of workers may be legitimately involved in strike activity although we may not agree with the purpose of the strike. Such a strike might be an incident that would hinder the performance of the armed Services. In that situation would we say that those people were guilty of subversion?

Mr Ruddock—Yes, in that situation; if troops couldn't get to the front because someone was out on strike.

Mr HOLDING—The honourable member for Dundas says yes. That is the difference between Government supporters and members of the Opposition. The honourable member for Dundas is perfectly happy to give these very wide powers to an intelligence and security operation. I take it from his own interjection that he is perfectly happy with that provision. He wants the powers given to the Organisation to be so wide that they can encompass legitimate industrial activity.

Mr Ruddock—One that stopped the troops getting to the front in time of war.

The CHAIRMAN—Order! I warn the honourable member for Dundas.

Mr HOLDING—The honourable member for Dundas by his own interjection has disclosed both his purpose and his concept. That is why we are opposed to the length and breadth of this clause. I do not think that the Director-General of Security ought to have imposed on him the power to act in all those situations which arise in the community and which can have incidental effects on the defence forces. Nobody on the Government side believes—the Minister for Foreign Affairs (Mr Peacock) certainly does not believe—that we are likely to be at war within five years. If the honourable member for Dundas believes that we will be at war in the next five years let him tell us. That is not the view of his Government.

The CHAIRMAN—Order! The honourable member's time has expired.

Mr Viner (Stirling—Minister for Employment and Youth Affairs) (8.46)—The Government cannot accept this amendment by the Opposition. I will make a number of short points against what has been said. The first is that all their Opposition members in all their arguments,

which have been epitomised by the previous speaker, the honourable member for Melbourne Ports (Mr Holding), have omitted one word when they discussed this sub-clause. That word controls the whole of the clause itself. It is the word 'directed'. In relation to the meaning of subversion, clause 5 (1) (b) states:

activities directed to obstructing, hindering or interfering with the performance by the Defence Force of its functions or the carrying out of other activities by or for the Commonwealth for the purposes of security or the defence of the Commonwealth;

Therefore, the act which is kept under surveillance must be an act which is judged to be directed to this purpose—to obstruct, hinder or interfere with the performance of the Defence Force. It is an old debating technique, well recognised by anybody who has been involved in debating in the past, that in order to condemn something a person always uses an innocent example. He says: 'There is an innocent activity. Why should that activity be rendered unlawful or kept under surveillance by the security organisation? When an innocent activity is kept under surveillance that is an infringement of civil liberties.' It is not the innocent activity to which this clause is directed but to some other kind of activity. This point illustrates the fallacy of the arguments of the Opposition. For example, it says that a march or demonstration in the street to protest against a law or executive act of government could be the subject of surveillance under clause 5 (1) (b). Another example given was a speech by Senator Hamer, not in the House but outside it, when he criticised the administrative competence of the Department of Defence. Of course, those activities are not caught by this clause, nor are they intended to be. They are innocent activities, known to everyone, which are not directed to obstructing, hindering, or interfering with the performance by the Defence Force of its functions. We need to recognise this debating technique. I am sure that as it has come out in the debate on this amendment so we will find the same technique used throughout the debate on the amendments proposed by the Opposition.

It has been said that the only activities which ought to be capable of surveillance under the authority of this legislation are unlawful activities. I will give an example which I think will be understood by everyone. One of the most recent notorious acts of terrorism was the bombing of Lord Mountbatten's boat. The bomb was set off by remote control. It killed Lord Mountbatten and other people. That was an unlawful action, it was murder. Let us transpose that action to a situation in Australia. I was in the executive

building of the Government of New South Wales in Sydney last Friday at a conference of State and Commonwealth Labour Ministers. The room overlooked Garden Island Dockyard where HMAS *Melbourne* was moored. If someone who wished to obstruct the performance by the Defence Force of its functions put a bomb against the hull of HMAS *Melbourne* and by remote control triggered that bomb and blew it up, the act of blowing it up would be unlawful. The Opposition is suggesting that the Australian Security Intelligence Organisation could not keep that person under surveillance prior to his placing the bomb and triggering it off with the purpose of obstructing the performance by the Defence Force of its functions.

I think that shows the absurdity of the proposition of the Opposition. ASIO would need to know that an unlawful act was being committed before it could even keep the activity of that group of people under surveillance. Quite obviously ASIO has to have the authority to keep under surveillance activities, lawful or unlawful, which are directed to obstructing, hindering or interfering with the performance by the Defence Force of its functions. Let us not detract from the application of common sense in this situation. The intelligence authorities must be able to make a judgment of the character and nature of the activities of people. I think it is quite clear then that if one limits ASIO's surveillance capacity to activities which are unlawful in themselves, then one seriously circumscribes, inhibits and limits its capacity to act in the interests of the nation.

It is quite clear then that the security authorities must have the capacity to keep under surveillance activities, either lawful or unlawful, directed to the matters stated in the clause. I repeat those again. They are activities 'directed to obstructing, hindering or interfering with the performance by the Defence Force of its functions or the carrying out of other activities by or for the Commonwealth for the purposes of security or the defence of the Commonwealth.'

Mr LIONEL BOWEN (Kingsford-Smith) (8.52)—I have never heard a more outrageous suggestion than the one just made. In the calmness of debate the Opposition gave instances of how it thought innocent people could be the subject of surveillance. We led off in that area. Ever since then we have had nothing but examples of actual criminal acts. The honourable member for Mackellar (Mr Carlton) is anxious that there be some sort of judicial control because of some resolution that the trade unions should not be subject to judicial proceedings. But this provision does not relate to control. This is a definition of

subversion. When a person comes under notice a file is created. The clause does not do anything other than that. It will not save HMAS *Melbourne* from disaster, if that is the stupid illustration now offered. The instance cited would be a criminal act. That has nothing to do with this legislation. This clause is not about enforcing the criminal law. If there is a crime the Government knows it will be dealt with. The point we are making is this: When are people brought under notice?

Let me refer to what was said. According to Mr Justice Hope, the trade unions are performing very creditably indeed, thank you very much. He made the point that ASIO does not, and properly does not, survey employer organisations or trade unions as such. He said that activities do not affect security merely because they may cause, or do result in, industrial disruption. I point out to the honourable member for Mackellar that if there is something wrong in a trade union it will be revealed at a meeting. Trade unions usually have meetings. The honourable member would be aware of what was happening. The trade unions can be subject to discipline in the courts. They can be subject to penalties and their members can lose wages. There are no clandestine operations at trade union meetings. There would be more clandestine operations at a Liberal Party branch meeting, but nobody wants to interfere with those functions. The question we are about here is this: When do you create a file on a person? This has got nothing to do with HMAS *Melbourne* being blown up or anyone losing their life. Such happenings would be criminal acts. A person caught in that act would be dealt with. We are talking about a definition of activities that bring a person under notice for subversion.

The Minister makes the point that the activities have to be directed at something. There has to be an overt act if one is going to find the direction. Does the Government seriously suggest that because a trade union meeting passes a resolution that it is not going to work a certain ship that therefore is an action directed at causing some subversion? The ship may not sail and the people involved in the strike can be penalised, but there is no subversion. Is the Government seriously suggesting that a file has to be started on everyone involved in that strike because for the first time they have come under the eye of security? It is just unfortunate that that particular ship was loading ammunition among other stores. But had this happened the next week when a ship was loading wheat it would not have had any significance at all. When we talk about

activities there has got to be some assessment. The activity is not going to be subject to any court or judicial proceeding. This is the point. It comes down to a file being prepared on a person and he then comes under surveillance. People can have their telephones tapped and all these other things can happen.

Mr Viner—Under warrant.

Mr LIONEL BOWEN—By the Director-General at times in an emergency.

Mr Viner—Under warrant.

Mr LIONEL BOWEN—Under warrants, which you will not disclose to the Opposition. Let us make the position very clear. The Minister thinks there is a lot of comfort in having a warrant. Anyone who has had something to do with the Postmaster-General—I happened to be one—knows that at times telephones are tapped without warrants. The person who has the capacity to tap a telephone often does not have the inclination to get a warrant. Let me be clear about that.

Mr Viner—Don't cast the sins of others on ASIO.

Mr LIONEL BOWEN—You would know what happens. You are in government. Check it out. Your Minister is not prepared to disclose to the Parliament the number of warrants that are issued. He thinks this has something to do with helping the KGB. We cannot even find the information. Let us get back to what we are about in the definition—

Mr Viner—It is about time.

Mr LIONEL BOWEN—It is about time. The Minister is the most frequent interjector and, I may say, the greatest union basher we have on a clause dealing with subversion. Government members have spent all their time on this matter belting the unions. Union members are the one group of people who meet in the open to pass a resolution. God help us if that cannot happen; we are in trouble! But what are we to do about an innocent person who says: 'I do not think we should be recruiting people into the Navy.'? That is not an unlawful act but that person can come under notice because, according to the Minister's own classification, he is directing his remarks to hindering the Defence forces. Let us look at this matter properly. We are using it for that purpose. It was the example we gave but nobody got up to deny it. Yet we hear all sorts of irrelevant matters about what happened at the Adelaide conference or how some people who never served in a theatre of war are worried about the future of a war. Bear in mind that most unionists fought in

the two World Wars. Most of those who lost their lives in violent action were unionists, yet the Government has this dreadful fixation—I will not use the word paranoid—what is wrong with unions.

Mr Carlton—Nothing.

Mr LIONEL BOWEN—That is right. The reason why there is so much difficulty with this legislation is that the Government will not allow calm discussion. Every person on the Government side now—there are not too many—has some peculiar idea of how to run this legislation. We may as well give the whole credit for the Government's case to the honourable member for Dundas (Mr Ruddock). He has not missed one opportunity to speak. He has continually attacked the trade union movement and referred to what is wrong with his fellow Australians. Yet in this atmosphere we are trying to get bipartisan agreement on the words in this Bill. People are genuinely concerned. When we see legislation like this we think that it has been drafted by somebody who may need guidance, someone who has never had the benefit of listening to a debate. It was drafted by somebody who happens to be a parliamentary counsel. This is not Mr Justice Hope's legislation. It happens to have been drafted by somebody who feels that this is the way in which to control subversion.

All the other examples are examples of acts of violence. They are criminal acts and they will be dealt with on that basis. But who are the innocent people who will be brought under notice and never know about it, who will never have the opportunity to know that a file has been prepared on them because they happened to take particular action on the waterfront in Sydney and some question arose about hindering the Defence Force? Let me make the position very clear. The Defence Force has its own ideas on how to look after itself in these matters. The Hope report shows clearly that if there is proper intelligence the Defence Force will be well aware of the people who have the motivation and deliberate intent to hinder it. Let us not put ourselves in the stupid situation in which the passing of a resolution by a particular union that its members will not load a ship is regarded as an overt act directed at hindering the Defence Force. Such action might have only to do with trying to get another \$10 a week, depending on what particular vessel is concerned. I just want to bring some bipartisanship back into this matter. We have spoken about innocent people who can be caught up in the definition of subversion and have a file prepared on them on that basis. It is for that reason that we have said that we should look at

the real motive for the activities in question and that any activity that is deemed to be subversive needs to be unlawful.

Mr SCHOLES (Corio) (9.1)—I want to make it clear right from the outset that, as far as I am concerned, any person who wilfully sought to interfere with the activities of the Defence Force in a manner which would in any way inhibit its ability to defend this country or endanger—

Mr Viner—Obstruct, hinder or interfere.

Mr SCHOLES—I said: 'In any way inhibit its ability to defend this country'. I know that the Minister for Employment and Youth Affairs is a player on words but I want to give him a bit of a serve on his incompetence in law, so he should stop interjecting. Anyone who in any way inhibits—that means in any way interferes with—the ability of the Defence Force—

Mr Viner—Oh, no!

Mr SCHOLES—I am glad that the Minister understands the English language. Anyone who in any way inhibits the ability of the Defence Force in its carrying out of its functions in respect of the security of Australia or Australia's defence is a person who should and would be dealt with. That, I hope, is not in question. The example given by the Minister is possibly the most incompetent example I have ever heard given in a parliament. Any person who planned—the Minister said that the security forces would not be able to conduct surveillance on a person while he was planning—an action such as he described would be acting in breach of Commonwealth law. The Commonwealth Crimes Act, which I am sure he understands, was significantly amended as far back as 1961 to make it an illegal act to approach a defence establishment. There is an Act which covers Garden Island, called the Control of Naval Waters Act, which some members of the Parliament might have heard about, and which would make it illegal for an unauthorised person to enter that area. The preparation and planting of any device for the purpose of sabotage would contravene the Crimes Act, certainly the defence Acts, and the Control of Naval Waters Act.

To say that such a person was not guilty of subversion because the clause requires an illegal act to have been committed is to say something which can only be classified as incompetent and misleading. Such a person would have carried out any number of illegal acts which would qualify for surveillance under this clause long before he even got a bomb together. I think it is worth saying to the Committee that the record of our intelligence organisations in relation to bombings is not very good. So far they have not been

able to advise a government of the likelihood of a politically motivated bombing and so far there is no history of anyone who carried out such an act being discovered. I think we ought to be trying in this case to ensure that this legislation will in fact carry out the functions of enhancing security and of ensuring that the security organisations in Australia are able to carry out their functions and that the people of Australia will have confidence that they are carrying out those functions in a manner which the people of a democratic society are entitled to expect.

I repeat what I said earlier in the day: The establishment of a security file on a person places a very serious limitation on that person's civil rights in this country. It denies that person access to any number of areas of activity. The ability to establish a security file on a matter which is deemed to be subversive but which is not illegal would seem to be an extension of the inroads into the legal rights of citizens which should not be tolerated in a democratic society. I know that the Minister just does not understand the difficulties of people who are caught up in this type of situation. He does not understand people at all, judging by what he says in this House. He certainly has no respect for the law as a protector of the rights of a citizen but he looks on it as a vehicle to inhibit the rights of a citizen. There are adequate provisions for security forces to institute surveillance in any situation in which a person is a security risk or takes part in activities which would bring him under notice as a possible security risk. This clause as drafted is little more than a pretext. No protection is provided anywhere in the legislation for a person who is improperly placed under surveillance and against whom a file is improperly established. There is no means of audit, no means of notification and no means by which even the Minister can be informed of the establishment of such files.

The CHAIRMAN—I think the honourable member is getting a little away from the question.

Mr SCHOLES—Mr Chairman, we should keep in mind the very wide net of laws which protect our security organisations, our defence forces and those other activities which have to do with the security and defence of Australia. There is a myriad of Acts, not the least of which is the Commonwealth Crimes Act, which contains clauses of this type and which would deem a very minor breach of the types described here to be an illegal action. Given that no protection exists in the legislation for a person, given that a person has no defence, I think it is not unreasonable for

this clause to contain a provision that before an activity is deemed to be an act of subversion, before the step of restricting his future civil liberties in this country is taken—it is a severe restriction to establish a file on a person—that person should at least have been charged with or deemed to have undertaken an illegal act.

Mr HOLDING (Melbourne Ports) (9.8)—I was worried about this legislation when I first looked at it, but having heard the explanation of the Minister for Employment and Youth Affairs (Mr Viner), I am now terrified. First of all, in the course of his tortuous legal argument he said that members of the Opposition had omitted to apply their minds to the word 'directed' as it appears in the clause. If by implication the Minister is referring to activities which are primarily directed to obstructing and hindering, I would agree with him. But if that is what the honourable gentleman meant, that is what should have been said in the Bill.

