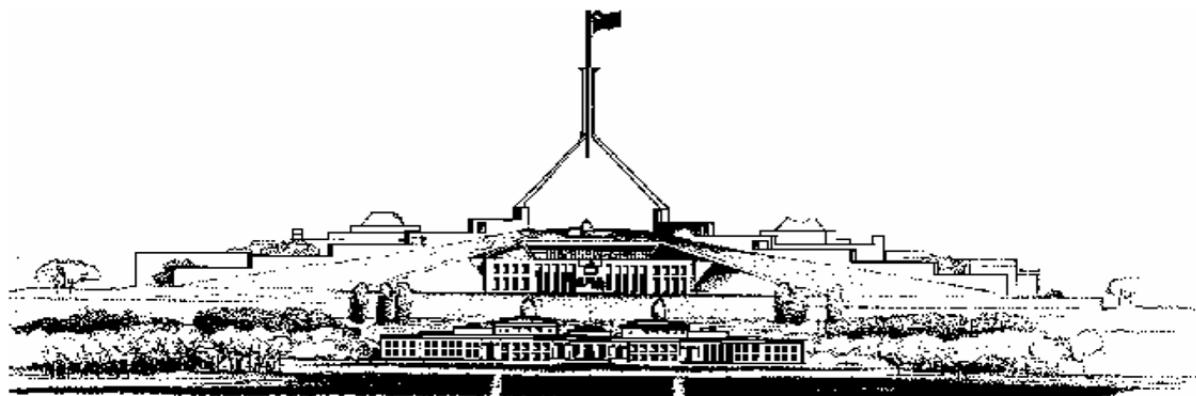




COMMONWEALTH OF AUSTRALIA

**PARLIAMENTARY DEBATES**



**Senate**  
**Official Hansard**

**No. 94, 1982  
Thursday, 22 April 1982**

THIRTY-SECOND PARLIAMENT  
FIRST SESSION—FOURTH PERIOD

BY AUTHORITY OF THE SENATE

# THIRTY-SECOND PARLIAMENT

## FIRST SESSION—FOURTH PERIOD

### Governor-General

His Excellency the Right Honourable Sir Zelman Cowen, a Member of Her Majesty's Most Honourable Privy Council, Knight of the Order of Australia, Knight Grand Cross of the Most Distinguished Order of St Michael and St George, Knight Grand Cross of the Royal Victorian Order, 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.

### Fourth 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, C.H.	(NCP)
*Minister for Industry and Commerce	The Right Honourable Sir Phillip Reginald Lynch, K.C.M.G.	(LP)
*Minister for Communications and Leader of the House	The Right Honourable Ian McCahon Sinclair	(NCP)
*Minister for National Development and Energy, Vice-President of the Executive Council and Leader of the Government in the Senate	Senator the Honourable Sir John Leslie Carrick, K.C.M.G.	(LP)
*Minister for Foreign Affairs	The Honourable Anthony Austin Street	(LP)
*Minister for Primary Industry	The Honourable Peter James Nixon	(NCP)
*Treasurer	The Honourable John Winston Howard	(LP)
*Minister for Defence	The Honourable Denis James Killen	(LP)
*Minister for Finance	Senator the Honourable Dame Margaret Georgina Constance Guilfoyle, D.B.E.	(LP)
*Minister for Industrial Relations 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 Social Security	Senator the Honourable Frederick Michael Chaney	(LP)
*Minister for Education and Minister Assisting the Prime Minister in Federal Affairs	The Honourable Wallace Clyde Fife	(LP)
Minister for Transport	The Honourable Ralph James Dunnet Hunt	(NCP)
Minister for Health	The Honourable Michael John Randal MacKellar	(LP)
Minister for Immigration and Ethnic Affairs	The Honourable Ian Malcolm Macphee	(LP)
Minister for Science and Technology	The Honourable David Scott Thomson, M.C.	(NCP)
Minister for Administrative Services and Minister Assisting the Minister for Defence	The Honourable Kevin Eugene Newman	(LP)
Minister for Employment and Youth Affairs	The Honourable Neil Anthony Brown, Q.C.	(LP)
Minister for Business and Consumer Affairs	The Honourable John Colinton Moore	(LP)
Minister for the Capital Territory and Minister Assisting the Minister for Industry and Commerce	The Honourable William Michael Hodgman	(LP)
Minister for Veterans' Affairs and Minister Assisting the Treasurer	Senator the Honourable Anthony John Messner	(LP)
Minister for Aboriginal Affairs and Minister Assisting the Minister for National Development and Energy	Senator the Honourable Peter Erne Baume	(LP)
Minister for Housing and Construction and Minister Assisting the Minister for Trade and Resources	The Honourable Daniel Thomas McVeigh	(NCP)
Minister for Home Affairs and Environment	The Honourable Ian Bonython Cameron Wilson	(LP)
*Minister in the Cabinet		

### PARTY ABBREVIATIONS

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

## Fourth Fraser Ministry (Liberal Party—National Country Party Government)

(From 20 April 1982)

*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, C.H.	(NCP)
*Treasurer	The Honourable John Winston Howard	(LP)
*Minister for Communications and Leader of the House	The Right Honourable Ian McCahon Sinclair	(NCP)
*Minister for National Development and Energy, Vice-President of the Executive Council and Leader of the Government in the Senate	Senator the Honourable Sir John Leslie Carrick, K.C.M.G.	(LP)
*Minister for Industry and Commerce	The Right Honourable Sir Phillip Reginald Lynch, K.C.M.G.	(LP)
*Minister for Foreign Affairs	The Honourable Anthony Austin Street	(LP)
*Minister for Primary Industry	The Honourable Peter James Nixon	(NCP)
*Minister for Defence	The Honourable Denis James Killen	(LP)
*Minister for Finance	Senator the Honourable Dame Margaret Georgina Constance Guilfoyle, D.B.E.	(LP)
*Minister for Industrial Relations 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 Social Security	Senator the Honourable Frederick Michael Chaney	(LP)
*Minister for Education and Minister Assisting the Prime Minister in Federal Affairs	The Honourable Wallace Clyde Fife	(LP)
Minister for Transport	The Honourable Ralph James Dunnet Hunt	(NCP)
Minister for Immigration and Ethnic Affairs	The Honourable Ian Malcolm Macphee	(LP)
Minister for Science and Technology	The Honourable David Scott Thomson, M.C.	(NCP)
Minister for Administrative Services and Minister Assisting the Minister for Defence	The Honourable Kevin Eugene Newman	(LP)
Minister for Employment and Youth Affairs and Minister for Business and Consumer Affairs	The Honourable Neil Anthony Brown, Q.C.	(LP)
Minister for the Capital Territory and Minister Assisting the Minister for Industry and Commerce	The Honourable William Michael Hodgman	(LP)
Minister for Veterans' Affairs and Minister Assisting the Treasurer	Senator the Honourable Anthony John Messner	(LP)
Minister for Aboriginal Affairs, Minister for Health and Minister Assisting the Minister for National Development and Energy	Senator the Honourable Peter Erne Baume	(LP)
Minister for Housing and Construction and Minister Assisting the Minister for Trade and Resources	The Honourable Daniel Thomas McVeigh	(NCP)
Minister for Home Affairs and Environment	The Honourable Ian Bonython Cameron Wilson	(LP)
*Minister in the Cabinet		

### PARTY ABBREVIATIONS

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

## **Fourth Fraser Ministry (Liberal Party—National Country Party Government)**

(From 7 May 1982)

*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, C.H.	(NCP)
*Treasurer	The Honourable John Winston Howard	(LP)
*Minister for Defence	The Right Honourable Ian McCahon Sinclair	(NCP)
*Minister for National Development and Energy and Leader of the Government in the Senate	Senator the Honourable Sir John Leslie Carrick, K.C.M.G.	(LP)
*Minister for Industry and Commerce	The Right Honourable Sir Phillip Reginald Lynch, K.C.M.G.	(LP)
*Minister for Foreign Affairs	The Honourable Anthony Austin Street	(LP)
*Minister for Primary Industry	The Honourable Peter James Nixon	(NCP)
*Vice-President of the Executive Council and Leader of the House	The Honourable Denis James Killen	(LP)
*Minister for Finance	Senator the Honourable Dame Margaret Georgina Constance Guilfoyle, D.B.E.	(LP)
*Attorney-General	Senator the Honourable Peter Drew Durack, Q.C.	(LP)
*Minister for Social Security	Senator the Honourable Frederick Michael Chaney	(LP)
*Minister for Aviation, Minister Assisting the Prime Minister in Federal Affairs and Public Service Matters and Deputy Leader of the House	The Honourable Wallace Clyde Fife	(LP)
*Minister for Employment and Industrial Relations	The Honourable Ian Malcolm Macphee	(LP)
*Minister for Education	Senator the Honourable Peter Erne Baume	(LP)
Minister for Transport and Construction	The Honourable Ralph James Dunnet Hunt	(NCP)
Minister for Defence Support and Minister Assisting the Minister for Defence	The Honourable Robert Ian Viner	(LP)
Minister for Science and Technology	The Honourable David Scott Thomson, M.C.	(LP)
Minister for Administrative Services	The Honourable Kevin Eugene Newman	(LP)
Minister for Communications and Minister Assisting the Attorney-General	The Honourable Neil Anthony Brown, Q.C.	(LP)
Minister for the Capital Territory and Minister Assisting the Minister for Industry and Commerce	The Honourable William Michael Hodgman	(LP)
Minister for Veterans' Affairs and Minister Assisting the Treasurer	Senator the Honourable Anthony John Messner	(LP)
Minister for Home Affairs and Environment and Minister Assisting the Minister for Trade and Resources	The Honourable Daniel Thomas McVeigh	(NCP)
Minister for Aboriginal Affairs and Minister Assisting the Minister for Social Security	The Honourable Ian Bonython Cameron Wilson	(LP)
Minister for Health and Minister Assisting the Minister for National Development and Energy	The Honourable James Joseph Carlton	(LP)
Minister for Immigration and Ethnic Affairs	The Honourable John Charles Hodges	(LP)
*Minister in the Cabinet		

### **PARTY ABBREVIATIONS**

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

## Members of the Senate

*President*—Senator the Honourable Harold William Young

*Chairman of Committees*—Senator the Honourable Douglas McClelland

*Temporary Chairmen of Committees*—Senators Neville Thomas Bonner, Ruth Nancy Coleman, Stanley James Collard, Malcolm Arthur Colston, Ronald Charles Elistob, George Georges, Janine Haines, David John Hamer, D.S.C., Austin William Russell Lewis, Gordon Douglas McIntosh, James Anthony Mulvihill and Michael Townley

*Leader of the Government in the Senate*—Senator the Honourable Sir John Leslie Carrick, K.C.M.G.

*Deputy Leader of the Government in the Senate*—Senator the Honourable Peter Drew Durack, Q.C.

*Leader of the Opposition*—Senator John Norman Button

*Deputy Leader of the Opposition*—Senator Donald James Grimes

### SENATE PARTY LEADERS

*Leader of the Liberal Party of Australia*—Senator the Honourable Sir John Leslie Carrick, K.C.M.G.

*Deputy Leader of the Liberal Party of Australia*—Senator the Honourable Peter Drew Durack, Q.C.

*Leader of the National Country Party of Australia*—Senator the Honourable Douglas Barr Scott