The fact is that by implication the thrust of the Minister's argument is that an activity, in order to fall within the definition of subversion, has to be primarily directed to obstructing or interfering with the performance of the Defence Force. That is not what the clause says. The clause refers to 'activities directed'. That is a broad definition. An action does not have to be primarily directed and there does not have to be a prior intention. An industrial stoppage or any one of a number of ordinary exercises in the daily life of a citizen which has the effect of being directed falls within the provisions of the clause. If what the Minister is talking about is where it is primarily directed, then the legislation ought to say that. That is the real thrust of the Minister's argument but that, of course, is not what the clause states. What really terrified me was his own analogy. I invite the House to contemplate that.

What this Minister wants the House and the people of Australia to believe—it is the most extraordinary argument I have ever heard from a lawyer—is that some terrorist whom we shall call Boris, could make himself a bomb. He could manufacture it in his house, wander through the streets of Sydney with it in his Gladstone bag and go down to the wharf while the Minister is innocently going about his business. The Minister looks up and he sees Boris who presumably puts on his snorkel and his flippers and dives down and plants that bomb on the side of HMAS *Melbourne*. What then occurs? Boris goes off the wharf, takes out his little remote control button and it is not until he presses that button that the Australia Security Intelligence Organisation can

move in and ask: 'What are you doing?' According to the Minister until Boris actually puts his finger on the button there is no illegal activity. It is all perfectly lawful. That example comes from a Minister of the Crown, a trained lawyer, who is handling this Bill in the Parliament. I do not want to give the Minister too many lessons in legal interpretation but let us go back to Boris manufacturing his bomb in his little house in the electorate of the honourable member for Dundas (Mr Ruddock). Are honourable members opposite trying to say that if an ordinary police constable wandered into Boris's home because he believed Boris was involved in a starting price betting operation and found Boris with a bomb he would say: 'I only came about the SP betting operation. My word, you have a bomb there with you, have you, Boris? That is not an illegal activity. I will be back about the SP betting operation'. He then goes off into the night. Boris then walks through the streets of Sydney with his bomb in his Gladstone bag. He might even go up to a policeman and ask: 'Could you tell me where I can find Cockatoo Dock?' The policeman says: 'My, Boris, what have you got in your bag?' Boris replies: 'I have got a bomb'. The police constable says: 'You have not committed any breach of the law. Cockatoo Dock is that way. Don't do anything silly, will you, Boris'.

Mr Cotter—Who is being silly now?

Mr HOLDING—That is the argument put by the Minister. As a result of the friendly instruction by the friendly New South Wales constable Boris finds his way. He walks onto the wharf. Anybody who has ever walked onto a wharf knows that there is always a pile of regulations that cannot be jumped over. There are many by-laws governing what occurs there. But Boris walks on with his bomb. This place always has policemen on duty. A policeman asks Boris: 'What are you doing Boris?' Boris replies: 'I have got a bomb here'. The policeman says: 'That is not illegal because we listened to Mr Viner, you know that very learned lawyer who is charge of the ASIO Bill on behalf of the Government. We will ring up ASIO and if you actually press the button you will be in trouble. But see you later Boris because there is nothing we can do'. So the policeman watches Boris put on his flippers and his snorkel and plant the bomb on the side of HMAS *Melbourne*. Even then he does not do anything because of what this Minister who is in charge of this legislation and, God help us, in charge of our liberties, has said. We are dealing with the crime of subversion. This Minister says that until Boris presses the button no crime has

been committed. Well, let me just say to the Minister, more in pity than in anger, that the act of manufacturing a bomb in any residence anywhere in Sydney or in Melbourne or anywhere at all—

Mr Kevin Cairns—You sound like Ginger Meggs.

Mr HOLDING—I might sound like him but the honourable member looks like him so that makes us equal. The act of manufacturing a bomb anywhere is an illegal act and I do not have to tell that to the Parliament. I ask any honourable member to go outside and ask any police constable who does not draw half the salary of the Minister whether walking around a public place with a bomb is an unlawful activity. Do not ask the Minister but ask any average police constable about walking onto a wharf with a bomb.

Mr Scholes—Approaching a defence establishment is an offence.

Mr HOLDING—Indeed, even being there without lawful authority is an offence. I would say that by the time poor Boris even got his explosive substances together—before he actually reached the wharf—he would have committed a number of breaches of State laws and local council by-laws. There would be so many unlawful activities in which he would have been involved that any security intelligence operation that did not have that situation covered would be grossly derelict in its duty. The enormity of it is that the Minister who is in charge of this legislation has the gall when he invents a hypothetical situation to justify the far-reaching provisions of this Bill to produce an example which is not only demonstrably and palpably legal nonsense but also it is grossly misleading the Parliament and the people of Australia. Why would he do it? He is not altogether a legal fool. Why would he want to invent and produce an example that is so demonstrably an palpably false? It is because he knows that he cannot justify the situation.

Mr Ruddock—Perhaps it is to help you.

Mr HOLDING—The honourable member for Dundas is a lawyer. I invite him to get up and tell me whether he believes it is possible to manufacture a bomb, wander around his electorate, get down to Cockatoo Dock and plant it on the side of the *Melbourne* without breaching—never mind Commonwealth laws—any of the local State laws. If the honourable member believes that I invite him to get up and tell me. I will listen very patiently because I suspect that the honourable member for Dundas as a lawyer does not want to get into this argument. He will leave the Minister

with his own deplorable example. The point I am making is this: Why, with all the examples that are available, would the Minister choose such a bad one. He chooses such a bad one because he is desperate. Acknowledging the arguments which he cannot meet and which have been put forward by the Deputy Leader of the Opposition (Mr Lionel Bowen) and acknowledging the intrinsic logic of the arguments that have been put forward the Minister is unable to answer them. He resorts to the mythical terrorist who is going to destroy the HMAS *Melbourne*. Everyone knows that HMAS *Melbourne* is the most lethal weapon in the Australian Navy. Every time it puts to sea it sinks something. He produces this imaginary terrorist and creates a palpably false situation. He puts a position to this House which is a palpable legal absurdity. As I said at the beginning, this clause is bad enough, but when I hear these sorts of arguments, I am terrified that anyone ought to have these sorts of powers because what we are dealing with are the rights and liberties of the ordinary Australian citizen and what this clause is dealing with is the crime of subversion.

Dr EVERINGHAM (Capricornia) (9.18)—I would just like to relate a little of my experiences with the Australian Security Intelligence Organisation to indicate that the Opposition is not talking theoretically. The sorts of fears that we have are genuine fears and are based on actual happenings. In my student days I was misguided enough—because I had a father who campaigned for Sir Earle Page in his electorate—when I heard about the formation of a new political party called the Liberal Party to accept the invitation which came into my letterbox to go to the inaugural meeting. I was nominated as secretary of the local branch. I declined because I was rather busy with studies in those days. In the course of my universities studies I met saner counsels who persuaded me that I was on the wrong side of the fence.

Mr Yates—Which fence?

Dr EVERINGHAM—The political fence.

The CHAIRMAN—Might I ask the honourable gentleman at this stage to please address himself to clause 5 (1) (b).

Dr EVERINGHAM—I am because I am suggesting that if a government of a certain colour used the law that we are debating tonight to decide that association with a party was an undesirable thing and it labelled the person who associated with that party as somebody who was not favourably known which is a phrase that was

used by the honourable member for Wills (Mr Bryant)——

Mr Kevin Cairns—Well, relate it to clause 5 (1) (b).

Dr EVERINGHAM—I am speaking directly to the amendment which says that there ought to be the provision that the action which leads to surveillance is an illegal action. It was not illegal for me to have attended that party meeting, but in later years I attended meetings of another kind which led to my being under surveillance by ASIO. I attended peace meetings. I became the president of a peace committee in Rockhampton. I organised the Peace Conference. I put propaganda opposing Australia's involvement in Vietnam—when Australia got to that stage—on the walls of my waiting room. From two separate sources I was informed that I was on the files of ASIO. One could of course say that I was paranoid to have believed such hearsay. One of the sources was a medical man who happened to be my partner at that time. His brother-in-law worked in ASIO and he had, of course, breached the confidentiality of his job by informing my partner of certain information.

My partner informed me of this because he felt uneasy about the exposure he was receiving following letters I had sent to a newspaper editor in Rockhampton, and the discussion that went on about the 'odd bod Everingham and his queer ideas'. He informed me gently that ASIO did not really think I was a communist but that they were warning me that they were keeping an eye on me. I will not relate the other occasion. Nevertheless there was no doubt in my mind that my name got onto the files of ASIO in those days.

I received confirmation of that information. After I became a member of Parliament I had in my office a notice which declared my intention to give moral support to young men who were defying what I considered to be an unjust law—conscription for Vietnam. I had a courteous visit from a courteous man in plain clothes from the Commonwealth Police. He questioned me at length about my attitudes, involvement, knowledge and contacts regarding breaches of the conscription law in force at that time. That did not stop my being promoted. I later became a Minister of the Crown. I have had access on occasions even to secret documents. That does not mean that the small man who was referred to last night by the right honourable member for Lowe (Sir William McMahon) would have that kind of immunity from that kind of surveillance. The small man is threatened by this legislation.

It does not matter whether he goes to a peace congress, declares that he is against an unjust law or whether he joins a new and unheard of party called the Liberal Party. If the Minister of the day happens to see that as a security threat he can invoke this clause because it is wide enough to drive a horse and cart through. Anything can be represented as interfering with the plans of the Government to defend the security of the State. Those blessed words are the talisman that justify every kind of totalitarianism on the face of the earth. Those great ringing words 'the security of the State' are the sort of slogan with which Hitler went to war and with which he legally took control of the German people who one would have thought were a sophisticated people—politically aware. He legally took control of them by using exactly the same laws and regulations as are proposed here.

He persuaded them with such fine speeches as the Minister delivered when he said: 'Oh, but of course, you are quoting innocent cases'. I have no doubt that Hitler and Goebbels said exactly the same when people objected to the sweeping terms in which they wrote laws for the security of the German state. Hitler would have said: 'Oh, but of course you are quoting innocent cases. We would not slaughter innocent Jews. Obviously it is the subversive people we are getting at'. That is the danger in this law and that is why the Minister for Employment and Youth Affairs (Mr Viner), if he has any sense about this matter and any knowledge of political history, will accept this minor amendment.

Mr SCHOLES (Corio) (9.24)—I raise one or two matters in the Australian Security Intelligence Organization Bill which are still outstanding. We have concentrated on the amendment to clause 5. The Government has indicated that in its opinion an act does not have to be unlawful to be subversive. In this clause there is also the definition of acts—this ties in with unlawful act—which fall within the ambit of this clause and which has nothing to do with the security or defence of Australia. I think it should be made clear in this Committee stage that this clause can be used by the Government for civilian purposes which have no significant security or defence capacity. I refer to the oft repeated threats of the Prime Minister (Mr Malcolm Fraser) to use the Defence Force. If they come to fruition the Defence Force will be involved in civilian activities in this community. He has made that threat at least four times this year. It is a threat which I suggest to the House is a danger to the standing of the Defence Force and can bring it into disrepute. It is a matter which I am sure the Prime

Minister would not be concerned about unless he scored a political point.

Mr Yates—That is not very fair.

Mr SCHOLES—To be quite honest I do not think he cares about anything except political points.

The CHAIRMAN—Order! The honourable member will come back to the question.

Mr Viner—Chifley used the defence forces.

Mr SCHOLES—I am quite aware that Chifley used that tactic. I am quite aware that at the time it was a matter of controversy and I am also aware that it was a matter of immediate and absolute national significance. I do not think that in any of the cases in which the Prime Minister has threatened this action the same situation existed. I make the point that in recent weeks there has been all the evidence of a build-up of a campaign to create a confrontation situation relating to the mining and export of uranium. Should such a situation occur where those people who have genuine objections to the mining and export of uranium seek to take action to demonstrate that proposition—and the Prime Minister uses his national security powers, as I am sure he would if he thought it was politically advantageous to bring the Army in on a pretext of national security—and picket, demonstrate or in any other way protest against the loading, shipping or movement of that uranium, they will find themselves in breach of the terms of this clause and be deemed to be carrying out acts of subversion.

I will use an example of a previous time under a similar clause. Those persons who objected in 1939 to the shipment of pig iron to Japan to make armaments for later use against Australia were most likely better patriots than the persons who tried to prevent that Act. Those persons would have been guilty of subversion had the Defence Force been brought in either to move that pig iron over the wharves or to protect the movement of that pig iron over the wharves and other activities which were being picketed. I remind the House that there is no provision in this Bill for any audit of the actions of the security organisations. There is no provision for any examination of the files that are created or of their contents and no provision for any person to challenge the existence of a file in his name or to try to establish that the charge of subversion which is inherent in the establishment of a file under this clause is a charge which is unwarranted. A person acting in good conscience on a matter which has a content of conscience can, because he disagrees with the government of the day which has chosen to use its powers in a way

which may be inadvisable but is legal, finds himself declared as a subversive.

An extensive inquiry has just been carried out by a committee of this Parliament into the denial of civil liberties to persons in the Soviet Union. The clause before the Committee is not greatly different from the law in the Soviet Union which permits breaches of civil liberties to occur. We, as a Parliament, feel justified in inquiring into them and complaining about them in this country and throughout the world. The framework is very much the same. The way is open, in the light of the legal incompetence which has been demonstrated in this chamber tonight, to extending that framework by administrative action and regulation.

Very wide ranging powers exist in Acts which have been passed by this Parliament over a number of years. I point out to those honourable members who do not remember the amendments to the Crimes Act of 1961 that the sort of example which the Minister gave is beyond being ludicrous. It is an offence under the Commonwealth Crimes Act and other Acts of Parliament to approach a defence establishment. I do not make fun of the Minister's speech. I am alarmed that a person who in this House represents the Attorney-General should make such a speech showing his complete and utter disregard for the facts.

Mr Graham—How many people have been charged under it?

Mr SCHOLES—No one has ever been charged, but under this legislation persons can be deemed to be subversives without being charged, without the right of defence and without committing any illegal act. That is the consequence of this clause. A person can be said to be a subversive without having committed an illegal act. Commission of an illegal act in this field is extremely easy because of the wide ranging provisions of the Commonwealth Crimes Act and the State Crimes Acts.

Mr Graham—Don't you know that the Camerons, the Grahams and the Campbells have for 400 years been hated by the English? Don't you understand anything about history?

Mr SCHOLES—I fancy that the O'Learys do not like the English, but I do not think that has anything to do with subversion or with this legislation. The fact is that the Commonwealth Crimes Act and the State Crimes Acts are adequate to cover any subversive activity which is likely to occur in Australia. Any person who takes part in what in fact is subversion is entitled to be charged. No person ever has been charged.

In fact, the only person in the history of this country seriously challenged with that sort of action was a member of this Parliament. He was expelled because he was an Irishman and was honest about it. That happened on 11 November 1920. Honourable members should remember the date.

The wording of this clause is designed to restrict civil liberties. It provides no protection of civil liberties. The Minister's speech indicates quite clearly that the Government is prepared to go to any length at all in regard to this legislation. It is even prepared to mislead the Parliament and to give deliberately false examples. I cannot use any other term. The Minister must know better. He cannot be that incompetent; it is impossible.

Mr Viner—Could you get him to withdraw, Mr Chairman?

Mr SCHOLES—I withdraw, but I would have thought that if the Minister believed what he said he would not be prepared to admit that he was that incompetent at law, especially in his role as representing the Attorney-General of the Commonwealth.

Mr Kevin Cairns—He only gave that as an example.

Mr SCHOLES—It was a dreadful example.

The CHAIRMAN—Let us get the situation clear. Has the honourable member for Corio withdrawn his remark?

Mr SCHOLES—I have withdrawn the remark. I complete my remarks by saying that the clause is a danger to civil liberties. I hope that the Committee rejects it.

The CHAIRMAN—Order! The honourable member's time has expired.

Mr VINER (Stirling—Minister for Employment and Youth Affairs) (9.35)—I shall deal very briefly with the argument that has been put forward. I think that the argument put by the honourable member for Melbourne Ports (Mr Holding) in answer to the example I gave really proves the point. The proposition put forward by the Opposition was that it would allow to the Australian Security Intelligence Organisation only the authority to keep under surveillance anybody who had in mind an activity, such as bombing HMAS *Melbourne* which obstructed, hindered or interfered with the Defence Force when an illegal act had been committed. An illegal act can be committed earlier than the pressing of a button by remote control to ignite a bomb. The point is that the Opposition would

deny to ASIO the opportunity to keep under surveillance a person committing an act which does not constitute an illegal act. I think that in the exercise of common sense one would say that ASIO ought to have the authority to keep under surveillance a person who is engaging in an activity which falls short of an unlawful act but which is directed to obstructing, hindering or interfering with the functions of the Defence Force. So my example served the purpose of drawing out the Opposition and showing the fallacy of its proposition.

The honourable member for Melbourne Ports also said that this clause deals with the crime of subversion. It does not. It does not create an offence; it does not make a person guilty of an offence when he engages in an activity which is directed towards the end result. The clause gives authority to ASIO to keep under surveillance people who are engaging in this kind of activity.

It is always a salutary exercise to invite members of the Opposition to consider themselves sitting on the Government side of the House. What would they say if they directed the Defence Force to carry out a certain task in the defence interests or security interests of the country? Would not the Deputy Leader of the Opposition (Mr Lionel Bowen) or any member of this House expect a Labor government to tell its security organisation to inform it about any persons activities, either lawful or unlawful, which are directed towards obstructing the very function which it had commanded the Defence Force of this country to carry out in the interests of the defence of this country? Would a Labor government say to its security organisation that it is not interested in getting advice on any activity which is directed towards obstructing the very purpose for which the Government had sent the Defence Force on its way? Of course not. That points out the fallacy of the Opposition's proposition.

As this debate has unfolded and as we have dealt with clause after clause, I have been driven inevitably to the conclusion that the honourable member for Corio (Mr Scholes) does not believe that an intelligence organisation should exist in Australia.

Mr Scholes—I object to that remark. It is a deliberate lie by the Minister. He is the biggest liar in the Parliament.

The CHAIRMAN—Order!

Mr Scholes—He is a dirty, filthy low liar.

The CHAIRMAN—Order! The honourable member for Corio—

Mr Scholes—You let him say that. You knew he was doing it.

The CHAIRMAN—Order! The honourable member for Corio was very quick off the mark.

Mr Scholes—I will hit him in the mouth if he says it again, I tell you now.

The CHAIRMAN—Order! The honourable member of Corio—

Mr Scholes—He is filthy low liar. He is not fit to be in the Parliament.

The CHAIRMAN—Order!

Mr Scholes—I withdraw.

The CHAIRMAN—Order! The honourable member for Corio will resume his seat. Under the circumstances the Minister will withdraw the statement that the honourable member for Corio was deliberately misleading the Committee.

Mr VINER—I did not say that the honourable member was misleading the Committee.

Mr Scholes—You did so.

Mr VINER—I did not.

Mr Scholes—You are a liar.

The CHAIRMAN—Order! The honourable member for Corio!

Mr Scholes—You are a disgrace to your profession and to this Parliament.

The CHAIRMAN—Order! The honourable member for Corio surprises me.

Mr Scholes—When a man is entitled to say that in this Parliament the Parliament is in disrepute.

The CHAIRMAN—Order! To the best of the recollection of the Chair there was a direct imputation, in words that I cannot precisely recall, that the honourable member for Corio was deliberately misleading the Committee.

Mr VINER—Mr Chairman, if you think that what I said requires withdrawing I will certainly withdraw it. I said: 'As I listen to the honourable member I am driven to the conclusion that he does not believe that there should be a security organisation in Australia'.

Mr Scholes—That is a lie. You cannot establish that by any part of my speech or from any remark that I have ever made in this chamber. It is a filthy lie by a man who is deliberately trying to downgrade my reputation for political purposes. He is a disgrace to the Parliament. Mr Chairman, you ought to throw him out for repeating it.

Mr Ruddock—You are going too far.

The CHAIRMAN—Order! The Committee will come to order. The honourable member for Dundas is not assisting.

Mr Scholes—You are a lawyer. You know that I did not say anything like that.

The CHAIRMAN—Order! The honourable member for Corio will come to order.

Mr Scholes—It is a misrepresentation by a man who is being an assailant.

The CHAIRMAN—Order!

Mr VINER—Mr Chairman, if the honourable gentleman wishes me to withdraw, I will withdraw.

The CHAIRMAN—The Chair will rule on the matter. The Chair takes note of the Minister's willingness to withdraw. Before calling on the Minister to withdraw, consistent with his offer, I suggest to the honourable member for Corio that the comment by the Minister that he was drawn to the conclusion did not, in itself, insist that that was the case. It was a rhetorical proposition. In view of the honourable member's objection and as the Minister has indicated that he will withdraw, I ask him so to do. The honourable member for Corio will be required to withdraw the expressions he made, to the surprise of the Committee, I am sure. Does the Minister withdraw?

Mr VINER—Yes.

The CHAIRMAN—Does the honourable member for Corio withdraw?

Mr Scholes—Mr Chairman, I withdraw the remarks I made. But I make it clear to the House that I occupy a position in the chamber that I take seriously. I am responsible to the Opposition for matters of defence. I consider that my ability to carry out those functions is damaged by statements such as that made by the Minister. If a Minister, without any evidence at all, tries to impute that type of statement to me, then the Minister is deliberately seeking to damage my reputation in a manner which I think is beyond his rights as a member of this Parliament and beyond the rights of any member of this Parliament. I consider that I am entitled to be upset because I made no such remarks. Mr Chairman, as you are well aware, I started my remarks by saying that any person who seeks to inhibit—

Mr Kevin Cairns—Oh, come on!

Mr Scholes—This is a serious matter. The Minister has challenged my reputation and my integrity and if that is not entitled to be defended in the Parliament, then what is?

The CHAIRMAN—Order! The honourable member for Corio will appreciate that there is another way in which his explanation can be made.

Mr Scholes—As soon as the Minister sits down, I will make a personal explanation under Standing Order 64.

The CHAIRMAN—Has the honourable member for Corio withdrawn the expression?

Mr Scholes—Yes, I have withdrawn the expression.

The CHAIRMAN—Has the Minister concluded his remarks?

Mr Viner—Yes, Mr Chairman.

Mr SCHOLES (Corio)—Mr Chairman, I wish to make a personal explanation about a matter on which I have been misrepresented.

The CHAIRMAN—The honourable member may proceed.

Mr SCHOLES—At the commencement of my remarks on this clause I said—the Minister for Employment and Youth Affairs (Mr Viner) is aware that I said this because he queried the actual terminology—that any person who seeks in any way to inhibit the defence forces of this country in the carrying out of duties connected with the security or the defence of this country not only deserves to be deemed to be a subversive but also to be acted against as a subversive. That is a clear and absolute statement. It is one to which I hold and one in which in no way can one find a derivation such as the one that the Minister attempted to place upon it for his own political purposes. I repeat that the position I hold as the Opposition's spokesman on defence is one that I take seriously and that type of suggestion—

The CHAIRMAN—The honourable member is debating the issue. He has pointed out where he has been misrepresented.

Mr SCHOLES—I realise that. I shall finish in a sentence, Mr Chairman. The making of that type of suggestion, by a member of the Parliament can be only to damage purely for political purposes and is, I consider, irresponsible.

Question put:

That the amendment (Mr Lionel Bowen's) be agreed to.

The Committee divided.

(The Chairman—Mr P. C. Millar)

Ayes	32
Noes	64
<hr/>	

Majority	32
<hr/>	

AYES

Armitage, J. L.	Jacobi, R.
Blewett, N.	James, A. W.
Bowen, Lionel	Johnson, Keith (Teller)
Brown, John	Johnson, Les (Teller)
Bryant, G. M.	Jones, Barry
Cameron, Clyde	Keating, P. J.
Cass, M. H.	Kerin, J. C.
Cohen, B.	McLeay, Leo
Dawkins, J. S.	Martin, V. J.
Everingham, D. N.	Morris, P. F.
Fry, K. L.	Scholes, G. G. D.
Holding, A. C.	Uren, T.
Howe, B. L.	Wallis, L. G.
Humphreys, B. C.	West, S. J.
Hurford, C. J.	Willis, R.
Innes, U. E.	Young, M. J.

NOES

Adermann, A. E.	Hyde, J. M.
Aldred, K. J.	Jarmain, A. W.
Anthony, J. D.	Johnson, Roger
Baume, M. E.	Jull, D. F.
Birney, R. J.	Katter, R. C.
Bourchier, J. W.	Lucock, P. E.
Braithwaite, R. A.	Lusher, S. A.
Brown, N. A.	MacKellar, M. J. R.
Bungey, M. H.	MacKenzie, A. J.
Burns, W. G.	McLean, R. M.
Burr, M. A.	McLeay, John
Cadman, A. G.	McVeigh, D. T.
Cairns, Kevin	Macphee, I. M.
Calder, S. E.	Martyr, J. R.
Cameron, Donald	Moore, J. C.
Cameron, Ewen	Neil, M. J.
Carlton, J. J.	Nixon, P. J.
Chapman, H. G. P.	O'Keefe, F. L.
Cotter, J. F.	Porter, J. R.
Dean, A. G.	Ruddock, P. M.
Dobie, J. D. M.	Sainsbury, M. E.
Drummond, P. H.	Shack, P. D.
Ellicot, R. J.	Shipton, R. F.
Falconer, P. D.	Short, J. R.
Fife, W. C.	Simon, B. D.
Fisher, P. S. (Teller)	Sinclair, I. McC.
Giles, G. O'H.	Staley, A. A.
Goodluck, B. J.	Street, A. A.
Groom, R. J.	Thomson, D. S.
Hodges, J. C. (Teller)	Viner, R. I.
Howard, J. W.	Willis, R.
Hunt, R. J. D.	Yates, W.

Question so resolved in the negative.

Mr LIONEL BOWEN (Kingsford-Smith) (9.54)—by leave—Again relating to the overall definition of 'subversion', I move:

Clause 5, page 3, line 13, omit 'or hatred'.

At the present time, in an endeavour to define what is subversion, the clause reads:

(c) activities directed to promoting violence or hatred between different groups of persons in the Australian community so as to endanger the peace, order or good government of the Commonwealth.

We all recognise that nobody wants to endanger the peace, order or good government of the Commonwealth. We also recognise that people who provoke violence are certainly acting in a subversive way. But when we come to this question of hatred, we get into the mental approach to what we are all about. We cannot identify hatred by any particular positive or physical act. This thing called hatred becomes a frame of

mind, an attitude towards a group of other people or towards another country. It can relate to religious differences and to all sorts of unfortunate human frailties. It is a bit like anger, which we saw in the chamber in the last few minutes. It is very much one of those matters which cannot be put into legislation.

In the Senate, we were somewhat successful because, prior to containing the word 'hatred', the clause had contained the word 'hostility'. We were arguing for the deletion of the words 'or hostility'. We did not seem to be too successful because for some extraordinary reason we got rid of the words 'or hostility' and wound up with the words 'or hatred'. For the life of me I cannot see how the Government, in its wisdom, felt that it was improving the situation, succumbing in any way to the oratory of the Opposition in the Senate or saving the situation by removing the words 'or hostility' and putting in the words 'or hatred'. It comes down again to what we are all about. When we are talking about subversion, we want to get the definitions right. The point that we want to make is that this definition is inadequate and misses what we are all about. Activities directed towards promoting hatred within the community may well need to be outlawed. For example, there is a federal law which deals with racial discrimination and racial hatred. There are any number of State laws which prevent people from committing breaches of the peace. Most of these laws are products of the last century and could well be infringements of civil liberties.

However, to have the Australian Security Intelligence Organisation involved in the question whether people are seeking to promote hatred is quite undesirable. For example, in this place honourable members put their points of view very strongly about such issues as human relations, sexuality and the question of abortion. Such discussions can create the most serious of tensions between people. The Parliament itself is involved in these matters in which an enormous amount of hatred is displayed. We can try to excuse it to some extent because people get so involved, but we would not dare to suggest that these people are guilty of subversion. That is the point. The expression of such feelings has nothing to do with the peace, order and good government of the nation, but those who express them exhibit a lot of what we are about—hate—which is one of the seven deadly sins. There needs to be a definition which contains what we are all about—the concept of violence. That is what this is about. The subversion must be

directed to a violent act, that is, the overthrow or ruin of a government.

Clause 5 is far too widely drafted. We think that hatred is a phenomenon that we can do without, but it has nothing to do with subversion. I have kept my remarks within a short space of time because I think this matter is obvious to everybody—the Government included. In the Senate the Government was prepared to do something towards improving this tedious method we have to adopt to try to improve legislative drafting, but it seems to have fallen from one deep pit into another deep pit. How in the name of fortune are we going to work out whether people are exhibiting hatred towards each other or towards other nations? Clause 5 would be weakened in no way by the exclusion of the words 'or hatred' in accordance with the amendment which has been moved.

Mr KEVIN CAIRNS (Lilley) (10.0)—This matter is not quite so obvious as the Deputy Leader of the Opposition, the honourable member for Kingsford-Smith (Mr Lionel Bowen), might pretend it to be. This clause deals with activities which are directed to promoting violence so as to endanger the peace, order and good government of the Commonwealth. It deals also with activities directed to promoting hatred so as to endanger the peace, order and good government of the Commonwealth. The Opposition suggests that the words 'or hatred' be deleted. One ought to have clearly in mind the consequences of deleting those words. The word which appeared in the sentence previously had been 'hostility'. The words 'or hatred' appear in that position at the moment. One has to be careful that in deleting words such as these one does not make the task of those who have to place others under surveillance almost impossible.

We know that there are people who will promote hatred for the purposes of endangering the peace, order or good government of the Commonwealth. Those people deserve to be under surveillance. Their activities deserve to be viewed. So the whole clause concerns an incitement to people to do certain activities which endanger the Commonwealth. I can imagine many cases in which violence will be promoted. This is a danger. The Opposition agrees that we should examine that activity. The clever people do not promote violence directly. They do not get themselves directly involved in violence. The clever people fall just short of it. They may promote all the circumstances in which violence will occur and which will result in the injury to the Commonwealth that is nominated in clause 5 (1)(c). One could take an overseas example. One could

consider Ireland at the moment. One knows that in certain respects Ireland can be tinder dry in terms of a conflagration, and I am not talking about a bush fire. The clever people will not promote violence directly. They know that by promoting hatred they can gain a certain result.