*Leader of the Australian Labor Party*—Senator John Norman Button

*Deputy Leader of the Australian Labor Party*—Senator Donald James Grimes

*Leader of the Australian Democrats*—Senator the Honourable Donald Leslie Chipp

*Deputy Leader of the Australian Democrats*—Senator Colin Victor James Mason

Senator	State or Territory	Term commenced	Term expires	Party
Archer, Brian Roper	Tas.	1978	30.6.84	LP
Baume, Hon. Peter Erne	N.S.W.	1978	30.6.84	LP
Bjelke-Petersen, Florence Isabel	Qld	1981	30.6.87	NCP
Bolkus, Nick	S.A.	1981	30.6.87	ALP
Bonner, Neville Thomas	Qld	1981	30.6.87	LP
Button, John Norman	Vic.	1978	30.6.84	ALP
Carrick, Hon. Sir John Leslie, K.C.M.G.	N.S.W.	1981	30.6.87	LP
Chaney, Hon. Frederick Michael	W.A.	1978	30.6.84	LP
Childs, Bruce Kenneth	N.S.W.	1981	30.6.87	ALP
Chipp, Hon. Donald Leslie	Vic.	1978	30.6.84	AD
Coates, John	Tas.	1981	30.6.87	ALP
Coleman, Ruth Nancy	W.A.	1978	30.6.84	ALP
Collard, Stanley James	Qld	1978	30.6.84	NCP
Colston, Malcolm Arthur	Qld	1978	30.6.84	ALP
Crichton-Browne, Noel Ashley	W.A.	1981	30.6.87	LP
Durack, Hon. Peter Drew, Q.C.	W.A.	1981	30.6.87	LP
Elistob, Ronald Charles	S.A.	1978	30.6.84	ALP
Evans, Gareth John	Vic.	1978	30.6.84	ALP
Foreman, Dominic John	S.A.	1981	30.6.87	ALP
Georges, George	Qld	1978	30.6.84	ALP
Gietzelt, Arthur Thomas	N.S.W.	1978	30.6.84	ALP
Giles, Patricia Jessie	W.A.	1981	30.6.87	ALP
Grimes, Donald James	Tas.	1978	30.6.84	ALP
Guilfoyle, Hon. Dame Margaret Georgina Constance, D.B.E.	Vic.	1981	30.6.87	LP
Haines, Janine	S.A.	1981	30.6.87	AD
Hamer, David John, D.S.C.	Vic.	1978	30.6.84	LP
Harradine, Brian	Tas.	1981	30.6.87	Ind
Hearn, Jean Margaret	Tas.	1981	30.6.87	ALP
Hill, Robert	S.A.	1981	30.6.87	LP
Jessop, Donald Scott	S.A.	1981	30.6.87	LP
Jones, Gerry Norman	Qld	1981	30.6.87	ALP
Keffe, James Bernard	Qld	1981	30.6.87	ALP
Kilgarriff, Bernard Francis (1)	N.T.	1980		LP
Lajovic, Milivoj Emil	N.S.W.	1978	30.6.84	LP
Lewis, Austin William Russell	Vic.	1981	30.6.87	LP
McClelland, Hon. Douglas	N.S.W.	1981	30.6.87	ALP
MacGibbon, David John	Qld	1978	30.6.84	LP
McIntosh, Gordon Douglas	W.A.	1981	30.6.87	ALP
McLaren, Geoffrey Thomas	S.A.	1978	30.6.84	ALP
Macklin, Michael John	Qld	1981	30.6.87	AD
Martin, Kathryn Jean	Qld	1978	30.6.84	LP
Martyr, John Raymond (2)	W.A.	1981	30.6.84	LP
Mason, Colin Victor James	N.S.W.	1978	30.6.84	AD
Messner, Hon. Anthony John	S.A.	1978	30.6.84	LP
Missen, Alan Joseph	Vic.	1978	30.6.84	LP
Mulvihill, James Anthony	N.S.W.	1978	30.6.84	ALP
Primmer, Cyril Graham	Vic.	1981	30.6.87	ALP
Rae, Peter Elliot	Tas.	1981	30.6.87	LP
Ray, Robert	Vic.	1981	30.6.87	ALP
Reid, Margaret Elizabeth (3)	A.C.T.	1981		LP
Robertson, Edward Albert (1)	N.T.	1980		ALP
Ryan, Susan Maree (1)	A.C.T.	1980		ALP
Scott, Hon. Douglas Barr	N.S.W.	1981	30.6.87	NCP
Sibraa, Kerry Walter	N.S.W.	1981	30.6.87	ALP
Siddons, John Royston	Vic.	1981	30.6.87	AD
Tate, Michael Carter	Tas.	1978	30.6.84	ALP
Teague, Baden Chapman	S.A.	1978	30.6.84	LP
Thomas, Andrew Murray	W.A.	1978	30.6.84	LP
Townley, Michael	Tas.	1981	30.6.87	LP
Walsh, Peter Alexander	W.A.	1978	30.6.84	ALP
Walters, Mary Shirley	Tas.	1978	30.6.84	LP
Watson, John Odin Wentworth	Tas.	1978	30.6.84	LP
Withers, Rt Hon. Reginald Greive	W.A.	1981	30.6.87	LP
Young, Hon. Harold William	S.A.	1978	30.6.84	LP

(1) Term expires at close of day next preceding the polling day for the general election of members of the House of Representatives.

(2) Chosen by the Parliament of the State of Western Australia vice Allan Charles Roche, resigned.

(3) Chosen by the Parliament of the Commonwealth of Australia vice John William Knight, deceased.

### PARTY ABBREVIATIONS

AD—Australian Democrats; ALP—Australian Labor Party; Ind—Independent; LP—Liberal Party of Australia;

NCP—National Country Party of Australia

# THE COMMITTEES OF THE SESSION

(FIRST SESSION: FOURTH PERIOD)

## STANDING COMMITTEES

APPROPRIATIONS AND STAFFING—The President, the Leader of the Government in the Senate, Senators Jessop, Douglas McClelland, Mason and Peter Rae.

DISPUTED RETURNS AND QUALIFICATIONS—Senators Archer, Button, Collard, Grimes, Sibraa, Watson and Withers.

HOUSE—The President, Senators Bonner, Coleman, McLaren, Martin, Robertson and Withers.

LIBRARY—The President, Senators Colston, Harradine, Hill, Mulvihill, Teague and Walters.

PRILEGES—Senator Jessop (*Chairman*), Senators Bolkus, Button, Collard, Missen, Robert Ray and Thomas.

PUBLICATIONS—Senator Archer (*Chairman*), Senators Bonner, Elstob, Georges, Lajovic, McIntosh and Scott.

REGULATIONS AND ORDINANCES—Senator Lewis (*Chairman*), Senators Bonner, Coates, Foreman, Missen, Tate and Walters.

SCRUTINY OF BILLS—Senator Missen (*Chairman*), Senators Crichton-Brown, Evans, Hill, Ryan and Tate.

STANDING ORDERS—The President, the Deputy President, the Leader of the Government in the Senate, the Leader of the Opposition in the Senate, Senators Peter Baume, Haines, Kilgariff, Peter Rae, Robert Ray and Robertson.

## LEGISLATIVE AND GENERAL PURPOSE STANDING COMMITTEES

CONSTITUTIONAL AND LEGAL AFFAIRS—Senator Missen (*Chairman*), Senators Crichton-Browne, Evans, Hill, Ryan and Tate.

EDUCATION AND THE ARTS—Senator Teague (*Chairman*), Giles, Hearn, Lajovic, Robert Ray and Reid.

FINANCE AND GOVERNMENT OPERATIONS—Senator Peter Rae (*Chairman*), Senators Childs, Coates, Lewis, Walsh and Withers.

FOREIGN AFFAIRS AND DEFENCE—Senator Scott (*Chairman*), Senators Bolkus, Hamer (to 20 May), Lewis, MacGibbon (from 20 May), McIntosh and Primmer.

NATIONAL RESOURCES—Senator Thomas (*Chairman*), Senators Bjelke-Petersen, McLaren, Robertson, Tate and Watson.

SCIENCE AND THE ENVIRONMENT—Senator Jessop (*Chairman*), Senators Jones, MacGibbon, Mason, Mulvihill and Townley.

SOCIAL WELFARE—Senator Walters (*Chairman*), Senators Bonner, Elstob, Giles, Grimes and Kilgariff.

TRADE AND COMMERCE—Senator Archer (*Chairman*), Senators Childs, Coleman, Collard, Lajovic and Siddons.

## SELECT COMMITTEES

GOVERNMENT CLOTHING AND ORDNANCE FACTORIES—Senator Martyr (*Chairman*), Senators Button, Crichton-Browne and Siddons.

INDUSTRIAL RELATIONS LEGISLATION—Senator Harridine (*Chairman*), Senators Button, Hamer, Mulvihill, Siddons, Walters and Withers.

PRIVATE HOSPITALS AND NURSING HOMES—Senator Walters (*Chairman*), Senators Bjelke-Petersen, Giles and Haines.

SOUTH WEST TASMANIA—Senator Archer (*Chairman*), Senators Chipp, Coates, Hill, Missen and Primmer.

PARLIAMENT'S APPROPRIATIONS AND STAFFING—Senator Jessop (*Chairman*), Senators Douglas McClelland, Mason, Missen and Robertson.

PASSENGER FARES AND SERVICES TO AND FROM TASMANIA—Senator Peter Rae (*Chairman*), Senators Grimes, Tate and Townley.

## ESTIMATES COMMITTEES

ESTIMATES COMMITTEE A (Parliament; Attorney-General's; Industrial Relations; Business and Consumer Affairs)—Senator Peter Rae (*Chairman*), Senators Bolkus, Evans, Hamer, Reid and Tate.

ESTIMATES COMMITTEE B (Education; Communications; Home Affairs and Environment)—Senator Collard (*Chairman*), Senators Colston, Haines (from 24 March), Hearn, Martin, Ryan (to 24 March) and Teague.

ESTIMATES COMMITTEE C (Prime Minister and Cabinet; Treasury; Finance; Administrative Services)—Senator Lewis (*Chairman*), Senators Bjelke-Petersen, Gietzelt, McLaren, Martyr and Robert Ray.

ESTIMATES COMMITTEE D (Defence; Foreign Affairs; Immigration and Ethnic Affairs)—Senator Kilgariff (*Chairman*), Senators Jessop, McIntosh, Mulvihill, Sibraa and Watson.

ESTIMATES COMMITTEE E (National Development and Energy; Employment and Youth Affairs; Housing and Construction)—Senator Thomas (*Chairman*), Senators Childs, Crichton-Browne, Elstob, Hill and Robertson.

ESTIMATES COMMITTEE F (Science and Technology; Capital Territory; Transport)—Senator Townley (*Chairman*), Senators Coates, Georges, Jones, MacGibbon and Withers.

ESTIMATES COMMITTEE G (Health; Social Security; Veterans' Affairs; Aboriginal Affairs)—Senator Bonner (*Chairman*), Senators Coleman, Giles, Grimes, Teague and Walters.

ESTIMATES COMMITTEE H (Primary Industry; Industry and Commerce; Trade and Resources)—Senator Archer (*Chairman*), Senators Foreman, Lajovic, Primmer, Scott and Walsh.

## JOINT STATUTORY COMMITTEES

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

PUBLIC ACCOUNTS—Mr Connolly (*Chairman*), the Chairman of the House of Representatives Standing Committee on Expenditure, Senator Georges, Senator Lajovic and Senator Watson, and Mr Bradfield, Mr Duffy, Mrs Kelly, Mr Shack, Mr Tambling and Dr Theophanous.

PUBLIC WORKS—Mr Bungey (*Chairman*), Senator Foreman, Senator Kilgariff and Senator Martyr, and Mr Cowan, Mr Humphreys, Mr Innes, Mr Les McMahon and Mr Sainsbury.

## JOINT COMMITTEES

AUSTRALIAN CAPITAL TERRITORY—Senator Reid (*Chairman*), Senator Colston, Senator Georges and Senator Hamer, and Mr Bradfield, Mr Coleman, Mr Dobie, Mr Fry, Mr Hicks and Mrs Kelly.

FOREIGN AFFAIRS AND DEFENCE—Mr Shipton (*Chairman*), Senator Bjelke-Petersen, Senator Elstob, Senator Hill, Senator McIntosh, Senator Martyr, Senator Sibraa and Senator Teague, and Mr Beazley, Mr Carlton, Mr Dobie, Mr Falconer, Mr Fry, Mr Holding, Mr Jacobi, Mr Jull, Mr Katter, Dr Klugman, Mr Lusher, Mr McLean and Mr Morrison.

NEW PARLIAMENT HOUSE—The President and Mr Speaker (*Joint Chairmen*), the Minister for the Capital Territory, Senator Colston, Senator Evans, Senator Martin, Senator Missen, Senator Teague and Senator Sibraa, and Mr Chapman, Mr Giles, Mr Keating, Mrs Kelly, Mr Lloyd and Mr Scholes.

## JOINT SELECT COMMITTEE

PARLIAMENTARY PRIVILEGE—Mr Spender (*Chairman*), Senator Evans, Senator Georges, Senator Jessop, Senator Kilgariff and Senator Macklin, and Mr Adermann, Mr Holding, Mr Barry Jones and Mr Porter.

# PARLIAMENTARY DEPARTMENTS

## SENATE

*Clerk*—K. O. Bradshaw  
*Deputy Clerk*—A. R. Cumming Thom  
*First Clerk-Assistant*—H. C. Nicholls  
*Clerk-Assistant*—H. G. Smith  
*Principal Parliamentary Officer (Table)*—T. H. G. Wharton  
*Principal Parliamentary Officer (Procedure)*—H. Evans  
*Usher of the Black Rod*—P. N. Murdoch  
*Senior Clerk of Committees*—R. G. Thomson

## HOUSE OF REPRESENTATIVES

*Clerk of the House*—J. A. Pettifer, C.B.E.  
*Deputy Clerk of the House*—D. M. Blake, V.R.D.  
*First Clerk Assistant*—A. R. Browning  
*Clerk Assistant*—L. M. Barlin  
*Operations Manager*—I. C. Harris  
*Senior Parliamentary Officers:*  
*Sergeant-at-Arms Office*—I. C. Cochran  
*Table Office (Bills and Papers)*—J. K. Porter  
*Committee Office*—M. Adamson  
*Procedure Office*—J. W. Pender  
*Table Office (Programming)*—B. C. Wright (Acting)

## PARLIAMENTARY REPORTING STAFF

*Principal Parliamentary Reporter*—J. W. Roberts  
*Assistant Principal Parliamentary Reporter*—J. M. Campbell  
*Leader of Staff (House of Representatives)*—R. T. Martin  
*Leader of Staff (Senate)*—N. Franzi

## LIBRARY

*Parliamentary Librarian*—H. de S. C. MacLean (Acting)

## JOINT HOUSE

*Secretary*—J. M. Jorgensen

# THE ACTS OF THE SESSION

## FIRST SESSION: FOURTH PERIOD

Aboriginal Land Rights Legislation Amendment Act 1982 (Act No. 16 of 1982)—

An Act to amend the *Aboriginal Land Rights (Northern Territory) Act* 1976 and the *Aboriginal Land Rights (Northern Territory) Amendment Act* 1979, and for related purposes.

Albury-Wodonga Development (Financial Assistance) Amendment Act 1982 (Act No. 42 of 1982)—

An Act to vary the conditions of certain financial assistance provided pursuant to the *Albury-Wodonga Development (Financial Assistance) Act* 1973 and to repeal section 10 of that Act.

Appropriation Act (No. 3) 1981-82 (Act No. 35 of 1982)—

An Act to appropriate a sum out of the Consolidated Revenue Fund, additional to the sum appropriated by the *Appropriation Act (No. 1)* 1981-82, for the service of the year ending on 30 June 1982.

Appropriation Act (No. 4) 1981-82 (Act No. 36 of 1982)—

An Act to appropriate a sum out of the Consolidated Revenue Fund, additional to the sum appropriated by the *Appropriation Act (No. 2)* 1981-82, for certain expenditure in respect of the year ending on 30 June 1982.

Australian Capital Territory Electricity Supply Amendment Act 1982 (Act No. 5 of 1982)—

An Act to amend the *Australian Capital Territory Electricity Supply Act* 1962.