The effect of the amendment proposed by the Opposition is the attitude: Such people are not worth watching. They are not worth keeping an eye on. We say that they are. Let us have a look at some examples that have occurred in other countries. In Czechoslovakia in the late 1930s there was tension among what I call the Germanic groups. Some of that tension took the form of physical violence. Much of it was caused by hatred that was promoted among the groups in Czechoslovakia. The hatred that was promoted was as subversive—in fact history verifies it—as the actual physical violence that was promoted. The effect of the amendment proposed by the Opposition would be to require surveillance of those people who are promoting physical violence but not of those who are promoting the cause of physical violence. I suggest that to produce that kind of gap in clause 5(1)(c) would be very serious indeed and that ought to be resisted. The Deputy Leader of the Opposition spoke for a short time. I will not take my full time. But I would add this: Australia has many ethnic groups. People come from overseas with legitimately high feelings and with very great loyalties. Nobody disputes that proposition. But situations can arise among groups in a community and hatred can be promoted which would cause, and which would have the intention of causing, an injury to the Commonwealth. The promotion of such hostility or hatred with an intention that I have mentioned deserves to be watched. It should not be ignored. For those reasons I suggest that the clause deserves to be supported and that the proposal to delete the words 'or hatred' would leave a gap that would be impossible to fill.

Mr WEST (Cunningham) (10.4)—Clause 5(1)(c) attempts to define the meaning of subversion. The clause, in part, defines subversion as:

activities directed to promoting violence or hatred between different groups of persons in the Australian community so as to endanger the peace, order or good government of the Commonwealth.

In examining this provision two points emerge. Because subversion is a subjective concept, this Government is obliged to attempt to define the impossible.

Mr Kevin Cairns—You have to make some judgment.

Mr WEST—The Government is attempting, in a very loose way, to do the impossible. Subversion is really not definable because it depends upon the political view in the eye of the beholder. Concepts of democracy have been, and still are in some countries, classified as being subversive. Five hundred years ago the idea of the earth being round was considered subversive. In Europe a few hundred years ago the suggestion that the earth revolved around the sun was so heretical that one could have been burned at the stake for expressing it. I do not want to give any history lessons, but perhaps I may be permitted one example. The great astronomer Copernicus withheld for 36 years the publication of his revolutionary work concerning the movement of the heavenly spheres, for fear of joining the thousands of heretics in the great fifteenth century auto-da-fe. So we are trying here to define the impossible; to define subversion is to attempt to define the impossible.

Therefore, the Government moves, in a very broad way, to apply that concept to the word 'hatred'. In so doing the wording used is almost as stupidly vague as it is in clause 5(a). How can one legislate to control human emotions? How can one legislate to control human emotions in political situations? How is the word 'hatred' to be defined? This stupid Government really seeks to produce a sterile world. It is really like the world which Jonathan Swift outlined 250 years ago, a world in which there was no emotion, no hatred, no politics. That was the world of the Houyhnhnms, which he defined in the last book of *Gulliver's Travels*. The Government wants a strictly-controlled world, as Orwell imagined in 1984. But the question is, how would the Bill operate? In this respect whom would clause 5(c) cover? Does the Government imagine that it would cover the situation of the Croatians in their hatred of the government of Marshal Tito, the Chileans in their hatred of the military junta of Colonel Pinochet, or the attitude of East Timorese in Australia, particularly those who are in Darwin, who certainly will have a continuing objection to the present regime in Indonesia under General Suharto? Perhaps it could also be applied to pensioners and their organisations which seek to achieve a better deal for their members—as they did recently in their struggle to achieve half-yearly indexation.

The domestic group that has the most reason to hate the Government is the unemployed. When one understands what the Government is doing to this group one understands that many unemployed people would have good reason to hate the Government and all that it stands for.

Are they too to be persecuted under clause 5 (c) if they attempt to organise, say, a great national body whose aim is to remove this Government from power? Their leaders would, of course, be put under surveillance by the Australian Security Intelligence Organisation. Government members are having themselves on if they claim that that is not so. The fact is that in this matter a judgment must be made. That is why I object to what the Government is doing. Who will have to make the judgment? We of the Opposition have no confidence in the people in ASIO who will have to make the judgment. The Deputy Leader of the Opposition (Mr Lionel Bowen) quoted several passages from the Hope report to make his point. I will read again one quote and back it up with another. Mr Justice Hope made a damning indictment of ASIO's past activities when he said:

... intelligence assessment is no simple or routine activity but a highly skilled and subtle task. I must report that I saw little evidence in ASIO that the qualities of mind and expertise needed were recognised, or available in any large measure.

At page 236 of the report, paragraph 680 reads:

There is evidence to show that ASIO has in the past provided selected people with security intelligence material for publication. The material provided was apparently drawn from information available in the public arena. It seems to have been ASIO's intention that the material be not attributed to it. A propaganda activity of this kind by ASIO is a misconceived enterprise. It crosses the boundary between provision of information, which is proper, and the taking of a 'measure for security', which is not proper.

That illustrates the track record of ASIO. That is the organisation which this Government is asking us to have confidence in to define the activities of groups of people who might be guilty of promoting hatred against the Commonwealth. It is little wonder that we of the Opposition do not trust the objectivity of ASIO's agents when we look at that sort of material which has been written by the learned Justice Hope and, I add, the report on which this legislation is based. Throughout history man has abhorred the activities of the biased pimp, the lying informer, the intolerant fanatic who allows himself to be used as a weapon of the police state. Throughout history men of democracy, great writers and thinkers, men such as Cicero from ancient Rome, Jonathan Swift from England and Orwell of the twentieth century, all feared informers with the clearest of vision.

Mr Carlton—I wouldn't quote Cicero.

Mr WEST—I will quote Cicero because I know that it will be above your head. In the defence of the Roman republic, he once said:

Even if these liberators and protectors of ours have withdrawn from our sight, they have left behind them the example of their deeds.

I think that that is applicable to ASIO of Australia in the twentieth century. We cannot trust these people in ASIO to make subjective definitions of a word such as 'hatred'. It is far too broad. That word ought to be removed from clause 5 (1) (c).

Mr RUDDOCK (Dundas) (10.13)—In some respects one does not feel that one should be involved in the debate as much as one has been, but when one hears a speech like the one we have just heard from the honourable member for Cunningham (Mr West) one cannot fail to be exceedingly disappointed and with good reason because the honourable member has attempted to use exaggeration to persuade people that there is something sinister in clause 5 (1) (c).

Mr West—That was not exaggeration; that was the Hope report I read.

Mr RUDDOCK—It is not a question of quoting from the Hope report; it is not a question of quoting events of the past. It is a question of looking at the words that the honourable member has just used in his speech because what the honourable member has suggested is that the words in paragraph (c), which is under discussion and which the Opposition seeks to amend—and these are the words of the honourable member—are 'legislating to control human emotions in political terms'. No reasonable man looking at the words in this paragraph could say that the legislation is designed to control human emotions in political terms. No one in looking at the scheme of this paragraph could reasonably argue that it is the basis for persecution of individuals. No reasonable person picking up the words of the honourable member could look at the clause that is under discussion and say: 'That forms the foundation for the establishment of a police state'. These are the words that he was using in his address—emotive words—to try to describe what this Organisation would have the capacity to do. If one looks objectively at the clause, there is no way that one could construe it in that way.

Let us go back to the clause and see what it is attempting to do. It is dealing with the definition of subversion, which is one of the operative words in defining security. Security is relevant because it is the basis upon which the Organisation is given a precise capacity to obtain, correlate and evaluate intelligence, that is, to obtain information. This clause in relation to subversion refers to activities directed to promoting violence or hatred between different groups of persons in

the Australian community so as to endanger—I put emphasis on the word 'endanger'—the peace, order or good government of the Commonwealth. We have to look at the total scheme. We cannot just pick out the words that we want to pick out and say that subversion comprises activities directed to promoting violence or hatred. It is not that. The full wording has to be looked at. It refers to those activities directed to promoting hatred so as to endanger the peace, order or good government of the Commonwealth. In no way could any of the examples given by the honourable member for Cunningham—even if one wanted to give credence to his argument—involving pensioners or the unemployed could be construed as constituting the promotion of hatred between different groups so as to endanger the peace, order or good government of the Commonwealth. That is how far we have to go in our consideration. It is not a question of just promoting hatred. It is a question of promoting it to the extent that it endangers the peace, order or good government of the Commonwealth. I am repeating that a number of times because I suspect I have to do that to get it through to the honourable member for Cunningham. The fact of the matter is that there are quite specific examples—

Mr West—Who makes the judgments?

Mr RUDDOCK—I will come back to the matter of judgment in a moment. The fact of the matter is that examples have been given and I think the honourable member for Lilley (Mr Kevin Cairns) picked a good one, of how people can promote hatred between people of different racial or religious backgrounds—we have seen it in some countries of the world and we do not want it here—to such a degree that the peace, order or good government of a country can be endangered. Who would not at least want to know what those people are doing? Who would not at least want to know what they were about? It is not a matter of persecuting people, turning the country into a police state; it is a question of finding out that information and making it available to the Government. That is all ASIO does. It does not pick people up in the street, take them off to gaol and prosecute them in the courts. It is merely an organisation for collecting information.

The honourable member for Cunningham, who interjected a little while ago, asked who was to make these judgments. Of course, the person who primarily or ultimately has to make the judgment is the Director-General. What we have heard is that that man is a most outstanding individual. Honourable members opposite have

lauded his praises right through this debate. They have spoken of him as having the highest qualities and being a most suitable Director-General. Honourable members opposite take pride in having appointed Mr Justice Woodward. Ultimately, when a judgment has to be made—if there is any concern about it—it is the judgment of the Director-General. He is a man in whom we have a great deal of faith. In terms of what the Opposition has accepted without offering further amendments, he is a man in whom we have already put a great deal of trust. We can take it further. Look at the other individuals in the Organisation who may have to make some determinations. They are the individuals in whom for other purposes, even accepting the amendments proposed by honourable members opposite, that trust has been placed. The honourable member for Cunningham is asking: 'Why would you trust that person with this decision in relation to whether the activity is directed to promoting hatred? Why trust that same individual in relation to activities directed to promoting violence? If we do not trust him in relation to hatred, why trust him in relation to violence?' The fact is that somebody has to have that responsibility. It is appropriate that ultimately it will be in the hands of the Director-General. Of course we trust him. The Opposition trusts him in relation to most matters, but some Opposition members are not prepared to trust him in relation to this matter. I find that argument quite specious.

There are situations which, on the balance of probabilities, warrant surveillance and warrant our being aware of certain activities because of their very nature, particularly those directed to promoting violence or hatred between groups that endanger the peace, order or good government of the Commonwealth, which have the character described by the honourable member for Lilley (Mr Kevin Cairns). On the balance of probabilities, there are probably many of those circumstances. There might be circumstances which, notwithstanding the qualifications I have made about the peace, order and good government of the Commonwealth, could still be a little more innocent in terms of the description used by the honourable member for Cunningham. We have to make a judgment as to whether circumstances which come within this definition ought to be the subject of surveillance. I acknowledge that there may be some difficulty in defining the matter, but Opposition members ought to give credit to the Government for the fact that, rather than just talking about subversion and leaving it

to somebody else to think about that might be subversive, it has attempted to define it.

The Opposition has not offered any other form of words in an effort to come to grips with the sorts of problems mentioned by the honourable member for Lilley. If Opposition members were serious about the matter they would have offered some alternative; they would have considered the difficulties with which we have to deal and would have been prepared to make reasonable offers. The Opposition has had opportunities to do that. This is the second opportunity it has had, having in mind its caucus method of making decisions, to proffer alternative amendments. The Opposition is giving us the same amendments as have already been debated in another place. It is fixed. It has determined its position. The same amendments are proposed. We would like to see some flexibility. We would like the Opposition to take a different position and be constructive in these matters. We might then be in a better position to consider alternative propositions. If the Opposition were genuine it would offer alternatives. I suspect that it is not genuine.

The DEPUTY CHAIRMAN (Mr Drummond)
—Order! The honourable member's time has expired.

Dr BLEWETT (Bonython) (10.24)—We are discussing the third of the definitions of subversion—the one which I find the most suspect of the three. As it stands at the moment, the definition refers to:

activities directed to promoting violence or hatred between different groups of persons in the Australian community so as to endanger the peace, order or good government of the Commonwealth.

We propose, in our amendment, to retain the word 'violence' but to omit the words 'or hatred', partly because we find this perhaps the most subjective and difficult of all the definitions in clause 5 (1). With the indulgence of the Chair, I will take as a guiding principle the guidelines provided by the honourable member for Lilley (Mr Kevin Cairns) and the honourable member for Dundas (Mr Ruddock)—the 'Lilley-Dundas guidelines'—on how to approach these definitional problems. It seems to me that in their arguments today they have produced three major guidelines as the basis for rejecting the amendments proposed by the Opposition. One is that the definitions should not be changed because we must allow an exercise of judgment to the Australian Security Intelligence Organisation. Another is that the definitions must not be changed because we must trust ASIO. The third is that we should not meddle with definitions; rather, we should approach them, in the words of

the honourable member for Dundas, with a little caution. I am perfectly happy to take those guidelines on board in discussing this particular amendment. I refer first of all to the claim that we should not interfere with those definitions because we have to allow the ASIO agents an exercise of judgment. Let me make quite clear the agents about whom we are talking. The honourable member for Dundas suggested a moment ago that all these issues, such as defining which group was creating hatred, somehow would go to the Director-General. Quite clearly that is a naive approach because time and again the decisions will be made locally by individual agents, and because the definitions are broad enough, or wide enough, then the agent can justify his decisions. Indeed, on this exercise of ASIO judgment, even if the Government accepted every amendment proposed by the Opposition, there still would be enormous room for ASIO to make judgments.

What we are arguing on this side is that this Parliament has a responsibility to be as precise as possible in the definition of the functions of ASIO. So, even if it accepted all our amendments, there still would be a considerable area in which ASIO agents could exercise their judgment. The Opposition is saying that it is the responsibility of this Parliament to make these definitions as precise as possible. There is then the issue of trusting ASIO. I always thought that it was the conservative parties that had the rather pessimistic view of the nature of man. Here we have a situation in which there is a powerful organisation with, in the Opposition's view, quite inadequate supervision. Yet, somehow the Government is now displaying an extraordinary optimism that we can trust these people, particularly in this very subjective area, to exercise their judgment in some completely impartial and perhaps non-political way. All the evidence we have of these types of secret agencies, both overseas and in this country, does not give us confidence in trusting such organisations. I suggest that we must use the track record, the evidence that we have.

I do not believe that we can accept the guidelines offered. We are providing inadequate supervision. If we had much wider supervision the Parliament would be capable of giving a greater amount of trust because it could then check on how that trust was being exercised. However, because there is inadequate supervision provided by this Bill, on the evidence I do not believe that we can trust the ASIO agents with the kinds of extensive powers that they are being given in this definition of their functions. I

again refer honourable members to the activities of the Central Intelligence Agency and other related secret agencies in the United States. Their activities over the last ten or fifteen years have shown that they are not the types of organisations one can trust. The honourable member for Dundas this afternoon asked why we on this side of the House always talk about the CIA and similar agencies; why did we not talk about the KGB. That seemed to me to be simply a piece of partisan rhetoric. I have not bothered to consider the KGB in this debate because I believed that the Committee was debating the role of a secret agency or a security agency in a democratic society. Therefore, the KGB is not relevant to that consideration. However, having listened to this debate all afternoon, I am beginning to suspect that many honourable members on the Government side do not have a very full or clear appreciation of democratic values. Indeed, if one follows through the implications of some of their statements, those doubts must grow.

Mr Kevin Cairns—Did you get the card back at your pre-selection?

Dr BLEWETT—I think that is completely irrelevant. What I am arguing for is a little caution about these definitions. I think we should be particularly cautious in relation to hatred. There are three reasons for being cautious about the introduction of hatred as part of the definition of subversion. One is that, in a sense, it is novel in that this is not a proposal—

Debate interrupted.

The DEPUTY CHAIRMAN (Mr Drummond)—Order! It being 10.30 p.m., I shall report progress.

Progress reported.

ADJOURNMENT

Education: Administration of Commonwealth Funds—Political Parties: Dissemination of Misinformation—Unemployment—Gilbert and Ellice Islands: Banabans—Senate Elections—Sydney Football Grand Final

Mr DEPUTY SPEAKER (Mr Millar)—Order! It being past 10.30 p.m., I propose the question:

That the House do now adjourn.

Mr SCHOLES (Corio) (10.31)—I raise a matter which is of concern to me, which is of concern to a number of people in my electorate and which will be of concern to a number of Australians. In the Victorian Parliament today, the member for Geelong East raised a matter which reflects on the administration of Commonwealth

funds by this Government. He raised the question of what is apparently a direction from the Prime Minister (Mr Malcolm Fraser) which restricts the amount of funds available to universities in Victoria for the expansion of off-campus studies. This is a significant and growing area of education and one which fulfills a very great need in our society. It is fairly well known, especially by people in Victoria, that patronage is practised in the distribution of Commonwealth funds to areas of Victoria. I think it is not unreasonable to suggest that the Prime Minister's electorate receives at least five times as much in State and Commonwealth grants of funds than any other non-metropolitan area in Victoria. What is alarming to me in this instance is that there is clear evidence that this Government has acted to divert funds from an education program which is one of the real successes of the innovations in recent years to the Prime Minister's electorate purely for domestic political purposes.

People have a right to seek to improve themselves through tertiary education. Many of the people doing so are people whose basic skills at the completion of their formal education were such that their job opportunities were limited. They are seeking to improve their positions so that they can fulfil an ambition and improve their position in our society. Many of them are adults who have to gain this education off campus because, quite obviously, they cannot afford to undertake full time education as they have to earn their living. The experience of Deakin University is that the rate of passes among mature students studying off-campus courses and the levels at which mature students have been able to undertake part time courses with success are far in excess of the levels expected of students entering university on a full time basis. It is an area of education which is important and which should be maintained. It certainly should not be the subject of political interference on a basis which has nothing to do with the relevant merits of the allocation of funds.

This follows a matter which I raised on two occasions last week when my electorate was removed from the list of areas entitled to apply for decentralisation funds from the Commonwealth. On a number of occasions during the week, the Minister for National Development (Mr Newman) has said that if Labor members in this place represented more electorates they could apply for a greater share of the funds. As a Labor member in this place representing an electorate which was eligible, I know that it is extremely difficult to comply with that requirement if the

Minister uses his authority to remove an electorate from those areas that are eligible to apply, and I think it makes fairly false that sort of suggestion. The allocation of funds not only should be done on the basis of merit but also should be seen to be done on the basis of merit, and all the evidence that has accrued over the last three years is that they are being applied on the basis of political patronage, without relevance to merit. That is something which this Parliament should not allow.

Mr DEPUTY SPEAKER (Mr Millar)—Order! The honourable member's time has expired.

Mr HYDE (Moore) (10.36)—In a democracy, no government can coerce its people; it must lead them. If it is to lead them in a direction that will be to their ultimate benefit, it must do so with accurate information. Sometimes, political parties of all colours have an interest in misinformation, and in that context I wish to say something about the 25 per cent tariff cut. The decision taken some time ago by the then Labor Government to cut the tariff has had and will have ramifications for decisions taken by this Government and by future governments. That decision was taken in July 1973 and followed a period during which the nation's reserve assets had been climbing rapidly. In fact, from a level of \$1,500m in December 1970 they had risen to \$4,750m by December 1972. This clearly had inflationary implications for the economy, and the Government of the day had to do something about those inflationary implications. It had a number of revaluations and it made the 25 per cent tariff cut decision, all of which had an impact on the growing level of reserve assets and the upward pressure on the Australian dollar.

The 25 per cent tariff cut was equivalent to a revaluation of about 4 per cent in terms of the effect that it had on the gross operating surplus. I invite those honourable members opposite who are attempting to distract me not to panic. The appreciations undertaken by the Government over that time were in the order of 20 per cent. The effect of the 25 per cent tariff cut on the gross operating surplus was relatively minor compared with the effect of the revaluations; but, in any case, the cut was made in lieu of a further revaluation and there was a revaluation at a later date. Even in the tariff-affected industries, the revaluations had something of the order of three times the effect of the tariff cut, but the wage rises of that time had an even greater effect on the profitability of those industries than either the revaluations or the 25 per cent tariff cut. The tariff cut was equivalent to a wage rise of between 6

per cent and 13 per cent, depending on how one worked it out. But, in the textile and clothing industries, from December 1972 to September 1974 wages rose by an average of no less than 60 per cent—56 per cent for males and 73 per cent for females.

I put it to you, Mr Deputy Speaker, that it is foolish in the light of that information to suggest that the 25 per cent tariff cut was the cause of the unemployment that was apparent in the years immediately following that decision. The unemployment was caused partly by the mismanagement of the money supply so that inflation blew out but, above all, it was caused by the excessive wage rises. The Australian economy is recovering. We have capital inflow. This is very beneficial to us. We have become far more competitive on the overseas markets. Those are good things. But the Australian dollar, if we manage to achieve a continuation of those effects, will have an upward pressure. We will have to look again at whether we will increase imports by reducing protection for the import competing industries or whether we will merely upvalue the dollar. It would be pity if these decisions were taken in the light of misinformation instead of accurate information.

Mr BARRY JONES (Lalor) (10.41)—In 1900 Albert Ellis of the Pacific Islands Company persuaded two Banabans to place their marks on a paper conceding to the company sole rights to Ocean Island—Banaba—phosphate for 999 years for the payment of £50 per annum. He raised the Union Jack, and Banaba was annexed to the Empire. Such was the inspiration of membership of the Empire that in 1916 all 500 Banabans donated £10,000 worth of copra to the war effort. Britain repaid this by making Banaba part of the Gilbert and Ellice Islands colony, without informing or consulting the people. In 1927 Australia and New Zealand joined with Britain in the British Phosphate Commission and asked the Banabans for more land to mine for phosphate, but the Banabans refused. In 1928 the colonial administration forced the signing of leases on the threat that the land would be taken anyway for the empire, and their villages destroyed. Continued refusal led to the land being compulsorily purchased by the colony they did not ask to join.

Amazingly the Banabans loyally donated £512,500 to British war funds in 1940. This was rewarded by the British abandoning them to the Japanese, who deported the majority as slave labour, and shot the 150 remaining, except for one survivor. In 1945, they asked to be allowed to return to their home, but were told this was

impossible because of war damage, and were removed 1,400 miles away to Rabi in the Fiji islands. Within weeks of their arrival on Rabi, the BPC was recruiting Gilbertese to work on the phosphate and providing them with accommodation. In 1947 loyalty prompted the Banabans on Rabi to donate £500 to each of the cities of Plymouth and Portsmouth for post-war reconstruction, while Britain, through its Western Pacific High Commission, instructed the Banaban adviser, who was paid by the Banabans, not to advise them on the sale of the remaining three-fifths of their phosphate land. Only in 1965 did they realise they had been cheated, and they expelled the British colonial service officer appointed to Rabi, who was known as the Banaban adviser. In 1967 they sent a mission to London, where the Minister asked them to sign a minute accepting £80,000 as an ex gratia payment in consideration of the effects of phosphate mining since 1900. At long last they refused on legal advice. In 1975 their case went to court. They won against the BPC but not against the Crown. The judge in his judgment described the behaviour of colonial government as outrageous and bullying. Nonetheless the damages awarded were a trifling £9,000.

The total revenue from Banaban phosphates which will have been used by the end of mining this year to meet Britain's obligations in the Gilbert Islands colony is £62m and the subsidies over the years to Australian and New Zealand farmers a further £17.5m. The Banabans have been offered \$A10m by the British Government and \$A1.25m by the British Phosphate Commission provided they take no more legal action, but this has been made conditional on the money being tied up in a trust fund, which they do not want. But Britain may waive this condition. This would leave only the moral and political issues to be resolved. At present, of course, Britain is still continuing with the process that it has adopted of forcing the Banabans to accept becoming part of the newly independent Republic of Kiribati, which covers the Gilbert and Ellice Islands. As the Banabans will for some time be in the unique situation of having two homelands 1,400 miles apart—Banaba and Rabi—the course which would recognise the uniqueness of their case would be to allow for the separation of Ocean Island from the Gilbert group, leaving the Banabans to negotiate a form of association with Fiji, covering the relationships of the two islands. It seems sensible that they should have the same defence force and an external affairs minister in Suva.

Australia has been the primary beneficiary of the exploitation of the Banabans. I think it is one of the most disgraceful, most horrifying stories. Australia and New Zealand have benefited far more than Great Britain from the exploitation, despoliation and destruction of these islands. I believe that we have a strong moral imperative to do something and to make sure that the compensation is handed over and that the compensation is more generous.

Mr DEPUTY SPEAKER (Mr Millar)— Order! The honourable member's time has expired.

Mr KEVIN CAIRNS (Lilley) (10.46)—My remarks are related to certain events in Queensland. They are related to the circumstances surrounding the next Senate election for that State. Not since 1943 has the Australian Labor Party won the Senate in Queensland. It has quite clearly been the most successful State in Australia for the Liberal and Country parties or the Liberal and the National Country parties in the Senate. I will relate two instances. At the double dissolutions of 1974 and 1975 six out of 10 coalition senators were returned for Queensland. It is known that the parties achieved similar success at the double dissolution in 1951. Therefore, the parties have been magnificently successful. They have had unparalleled success. The joint team has enjoyed that success. The plain fact is that the success has not been emulated by any other State. Why, then, should a change be proposed? Various reasons have been given. Let me have at least the right or the freedom to put a point of view other than that which is generally put.

Why should I show concern? Three issues have been indicated as being the negotiating points for the proposal for a joint Senate team in Queensland. I say how false it is and what nonsense it is to propose these three issues. They are three issues that occur at a State level. What party in Australia would be induced to take action at a federal level for a trinity of State issues. Let me recite them to the House quickly. The three State issues are: In Queensland there is no public accounts committee, there are certain amendments to redistributions and certain proposals to Acts concerning street marches. Therefore it is proposed that action should be taken at a federal level in terms of a joint Senate team. Not one vote in the Federal Parliament can influence these issues. Were a thousand senators or members to be elected to this Parliament they could have no influence whatsoever. As a Federal member in this place, let me say that that

process and that argument have to be total nonsense. I do not use any stronger word. I am aware when I say this that Federal endorsements in my own State have been held up. Nevertheless what must be said must be said because the issues have been touted in the public domain. Honesty demands that it be said. I also share the concern of the Prime Minister (Mr Malcolm Fraser) at the consequences of actions proposed with respect to Senate elections. Prairie fires—like erysipelas—are not readily contained; nor will I believe that such disputes will be contained within State boundaries given the strong personalities involved. Some claim, for example, that recent by-elections in Queensland give the green light for any action whatsoever. The Redcliffe by-election, on any serious analysis, certainly does not. I cannot share the exultation that has obviously engulfed others with respect to those events.

It is a very great honour to be given the authority to be a public representative. That honour should not be frittered away. One's aim ultimately has to be to serve the common good. To do so one needs colleagues and partners, and one needs continuing colleagues and partners. One must remember above all that the Australian Labor Party is the alternative government. It is our competitor and it is the organisation that is poised best to benefit from unnecessary conflict. To turn away from that knowledge could be disastrous and, I believe, could be foolish beyond the wildest fear.

Mr LEO McLEAY (Grayndler) (10.50)—On Saturday afternoon the eyes of eastern Australia will be on one of the local institutions in my electorate. On Saturday afternoon the Canterbury-Bankstown Rugby League Club will be facing the first grand final it will be successful in since 1949. A number of members of Parliament may think that that is a rather mundane thing to speak about in the adjournment debate, but Canterbury-Bankstown Club is a club that, of all football clubs including those in other States of Australia, is a local club. It is a club that has spent much time developing local juniors and plays district football at its best. Maybe some of the honourable members from Queensland only want to talk about Rugby Union.

Honourable members interjecting—

Mr DEPUTY SPEAKER (Mr Millar)—Order! There are too many members on my right offside.

Mr LEO McLEAY—Canterbury-Bankstown last won the grand final in 1942. Since then that club has come very close to winning it again in

1967 and will defeat St George on Saturday. I am pleased to see that the honourable member for St George (Mr Neil) has come into the chamber to listen to this debate. There are a few political lessons in this for him on Saturday too. There are a few lessons I hope that he will appreciate in it. The point is that Canterbury-Bankstown has been a club that has always given of its time and effort to the people of the area from which they get their members. My predecessor Frank Stewart and his brother Kevin were both patrons of the club. Kevin Ryan, arguably one of the best football players in Australia's history, was captain-coach of the club. I might say he was also a very realistic fellow in that he is also one of the prominent Labor parliamentarians in New South Wales.

The club has always adopted an attitude of helping the locals. When the team wins on Saturday it will be a victory for the battlers. Need I say that at this time when the Government is crushing the battlers it is nice to see a team from my electorate do its bit for the working people of Australia. Canterbury-Bankstown has been a club which has always provided bursaries for its local players. In fact, George Peponis is one of the great representatives of that club and a man who has been nurtured by the club and has gone on to do well as a doctor. In fact, he is a man who is an excellent representative of the area, very much a man of Canterbury-Bankstown and very much a man of Grayndler. I think it would be remiss of me if I did not stand here in this Parliament this evening and offer that team my best wishes and, I hope, the best wishes of the Parliament so that it will go on to bring glory to the club and, might I say, glory to the working people, the battlers of Sydney and New South Wales.

Mr COTTER (Kalgoorlie) (10.54)—I rise tonight to make a personal appeal to Liberal and Country parties in Queensland. I do this as a representative of another State. I appeal to the Liberal Party to reconsider the situation in which it might run separate Senate tickets in that State. I have strong feelings on this matter and I recognise that there are shortcomings in both parties. I recognise that we will not see all matters in the same light all of the time. I am aware of certain frustrations which are felt by the Liberals in Queensland. I recognise the political ambitions of certain people. I am aware that certain decisions were made at the last State conference of the Liberal Party some time ago. But the proposal to run separate tickets in Queensland is political suicide. This question is bigger than the Senate candidates concerned, bigger than the

frustrations and ambitions of some people, and bigger than the State of Queensland and the Liberal Party. The action will place at real risk the solidarity of the non-Labor vote in this country.

Despite the assurances of the Prime Minister (Mr Malcolm Fraser) and the Deputy Prime Minister (Mr Anthony) it will place unnatural and unnecessary stresses on the coalition of the great free enterprise forces of this nation. The great free enterprise governments that have been the bulwark of development and progress have set this great country apart in the eyes of the world. Under the coalition Government Australia has emerged a world leader. It is respected in the Western world. We have proved we can control inflation against world trends and can continue to develop. We have a strong economy and are looked on as a stable and honest government. This has not happened by accident. It has been brought about by careful co-operation between people with a common goal. If the Liberals of Queensland are dissatisfied with the National Party Government there—I make no comment on that—they should turn their attention to winning State seats in Queensland. If they are successful they can look at the coalition Government in Canberra.