Australian Centre for International Agricultural Research Act 1982 (Act No. 9 of 1982)—

An Act to encourage research for the purpose of identifying, or finding solutions to, agricultural problems of developing countries.

Australian Meat and Live-stock Corporation Amendment Act 1982 (Act No. 46 of 1982)—

An Act to amend the *Australian Meat and Live-stock Corporation Act* 1977, and for related purposes.

Bounty Acts Amendment Act 1982 (Act No. 21 of 1982)—

An Act to amend the *Bounty (Drilling Bits) Act* 1980 and the *Bounty (Non-adjustable Wrenches) Act* 1981.

Canned Fruits Levy Amendment Act 1982 (Act No. 18 of 1982)—

An Act to amend the *Canned Fruits Levy Act* 1979.

Canned Fruits Marketing Legislation Repeal and Amendment Act 1982 (Act No. 19 of 1982)—

An Act relating to the marketing of canned fruits.

Coal Industry Legislation Amendment Act 1982 (Act No. 25 of 1982)—

An Act to amend the *States Grants (Coal Mining Industry Long Service Leave) Act* 1949 and the *Coal Research Assistance Act* 1977.

Crimes Amendment Act 1982 (Act No. 67 of 1982)—

An Act to amend the *Crimes Act* 1914, and for related purposes.

Customs Tariff Amendment Act 1982 (Act No. 30 of 1982)—

An Act to amend the *Customs Tariff Act* 1966.

Customs Tariff Amendment (Off-shore Installations) Act 1982 (Act No. 52 of 1982)—

An Act to amend the *Customs Tariff Act* 1966.

Customs Tariff (Anti-Dumping) Amendment (Off-shore Installations) Act 1982 (Act No. 53 of 1982)—

An Act to amend the *Customs Tariff (Anti-Dumping) Act* 1975.

Customs Tariff (Coal Export Duty) Amendment Act 1982 (Act No. 17 of 1982)—

An Act to amend the *Customs Tariff (Coal Export Duty) Act* 1975.

Dairy Products (Export Inspection Charge) Act 1982 (Act No. 10 of 1982)—

An Act to impose a charge upon the inspection of dairy products for export.

Dairy Products (Export Inspection Charge) Collection Act 1982 (Act No. 11 of 1982)—

An Act to make provision for the collection of the charge imposed by the *Dairy Products (Export Inspection Charge) Act* 1982.

Domicile Act 1982 (Act No. 1 of 1982)—

An Act relating to domicile.

Domicile (Consequential Amendments) Act 1982 (Act No. 2 of 1982)—

An Act to amend the *Marriage Act* 1961 and the *Family Law Act* 1975 in consequence of the enactment of the *Domicile Act* 1982.

Dried Sultana Production Underwriting Act 1982 (Act No. 6 of 1982)—

An Act relating to the underwriting of returns from the production of dried sultanas, and for other purposes.

Edible Oils (Export Inspection Charge) Act 1982 (Act No. 12 of 1982)—

An Act to impose a charge upon the inspection of edible oils for export.

Edible Oils (Export Inspection Charge) Collection Act 1982 (Act No. 13 of 1982)—

An Act to make provision for the collection of the charge imposed by the *Edible Oils (Export Inspection Charge) Act* 1982.

Eggs (Export Inspection Charge) Act 1982 (Act No. 14 of 1982)—

An Act to impose a charge upon the inspection of eggs for export.

Eggs (Export Inspection Charge) Collection Act 1982 (Act No. 15 of 1982)—

An Act to make provision for the collection of the charge imposed by the *Eggs (Export Inspection Charge) Act* 1982.

## THE ACTS OF THE SESSION—*continued*

Excise Tariff Amendment (Off-shore Installations) Act 1982 (Act No. 54 of 1982)—

An Act to amend the *Excise Tariff Act* 1921.

Excise Tariff (Coal) Amendment Act 1982 (Act No. 24 of 1982)—

An Act to amend the *Excise Tariff Act* 1921.

Excise Tariff (Petroleum) Amendment Act 1982 (Act No. 45 of 1982)—

An Act to amend the *Excise Tariff Act* 1921.

Export Control Act 1982 (Act No. 47 of 1982)—

An Act to provide for the control of the export of certain goods, and for related purposes.

Export Control (Miscellaneous Amendments) Act 1982 (Act No. 48 of 1982)—

An Act to make certain amendments consequent upon the enactment of the *Export Control Act* 1982.

Freedom of Information Act 1982 (Act No. 3 of 1982)—

An Act to give to members of the public rights of access to official documents of the Government of the Commonwealth and of its agencies.

Governor-General Amendment Act 1982 (Act No. 44 of 1982)—

An Act to amend the Governor-General Act 1974 with respect to the salary of the Governor-General.

Health Legislation Amendment Act 1982 (Act No. 49 of 1982)—

An Act to amend the *Health Insurance Act* 1973 and the *National Health Act* 1953, and for related purposes.

Home Deposit Assistance Act 1982 (Act No. 40 of 1982)—

An Act to assist persons to purchase or build their own homes.

Homes Savings Grant Act Amendment Act 1982 (Act No. 41 of 1982)—

An Act to amend the *Homes Savings Grant Act* 1964 and the *Homes Savings Grant Act* 1976 for the purpose of terminating their operation.

Income Tax Assessment Amendment Act 1982 (Act No. 29 of 1982)—

An Act to amend the law relating to income tax.

Income Tax Assessment Amendment Act (No. 2) 1982 (Act No. 38 of 1982)—

An Act to amend the law relating to income tax.

Income Tax Assessment Amendment Act (No. 3) 1982 (Act No. 39 of 1982)—

An Act to amend the law relating to income tax.

International Financial Institutions (Share Increase) Act 1982 (Act No. 7 of 1982)—

An Act relating to the purchase of additional shares of the capital stock of the International Bank for Reconstruction and Development and of the International Finance Corporation.

International Fund for Agricultural Development Act 1982 (Act No. 50 of 1982)—

An Act to authorize a further contribution by Australia to the International Fund for Agricultural Development.

International Organizations (Privileges and Immunities) Amendment Act 1982 (Act No. 4 of 1982)—

An Act to amend the *International Organizations (Privileges and Immunities) Act* 1963.

Loan Act 1982 (Act No. 32 of 1982)—

An Act to authorize the borrowing and expending of moneys for defence purposes.

Off-shore Installations (Miscellaneous Amendments) Act 1982 (Act No. 51 of 1982)—

An Act to apply the provisions of certain Acts to off-shore installations.

Overseas Students Charge Amendment Act 1982 (Act No. 22 of 1982)—

An Act to amend the *Overseas Students Charge Act* 1979.

Overseas Students Charge Collection Amendment Act 1982 (Act No. 23 of 1982)—

An Act to amend the *Overseas Students Charge Collection Act* 1979.

Radiocommunications Licence Fees Act 1982 (Act No. 65 of 1982)—

An Act to provide for the payment of fees in respect of licences under the *Wireless Telegraphy Act* 1905.

Radiocommunications (Miscellaneous Provisions) Act 1982 (Act No. 66 of 1982)—

An Act to amend the *Wireless Telegraphy Act* 1905 and the *Overseas Telecommunications Act* 1946 and to provide for certain matters consequential upon the enactment of the *Radiocommunications Licence Fees Act* 1982.

Repatriation Amendment Act 1982 (Act No. 20 of 1982)—

An Act to amend the *Repatriation Act* 1920, and for related purposes.

Roads Grants Amendment Act 1982 (Act No. 43 of 1982)—

An Act to amend the *Roads Grants Act* 1981.

Sales Tax Amendment (Off-shore Installations) Act (No. 1) 1982 (Act No. 55 of 1982)—

An Act to amend the *Sales Tax Act (No. 1)* 1930.

Sales Tax Amendment (Off-shore Installations) Act (No. 2) 1982 (Act No. 56 of 1982)—

An Act to amend the *Sales Tax Act (No. 2)* 1930.

Sales Tax Amendment (Off-shore Installations) Act (No. 3) 1982 (Act No. 57 of 1982)—

An Act to amend the *Sales Tax Act (No. 3)* 1930.

Sales Tax Amendment (Off-shore Installations) Act (No. 4) 1982 (Act No. 58 of 1982)—

An Act to amend the *Sales Tax Act (No. 4)* 1930.

## THE ACTS OF THE SESSION—*continued*

- Sales Tax Amendment (Off-shore Installations) Act (No. 5) 1982 (Act No. 59 of 1982)—  
An Act to amend the *Sales Tax Act (No. 5)* 1930.
- Sales Tax Amendment (Off-shore Installations) Act (No. 6) 1982 (Act No. 60 of 1982)—  
An Act to amend the *Sales Tax Act (No. 6)* of 1930.
- Sales Tax Amendment (Off-shore Installations) Act (No. 7) 1982 (Act No. 61 of 1982)—  
An Act to amend the *Sales Tax Act (No. 7)* 1930.
- Sales Tax Amendment (Off-shore Installations) Act (No. 8) 1982 (Act No. 62 of 1982)—  
An Act to amend the *Sales Tax Act (No. 8)* 1930.
- Sales Tax Amendment (Off-shore Installations) Act (No. 9) 1982 (Act No. 63 of 1982)—  
An Act to amend the *Sales Tax Act (No. 9)* 1930.
- Sales Tax (Exemptions and Classifications) Amendment (Off-shore Installations) Act 1982 (Act No. 64 of 1982)—  
An Act to amend the *Sales Tax (Exemptions and Classifications) Act* 1935.
- Senate Elections (Queensland) Act 1982 (Act No. 31 of 1982)—  
An Act to make provision for the Senators for the State of Queensland to be chosen by the people of that State voting as one electorate.
- Social Services Legislation Amendment Act 1982 (Act No. 37 of 1982)—  
An Act to amend the *Social Services Act* 1947 and the *Social Services Amendment Act* 1979.
- States (Tax Sharing and Health Grants) Amendment Act 1982 (Act No. 8 of 1982)—  
An Act to amend the *States (Tax Sharing and Health Grants) Act* 1981.
- States Grants (Schools Assistance) Amendment Act 1982 (Act No. 28 of 1982)—  
An Act to amend the *States Grants (Schools Assistance) Act* 1980.
- States Grants (Tertiary Education Assistance) Legislation Amendment Act 1982 (Act No. 27 of 1982)—  
An Act to amend the *States Grants (Tertiary Education Assistance) Act* 1981 and the *States Grants (Tertiary Education Assistance) Act* 1978, and for related purposes.
- Statute Law (Miscellaneous Amendments) Act (No. 1) 1982 (Act No. 26 of 1982)—  
An Act to make various amendments of the statute law of the Commonwealth.
- Supply Act (No. 1) 1982-83 (Act No. 33 of 1982)—  
An Act to make interim provision for the appropriation of moneys out of the Consolidated Revenue Fund for the service of the year ending on 30 June 1983.
- Supply Act (No. 2) 1982-83 (Act No. 34 of 1982)—  
An Act to make interim provision for the appropriation of moneys out of the Consolidated Revenue Fund for certain expenditure in respect of the year ending on 30 June 1983.

# THE BILLS OF THE SESSION

## (FIRST SESSION: FOURTH PERIOD)

Air Accidents (Commonwealth Government Liability) Amendment Bill 1982—  
Initiated in the House of Representatives. First Reading.

Archives Bill 1981—  
Initiated in the Senate. First Reading.

Broadcasting and Television Amendment Bill 1982—  
Initiated in the Senate. First Reading.

Civil Aviation (Carriers' Liability) Amendment Bill 1982—  
Initiated in the House of Representatives. First Reading.

Constitution Alteration (Electeds' Initiative) Bill 1982—  
Initiated in the Senate. First Reading.

Constitution Alteration (Fixed Term Parliaments) Bill 1981—  
Initiated in the Senate. First Reading.

Constitution Alteration (Holders of Offices of Profit) Bill 1981—  
Initiated in the Senate. First Reading.

Copyright Amendment Bill 1981—  
Initiated in the Senate. First Reading.

Criminal Investigation Bill 1981—  
Initiated in the Senate. First Reading.

Customs Amendment Bill (No. 2) 1981—  
Initiated in the Senate. First Reading.

Customs Amendment Bill (No. 2) 1981 (No. 2)—  
Initiated in the Senate. First Reading.

Customs Tariff (Anti-Dumping) Amendment (Countervailing Duties) Bill 1982—  
Initiated in the House of Representatives. First Reading.

Family Law Amendment Bill 1981—  
Initiated in the Senate. First Reading.

Fertilizers (Subsidy) Amendment Bill 1982—  
Initiated in the House of Representatives. First Reading.

Foreign Antitrust Judgments (Restriction of Enforcement) Amendment Bill 1981—  
Initiated in the Senate. First Reading.

Health Acts Amendment Bill (No. 2) 1981—  
Initiated in the Senate. First Reading.

Honey (Export Inspection Charge) Bill 1982—  
Initiated in the House of Representatives. First Reading.

Honey (Export Inspection Charge) Collection Bill 1982—  
Initiated in the House of Representatives. First Reading.

Income Tax Assessment Amendment Bill (No. 2) 1981—  
Initiated in the Senate. First Reading.

Liquor Advertising Tax Assessment Bill 1981—  
Initiated in the Senate. First Reading.

Liquor Education Fund Bill 1981—  
Initiated in the Senate. First Reading.

Maintenance Orders (Commonwealth Officers) Amendment Bill 1981—  
Initiated in the Senate. First Reading.

Migration Amendment Bill 1981—  
Initiated in the Senate. First Reading.

Offences Against the Parliament Bill 1981—  
Initiated in the Senate. First Reading.

Plant Variety Rights Bill 1982—  
Initiated in the House of Representatives. First Reading.

Public Service Acts Amendment Bill 1982—  
Initiated in the House of Representatives. First Reading.

Rainforest Preservation Agreements Bill 1982—  
Initiated in the Senate. First Reading.

Sales Tax Assessment (Rebate for Transport Costs) Bill 1981—  
Initiated in the Senate. First Reading.

Sex Discrimination Bill 1981—  
Initiated in the Senate. First Reading.

THE BILLS OF THE SESSION—*continued*

- Tobacco Charge Amendment Bill 1982—  
Initiated in the House of Representatives. Introduction.
- Tobacco Charge (No. 1) Amendment Bill 1982—  
Initiated in the House of Representatives. First Reading.
- Tobacco Charge (No. 2) Amendment Bill 1982—  
Initiated in the House of Representatives. First Reading.
- Tobacco Charge (No. 3) Amendment Bill 1982—  
Initiated in the House of Representatives. First Reading.

Thursday, 22 April 1982

**The PRESIDENT (Senator the Hon. Harold Young)** took the chair at 10 a.m., and read prayers.

### QUEENSLAND ABORIGINAL LAND RIGHTS

#### Notice of Motion

**Senator MACKLIN** (Queensland)—I give notice that, on the next day of sitting, I shall move:

That the following Message be sent to the House of Representatives:

The Senate requests the House of Representatives to consider and to concur with the Bill for an Act providing for the granting of Self-Management and Traditional Land in Queensland for the benefit of Aboriginals and Torres Strait Islanders and for other purposes, which was transmitted to the House of Representatives by Senate Message No. 230.

### QUESTIONS WITHOUT NOTICE

#### INTEREST RATES

**Senator COLSTON**—I direct a question to the Leader of the Government in the Senate. I ask whether the Minister recalls that on 21 February this year he commented on what he called:

... the completely irresponsible prediction by the Premier of New South Wales that interest rates would rise to 18 per cent.

Now that interest on short term treasury notes has risen above 20 per cent and bank overdraft rates have reached 17½ per cent, does he still regard that prediction as irresponsible, or was it astute or even an understatement of what will occur?

**Senator Sir JOHN CARRICK**—What I said was a factual statement. Senator Colston selectively has omitted mentioning the bond interest rates which are very considerably lower than the figures he mentioned. Talking up interest rates is, in my judgment, an irresponsible act. I think that what I said then was accurate and would be considered so.

#### LIQUEFIED PETROLEUM GAS

**Senator KILGARIFF**—I direct a question to the Minister for National Development and Energy. The use of liquefied petroleum gas as an alternative source of energy has been encouraged by the Federal Government by a \$80 per tonne subsidy, which is at present under review. I am sure the Minister is aware of the extensive benefit people in the outback have gained from the subsidy and of the fact that many have taken advantage of the benefit and expended capital on the

purchase of LPG equipment. I ask the Minister whether he can indicate what proposals the Government is considering, when the three-year subsidy period comes to a close, to continue to promote the use of LPG which has been a boon to consumers living away from the natural gas outlets and pipeline areas.

**Senator Sir JOHN CARRICK**—The subsidy for LPG was introduced at a time when the price of LPG per tonne, which had been roughly equivalent to the price per tonne of crude oil, suddenly leapt forward, creating a great disparity and threatening an upturn of LPG prices. The effect of the subsidy and the effect of arrangements with the Prices Justification Tribunal was that the price of LPG came down to what had been a previous price—about \$147 a tonne in the more closely settled areas and dearer elsewhere. When this subsidy was imposed it was to continue to a date in March 1983 and, of course, it is to be reviewed before then. The subsidy was imposed primarily to provide for those who could not get alternatives, such as natural gas or electricity. I sympathise entirely with Senator Kilgariff in his problems in that regard with people in remote areas, but the subsidy was never intended to be for the use of those in the closer areas who could, with reasonable costs, transfer to alternative fuels. LPG, although in glut at the moment, is a prime fuel for use in the longer term for automotive and petrochemical purposes.

Since the subsidy was imposed a number of changes have occurred. One of the changes is that, after rising very sharply, the price of LPG has started to fall on world markets. Now, with the subsidy, in general the price to consumers in many places is below what it was before the price rose or before the subsidy was imposed. The trend in the world for the moment may well be towards further falls, although the exchange rates may modify that trend. Against that background the Government will be reviewing in the course of the weeks ahead its policy on the subsidy. I cannot comment on that at this moment because it is a policy matter, but I appreciate the points that Senator Kilgariff has made and I will keep them in mind.

#### NUGAN HAND BANK

**Senator JONES**—I address my question to the Minister representing the Minister for Administrative Services. Following the extension of the terms of reference of the Stewart Royal Commission of Inquiry into Drug Trafficking to allow it to examine all the operations of the Nugan Hand group in any drug dealing, laundering of money and links with organisations, including the

United States of America's Central Intelligence Agency, will the Minister take steps to make available the files of the Australian Federal Police which have not been made available to the Commonwealth and New South Wales task force? I refer in particular to the Australian Federal Police file of B division which relates to matters concerning the CIA and Nugan Hand. I make this request because of the alleged transfer of Mr Peter Lamb, who, I believe, was the officer in charge of these investigations.

**Senator PETER BAUME**—I think the part of the question concerning the release of files is slightly separate. I take it that the honourable senator has an interest in the case of Mr Peter Lamb. This is really a question which only the Minister who has the carriage of the portfolio could possibly answer. I think it is proper that it be referred to him for a detailed response.

#### SALE OF LOTTERY TICKETS IN THE AUSTRALIAN CAPITAL TERRITORY

**Senator REID**—Can the Minister representing the Minister for the Capital Territory tell the Senate of the present state of negotiations with the New South Wales Government wherein the Minister for the Capital Territory has asked that Government to make a refund to Canberra on New South Wales lottery tickets sold in the Australian Capital Territory similar to the arrangements that he has negotiated with the Victorian Government?

**Senator MESSNER**—Unfortunately I do not have immediately available the information sought in Senator Reid's question. I will refer the question to the Minister, Mr Hodgman, and obtain an early reply for her.

#### HMAS 'AUSTRALIA'

**Senator MASON**—My question is addressed to the Minister representing the Minister for Defence. Is the Government aware that when the Government of Argentina understood that British nuclear submarines were in the vicinity of the Falkland Islands the Argentinian Navy's aircraft carrier was withdrawn to port, where it appears it has remained ever since? It is known that there is a world-wide disposition of nuclear submarines and that they could be expected to be present everywhere in the world in a normal war situation. In that case, in a war in which Australia was involved what would the Government propose to do regarding our new aircraft carrier, *Australia*? Would the ship be kept in port or sent to sea? What would be her usefulness in either of those circumstances?

**Senator DURACK**—A number of matters of this kind have been canvassed in the debate that has taken place on the acquisition of the carrier. The Service advice has been fairly clear. There is a likelihood of different circumstances arising and different reactions would be made. The carrier would be deployed in a way which would be consistent with maximum safety. One cannot guarantee complete safety in any sort of war situation or belligerent situation. The carrier would be deployed, as indeed any warships, aircraft or anything else are deployed, in a way that would try to maximise safety insofar as that is possible in a belligerent situation. One can go on creating all sorts of hypothetical situations. Senator Mason seems to delight in doing so. These are matters essentially for the experts. Presumably we are going to have a number of these different hypothetical situations referred to by Senator Mason. I will refer the question to the Minister for Defence to see whether our Service advisers have any further comment to make on this matter that has been raised.

**Senator MASON**—I ask a supplementary question. The question is a specific one and deals with only one contingency. I ask the Minister: In what crystal ball does the Government or its advisers propose to observe whether in time of war, if the aircraft carrier is sent to sea, there are indeed nuclear attack submarines off the coast of Australia?

**Senator DURACK**—There are various forms of surveillance, particularly from the Orions and other available aircraft. The acquisition of other elements for the Defence Force is being considered. As I said nobody can guarantee that this will be absolutely accurate. This is an important part of the defence forces and defence preparedness.

#### MARXIST TERRORIST GROUPS

**Senator MARTYR**—Is the Minister representing the Minister for Foreign Affairs aware of a television interview given on Channel 0-28 in Melbourne on 6 April with a man, claiming to represent the Marxist terrorist groups in El Salvador, who had arrived in Australia saying he was Rafael Gonzalez? Later in the interview he admitted that this was not his real name. The Minister is aware that Australia has, in the past, refused to admit people linked to terrorist movements, including the Japanese Professor Hidaka. Does the Minister know whether Mr Gonzalez, or whatever his real name is, admits that he was a representative of a terrorist group before entering Australia?

**Senator Mulvihill**—The terrorists are in the Government over there.

**Senator MARTYR**—I wonder why the Opposition is so sensitive about these matters. If this is so, what action will the Government take to have this individual's visit to Australia brought to a close as was done with the Palestine Liberation Organisation's representative whose presence in Australia was discovered and the recent Soviet citizens whose actions in Australia resulted in their being asked to leave? Does the Minister know whether the visit to Australia was sponsored by Mr John Halfpenny, the Victorian secretary and national vice-president of the Amalgamated Metal Workers and Shipwrights Union, who spoke on the same platform as Mr Gonzalez in Melbourne on 8 April this year? If not, can the Minister say who sponsored the visit?

**Senator Button**—Together with Senator Button.

**Senator MARTYR**—I am aware that Senator Button did it, but I did not mention that.

**Senator Dame MARGARET GUILFOYLE**—I am not in possession of all the facts relating to some of the questions raised by Senator Martyr. I am able to say for the Minister for Foreign Affairs that a visitor's visa was granted to Rafael Gonzalez, after normal inquiries were made, to enable him to visit Australia from 6 April 1982 to 17 April 1982. I understand that Australian authorities were aware that 'Gonzalez' was a pseudonym. Gonzalez advised the Australian Embassy officials that he was not a signed up member of any Salvadoran organisation, but regarded himself as a member of the Popular Social Christian Movement. The MPSC is a member of the Revolutionary Democratic Front, the non-violent wing of the leftist movement in El Salvador. Members of the FDR have visited a number of Western countries, for example, the United States of America, the United Kingdom and Canada. Gonzalez has recently visited the United States, the United Kingdom and France. Gonzalez left Australia on 17 April after completing a number of speaking engagements. I understand that the information of the Minister for Foreign Affairs is that the visit was sponsored by the Committee in Solidarity with Central America and the Caribbean.

#### REVIEW OF COMMONWEALTH ELECTORAL ACT

**Senator GIETZELT**—My question is directed to the Minister representing the Minister for Administrative Services. The Minister will remember that I have asked a number of questions regarding

the review of Commonwealth electoral legislation. The first such review was produced on 22 August 1979 and has not been released or acted upon. The second such review was announced by the Minister on 2 December 1980. On 23 April 1981 in a letter to me the Minister referred to the current review of the Commonwealth Electoral Act as nearing completion. On 29 October 1981 in an answer to a question from Mr Hayden the Minister stated that the review was thorough and wide ranging and that he was seeking views and opinions from a wide variety of sources. Is this review of 2 December 1980, which 12 months ago today was supposedly nearing completion, now complete? When can the Parliament expect to be able to have the report tabled? Is the Government afraid of what the review contains and, therefore, is it suppressing the report as apparently it did in the case of the earlier review? Does the review contain recommendations for reform along the lines discussed by the Minister with the Minister for the Capital Territory for the inclusion of party affiliations on the ballot papers for the forthcoming Australian Capital Territory House of Assembly election?

**Senator PETER BAUME**—I really cannot assist the honourable senator as to what the recommendations do or do not contain. I do not know what the recommendations are. I do know, however, that the matters which are covered by this are complex and that, quite apart from the review, they have required fairly extensive government consideration and will require decisions by government. I understand that those matters are still not finalised. The release of the material will depend upon the Government reaching a position before it can make this known.

#### SOVIET UNION: USE OF CHEMICAL WEAPONS

**Senator TEAGUE**—My question is directed to the Minister representing the Minister for Foreign Affairs. What is the Government's assessment of claims persistently made this month that the Soviet Union is supplying and using directly or indirectly chemical weapons or the so-called yellow rain against the people of Laos, Afghanistan and Eritrea? Also, in the light of these assessments, what credibility can be given to the Union of Soviet Socialist Republics Embassy's *Soviet News Bulletin* dated 19 April this year, circulated to senators and members this week, with its propagandistic headline 'Chemical Weapons should be Banned'? Will the Australian Government roundly condemn and systematically resist the use of chemical weapons such as those alleged to be distributed and used by the Soviet Union?

**Senator Dame MARGARET GUILFOYLE—** I understand that the Foreign Minister made some comments on this subject yesterday. I will deal with the information as I have it. If any further information is required I will ask the Foreign Minister to provide a response to Senator Teague. The Government has been concerned for some time at the allegations of the use of chemical weapons in Indo-China, Afghanistan and elsewhere. On 22 March 1982 the United States of America Secretary of State, Mr Haig, submitted to Congress a report on chemical warfare in South East Asia and Afghanistan. The report summarises an impressive body of data collected by the United States on chemical weapons usage in these areas. A group of United States experts in the field of chemical weapons is currently in Australia and has discussed the report's findings with officials from relevant departments as part of a process of on-going consultations and studies on the subject. The team was assured of Australia's support for efforts to investigate thoroughly the reports of alleged chemical weapons usage.

In addition, the Government has itself agreed to examine reported evidence of chemical weapons use in South East Asia. Samples of vegetable material said to have been the subject of chemical weapons attack have been obtained by the Australian Embassy in Bangkok from the Thai-Lao border region. Arrangements are being made to transport the samples to Australia where they will be the subject of scientific analysis. In addition, two government experts are currently in Bangkok and have made arrangements to examine a rocket grenade said to be a chemical weapon. A report has been received from the experts and is now under consideration.