I appeal to the Queensland President of the Liberal Party, whom I have known and respected for some years, to reconsider the situation and to move cautiously on the question of Senate tickets. I am sure that, given good faith, a satisfactory compromise can be worked out. If the intention to run separate Senate tickets in Queensland is carried through, the repercussions cannot be quarantined in Queensland. The effects will flow on to all States of this nation and could be felt by the coalition Government here in Canberra. We should not forget the terrible effect that the Whitlam Labor Government had on this country in its three years of dark government. We must not forget that, following the Adelaide Conference of the Labor Party, it is now clear that the Labor Party's policies have not changed. They are more socialist than ever. They may be dressed up differently, but they are just as socialist as ever.

To keep a strong, honest government in Canberra means maintaining a strong coalition in Canberra, with a strong sense of friendship and co-operation. I ask the Queensland Liberals and the Queensland National Party to lift their sights to national horizons. There are methods of gaining the ideals and goals which they are setting out to achieve. But they will not be achieved by the parties running separate Senate tickets. I again appeal to those people in that State to

think again on the course on which they are directed at present; to move with extreme caution; and to keep in mind at all times the great goal of this nation, Australia, and the way in which we will go under an honest coalition government.

Mr SCHOLES (Corio) (10.57)—Having heard what the honourable member for Kalgoorlie (Mr Cotter) and the honourable member for Lilley (Mr Kevin Cairns) said, I think it is only fair to say to this House that their pleas for the Liberal Party of Australia in Queensland, for instance, to give up its expectations of governing that State is a noble gesture made by honourable members who are not required to live in a State governed by the National Party. The facts of the situation are that, if the Liberal Party does not contest seats held by the National Party in Queensland it cannot change the relationship of the parties within the coalition Government of that State so that it is the partner with the majority. If that is the situation which honourable members opposite who have spoken in this adjournment debate are suggesting should apply, one wonders why the Liberal Party should bother even to run in an election in that State. I would have thought that a party which once had self-respect and had shown at least a recovery of some of that self-respect in that State would object to being a party to some of the actions which currently are being taken in Queensland. It is not unreasonable to suggest in this Parliament that there is a strong case for holding an inquiry into whether people in that State have even basic civil rights. Some people have more rights than others. People who live in Queensland are Australians. The people I happen to be talking about are a responsibility of this Parliament. They are people who, on the basis of race, are denied the rights enjoyed by other people.

The facts are that the honourable member for Kalgoorlie said in this House that the people of Queensland should not have the opportunity to elect a government other than one under the present Premier; that the Liberal Party should not accept a political responsibility to seek to become the majority party in a coalition government, in line with the support it has in that State; and that the Liberal Party should forgo the opportunity to provide the Premier of that State. I do not think that the Liberal Party would adequately govern that State either, but it would have to be preferable to what we have at present. If people in Queensland are denied the opportunity to support the Liberal Party, we will see

political opportunists, for base political reasons, denying people their civil rights.

The House stands adjourned until 2.15 p.m. on Tuesday next.

Mr DEPUTY SPEAKER (Mr Millar)—
Order! It being 11 p.m., the debate is interrupted.

House adjourned at 11 p.m.

ANSWERS TO QUESTIONS

The following answers to questions were circulated:

Conciliation and Arbitration: Financial Assistance
(Question No. 3135)

Mr Morris asked the Minister representing the Attorney-General, upon notice, on 20 February 1979:

(1) To which persons was the payment of financial assistance authorised under Sections 141A or 141B of the Conciliation and Arbitration Act in the period 1976-1978.

(2) What was the amount paid to each of these persons.

(3) Of which organisation was each of these persons a member.

(4) Who were the (a) counsel; and (b) solicitors acting on behalf of each of these persons in the proceedings in question.

Mr Viner—The Attorney-General has provided the following answer to the honourable member's questions:

The information sought by the honourable member appears in the Schedule which is set out below. In that Schedule:

1. The individual, or group of individuals as the case may be, to whom financial assistance was authorised have been listed chronologically (from 1 to 36) according to the time when financial assistance was authorised.

2. When, in respect of a particular proceeding or group of proceedings, there were a number of applicants or respondents to whom financial assistance was authorised rather than a single applicant or respondent, then all those persons have been listed (Nos 1, 12, 16, 18, 21, 27 and 30). In those instances the 'amount paid' represents the total amount paid to the solicitors acting on behalf of the applicants or respondents in respect of the relevant proceeding or group of proceedings.

3. In Nos 23 and 29 no amount has been specified as financial assistance has not, as yet, been assessed and paid.

SCHEDULE OF FINANCIAL ASSISTANCE AUTHORISED UNDER SECTIONS 141A AND 141B OF THE CONCILIATION AND ARBITRATION ACT, 1904 IN THE PERIOD 1976-1978

Number authorised	Name of person to whom financial assistance was	Organisation of which the person was a member	Solicitors acting for the person	Counsel	Amount paid
1	F. A. Rowlings K. A. Crisp M. N. Cooper D. Moate C. W. Mayne J. J. Foley C. Careless	Transport Workers Union of Australia	Jennings, Elliott and Stanwix—Hobart	D. Ryan & then K. Marks, Q.C. with D. Ryan	25,074.75
2	K. L. Gordon . . .	Hospital Employees Federation of Australia	J. N. Zigoaras & Co.— Melbourne	J. Bland	18,085.82
3	D. Stapleton . . .	Australian Theatrical and Amusement Employees Association	W. C. Taylor & Scott— Sydney	R. Madgwick	1,707.70
4	E. C. Cirillo . . .	Australian Tramways and Motor Omnibus Employees Association	Baker, McEwin & Co.— Adelaide	D. J. Bleby	1,312.48
5	K. C. Ophel . . .	Australian Theatrical and Amusement Employees Association	Bartier, Perry & Purcell—Sydney	I. Dodd (Solicitor)	238.90
6	M. M. Mulheron . .	Australian Railways Union	Maurice May & Co.— Sydney	J. A. Miles	762.18
7	P. C. J. Van Der Arend . .	Vehicle Builders Employees Federation of Australia	Playford, Nicolle, Burr & Auckland — Adelaide	B. Hayes	578.10
8	P. M. Gavin . . .	Federated Clerks Union of Australia	Steve Masselos & Co.— Sydney	E. A. Lusher, Q.C. with R. C. Kenzie	1,849.00
9	B. J. Noone . . .	Vehicle Builders Employees Federation of Australia	Playford, Nicolle, Burr & Auckland — Adelaide	B. Hayes	2,282.73
10	R. Clarke . . .	Federated Clerks Union of Australia	Steve Masselos & Co.— Sydney	K. R. Handley, Q.C. with R. C. Kenzie	6,274.00
11	R. A. Dawson . . .	Australian Postal and Telecommunications Union	Steve Masselos & Co.— Sydney	R. B. Murphy, Q.C. with R. Manser	2,353.00

Number authorised	Name of person to whom financial assistance was	Organisation of which the person was a member	Solicitors acting for the person	Counsel	Amount paid
12	F. A. Rowlings K. A. Crisp M. N. Cooper D. Moate C. W. Mayne C. Careless G. F. Harding J. J. Foley	Transport Workers Union of Australia	Jennings, Elliott & Stanwix—Hobart	K. Marks, Q.C. with D. Ryan G. F. Harding appeared on his own behalf	\$ 6,949.80
13	J. Jezek	Australian Postal and Telecommunications Union	Baker, McEwin & Co.— Adelaide	D. J. Bleby	1,215.07
14	A. W. R. Saint	Australian Postal and Telecommunications Union	Morgan, Ryan & Brock—Sydney	A. M. Gleeson, Q.C. with G. Rowling	3,734.30
15	L. C. Edwards	Australian Glass Workers Union	Linton R. Lethlean— Melbourne	J. Riordan	2,378.80
16	K. J. Allen L. A. Mackay C. J. Stevenson R. J. Lewry J. E. Ford W. Clarke D. A. Slevin G. E. Sheriff T. J. McDougall E. M. McManus	Vehicle Builders Employees Federation of Australia	A. J. Macken— Melbourne	P. E. Powell, Q.C. with G. Crawford	6,153.70
17	W. E. Johns	Vehicle Builders Employees Federation of Australia	Harrison & Partners— Adelaide	M. Harrison	2,522.30
18	E. O'Reilly R. W. Hill D. Albon D. Willis R. Jenkinson J. Ryan K. Ritchie	Australian Theatrical and Amusement Employees Association	J. N. Zigouras & Co.— Melbourne	E. Laurie with J. E. R. Bland	3,412.50
19	C. F. Murphy	Australian Postal and Telecommunications Union	Clark & Partners— Adelaide	R. R. Milhouse, Q.C.	2,755.53
20	W. C. Wood	Federated Liquor and Allied Industry Employees Union	McClelland, Wallace and Landa—Sydney	M. McHugh, Q.C. & D. P. Landa (B. No. 294 of 1975) D. P. Landa & J. L. Sharpe (B. No. 278 of 1975) D. P. Landa (B. No. 298 of 1975) A. R. Ashburner & R. J. Buchanan (B. No. 31 of 1976)	5,529.60
21	K. L. Gordon and J. Baird	Hospital Employees Federation of Australia	J. N. Zigouras & Co.— Melbourne	B. Cooney (K. L. Gordon) J. Bland and R. K. Alston (J. Baird)	5,887.35
22	F. Maguire	United Farmers and Woolgrowers Industrial Association of New South Wales	Harrington Maguire & Company—Sydney	J. L. Trew and F. V. Fletcher	5,093.12
23	R. J. Campbell	Federated Marine Stewards and Pantrymens Association of Australasia	D. J. Fischer & Associates—Sydney	J. S. Purdy	To be assessed
24	J. Wisemen	Professional Radio and Electronics Institute of Australasia	J. N. Zigouras & Co.— Melbourne	B. Cooney	32,640.27

Number authorised	Name of person to whom financial assistance was	Organisation of which the person was a member	Solicitors acting for the person	Counsel	Amount paid
25	K. J. Allen	Vehicle Builders Employees Federation of Australia	A. J. Macken—Melbourne	B. Shaw, Q.C. with A. G. Uren . . .	\$ 13,598.39
26	R. Clarke	Federated Clerks Union of Australia	Steve Masselos & Co.—Sydney	R. C. Kenzie	925.00
27	M. F. Clarke and L. J. Jacks	Australian Glass Workers Union	J. N. Zigouras & Co.—Melbourne	E. Laurie, Q.C. with T. Smith	7,626.57
28	D. C. Roots	Australian Plumbers and Gasfitters Employees Union	White, Barnes & McGuire—Sydney	F. S. McAlary, Q.C. with M. Cockburn	9,432.85
29	T. H. Evers	Australian Tramways and Motor Omnibus Employees Association	G. M. Rattigan—Perth	H. W. Olney	To be assessed
30	R. W. B. Harradine K. J. Bennet H. J. McCormack G. J. Williams J. E. Try R. E. Archer D. King M. G. Reed J. S. Smith L. F. Walsh B. V. Lacey W. F. Major H. L. Kelly R. J. McCart F. J. Keppell F. A. Currie K. G. Addison E. J. Goldsworthy J. McPhie J. M. Boag D. S. Killicoat W. J. Gormly N. M. Linke G. T. Dickson R. Adair J. B. Maher J. Dale W. G. Tacon W. Pickett	Shop Distributive and Allied Employees Association	A. J. Macken—Melbourne	A. J. Macken, B. J. Shaw, Q.C., D. Ryan	35,985.14
31	B. T. Egan	Shop Distributive and Allied Employees Association	Bryan Vaughan & Co.—Sydney	K. R. Handley, Q.C., R. Kenzie	18,865.75
32	I. Kayne	Australian Broadcasting Commission Staff Association	Rennick & Gaynor—Melbourne	B. Gaynor (Solicitor), Dr C. N. Jessup	3,173.40
33	D. J. Shaw	Australian Building Construction Employees and Builders Labourers Federation	Steve Masselos & Co.—Sydney	R. C. Kenzie	1026.05
34	B. Lyons	Australian Postal and Telecommunications Union	Steve Masselos & Co.—Sydney	R. C. Kenzie	3,971.50
35	J. T. McPoyle	Shop Distributive and Allied Employees Association	Steve Masselos & Co.—Sydney	K. R. Handley, Q.C. with R. C. Kenzie and M. J. Kimber	4,381.00
36	J. Luckman	Australian Postal and Telecommunications Union	Steve Masselos & Co.—Sydney	K. R. Handley, Q.C. with R. C. Kenzie and M. J. Kimber	4,381.90

Sierra Leone
 (Question No. 4028)

Mr Dobie asked the Minister for Foreign Affairs, upon notice, on 28 May 1979:

(1) Can he state what general elections have taken place in the Republic of Sierra Leone since its establishment as an independent country within the Commonwealth of Nations in 1961.

(2) If so, what percentage of the electorate voted and was there a genuine choice of candidates from differing political parties at each election.

(3) When did Australia establish diplomatic relations with that country.

Mr Peacock—The answer to the honourable member's question is as follows:

(1) General elections were held in the Republic of Sierra Leone in 1973 and 1977.

(2) The Sierra Leone People's Party candidates boycotted the 1973 elections and the House of Representatives became virtually a one-party House dominated by the All People's Congress. The other opposition party, the United Democratic Party, remained banned. At the 1977 elections the All People's Congress again predominated but with the Sierra Leone People's Party gaining a number of seats.

No statistics or voting percentages are available for the 1973 and 1977 elections.

(3) Australia has not established diplomatic relations with Sierra Leone. However, Sierra Leone is a member of the Commonwealth.

Finance: Motor Vehicles
 (Question No. 4293)

Mr Hayden asked the Minister for Finance, upon notice, on 7 June 1979:

(1) How many (a) motor cars and station wagons by make and tare, (b) trucks and other commercial vehicles by make and mass and (c) motor cycles by make, are operated by his Department and statutory authorities and business undertakings under his control.

(2) What is the average fuel consumption (kilometres per litre) of each type and make of motor vehicle referred to in part (1).

Mr Eric Robinson—The answer to the honourable member's question is as follows:

(1) and (2) I refer the honourable member to the answer provided by the Minister for Administrative Services on 11 September 1979 to Question No. 4299 (*Hansard*, pages 972-3).

Attorney-General: Motor Vehicles
 (Question No. 4295)

Mr Hayden asked the Minister representing the Attorney-General, upon notice, on 7 June 1979:

(1) How many (a) motor cars and station wagons by make and tare, (b) trucks and other commercial vehicles by make and mass, (c) motor cycles by make, are operated by the Attorney-General's Department and statutory authorities and business undertakings under the Attorney-General's control.

(2) What is the average fuel consumption (kilometres per litre) of each type of motor vehicle referred to in part (1).

Mr Viner—The Attorney-General has provided the following answer to the honourable member's question:

I refer the honourable member to the answer provided by the Minister for Administrative Services, House of Representatives *Hansard*, 11 September 1979, page 972.

Post and Telecommunications: Motor Vehicles

(Question No. 4302)

Mr Hayden asked the Minister for Post and Telecommunications, upon notice, on 7 June 1979:

(1) How many (a) motor cars and station wagons by make and tare, (b) trucks and other commercial vehicles by make and mass and (c) motor cycles by make, are operated by his Department and statutory authorities and business undertakings under his control.

(2) What is the average fuel consumption (kilometres per litre) of each type and make of motor vehicle referred to in part (1).

Mr Staley—The answer to the honourable member's question is as follows:

I refer the honourable member to the reply to Question No. 4299 given by the Minister for Administrative Services.