Australia co-sponsored the resolution which established the United Nations committee of experts examining the allegations of the use of chemical weapons and has played an active part in efforts to conclude a treaty which would impose a comprehensive and fully verifiable ban on chemical weapons. The findings of any Australian investigations which it was believed could advance international consideration of this question will be conveyed to the United Nations committee established to examine allegations of the use of such weapons. As I said, if any further detail is required in response to Senator Teague's question, I will see that that is dealt with by the Minister for Foreign Affairs.

#### EMBEZZLEMENT FROM AUSTRALIAN EMBASSY IN TEHRAN

**Senator PRIMMER—**I remind the Minister representing the Minister for Foreign Affairs that

on 25 February I asked her a question relating to the alleged embezzlement of \$35,000 from our Embassy in Tehran. On 5 March Mr Street wrote to me saying, in part, that the Department of Foreign Affairs was not aware of any embezzlement or other financial impropriety. On 24 March Mr Street again wrote to me saying that an officer of his Department had some information relevant to this matter. I now ask the Minister: Did the Department of Foreign Affairs in the letter of 5 March give false information to the Minister so that consequently he misinformed me? What further has happened on this issue?

**Senator Dame MARGARET GUILFOYLE—** The information I have from the Minister for Foreign Affairs is that he has received a number of documents on this matter from an officer of his Department. He has requested me and my Department to commence investigations concerning the allegations. All the documentation relating to the matter and held by the Department of Foreign Affairs is available to the Minister. The investigation, the Minister for Foreign Affairs understands, has been assigned to a team headed by a senior officer of the Department of Finance. If the officers of the Department of Finance consider at any stage that it would be appropriate to seek the advice of the Attorney-General's Department on any aspect of the matter, they will do so.

I give that response on behalf of the Minister for Foreign Affairs. My Department is pursuing the matter and dealing with the procedures that are required for an investigation of it. I do not have an up-to-date report from the Department on it, but it is true, as I have said on behalf of the Minister for Foreign Affairs, that a senior officer of the Department of Finance is in charge of the matter. As soon as there is anything that is able to be explained or revealed in regard to it, I will see that Senator Primmer and the Senate are advised of it. At the moment the investigation is to be pursued through my Department in conjunction with the Department of Foreign Affairs. As I have said, if we require any advice from the Attorney-General's Department, that will be sought.

#### OFFICE SPACE IN ADELAIDE

**Senator JESSOP—**I direct a question to the Minister representing the Minister for Administrative Services. I refer to a recent article in the *Adelaide Advertiser* which indicated that Adelaide could run out of vacant top quality office space in major city buildings by the end of the year. Is the Minister aware that it was also suggested that the shortage of accommodation will result in rapidly increased rentals? In light of this, can the Minister inform the Senate, firstly, of

the amount of floor space occupied by Federal Government departments and instrumentalities in Adelaide? Secondly, can he inform the Senate of the annual rental bill for this accommodation? I would also appreciate it if he could tell me when the rental for such accommodation is due for review. In light of the acute shortage of office space in Adelaide, will the Government re-examine the decision with respect to the construction of a Commonwealth office block in Adelaide, thereby enabling accommodation to be more readily available and also providing a much needed boost to the construction industry in South Australia?

**Senator PETER BAUME**—I recall that some time ago Senator Hill asked a question relating to the construction of Commonwealth buildings in Adelaide. At that time I was able to advise him of an assessment that there was a fairly plentiful supply. Senator Jessop wants to get information on the amount of floor space occupied. We can try to obtain that information for the honourable senator. I think the amount of the annual rental bill could probably be obtained. The honourable senator asked when—I take it that he would also want to know by what means—rentals are reassessed and reviewed. We can obtain that information. I am advised that whilst there has been some increase in rents there remains an adequate supply of office space in Adelaide.

The decision by the Government to defer the construction of a Commonwealth office block was taken as a result of the Committee of Review of Commonwealth Functions with an eye on the total capital works commitment throughout Australia. The aim of the Government to establish a Commonwealth centre in Adelaide remains. That commitment has not been set aside, although the Committee of Review altered the time at which this project was to get under way. I think it might be appropriate to obtain that information. I understand that the amount of space leased is something in excess of 75,000 square metres but I will get the exact details for Senator Jessop.

**Senator McLaren**—Mr President, I ask that the document from which the Minister quoted be tabled.

#### SUMMER INSTITUTE OF LINGUISTICS

**Senator ROBERTSON**—The Minister for Aboriginal Affairs will be aware that the Summer Institute of Linguistics receives an annual subsidy from the Department of Aboriginal Affairs for its literacy, linguistic and translation programs among Aboriginal communities. The Department has advised that this subsidy is to be reviewed.

Can we have the Minister's assurance that adequate funds will be made available to the Summer Institute of Linguistics to enable it to continue its vital work in Australia at least to the conclusion of its 10-year program?

**Senator PETER BAUME**—I do not have with me information as to the funding of the Summer Institute of Linguistics.

**Senator Robertson**—\$90,000.

**Senator PETER BAUME**—It might be appropriate for me to get this information for Senator Robertson. That I will do and I hope to have it by the end of Question Time.

#### PRIVATE ENTERPRISE

**Senator WATSON**—Is the Minister representing the Minister for Primary Industry aware that a progressive, privately owned Australian company ranks third behind Russia and Japan in the acquisition of the Australian wool clip? Does this not demonstrate that a properly managed and efficient company which is not a household name can succeed against some of the larger conglomerates, government agencies and corporations?

**Senator MESSNER**—The answer to the latter part of the honourable senator's question obviously is yes, knowing the expertise available in the Australian community generally for business ventures. I would be interested to know to which company Senator Watson is referring.

**Senator Watson**—The South Australian company of G. M. Michell & Sons Pty Ltd.

**Senator MESSNER**—In that case I know something of its operation and endorse the kind of view that Senator Watson expressed when he asked his question. I would be interested to obtain more information about the matter and I will make it available to the Senate on a later occasion.

#### 'AUSTRALIAN PRESCRIBER'

**Senator COLEMAN**—I refer the Minister for Health to his predecessor's statement on 28 October 1981 in which he indicated that discussions were continuing with the Australian Medical Association concerning the future of the *Australian Prescriber*, the only independent review of therapeutics in Australia. I just mention to the Minister that I wrote to his predecessor personally about the same publication. Has the Minister received a formal proposal from the AMA? If so, is the proposal acceptable to the Government? If not, will the Minister reconsider his predecessor's decision to end departmental publication of the journal?

**Senator PETER BAUME**—Honourable senators will know that the decision to cease the

publication of the *Australian Prescriber* was taken as part of the exercise carried out by the Committee of Review of Commonwealth Functions. I recall signing, when I was previously Acting Minister for Health, correspondence to a number of people who made representations concerning this publication. Senator Coleman asks specifically whether I am aware of a formal proposal from the Australian Medical Association as to what arrangements might be made to take its place. I am not aware of a formal proposal. I take it that the honourable senator is referring to an arrangement whereby the AMA, through the *Medical Journal of Australia* or through some other vehicle, might take on a function. I do not know whether there is a formal proposal before the Government. I can obtain that information. Depending upon the answer to that—depending upon the existence of a formal proposal—I can then take up the second part of the honourable senator's question.

#### INVESTMENT ALLOWANCE FOR RETAIL FIXTURES AND FITTINGS

**Senator BJELKE-PETERSEN**—My question is directed to the Minister representing the Treasurer and refers to the investment allowance for retail fixtures and fittings. The Minister would be aware that this Government gives industry an investment allowance of 18 per cent on new equipment costing over \$1,000 and used in producing income, most of which is for mechanical equipment, such as cash registers, used in retail businesses. However, under section 82AF of the Income Tax Assessment Act, the investment allowance does not include fixtures and fittings, such as fitting rooms, signs, display cases, furnishings and carpets. Can the Minister advise the Senate whether any consideration is being given to allowing fixtures and fittings to be included in the investment allowance?

**Senator Dame MARGARET GUILFOYLE**—Senator Bjelke-Petersen has raised a matter of policy consideration. I have no comment to make on that in a pre-Budget situation. I will draw the attention of the Treasurer to the facts in the question posed by Senator Bjelke-Petersen. I have no comment to make as to the way in which the investment allowance or any other matter relating to the Income Tax Assessment Act will be considered in the forthcoming Budget and whether there will be any changes.

#### AUSTRALIAN CAPITAL TERRITORY: HOSPITAL CHARGES

**Senator FOREMAN**—Is the Minister for Health aware that Medibank Private has written

to Australian Capital Territory contributors pointing out that, as ACT hospitals must now be experiencing cost pressures similar to those which resulted in the recent New South Wales fee increases, it seems reasonable to assume that Australian Capital Territory hospitals will be forced to follow suit in the very near future? Does the Minister intend to raise Australian Capital Territory hospital charges? If so, when?

**Senator PETER BAUME**—When Senator Foreman referred to ACTU hospitals I take it he meant ACT hospitals. I acknowledge his faithfulness to the cause. I am not a member of Medibank Private and I do not live in the Australian Capital Territory. Therefore, I have not received any letter that would have gone to contributors in the Territory. If any fund desires to increase its contribution rates in line with the market, it is necessary for the fund to approach the Department and obtain the approval of the Minister. If it is the intention of Medibank Private to increase contributions it will be necessary for the fund to follow that course and obtain the necessary approval. That would include ministerial approval.

#### ROYAL COMMISSION INTO THE BUILDERS LABOURERS FEDERATION

**Senator WALTERS**—My question is directed to the Attorney-General. I refer to the Victorian Labor Government's withdrawal from the Builders Labourers Federation deregistration proceedings. Has the Attorney-General's attention been drawn to the report in today's Press that the Premier of Victoria, Mr Cain, will adopt recommendations of the Royal Commission into the Builders Labourers Federation only 'if they are reasonable'? I presume that the Premier means that he will adopt them only if he considers them reasonable. I point out that Mr Cain's remarks now confirm the recent predictions of the Prime Minister in the House of Representatives about the Victorian Labor Government's likely action on the Royal Commission issue.

**Senator Keeffe**—Have you any more news?

**Senator WALTERS**—That is the additional news for which the Opposition, by way of interjection, asked me. I ask the Attorney-General, if the Opposition will give me the opportunity—

**Senator Keeffe**—Don't be upset by the interjections.

**Senator WALTERS**—I rarely am. I ask the Attorney-General: What are the Victorian Government's responsibilities in the event of the Royal Commission making recommendations?

**Senator DURACK**—The Royal Commission into certain aspects of the Builders Labourers

Federation being conducted by Mr Winneke of the Victorian Bar has been commissioned by the Victorian Government. Insofar as it affects Commonwealth powers or matters, it has also been commissioned by the Commonwealth Government. Mr Winneke, I understand, is in the process of writing his report. An extension of time has been sought by him which, I understand, is agreeable to the Victorian Government and the Commonwealth Government. The report will be available in the near future on the matter that he has been investigating, about which there has been a great deal of publicity and with which I suppose we are all fairly familiar. However, in relation to any reports, of royal commissions or otherwise, to government, it is the normal course for government to consider the recommendations carefully, reasonably and objectively. In the end it is for the government of the day to decide what action it will take in respect of recommendations of royal commissions. What the Victorian Government does will be its responsibility and what the Commonwealth Government does will be our responsibility.

#### ROYAL COMMISSION INTO THE BUILDERS LABOURERS FEDERATION

**Senator BUTTON**—My question follows the last question from Senator Walters. I ask the Attorney-General: Is it a fact that the Victorian Government has withdrawn from the Royal Commission or is it not a fact that the Victorian Government——

**Senator Walters**—I didn't say that.

**Senator BUTTON**—If Senator Walters will be quiet for one second, I will address a question to the Minister. Is it not a fact that the Victorian Government has announced its intention of withdrawing from the deregistration case in the Australian Conciliation and Arbitration Commission? If so, what is the relevance of his answer to Senator Walters's question about the Winneke Royal Commission?

**Senator DURACK**—I simply do not understand Senator Button's question. I have answered a question in relation to the Victorian Government's attitude to the Royal Commission, which was the question asked by Senator Walters.

**Senator Button**—She referred to withdrawal.

**Senator DURACK**—As I understand it, she was talking about the Royal Commission.

#### NEW SOUTH WALES POULTRY FARMERS

**Senator LAJOVIC**—My question is directed to the Minister representing the Minister for Primary Industry. A few days ago according to a report in the *Sydney Morning Herald*, poultry farmers in New South Wales called for the resignation of the New South Wales Minister for Agriculture and Fisheries, Mr Hallam, in view of his dealings with Dr Albert Galea who is, or was, in Parramatta Gaol because of his actions in protecting his sister, Mrs Mary Cassar. Can the Minister inform the Senate whether the statement by the Minister's spokesman that the State Government, through the Egg Marketing Board, simply acted as a collection agency for the Commonwealth Egg Board is correct, or, as claimed by Mr Martin Tebbutt, a spokesman for the poultry farmers, could the matter be resolved by the New South Wales Government?

**Senator MESSNER**—I am sure it will come as no surprise to the Senate that I do not have any information on this matter. A number of details will require checking. I will need to refer the question to Mr Nixon and obtain a reply for Senator Lajovic.

#### INDUSTRIAL RELATIONS

**Senator MULVIHILL**—I direct a question to the Minister representing the Minister for Industrial Relations. I refer to the incessant campaign by Sir John Moore to have better discussions with State industrial tribunal leaders to mesh conflicting award claims. How far have the discussions gone, particularly in view of the problem involving unions from the eastern States, such as the Federated Ironworkers Association of Australia and the Australasian Society of Engineers, seeking some membership coverage in Western Australia? Are these summit talks continuing and what has come out of them?

**Senator DURACK**—Senator Mulvihill raises a very interesting and important question in relation to the industrial relations area and the role of the various Commonwealth and State arbitration commissions. It is undoubtedly a major problem within the way in which we handle industrial relations. We have had some experiments, of course, with joint arrangements, as Senator Mulvihill and the Senate would be aware. I think they have had their problems but the intention is a sound one so far as it can be developed.

There are, of course, major constitutional and legal problems in handling the matter in this way. It has been raised at Premiers conferences. At the

last Premiers Conference the matter was referred to the labour Ministers for further consideration of the ways in which some of these problems can be overcome. I am not aware of what emerged or of the state of play in those discussions. I will have to refer the matter to the Minister for Industrial Relations to see whether I can get an up to date answer for Senator Mulvihill.

### **SMALL CARGO LOADS**

**Senator ARCHER**—Has the Minister representing the Minister for Transport recently received complaints from Australian business interests that international shipping is now refusing to ship important descriptions of cargo which are less than a container in extent? If small business is to explore and develop overseas markets with trial shipments of Australian products, is it not imperative that this problem should be solved urgently? Will the Minister undertake to take up the matter with shipping councils to ensure that small consignments of goods which cannot economically be sent by air can be readily accepted for rapid consignment by sea?

**Senator MESSNER**—I am not aware that international shipping conferences in our major export trades have in fact refused to accept LCL—less than a container load—cargoes. Those cargoes are normally consolidated into full container loads, as I understand it, either by shipping lines or by freight forwarders. It is possible, however, that problems could arise if cargoes to be consolidated are not compatible with the cargo with which they are being combined. For instance, I imagine that hazardous cargoes cannot be mixed with other cargoes because of the possibility of contamination. The Government is concerned that adequate services are available to Australian exporters to ensure their competitiveness in overseas markets. It might be useful, if Senator Archer has examples of particular cases, for him to bring those forward to the Minister and have them reviewed.

### **NATIONAL HEALTH AND MEDICAL RESEARCH COUNCIL**

**Senator CHILDS**—Is the Minister for Health aware of Press reports on the inquiry into the National Health and Medical Research Council which suggest that only a few select people in the medical research world were told of the inquiry? Is it a fact that the chairman of the two-man inquiry is currently overseas, even though submissions had to be with him by 19 April and the report has to be completed by 30 May? Given the importance of the inquiry and its broad terms of reference, will the Minister consider advertising

the existence of the inquiry, inviting submissions and extending the time for receipt of both submissions and final report?

**Senator PETER BAUME**—I think some incorrect inferences have been drawn concerning the review of the National Health and Medical Research Council. An internal review of the Council normally occurs at regular intervals—each two or three years. The present review, however, is an external review to look at the functions, the structure and the operations of the Council in relation to its effectiveness and to consider matters of efficiency and cost. The review is not secret in any way. It was announced by the Minister to the Australian Society for Medical Research in December. The importance of that announcement, of course, is that that society took in much of the medical research establishment in Australia. The Minister announced to that body that the review would be taking place. For anyone to assert that it is a secret review is simply incorrect. My predecessor's actions are simply not consistent with anyone's assertion that this has been a secret operation. The review has been mentioned in correspondence and in submissions from people. Submissions to the review have been invited from a large number of organisations which have an interest in medical research in Australia.

I think the honourable senator is concerned that Dr Hurley might be overseas. I think that is who he is asking about. I do not know whether Dr Hurley is overseas. I do know that Dr Hurley has indicated his availability to do the job within the time available. Senator Childs tells me that the closing date was 19 April. My experience with most of these reviews is that if somebody has an important submission to put in most reviewers are fairly flexible. I suggest that if he has submissions from people who think they have been overlooked he could pass them to me. I will make contact with the people conducting the review and seek to have them considered along with others.

The time frame, of course, is dictated by the Government but it is necessary to link this review with the consideration of the report of the Australian Science and Technology Council—the ASTEC report. Both reports cover matters which at least overlap to some extent. We would want to make a common response. Although this review is restricted to medical research it is not irrelevant to the review on ASTEC and we would want to link together our responses to both of these reports. We would like to be able to complete the consideration of these reports by the end of this financial year as there are matters which may need to be considered in the budgetary context. It

is because of this that the tight time frame has been necessary.

#### Vietnam Veterans: QUESTIONNAIRES

**Senator MACKLIN**—My question, which is directed to the Minister for Veterans' Affairs, concerns the criteria used in the distribution of questionnaires to Vietnam veterans with regard to the effects of agent orange and is based on my own observations that the Vietnam veterans who seem to be receiving questionnaires are public servants. I ask: What criteria have been used with regard to the selection of former or current public servants? Is the Minister aware that all public servants must undergo a health check before being employed and that as most private employers do not demand this test there is necessarily a disparity between the health records of public servants and those of the general public?

**Senator MESSNER**—I am not entirely clear about the kinds of questionnaires to which Senator Macklin has referred. I thought at first that he was speaking of the questionnaires that have recently been circulated in connection with the Commonwealth Institute of Health study into the problems of Vietnam veterans. Could he confirm that that is so?

**Senator Macklin**—Yes.

**Senator MESSNER**—In that case, I am surprised that any persons in Queensland would have received that questionnaire because, as I understand it, the whole project was undertaken in the suburbs of Sydney. In fact, only some 300 Vietnam veterans were contacted in that respect. I have been particularly conscious not to involve myself in the day to day activity associated with this study. As I think Senator Macklin and the Senate would appreciate, it is entirely a scientific exercise and one with which I should not involve myself in any sense or in any detail. Consequently, I have studiously stayed away from knowing too much about the kinds of criteria involved. I am prepared to refer the matter to the Minister for Health who is in this chamber, I will ask him whether he can inform us any further about the criteria to which he referred.

#### RANDOM BREATH TESTING

**Senator CRICHTON-BROWNE**—I refer the Minister representing the Minister for Transport to the call by the Chairman of the House of Representatives Standing Committee on Road Safety, Mr Bob Katter, for the Federal Government to pass laws overriding traditional States rights with a view to introducing random breath testing on Australian roads. I ask the Minister: Does not the

responsibility for road laws, including matters such as random breath testing, rest exclusively with the States? Will the Minister give the Senate an unqualified assurance that the Federal Government will not seek to interfere in matters and areas of responsibility which should be, and quite properly are, constitutionally the exclusive prerogative of the States?

**Senator MESSNER**—I think the Senate will appreciate that this is a question of policy. I think it is appropriate that the question be put on notice.

#### ISRAELI RAIDS IN LEBANON

**Senator GEORGES**—I direct a question to the Minister representing the Minister for Foreign Affairs. Reports this morning state that Israel has carried out raids in Lebanon and has again bombed the already stricken city of Beirut. In view of the fact that we now have Army personnel in the area and in view of the delicate situation facing the withdrawal from the Sinai, will the Government make a strong protest to Israel against the action reported this morning?

**Senator Dame MARGARET GUILFOYLE**—I will refer that matter to the Minister for Foreign Affairs to seek an early response from him.

#### ABORTION CASE

**Senator MARTYR**—My question is directed to the Minister for Health, who also has other portfolios. It concerns his response, as recorded on page 1316 of *Hansard*, to a two-minute speech of mine, as recorded on page 1313 of *Hansard*, in the adjournment debate on Tuesday evening. I ask: What did the Minister think was unfortunate about my speech? How close did the speech go to contravening the Standing Orders? Did the Minister think it unfortunate that I stated that the killing of whales was criminal yet the killing of unborn babies was not? Did he object to my abhorrence at the disgusting Helsham decision, which condemned a totally innocent little human being to death for no reason at all? Did the Minister object to my reference to the judge wearing a black cap when he handed down the awful decision? Did he object to my statement that disgracefully loose interpretations of abortion law had opened the door to the mass killing of hundreds of thousands of innocent Australians in the womb, and that the Government funds it? Does the Minister agree that he has surely enough to do in his several portfolios without trying to do the President's job of interpreting the Standing Orders?

**Senator PETER BAUME**—I do not know whether Senator Martyr remained in the chamber

the other night when I responded in the adjournment debate. I am sorry if he did not. The parts of his speech to which I was referring *en passant*—not making too much of it—were the remarks which I took to be some reflections upon Mr Justice Helsham, not upon the decision but upon the judge. If there were reflections upon a judge I believe that they were not in accord with Senate practice. A number of points of order have been taken from time to time. If the honourable senator tells me that the remarks were not directed towards the judge but towards the decision, that is a different matter. I think any remarks directed towards a member of the judiciary are by long established practice in the Senate not appropriate.

#### RUNDLE SHALE OIL PROJECT

**Senator McLAREN**—I remind the Minister for National Development and Energy that on Tuesday this week I asked a question concerning the current status and future prospects of Rundle. The Minister, in reply, said:

Upon my discovery that there were differences between the partners of Rundle as to what might be the expectations I informed the Prime Minister and, as a result, the Treasurer and I approached the Rundle partners and brought about a situation on which a modified statement was made.

As the Minister did not give me a definite answer to the part of the question relating to the current status and prospects of Rundle, I now ask again for that information. I further ask: When can I expect to be advised of the time lapse between the Minister learning there was a difference between the Rundle partners and his making the modified statements to which he referred last Tuesday in answer to a supplementary question from me?

**Senator Sir JOHN CARRICK**—As to the second part of the question, the best way of finding it would be to look at *Hansard* as I set it out in great detail subsequently. To save Senator McLaren the time, I will do so myself and give him the time period. If he requires further information than I gave on Tuesday as to the up to date situation on the present status and prospects of Rundle, I will seek it and get it for him.

**Senator McLAREN**—I ask a supplementary question. The Minister did not give me any information at all except to say:

The Rundle process was altered so that the first three or four-year phase is to be done off-shore in America by tests of retorts and pilot plants. A subsequent phase will be undertaken here.

I ask: When is that subsequent phase to be undertaken?

**Senator Sir JOHN CARRICK**—Since Senator McLaren requires some further information, as he

indicates by asking a supplementary question, I will seek it and get it for him.

#### UPGRADING OF THE PORT AUGUSTA AERODROME

**Senator HILL**—My question is directed to the Minister representing the Minister for Transport. I refer to the application by the city of Port Augusta for approval in principle to enter into the Commonwealth aerodrome local ownership plan and matters relating to the upgrading of the Port Augusta aerodrome. Is the Minister aware that Port Augusta is the base of the flying doctor service in South Australia, that it is the regional headquarters for many government departments, that it is the obvious base for the whole of the pastoral region of South Australia, and that it is receiving increased use from mining companies and has major potential in relation to the development and servicing of Roxby Downs? In view of the significance of the city in the exciting development of the Iron Triangle and the totally unsatisfactory state of the strip, with instances of stones being picked up by propellers and damaging aircraft and one instance of a passenger being injured when a stone was thrown through the windscreen of an aircraft, what is the current state of the city's application? Does the Government appreciate the urgency of the matter?

**Senator MESSNER**—The matters which have been outlined in Senator Hill's question are in fact substantially correct. In fact, Port Augusta is a most important developing centre of South Australia and is strategically placed for the forthcoming boom, led by the Tonkin Government, in that State. The subject of Senator Hill's concern—the upgrading of the air strip in that area—is something which will become of even greater importance as Port Augusta develops.

As to the details of negotiations, at this stage of the game it is a matter of some detailed negotiation between the Government and the city of Port Augusta, as I understand it. I am unable to comment precisely as to how far that has reached at this stage. However, it is clear that the Federal Government supports the entry of Port Augusta into the scheme with works of a slightly lesser scope than those which were originally proposed. No doubt that is the subject of the negotiations. As to when this might be finalised, naturally this would be an area of Government consideration in terms of Budget needs. No doubt it will be taken into account in the forthcoming Budget discussions.

### IMPRISONMENT OF TURKISH JOURNALIST

**Senator BOLKUS**—I refer the Minister representing the Minister for Foreign Affairs to reports that the military junta in Turkey last year imprisoned for 18 months a Turkish journalist on the charge of weakening government feeling following a newspaper article that the journalist had written. I also refer the Minister to the recent gaoling of the former Prime Minister, Ecevit, and the trial, for legitimate trade union activities, of 52 leading Turkish trade unionists. I ask: When will the Australian Government protest at this disgraceful infringement of human rights in Turkey? Can it be said that the Government is content to pursue a hypocritical, inconsistent foreign affairs policy?

**Senator Dame MARGARET GUILFOYLE**—It could not be assumed that the Government would pursue a hypocritical foreign affairs policy. I have no information on the matter that has been raised with regard to the Turkish journalists and the other matters of the trade unionists. I will refer the matter to the Minister for Foreign Affairs and seek a response for Senator Bolkus on the matters he has raised.

### DISABLED PERSONS: DUTY ON AIDS

**Senator TATE**—My question is directed to the Minister for Health insofar as he is concerned with the health of the disabled. Is the Minister aware that disabled people in Australia are extremely concerned by Government proposals over the importation duty on wheelchairs, orthopaedic shoes and hearing aids? Is the Minister aware that the Customs Tariff Amendment Bill due to be debated shortly in this chamber adds up to \$300 to the cost of a wheelchair? Is he aware that the Customs Tariff Act has been interpreted to prevent the importation of certain orthopaedic shoes into Australia unless a massive duty is paid on them? Is he aware that the Industries Assistance Commission has recommended to the Minister for Business and Consumer Affairs that there be a substantial increase in the duty on imported hearing aids? Why is the Government acting in such a threatening manner against the disabled? Does it expect the Australian people to cop this heartless action against the vulnerable in our society merely because the International Year of Disabled Persons has passed?

**Senator PETER BAUME**—Senator Tate asks me these questions as Minister for Health but, in fact, they are quite clearly Customs matters and they can really be answered properly only by the Minister responsible for Customs matters—the Minister for Business and Consumer Affairs.

Nevertheless, I recognise that Senator Tate has a concern for the disabled people who would use these products. I am not aware that a decision on these matters has been taken. In case I am incorrect on detail I will check to see whether that is in fact so and try to obtain information for the honourable senator. If a decision has not been taken, it is a matter which would be considered by government in the appropriate way in the usual manner. I am sure that, when that happens, the health considerations would need to be taken into consideration. Of course, I would have an interest in doing that.