Aborigines in Queensland

(Question No. 4347)

Dr Everingham asked the Minister representing the Minister for Aboriginal Affairs, upon notice, on 21 August 1979:

(1) Have negotiations been held between the Department of Aboriginal Affairs and the Queensland Government regarding the request of the Yarrabah community and others for freedom from the administration of Queensland which they regard as paternalistic, bureaucratic and discriminatory, and effective self-management, freedom of choice and responsibility only to their members, as envisaged in the Aboriginal and Torres Strait Islanders (Queensland Reserves and Communities Self-management) Act 1978.

(2) If so, have Aborigines been excluded from these negotiations.

(3) When will the Government enforce the Act.

(4) Will the Government respond to the request of the citizens of Aurukun and Mornington Shires for termination of the local government originally agreed to by them under duress for a 6 months' trial period by amending the Act to apply to reserves existing as at 31 March 1978, and enforcing the law as promised.

Mr Viner—The Minister for Aboriginal Affairs has provided the following answer to the honourable member's question:

(1), (2) and (3) I have had talks with the Queensland Deputy Premier, Dr Edwards, and the Minister for Aboriginal and Islander Affairs, Mr Porter, about the request of the Yarrabah Council for self-management and land tenure. A joint meeting was arranged with the Council at Yarrabah for 25 June but the Queensland Government decided that its Ministers should not attend. I did meet with the Council at Yarrabah on that date. It is intended to arrange further talks between the Commonwealth and Queensland governments before decisions are made on a response to the Yarrabah Council's request. I shall continue to keep the Council informed about progress of talks.

(4) I am not aware of any such request from the Aurukun or Mornington Shires.

Diplomatic Courier Service

(Question No. 4380)

Mr Barry Jones asked the Minister for Foreign Affairs, upon notice, on 21 August 1979:

(1) How many persons are in the diplomatic courier service.

(2) How many missions have a courier on their staff.

(3) What is the cost of the service.

(4) What are the duties of couriers.

(5) What classes of documents are sent by courier.

(6) What is an example of an average work pattern for a courier (e.g. number and length of journeys undertaken each month).

Mr Peacock—The answer to the honourable member's question is as follows:

(1) Eight (8) officers are employed full time as diplomatic couriers shortly to be increased to nine (9).

(2) None. Staff from certain overseas missions are rostered to undertake connecting services.

(3) Estimated cost for 1979-80 is \$1,391,000 (excluding salaries).

(4) The protection at all times and safe delivery to an authorised recipient of the classified matter under their control.

(5) All classified government material.

(6) The normal roster for a courier covers a period of twenty-eight (28) weeks during which time he would undertake twenty four (24) journeys varying between two (2) days and sixteen (16) days.

International Year of the Child Unit

(Question No. 4382)

Mr Barry Jones asked the Minister representing the Minister for Social Security, upon notice, on 21 August 1979:

(1) Who is the Director of the International Year of the Child Unit in the Department of Social Security.

(2) When was he/she appointed and what are the terms and conditions of employment including salary.

(3) How was he/she appointed and by whom.

(4) Was the position advertised; if so, where.

(5) What are his/her qualifications and previous work experience.

(6) What overseas travel to date has been undertaken by the Director, giving exact dates, reasons for travel and duties undertaken abroad.

Mr Hunt—The Minister for Social Security has provided the following answer to the honourable member's question:

(1) Miss E. Lucas.

(2) Miss Lucas is a permanent member of the Commonwealth Public Service. She was appointed to the position of Director on 22 June 1978. This is a Class 10 position in the Commonwealth Public Service, for which the salary range is presently \$21,250-\$21,988.

(3) By the normal public service selection and promotion procedures.

(4) Yes in the *Commonwealth Gazette*.

(5) Miss Lucas is an occupational therapist by profession. At the time of her appointment, she was engaged in special projects in the Central Office of the Department of Veterans' Affairs, having previously been Senior Occupational Therapist in the NSW branch of that Department. She has assisted with the Bailey enquiries on Health/Welfare co-ordination and held various other professional positions in the course of thirteen years employment in the Commonwealth Public Service.

(6) Miss Lucas acted as escort for a team of Australian children who travelled to Mexico between 24 April 1979 and 4 May 1979; cf Answer to Question No. 4383. She has not made any other official visits overseas.

Diplomatic Service

(Question No. 4399)

Mr Shack asked the Minister for Foreign Affairs, upon notice, on 22 August 1979:

(1) How many persons are employed in Canberra by the Embassies of (a) Afghanistan; (b) Bulgaria; (c) Burma; (d) China; (e) Czechoslovakia; (f) Finland; (g) the German Democratic Republic; (h) Hungary; (i) Mongolia; (j) Poland; (k) Romania; (l) the Union of the Soviet Socialist Republics and (m) Vietnam.

(2) What are the individual occupational designations and duties of these employees.

(3) How many persons are employed by the Australian Embassy in each of these nations.

(4) What are the individual occupational designations and duties of these Australian Embassy employees.

Mr Peacock—The answer to the honourable member's question is as follows:

(1) (a) Afghanistan—no resident mission in Canberra.

(b) Bulgaria—no resident mission in Canberra.

(c) Burma—Number of persons employed: home-based—5, locally engaged—6, total—11.

(d) China—Number of persons employed: home-based—31, locally engaged—nil, total—31.

(e) Czechoslovakia—no resident mission in Canberra.

(f) Finland—Number of persons employed: home-based—6, locally engaged—6, total—12.

(g) The German Democratic Republic—Number of persons employed: home-based—9, locally engaged—nil, total—9.

(h) Hungary—Number of persons employed: home-based—4, locally engaged—5, total—9.

(i) Mongolia—no resident mission in Canberra.

(j) Poland—Number of persons employed: home-based—6, locally engaged—nil, total—6.

(k) Romania—Number of persons employed: home-based—3, locally engaged—nil, total—3.

(l) The Union of Soviet Socialist Republics—Number of persons employed: home-based—37, locally engaged—nil, total—37.

(m) Vietnam—Number of persons employed: home-based—8, locally engaged—nil, total—8.

(2) The occupational designations of diplomatic staff of these Embassies appears in the Diplomatic List and are as follows as at 31 August, 1979:

Burma, Ambassador—1 second secretary and 1 third secretary.

China, Ambassador—3 counsellors, 2 first secretaries, 2 second secretaries, 3 third secretaries and 6 attaches.

Finland, Ambassador—1 second secretary.

German Democratic Republic, Ambassador—1 counsellor, 1 third secretary and 3 attaches.

Hungary, Ambassador—1 first secretary.

Poland, Ambassador—1 counsellor and 2 attaches.

Romania, Charge d'Affaires.

Union of the Soviet Socialist Republics, Ambassador—1 minister/counsellor, 1 trade representative, 3 counsellors, 3 first secretaries, 1 deputy trade representative, 4 second secretaries, 1 third secretary and 2 attaches.

Vietnam, Ambassador—1 first secretary, 1 third secretary and 1 attache.

The duties of these officers and of non-diplomatic members of their staffs are a matter for the Embassies and their Governments alone.

(3) (a) Afghanistan—There is no resident representation. The Australian Ambassador in Islamabad, Pakistan is accredited to Afghanistan.

(b) Bulgaria—There is no resident representation. The Australian Ambassador in Belgrade, Yugoslavia, is accredited to Bulgaria.

(c) Burma—Number of persons employed: Australia-based—9, locally-engaged—22, total—31.

(d) China—Number of persons employed: Australia-based—23, locally-engaged—24, total—47.

(e) Czechoslovakia—There is no resident representation. The Australian Ambassador in Warsaw, Poland, is accredited to Czechoslovakia.

(f) Finland—The Australian Ambassador in Stockholm, Sweden, is accredited to Finland. An Australian Information Office in Helsinki is staffed by one locally-engaged employee under the direction of the Ambassador, Stockholm.

(g) German Democratic Republic—Number of persons employed:

Australia-based—11, locally-engaged—12, total—23.

(h) Hungary—There is no resident representation. The Australian Ambassador in Vienna, Austria, is accredited to Hungary.

(i) Mongolia—There is no resident representation. The Australian Ambassador in Moscow, USSR, is accredited to Mongolia.

(j) Poland—Number of persons employed: Australia-based—15, locally-engaged—21, total—36.

(k) Romania—There is no resident representation. The Australian Ambassador in Belgrade, Yugoslavia, is accredited to Romania.

(l) USSR—Number of persons employed: Australia-based—21, locally-engaged—18, total—39.

(m) Vietnam—Number of persons employed: Australia-based—7, locally-engaged—4, total—11.

(4) (a) Afghanistan—not applicable.

(b) Bulgaria—not applicable.

(c) Burma—Occupational designations and duties

Australia-based—Ambassador:

First Secretary, Third Secretary—Promote Australia's views at appropriate levels with Foreign Ministry and other officials. Evaluate and review a range of issues of domestic and foreign policies for consideration in the

formulation of Australia's policies. Arrange contacts and appointments for and liaise with visiting Ministers, Members of Parliament and Government officials.

Second Secretary—(Consular and Administrative) Senior Administrative Officer.

Attache—(Administrative) General administration.

Building and Services Officer—Maintenance of buildings and equipment.

Steno-secretary, Grade 2—Ambassador's secretary.

Typist, Grade 2/3—Stenographic, typing and registry duties.

Communicator—Communications and registry duties.

Local Engaged Staff—

Accountant, Administrative Assistant, Clerical Assistant, Clerk/Typist, Clerk/Typist, Driver/Messenger, Head Driver/Messenger, Driver/Messenger, Driver/Messenger, Driver/Messenger, Interpreter/Translator, Receptionist/Telephonist, Sweeper, Assistant Technical Maintenance Officer, Assistant Technical Maintenance Officer, Translator Information Assistant, Watchman, Watchman, Watchman, Messenger, Trade Officer and Steno/secretary.

(d) China—Occupational designations and duties.

Australia-based—Ambassador:

Minister, Counsellor, Second Secretary, Third Secretary, Third Secretary, Third Secretary—Promote Australia's views at appropriate levels with Foreign Ministry and other officials. Evaluate and review a range of issues of domestic and foreign policies for consideration in the formulation of Australia's policies. Arrange contacts and appointments for and liaise with visiting Ministers, Members of Parliament and Government officials.

Counsellor—Cultural matters.

First Secretary—(Consular and Administrative) Senior administrative officer.

Second Secretary—(Consular and Administrative) General administration.

Attache—(Consular) Consular duties.

Attache—Archives.

Building and Services Officer—Maintenance of buildings and equipment.

Attache, Attache, Attache, Attache—Protection of Embassy premises and control of access to the Embassy.

Steno-secretary, Grade 2—Ambassador's secretary.

Steno-secretary, Grade 1—Minister's secretary.

Typist, Grade 2/3—Stenographic and typing duties.

Communicator—Communications duties.

Counsellor—(Commercial) Promotion of Australia.

First Secretary—(Commercial) trade.

Senior Secretary—Secretary to Counsellor (Commercial).

Local Engaged Staff—

Assistant Archivist (expatriate), Cleaner, Cleaner, Chief Clerk Interpreter, Clerk Accounts (expatriate), Clerk Accounts assistant, Clerk property, Driver, Head Driver, Driver, Driver, Driver, Gardener, Language Tutor/Interpreter, Receptionist, Stenographer (expatriate), Teacher (expatriate), Messenger, Information Assistant, Research Officer, Stenographer, Assistant Archivist and Interpreter.

(e) Czechoslovakia—not applicable.

(f) Finland—Officer-in-charge.

(g) German Democratic Republic—Occupational designations and duties

Australia-based staff—Ambassador:

Second Secretary—Promote Australia's views at appropriate levels with Foreign Ministry and other

officials. Evaluate and review a range of issues of domestic and foreign policies for consideration in the formulation of Australia's policies. Arrange contacts and appointments for and liaise with visiting Ministers, Members of Parliament and Government officials.

Second Secretary—(Consular and Administrative)—Senior Administrative Officer.

Attache—(Administrative) General administration.

Steno-secretary, Grade 2—Ambassador's secretary.

Senior Technical Officer, Technical Officer, Technical Officer, Technical Officer—Protection of Embassy premises and control of access to the Embassy.

Counsellor—(Commercial) Promotion of Australian trade.

Steno-secretary, Grade 1—Secretary to Counsellor (Commercial).

Local Engaged Staff—

Cleaner, Clerk, Accounts, Clerk, Driver, Head Driver, Driver/Messenger, Interpreter/Translator, Receptionist/Telephonist, Stenographer Secretary (part time), Clerk/Interpreter, Marketing Officer.

(h) Hungary—Not applicable.

(i) Mongolia—Not applicable.

(j) Poland—Occupational designations and duties.

Australia-based staff—Ambassador:

First Secretary, Second Secretary—Promote Australia's views at appropriate levels with Foreign Ministry and other officials, evaluate and review a range of issues of domestic and foreign policies for consideration in the formulation of Australia's policies. Arrange contacts and appointments for and liaise with visiting Ministers, Members of Parliament and Government officials.

Second Secretary—(Consular and Administrative) Senior Administrative Officer.

Attache—General administration.

Building and Services Officer—Maintenance of buildings and equipment.

Steno-Secretary, Grade 2—Ambassador's secretary.

Typist, Grade 2/3—Stenographic, typing and registry duties.

Communicator—Communications and registry duties.

Senior Technical Officer, Technical Officer, Technical Officer, Technical Officer—Protection of Embassy premises and control of access to the Embassy.

Counsellor, Second Secretary—(Commercial) Promotion of Australian trade (Commercial).

Local Engaged staff—

Administration Assistant, Cleaner part-time, cleaner part-time, Clerk, Accountant, Clerk, Accounts, Clerk/Typist, Driver, Head, Driver, Driver, Receptionist/Telephonist, Stoker/Sweeper, Translator/Interpreter, Maintenance Assistant, Clerk (Consular and Visas), Clerk/Typist, Translator/Interpreter, Marketing Officer, Clerk/Typist, Clerk/Interpreter and Stenographer.

(k) Romania—Not applicable.

(l) USSR—Occupational designations and duties.

Australia-based staff—Ambassador:

Counsellor, First Secretary, Second Secretary, Third Secretary—Promote Australia's views at appropriate levels with Foreign Ministry and other officials. Evaluate and review a range of issues of domestic and foreign policies for consideration in the formulation of Australia's policies. Arrange contacts and appointments for and liaise with visiting Ministers, Members of Parliament and Government officials.

First Secretary—(Consular and Administrative)—Senior Administrative Officer.

Attache—(Administrative) general administration.

Building and Services Officer—Maintenance of buildings and equipment.

Steno-Secretary, Grade 2—Ambassador's secretary.

Typist, Grade 2, Typist, Grade 2, Typist, Grade 2—Stenographic, typing and communications duties.

Clerical Assistant, Grade 5—Archives.

Senior Technical Officer, Technical Officer, Technical Officer, Technical Officer, Technical Officer—Protection of Embassy premises and control of access to the Embassy.

Counsellor, First Secretary—(Commercial) Promotion of Australian trade (Commercial).

Steno-Secretary, Grade 1—Counsellor's secretary.

Local Engaged staff—

Consular Clerk (expatriate), Clerk, Accounts (expatriate), Clerk, Clerk, Property, Clerk, Translator, Clerk, Translator, Driver, Driver, Driver/Mechanic, Driver/Mechanic, Driver/Mechanic, Driver/Mechanic, Receptionist/Telephonist, Messenger, Marketing Officer, Clerk/Interpreter and Stenographer (expatriate).

(m) Vietnam—Occupational designations and duties.

Australia-based staff—Ambassador:

First Secretary, Third Secretary—Promote Australia's views with Foreign Ministry and other officials. Evaluate and review a range of issues of domestic and foreign policies for consideration in the formulation of Australia's policies. Arrange contacts and appointments for and liaise with visiting Ministers, Members of Parliament and Government officials.