### EDWARD RIVER CROCODILE FARM

**Senator KEEFFE**—I ask the Minister for Aboriginal Affairs whether he is aware that all work on the crocodile farm at Edward River has ceased apparently because the managers of Applied Ecology Pty Ltd, the company currently administering the farm, refused to kill crocodiles in defiance of the Convention on International Trade in Endangered Species of Wild Fauna and Flora which the Australian Government has signed. As Commonwealth Government funds are involved, will the Minister cause an immediate investigation to be instituted and also ensure that any crocodiles killed for the sale of skins are not killed contrary to the provisions of the appropriate convention dealing with endangered species?

**Senator PETER BAUME**—Senator Keeffe raises a difficult and quite important matter. The crocodile farm at Edward River has continued to have funds and work has continued to maintain and to retain the crocodile farm. I just interpolate that it has not been possible to finalise the arrangements for the crocodile farm pending appropriate land tenure arrangements in Queensland as they will affect the Edward River community. There are some difficulties in integrating the crocodile farming activities with Australia's obligations under international conventions. My Department is already active in trying to discuss with my colleague Mr Wilson and the Department of Home Affairs and Environment what action, if any, will be necessary to allow harvesting to go ahead. We do not yet have a resolution of that matter. Having said that, I have no knowledge that that unresolved question has meant that work on the crocodile project has had to be curtailed or has had to cease. If Senator Keeffe has contemporary information, I would appreciate receiving it. In the meantime, we are working towards, on the one hand, resolving any problems with the international convention and, on the other hand, making long term arrangements for tenure at the crocodile farm.

### PLANT VARIETY RIGHTS

**The PRESIDENT**—During Question Time yesterday, Senator Hearn sought information on the number of citizens who have petitioned the Senate and the House of Representatives opposing the introduction of plant variety rights legislation. I now provide the following information. During the current Parliament—the one commencing on 25 November 1980—54 petitions opposing the introduction of plant variety rights legislation have been presented to the Senate, containing a total of some 5,006 signatures. Six petitions, containing 1,318 signatures, were presented to the Senate in the same period, seeking deferral of plant variety rights legislation until full and informed public discussion of the issues involved had taken place. Corresponding figures for the House of Representatives do not include the number of signatures, as these are not included in the official record of proceedings of that House. During the same period, however, 83 petitions opposing the introduction of plant variety rights legislation and eight petitions seeking deferral of such legislation were presented to the House of Representatives.

### TASMANIAN APPLES

**Senator MESSNER** (South Australia—Minister for Veterans' Affairs)—Yesterday I was asked by Senator Peter Rae a question regarding the marketing of apples from Tasmania. I now have a reply for him, but so as not to bore the Senate I seek leave to have it incorporated in *Hansard*.

**Senator Grimes**—There is nothing boring about apples.

**Senator MESSNER**—Would the honourable senator like to have it read?

**Senator Grimes**—No.

**Senator MESSNER**—I seek leave to have the answer incorporated in *Hansard*.

Leave granted.

#### *The document read as follows—*

The Minister for Primary Industry has supplied the following answer to the honourable senator's question:

- (1) It is correct that there is only one exporter licensed to export apples and pears from Tasmania, namely the Tasmanian Apple and Pear Marketing Authority (TAMA).
- (2) It is correct that the Australian Apple and Pear Growers' Association supports the issue of additional licences. I am not in a position to know whether or not this view is supported by the majority of Tasmanian growers.
- (3) It is correct that the Apple and Pear Corporation received applications from six additional companies to export apples and pears from Tasmania. These applications were received in early February this year. The

Corporation recommended to me that the applications should be rejected. It considered that the granting of additional licences to export from Tasmania would be contrary to the clearly defined policy of the State Government that exporting from Tasmania should take place only through TAMA and would be damaging to the long term development of export marketing from the State and the interests of growers. I accepted the Corporation's recommendation and rejected the applications. In receiving the Corporation's recommendation I am not informed of or obliged to take into account the votes of individual members on the issue.

- (4) It is correct that the Corporation has received renewed applications for licences to export from Tasmania. These were considered at a special meeting of the Corporation yesterday. In accordance with the Regulations, the Corporation will submit its recommendations to me and I will then determine the applications.
- (5) At this stage it is difficult to assess the effect of such a diversion on mainland prices. I am advised however that, subject to varietal preferences by mainland consumers, there should be scope to absorb additional quantities of Tasmanian apples on the mainland market as apple production in the Eastern States this season is estimated to be some 2 million cases less than in 1981.

### SUMMER INSTITUTE OF LINGUISTICS

**Senator PETER BAUME** (New South Wales—Minister for Aboriginal Affairs)—Earlier today in Question Time I promised Senator Robertson that I would try to get some information on the Summer Institute of Linguistics in response to a question that Senator Robertson asked me. There is under way a proposed review of funding to ascertain two matters: Firstly, which aspects of the Institute's operation should be funded by the Department of Aboriginal Affairs and, secondly, whether funding from the Department should be done through the Department's regional offices or whether it should be treated as part of the Department's national program. That is an internal matter which is also under review. With regard to the first point—that is, which aspects of the Institute's operation should be funded by the Department—it really is premature for me to give any assurances until I have some result of that part of the review. With regard to the second point, that is merely an administrative matter and would not affect the funding. It would merely affect the way in which funding reached the Institute. Having noted Senator Robertson's concern, I will now try to make sure that we expedite the review with a view to getting an early resolution.

### ESTIMATES OF ADDITIONAL EXPENDITURE

**Senator Sir JOHN CARRICK** (New South Wales—Leader of the Government in the Senate)—For the information of honourable

senators, I present departmental explanatory notes on Estimates of proposed Additional Estimates for the year 1981-82.

### JOINT COMMITTEE ON THE AUSTRALIAN CAPITAL TERRITORY Report

**Senator REID** (Australian Capital Territory)—On behalf of the Joint Committee on the Australian Capital Territory, I present a report on proposals for variations of the plan of layout of the city of Canberra and its environs, seventy-sixth series, dated April 1982 together with extracts from the minutes of proceedings of the Committee.

Ordered that the report be printed.

**Senator REID**—I seek leave to have a copy of my statement incorporated in *Hansard*.

Leave granted.

#### *The statement read as follows—*

This report covers 16 variations to the city plan and recommends the approval of works valued at \$880,000. The Committee in considering these proposed variations took evidence from several individuals and community groups, as well as a member of the Australian Capital Territory House of Assembly, during the public hearing held on 22 March 1982.

The Committee has decided to withhold the approval of two variations, and has approved the remaining 14.

In the seventy-fifth series of variations the Committee withheld approval for residential developments in Florey. It has decided to defer approval of the developments in Florey proposed in this series for the same reason advanced previously. Therefore, until the Committee receives adequate information about the new guidelines for the release of land in new residential subdivisions and a statement setting out the responsibilities of private developers regarding servicing standards and marketing procedures approval of the proposal is withheld.

Further, the Committee believes that a decision on the cyclepath at Bruce (variation 2 in this series) cannot be made without further information regarding the necessity for removal and reconstruction of the cyclepath.

### STANDING COMMITTEE FOR THE SCRUTINY OF BILLS

#### Report

**Senator TATE** (Tasmania)—On behalf of the Standing Committee for the Scrutiny of Bills I present the Scrutiny of Bills Alert Digest No. 5 dated 22 April 1982.

### PUBLIC ASSEMBLIES ORDINANCE 1982

#### Motion for Disallowance

**Senator RYAN** (Australian Capital Territory) (11.9)—I move:

That the Public Assemblies Ordinance 1982, as contained in the Australian Capital Territory Ordinance No. 10 of 1982

and made under the Seat of Government (Administration) Act 1910, be disallowed.

I move disallowance of this Ordinance on the grounds that it is not wanted by the people of the Australian Capital Territory, who will have to operate under its provisions. As evidence of my view that this Ordinance is not wanted by anyone in the Australian Capital Territory, I refer honourable senators to today's *Canberra Times* where there is an account of a meeting held between the Australian Federal Police and the representatives of various organisations and groups who wish to march in the Anzac Day procession on Sunday.

Honourable senators will recall that the Ordinance we are currently debating replaces an ordinance introduced in great haste for last Anzac Day at the behest of the Returned Services League because it wished to limit the right of participation in the Anzac Day ceremony in a very special way. That Ordinance was extremely controversial and quite unworkable. The Minister for the Capital Territory, Mr Hodgman, replaced it at a very late stage with the current Ordinance. Yesterday a meeting was held to discuss how that Ordinance would be implemented on Sunday when various organisations wish to participate in the Anzac memorial service. I quote from today's report in the *Canberra Times* the words of Mr Alf Clarke from the RSL organisation. The article states:

While happy with the discussions, he was far from pleased with the Public Assemblies Ordinance and recent reports of RSL participation in its drafting.

Mr Clarke is reported as saying:

We were not consulted in any way about this ordinance. As far as the league is concerned it creates far more problems than it solves. We'd be better off without it . . .

The only right of appeal under it is to the Supreme Court which, due to the expense of that kind of action rules out any of the smaller groups.

Even the league would have to think twice. Effectively there is no appeal.

The article goes on to say:

Mr Clarke's comments on the ordinance were echoed by a representative of the Interim Committee on Civil Liberties who said, 'The meeting made it perfectly obvious that none of the groups involved in the discussions liked the ordinance at all. It is very badly drafted and it's got all sorts of inconsistencies and loopholes.'

We'll certainly be joining the chorus against it. It's bad and it ought to be repealed.'

If we have got to a stage where the very organisation, namely, the RSL, that initially wanted an ordinance to control the Anzac Day march is saying that the proposed Ordinance is so unworkable and so anomalous that the RSL believes that it would be better off without it, why are we proceeding with this Ordinance at all? It is very clear

that a whole range of other organisations, civil liberties organisations in the Australian Capital Territory do not want the Ordinance. The locally elected body of the Australian Capital Territory, the House of Assembly, has rejected the Ordinance and has asked the Minister to set about in consultation with the Assembly, working on an Act of Parliament which will set out clearly the rights of assembly of Australian Capital Territory citizens. So at this stage no recognised group in the Australian Capital Territory wants this Ordinance. I understand from reports of yesterday's meeting that the Australian Federal Police who will be responsible for the enforcement of the Ordinance are unhappy with the Ordinance. I understand also that representatives of the Australian War Memorial, the body which undertakes the organisational responsibility for Anzac Day, is also responsible for the Ordinance.

So I ask honourable senators to consider at this stage why this Ordinance should not be disallowed. I ask honourable senators to support my motion for disallowance. It seems to me entirely wrong that this chamber should proceed with a piece of legislation which is clearly now not wanted by any relevant group or organisation within the Australian Capital Territory. I urge honourable senators to reconsider their position in the light of what these groups have said in the last couple of days. Earlier on it did seem that some groups wanted the Ordinance. Now they do not. In my view and speaking from the most fundamental democratic principle that laws ought to reflect the wishes of the people who will be regulated by them, there is no case for doing anything other than disallowing this Ordinance.

Some anxiety and fear has been expressed as to what will happen if we succeed in disallowing this Ordinance today and there is no specific ordinance operable on Sunday when the Anzac Day service takes place. I simply answer that question by pointing out to honourable senators that until Anzac Day last year, in the Australian Capital Territory there was no special ordinance. The Anzac Day commemorative service, like all other public assemblies in the Australian Capital Territory, was carried out under and regulated by a variety of public peace law and order regulations which still exist and, of course, the common law which still operates. So it seems to me that there would not be a legal vacuum of any significance should this Ordinance be disallowed. It also seems to me that because of the wide-ranging discussion and debate in the community about what should happen on Anzac Day all groups will be acting with good will and seeking to avoid giving offence to any other group. I cannot see any problems

arising if we have no ordinance on Anzac Day. On the other hand, if the Senate fails to disallow the Ordinance today and the police have responsibility of trying to enforce this Ordinance on Anzac Day, I think there will be numerous problems. That view is shared by a number of people, not least of which are the Federal Police.

Before proceeding to discuss the Ordinance in detail, I state very clearly what the Australian Labor Party's position is in relation to this whole episode. It is our position that we recognise the significance of Anzac Day as a major national day of significance. Labor Party people have always participated in Anzac Day commemorative services. I believe that they will continue to do so. We believe that all groups in the community ought to have the opportunity to commemorate Anzac Day in the way that they see fit, providing that that way is a dignified and orderly way and a way that does not give offence to any other groups. Indeed, that has been the history of Anzac Day. Until the recent intervention of Mr Hodgman in the Australian Capital Territory, we were able to participate in Anzac Day services here quite peacefully. I have had the honour to represent the Leader of the Opposition (Mr Hayden) at the local Anzac Day observances on a number of occasions. On other occasions I have participated as a citizen, as have many of my colleagues from the ALP in the Australian Capital Territory. In no sense can our opposition to this Ordinance be seen as any kind of criticism or any kind of undermining of the traditional significance of Anzac Day—quite the contrary. It is because we are concerned that Anzac Day should continue to be observed in an orderly and sympathetic way that we want this provocative Ordinance removed.

We believe also, when it comes to legislation, that laws ought to be framed in a way so that they protect the rights of individuals and not encroach on them. That is our fundamental objection to this Ordinance. It does not protect rights, it infringes rights. We believe that the role of the law is to promote order and not to promote disorder. Again, of course, it is clear that if this Ordinance is not disallowed today, it will promote disorder. It should be stated, too—I would like to state it as an Australian Capital Territory senator—that I do not see any fundamental conflict in the values and wishes of the various groups which have become involved locally in the Anzac Day debate. For example, I do not see any conflict between the aims of the civil liberty organisation, or the peace and disarmament organisation and the aims of the traditional Anzac Day observance. It seems that when our soldiers fought in major world wars they

were fighting for things like civil liberties and peace in the community.