Second Secretary—(Consular and Administrative) Senior Administrative Officer.

Attache—(Administrative) General administration.

Steno-Secretary, Grade 2—Ambassador's secretary.

Typist, Grade 2—Stenographic, typing and registry duties.

Local Engaged staff—

Clerk / Typist, Driver, Driver and Interpreter/Translator.

United Nations Educational, Scientific and Cultural Organisation Conventions

(Question No. 4405)

Mr Barry Jones asked the Minister for Foreign Affairs, upon notice, on 22 August 1979:

Will he bring up to date his answer to question No. 119 concerning UNESCO conventions (*Hansard*, 4 April 1978, page 969).

Mr Peacock—The answer to the honourable member's question is as follows:

Name of convention	Date adopted	Date entered into force	Date of deposit of Australian Instrument
Convention on the Recognition of Studies, Diplomas and Degrees in Higher Education in the Arab states .	22 December 1978

International Conventions adopted by the Organisation for Economic Co-operation and Development
(Question No. 4407)

Mr Barry Jones asked the Minister for Foreign Affairs, upon notice, on 22 August 1979:

(1) Which international conventions have been adopted by the Organisation for Economic Co-operation and Development.

(2) In relation to each convention on what date (a) was it adopted, (b) did it enter into force and (c) did Australia become a party to it.

Mr Peacock—The answer to the honourable member's question is as follows:

The OECD as such is not a party to any multi-lateral international conventions. It has however negotiated a number of bilateral agreements with member countries (for example, in relation to privileges and immunities) and with other international organisations. In addition, several international agreements have been drafted under OECD auspices and acceded to subsequently by individual member states in that capacity.

Agreements for Scientific and Technical Co-operation

(Question No. 4413)

Mr Barry Jones asked the Minister for Foreign Affairs, upon notice, on 22 August 1979:

Will he bring up to date his answer to question No. 126 concerning agreements for scientific and technical co-operation (*Hansard*, 8 March 1978, page 570 and 20 March 1979, page 930).

Mr Peacock—The answer to the honourable member's question is as follows:

Australia has concluded agreements for scientific and technical co-operation with the Federal Republic of Germany, India, the Soviet Union and the United States. An agreement with the People's Republic of China was initialled on 6 June 1979 during my last visit to China. This agreement will be concluded in due course. No other science agreements are at present under negotiation.

Agreements on Medical and Hospital Care

(Question No. 4415)

Mr Barry Jones asked the Minister for Foreign Affairs, upon notice, on 22 August 1979:

Will he bring up to date his answer to question No. 129 concerning agreements for the reciprocal provision of medical and hospital care (*Hansard*, 8 March 1978, page 571).

Mr Peacock—The answer to the honourable member's question is as follows:

The position remains as described in my answer to question No. 129.

Export Market Development Grants
(Question No. 4434)

Mr Jull asked the Minister for Trade and Resources, upon notice, on 22 August 1979:

(1) How many tourist bodies or companies made application for Export Market Development Grants during 1978-79.

(2) What is the estimated cost to the Commonwealth of these grants.

Mr Anthony—The answer to the honourable member's question is as follows:

(1) Recent amendments to the Export Market Development Grants Act provide that certain tourist industry services are eligible for grants in respect of expenditure incurred in 1978-79. Claims may be lodged between 1 July 1979 until 30 November 1979 in relation to the 1978-79 grant year. Therefore it is not possible at this stage to provide figures of the number of tourist industry applications for 1978-79.

(2) In view of the position described in the answer to the first part of the question it is not possible to give a meaningful estimation of either the total number of claimants or the total cost of their claims to the Commonwealth.

Foreign Affairs: Migrant Programs and Policies

(Question No. 4440)

Dr Cass asked the Minister for Foreign Affairs, upon notice, on 22 August 1979:

(1) For what programs and policies concerning immigrants has his Department been responsible in each year from 1970 to date.

(2) What was the expenditure on each program and policy.

(3) What proportion of his Department's administrative expenses are estimated to cover the programs and policies.

(4) On what dates did the transfer of responsibility for programs and policies referred to in part (1) to or from his Department take effect.

(5) To which or from which Departments were those transfers of responsibility made.

(6) Why were these transfers made.

(7) With what other Federal or State Government Departments or authorities does his Department share responsibility for the programs and policies referred to in part (1).

Mr Peacock—The answer to the honourable member's question is as follows:

(1) None.

(2) to (7) Not applicable.

Mr Peter Noble and Ms Cilla Prior: Visas to Visit the United States
 (Question No. 4454)

Dr Everingham asked the Minister for Foreign Affairs, upon notice, on 22 August 1979:

(1) Were visas to visit the United States refused to Mr Peter Noble and Ms Cilla Prior by the United States Consulate in Sydney, after Ms Prior was promised on 14 May 1979 that a visa would be available at 12.30 p.m. on 16 May.

(2) Is he able to say whether this reversal of a decision was due to advice from Australian Government sources; if so, was any political discrimination exercised and, in particular, was (a) the Australian Government a party to restriction of movement to representatives of minorities seeking international support for removal of discrimination or for compensation for dispossession of indigenes by later settlers in Australia and (b) an Aboriginal subject to refusal of a visa on account of unsubstantiated political objections raised by a State Government, but not applied in the case of non-Aborigines.

Mr Peacock—The answer to the honourable member's question is as follows:

Neither I nor my Department had any knowledge of any problem encountered by Mr Peter Noble or Ms Cilla Prior in obtaining visas to enter the United States of America.

The only information on this matter which has been revealed by inquiries by my Department is contained in a report in the NQ *Message Stick* of July 1979. We have no information to suggest that speculations made in that report are correct.

The matter of visa issue for entry to United States of America is entirely a matter for the US authorities and the Australian Government is unable to comment on the question.

Aboriginal Housing
 (Question No. 4458)

Dr Everingham asked the Minister representing the Minister for Aboriginal Affairs, upon notice, on 22 August 1979:

(1) Has the Minister's attention been drawn to the book *A Black Reality: Aboriginal Camps and Housing in Remote Australia*, which has a dozen contributors and which was edited by Dr Michael Heppell, who was recently dismissed by the Government from the Aboriginal Housing Panel.

(2) If so, does the book argue that Government planners are arrogant and that the Prime Minister has increased bureaucratisation in providing Aboriginal housing by making the Department of Housing and Construction responsible for all remote Aboriginal housing programs.

(3) Does the book also state that increased drunkenness and violence has resulted from the construction of \$40,000 houses in remote Arnhem Land and that there is a better acceptance of free palm thatched houses than of \$45,000 ones being constructed in North Queensland; if so, is there evidence to support these statements.

(4) Is current expenditure inadequate and are more families being inadequately housed each year contrary to the recommendations of every Government investigation into Aboriginal housing and all related problems and in breach of election undertakings of the Government.

(5) Does the book concur with these investigations and policy in insisting that constant and sympathetic contact with Aborigines is required to prevent squandering of funds on

the European-devised programs now entrusted to officials with little opportunity to achieve such contact; if so, is any action being taken to correct the position.

Mr Viner—The Minister for Aboriginal Affairs has provided the following answer to the honourable member's question:

(1) I have seen the book *A Black Reality: Aboriginal Camps and Housing in Remote Australia* edited by Dr M. Heppell and recently published by the Australian Institute of Aboriginal Studies. The Government did not dismiss Dr Heppell from the Aboriginal Housing Panel.

(2) I note that Dr H. C. Coombs in a Foreword to the book comments on the disappointing results of Government housing policies for Aborigines over the years and, acknowledging that he is 'one who must bear some responsibility for this failure' refers to 'our haste (and our arrogance)' in relation to the housing of Aborigines. I have not found any reference to the Prime Minister, or to 'increased bureaucratisation' by Dr Heppell nor does he indicate that the Department of Housing and Construction has been made 'responsible for all remote Aboriginal housing problems'. He does indicate at page 42 that the Government requires 'the Department of Construction to act, wherever practicable, as consultant to Aboriginal Housing Associations'.

(3) I have found no statement that 'increased drunkenness and violence has resulted from the construction of \$40,000 houses in remote Arnhem Land', in either of the two papers in the book which deal with communities in Arnhem Land. In a paper on housing at Mitchell River and Edward River in North Queensland, Dr Taylor sets out the evidence for his view that 'the thatched houses and shanties of the earlier days' were closer to being entities 'firmly linked to peoples' needs, abilities, ambitions and expressive drives' than 'the present day prefabricated housing'.

(4) and (5) Expenditure to date on Aboriginal housing by Governments throughout Australia has been inadequate to meet the needs and both Commonwealth and State Governments have recognised this. The greatly increased provision for Aboriginal housing in the 1979-80 Commonwealth Budget should enable a substantial reduction to be made in the housing shortage.

The papers in this book provide a useful reminder of the complexity of the problems Aboriginal communities and governments face in improving housing conditions in the remote areas where tradition-oriented Aborigines live and they deserve serious study by all concerned.

Australia-Japan Trade Law Foundation
 (Question No. 4466)

Mr Jacobi asked the Minister representing the Attorney-General, upon notice, on 22 August 1979:

(1) At what stage of the criminal proceedings against Keith Compton Gale did he cease to be a member of the Executive Council of the Australia-Japan Trade Law Foundation.

(2) To what extent does the Government subsidise the Foundation.

Mr Viner—The Attorney-General has provided the following answer to the honourable member's question:

(1) My Department has been advised by the Foundation that Mr Gale's resignation was accepted with effect from 9 December 1977. I do not know what stage of the criminal proceedings against Mr Gale had then been reached.

(2) The Government has granted the Foundation the sum of \$5,500.00 in each of the financial years 1975-76, 1976-77, 1977-78 and 1978-79. The amount of the grant proposed for 1979-80 is \$2,000.00.

Aboriginal Self-management

(Question No. 4483)

Dr Everingham asked the Minister representing the Minister for Aboriginal Affairs, upon notice, on 28 August 1979:

(1) Have (a) Yarrabah, (b) The Gorge, (c) Weipa and (d) Kowanyama Queensland Aboriginal communities applied to the Federal Government for self-management under the Aboriginal and Torres Strait Islanders (Queensland Reserves and Communities Self-management) Act 1978.

(2) If so, what stage of negotiations had been reached as at 30 July 1979 between the 2 Governments in each of the 4 cases.

(3) If any of the negotiations have been delayed, what is the reason.

Mr Viner—The Minister for Aboriginal Affairs has provided the following answer to the honourable member's question:

(1) Yarrabah Council requested to be declared under the Aboriginal and Torres Strait Islanders (Queensland Reserves and Communities Self-management) Act 1978 and residents of both the Mossman Gorge and Kowanyama communities submitted petitions last year. A request has not been received from the Weipa community.

(2) and (3) Discussions have been initiated with the Queensland Government on the issues of self-management and secure land tenure for reserve communities in Queensland. (See my reply to Question No. 4347.)

Standing Committee on Aboriginal Affairs:

Reports on Alcoholism and Health

(Question No. 4486)

Dr Everingham asked the Minister representing the Minister for Aboriginal Affairs, upon notice, on 28 August 1979:

What progress has been made in implementing the recommendations of the House of Representatives Standing Committee on Aboriginal Affairs reports on alcoholism and health since those reports were presented.

Mr Viner—The Minister for Aboriginal Affairs has provided the following answer to the honourable member's question:

See the statement made to the House of 11 September 1979 by the Minister representing the Minister for Aboriginal Affairs for details of action taken on the report of the House of Representatives Standing Committee on Aboriginal Affairs on Alcohol Problems of Aborigines.

The recommendations in the Committee's Report on Aboriginal Health are being discussed in detail with State health authorities and the Aboriginal Medical Services, and with the Department of Health and other Commonwealth Departments. A statement on implementation of the report will be presented to Parliament as soon as is practicable.

Aboriginal Welfare Relief

(Question No. 4490)

Dr Everingham asked the Minister representing the Minister for Aboriginal Affairs, upon notice, on 28 August 1979:

What (a) allocation and (b) expenditure was made in the Department of Aboriginal Affairs' budget or otherwise for welfare relief on settlements and missions during each year since 1973.

Mr Viner—The Minister for Aboriginal Affairs has provided the following answer to the honourable member's question:

Welfare relief is not the responsibility of the Department of Aboriginal Affairs and no provision is made for it in my Department's budget.

Visits to United Nations Educational, Scientific and Cultural Organisation

(Question No. 4497)

Mr Barry Jones asked the Minister for Foreign Affairs, upon notice, on 28 August 1979:

How many quota visits were provided by his Department or other departments for attendance at UNESCO during 1977-78 and 1978-79.

Mr Peacock—The answer to the honourable member's question is as follows:

1977-78—(1) 1.7.77-31.12.77 (pre quota), three (2) 1.1.78-30.6.78 (quota), nil.

1978-79—1.7.78-30.6.79 (quota), two.

Department of Education

1977-78—Nil.

1978-79—One.

Disarmament

(Question No. 4514)

Mr Willis asked the Minister for Defence, upon notice, on 29 August 1979:

(1) How many officials in his Department are working full time on any aspect of disarmament.

(2) Is his Department contributing financially to the study of any aspect of disarmament by persons in any other organisation; if so, which are the organisations and what sum is being contributed.

Mr Killen—The answer to the honourable member's question is as follows:

(1) The Department adopts a multi-disciplinary approach to this subject, drawing as necessary upon officers with responsibilities in military, scientific, legal and policy areas of the Department. At the present time a scientist and an Army officer from the Department are working full time as members of the Australian delegation to the meeting of a United Nations conference on the use of certain conventional weapons in Geneva.

(2) The Department endows a Research Fellowship at the Strategic and Defence Study Centre, Australian National University, at a cost of some \$30,000 per annum. Aspects of disarmament, along with many other defence related matters, may be studied under this Fellowship.

Trees for Malta
(Question No. 4527)

Mr Barry Jones asked the Minister for Foreign Affairs, upon notice, on 29 August 1979:

Will he consult with appropriate Australian Ministers and with the Government of Malta to see if Australia could provide large numbers of appropriate trees for planting in Malta as a tangible gesture of goodwill which could be of great benefit to that largely treeless island.

Mr Peacock—The answer to the honourable member's question is as follows:

The suggestion that, as a gesture of goodwill, Australia might consider providing appropriate trees for planting in Malta is an interesting one and warrants further examination. I have noted the honourable member's interest in this subject and shall keep him informed of any developments.

Aid to Pakistan
(Question No. 4543)

Mr James asked the Minister for Foreign Affairs, upon notice, on 29 August 1979:

(1) Is it a fact, as reported in *Newsweek* of 23 July 1979, that the United States of America has cut off aid to Pakistan.

(2) If the United States of America was satisfied with intelligence reports that the Pakistanis are developing a nuclear weapon and the resultant decision was the complete abandonment of aid, will Australia take similar action; if not, why not.

Mr Peacock—The answer to the honourable member's question is as follows:

(1) As a result of a legislative requirement, the United States announced on 6 April that it was moving to suspend its \$US40m annual development aid program to Pakistan. The United States has not suspended food aid and other assistance.

(2) I outlined, in response to a question in the House of Representatives on 23 August, the Government's concern about the possibility of Pakistan's acquiring a nuclear explosive capability. This concern has been made known to Pakistan. The Government is also in close and continuing contact with a number of concerned governments and has made its views known to a wide cross-section of states. The Government has not considered the suspension of Australia's aid to Pakistan, which is mainly in the form of food aid and project aid in agriculture.