**Senator Walters**—What about Women Against Rape?

**Senator RYAN**—It should be pointed out that the group called Women Against Rape, which because of its desire to participate in Anzac Day last year provoked the whole sequence of events, has decided, I think very sensibly, not to participate in the main Anzac Day march this year. It has announced that it will not attempt to join or participate in the main march. It will conduct its own commemorative service at 9 a.m. on Sunday which is a time before the Ordinance comes into effect, if the Ordinance is in effect on Sunday. I think that organisation's sensible and co-operative attitude ought to be acknowledged at this stage. But again, the objectives of the group seem to be not in conflict in any way with the traditional objectives of the Anzac Day commemorative service. The Anzac Day commemorative service seems to be a way of commemorating all the people who were victims of war. Certainly, I do not think that anyone would disagree that women who have been victims of rape in war are victims of war in a similar way to those who lost their lives or who were subjected to serious injury.

In trying to assess the whole situation objectively, there have been a number of groups who wanted to participate. Their objectives were not fundamentally in conflict, but mainly because of the over-reaction of the Minister for the Capital Territory last year the whole situation has become chaotic and one which has been very distressing for the Australian Capital Territory community. I ask honourable senators to consider that. It has not been an easy time discussing this because a lot of people of goodwill have been brought into conflict with other people of goodwill in a way that has been very distressing. I hope we all feel that we have a responsibility to find some resolution.

I proceed now to some specific comments on the Ordinance, because, as I said when I had an opportunity to comment on this Ordinance yesterday, it is a very badly drafted Ordinance. It has a number of serious legal difficulties. It is for those sorts of reasons that the Senate would be acting quite responsibly if it decided to support my disallowance motion today. Let us look at what the Ordinance does. First of all, it sets out a provision whereby there should be on some days of the year a limited participation assembly rather than a public assembly. A public assembly means an assembly of not fewer than three persons who are assembled for a common purpose in a public

place, whether other persons are assembled with them and whether the assembly is at a particular place or moving. A limited participation assembly is one held on Anzac Day, Canberra Day or such other days as may be declared under section 4 to be days of special significance. For such an assembly there is a special notification procedure whereby the authorised participants in the assembly may be limited to certain defined classes of persons.

That is the first major provision of the Ordinance. To have certain days set aside as limited assembly days is, in itself, a restriction of the rights of citizens. Why cannot Anzac Day and, for that matter, Canberra Day, which is a family festival day, be public assembly days when normal public rights to assemble are maintained? The Ordinance restricts the public's rights on such days. I believe it extends ministerial powers because it is the Minister who will decide whether a day is of special significance, thus restricting the rights of assembly of citizens on that day. It is my view, as a former member of the Senate Standing Committee on Regulations and Ordinances, that the extension of ministerial powers, if they are to be extended, ought to be done by an Act of Parliament and not simply by delegated legislation. Honourable senators will recall that delegated legislation ought to be confined to fairly minor areas of behaviour and not relate to major matters, such as are provided for by the new ministerial powers under this Ordinance.

Then there is the notification procedure. To obtain authorisation for an assembly the organiser must, in the first place, give to the Commissioner of the Australian Federal Police not less than seven days notice of a proposed public assembly or not less than 14 days notice of a proposed limited participation assembly. The notice must specify the name and address of the organiser, the name and address of the organisation or body represented, the date, time, place, purpose, proposed route, and anticipated number of participants and, in the case of a limited participation assembly, the particular persons or classes of persons to whom it is proposed that participation in the assembly should be limited. On the same day that the notice of a proposed limited participation assembly is served on the Commissioner, a copy of the notice must also be published in a local daily newspaper. If the Commissioner does not, within three days of receiving the notice, or within seven days of receiving the notice in the case of a limited participation assembly, inform the organiser that he or she opposes the assembly then the assembly will be considered to be authorised. Within these

time limits the Commissioner may inform the organiser that he or she does not oppose the assembly, either unconditionally or subject to certain terms and conditions. If the organiser does not accept such terms and conditions the organiser may apply to the Supreme Court of the Australian Capital Territory for a review and the court has a wide power to affirm, set aside or vary the Commissioner's decision.

The Commissioner may also within the time limits inform the organiser that he or she opposes the assembly. Further, the Commissioner may apply to the court for an order prohibiting the assembly but must first confer with the organiser and consider the organiser's representations. On the Commissioner's application to the court the court may, in its discretion, prohibit the assembly or impose terms and conditions in relation to its conduct. In making such an order the court must have regard to the public interest and, in particular, the likelihood that the proposed assembly would occasion serious public disorder or damage to property, place the safety of any person in jeopardy or cause an unreasonable obstruction. If less than seven days notice is given of a public assembly which is not a limited participation assembly the commissioner may inform the organiser that he or she does not oppose the proposed assembly either unconditionally or subject to terms and conditions or that he or she opposes it and intends to apply to the court for a prohibition order. The review procedure is the same as previously described. If the Commissoner does not so inform the organiser the assembly is considered to be unauthorised although the organiser may apply to the court for an order authorising the assembly. The organiser must have regard for the public interest and may specify terms and conditions. The Commissioner may then apply to the court for an order revoking the court's authorisation. The inducement for organisers to apply to the Commissioner for authorisation of a proposed assembly is under section 20 of the Ordinance which states that a person who participates in the assembly is not by reason only of that participation guilty of an offence against any law of the Territory relating to the movement or free passage of traffic or pedestrians or the obstruction of a person or vehicle in a public place. Failure to seek authorisation or participation in an unauthorised assembly is not itself, a criminal offence.

I have spelled out the procedures whereby assemblies under this Ordinance now have to be authorised in the Australian Capital Territory and, from that fairly summary description, honourable senators will see that the procedure is extraordinarily complex and involves appeals to

the Supreme Court which are extremely expensive, especially for community groups without resources and that the time involved in getting authorisation for an assembly is, I believe, unreasonably long. It seems to me that procedures like this fly in the face of our common law traditions of the right to assemble. A right to assemble should be a natural and straightforward right in a democracy. Here we have a series of complex, cumbersome and time-consuming requirements that a citizen has to go through to exercise something which ought to be a natural and straightforward right in a democracy. That is one of our objections—not our major objection—to this Ordinance.

I will proceed with comments on the Ordinance. There is the provision whereby people are authorised to join limited participation assemblies. In the case of a limited participation assembly where authorisation is sought only in respect of particular persons or classes of persons, other persons may, within four days of the publication of the notice, apply to the Commissioner for approval of their proposed participation in the assembly. The Commissioner shall approve the participation in the assembly of the relevant person or persons unless he is of the opinion that that participation would not be in the public interest. The Commissioner has to have regard to certain things when forming that opinion. The Commissioner must inform both the applicant and the organiser of the proposed assembly of his decision and of the reasons for the decision. An applicant or organiser aggrieved by this decision must apply to the court for review. Again in respect of the Commissioner's powers to grant participation in limited participation assemblies the provision for review to the court is something which will be burdensome to the average citizen and average community group. Again we have cumbersome and expensive procedures for the exercise of what ought to be a basic right in a democracy.

When we pass to the offences provided for in the Ordinance we find further cause for concern. Conduct causing or provoking a breach of the peace is made an offence by section 24 (1) although breach of the peace is not defined, and that is one of the many inadequacies in this Ordinance. Section 24 (2) states:

When a police officer of or above the rank of Sergeant has reasonable grounds for believing that the conduct of a person in or near a public assembly is likely to cause or provoke a breach of the peace by any person, he may direct the first-mentioned person to leave the vicinity of the public assembly.

Section 24 (3) states that a person who contravenes such a direction is guilty of an offence punishable on conviction by a fine of \$200. In the case

of a limited participation assembly any unauthorised person who participates or attempts to participate in such an assembly may be directed by a police officer of the rank of sergeant or above not to participate, under section 25 (1). Section 24 (3) states:

A person who contravenes a direction given to him under sub-section (2) is guilty of an offence and punishable, on conviction, by a fine not exceeding \$200.

I draw honourable senators' attention to the fact that no guidelines are given in the Ordinance as to when a police officer should give a direction, and such an unlimited discretion is likely to cause problems for the police.

In what circumstances should a direction be given? Should a police officer give a direction only when he or she fears public disorder or whenever an unauthorised person makes an attempt to participate in the assembly? If the latter is the case, the effect of the law is that a person who fails to obey a police officer's direction by peacefully participating in the assembly commits a criminal offence.

Clause 24 (2) concerning a breach of the peace again is a very difficult provision to implement. I draw the attention of the Senate to clause 24 (2) which states:

When a police officer of or above the rank of Sergeant has reasonable grounds for believing that the conduct of a person in or near a public assembly is likely to cause or provoke a breach of the peace by any person, he may direct the first-mentioned person to leave the vicinity of the public assembly.

What does this mean? It could mean, for example, that one person participating in the Anzac Day March is dressed in a manner which is unacceptable to another group—for example, the Returned Services League. If that is the case the police officer may come to the conclusion that a certain person who has been authorised to march is, by his very appearance, provocative to the RSL. In that case, the first person who was properly authorised to join the march may be directed by the police to leave the march on the grounds that his very appearance may provoke a breach of the peace. I do not think those sorts of provisions are the sorts of provisions that the Senate ought to approve. I think they are contradictory because it is already the case that certain groups have permission to march. It is already the case that the RSL has expressed opposition to that. So we have a provision which has in itself an internal contradiction and police officers will be put in a very invidious position in trying to implement it.

As to the powers given to the Police Commissioner under the Ordinance, it is apparent from a close study of the Ordinance that the Commissioner's powers to authorise, impose powers

and conditions or oppose a proposed assembly are extensive, notwithstanding the opportunity for review by the Supreme Court. The Government seems to have overreacted in seeking wider powers to control public assemblies than would appear to be strictly necessary. That the Commissioner can delegate his powers under the Ordinance to a police officer of the rank of sergeant or above is also a matter of concern. I understand that my colleague, Senator Evans, will have more to say on the particular provisions of the Ordinance.

However, I draw honourable senators' attention to the fact that what we have in general terms is an excessively complicated, sometimes difficult to comprehend Ordinance which, by its very nature, is likely to hinder citizens in the exercise of their freedom of assembly. I remind honourable senators that it is the responsibility of the Senate to examine all delegated legislation. That responsibility is carried out primarily by the Senate Regulations and Ordinances Committee, which in this instance has decided not to recommend disallowance of the Ordinance. But that decision of the Senate Regulations and Ordinances Committee does not absolve the Senate of its responsibility to assure itself that any delegated legislation approved by the Senate is, in fact, in keeping with our general position on the rights of individuals in our society.

I put it to honourable senators, notwithstanding the failure of the Senate Regulations and Ordinances Committee to recommend disallowance, that this Ordinance does trample unduly on civil rights and liberties, that it does make civil rights and liberties unduly dependent on administrative decisions, namely, the decisions of the Commissioner, and that it will provoke breaches of the peace rather than assure peace and orderly conduct of the Anzac Day service and any other public assembly which is held under its provisions. It is an Ordinance which has not met the requirements of any group in the community. It will simply make the exercise of individual freedoms very troublesome indeed.

I exhort honourable senators to support my disallowance motion. I remind them that it is the view of the locally elected Australian Capital Territory House of Assembly that the Minister for the Capital Territory (Mr Hodgman) ought to proceed to develop appropriate public assemblies legislation in consultation with all the local groups. He should do that by an Act of Parliament so that we, as senators, will have an opportunity from the beginning to be involved in the debate rather than only, as in the case of delegated legislation, having the power simply to allow or

disallow. This is not an ordinance which will solve any problems. It will promote problems. It is not an ordinance which will lead to orderly conduct of the Anzac Day commemorative service. It is not an ordinance which I believe fulfils the criteria the Senate ought to apply to any legislation it approves and it ought to be disallowed.

**Senator LEWIS** (Victoria) (11.34)—Government senators will, of course, oppose this motion for disallowance. I shall speak very briefly, because I believe that practically everything that has had to be said in this matter has been said. There are just a few little things which I think ought to be mentioned. It is clear to me that the Australian Labor Party, as usual, is trying to have two bob each way. Senator Ryan is putting forward to the Senate the proposition that because all of these groups, including the Returned Services League, are alleged to be opposed to the Public Assemblies Ordinance, it ought to be disallowed. But we all know that the objection which the Returned Services League is expressing in relation to this Ordinance is that it is not restrictive enough. It believes that the Ordinance should be totally restrictive, and that it should control the march totally and it should determine who should participate. We all know that Senator Ryan and her colleagues Senator Evans and Senator Coates are putting forward the proposition that participation ought to be totally unlimited and that that is why the Ordinance ought to be disallowed. With typical fervour Senator Ryan and her colleagues come into this chamber and say that the Ordinance ought to be disallowed because the Returned Services League is opposed to it when, in fact, the Returned Services League is opposed to it for directly contrary views to the views they are putting forward. That is the first thing.

**Senator Mason**—It is still opposed to it.

**Senator LEWIS**—I am sorry; I do not understand the purpose of the interjection. The point I mentioned yesterday is that the matter is very simple: We have either a limited participation march or an unlimited participation march. If we have an unlimited participation march, any disputes between the contending parties who want to march will have to be resolved by the Australian Federal Police on the day and at the place of the event. We all know that such a situation can lead to chaos. It can lead to many people being arrested, as happened last year, and all forms of disorder. That is what happens in an unlimited participation march. On the other hand, if we want to have the disputes resolved beforehand the only way we can achieve that is by having a limited participation march.

**Senator Chipp**—That is a most incredible thing to say. You don't understand what you're talking about.

**Senator LEWIS**—The only way in which we can resolve the disputes beforehand is by having a limited participation march and setting out certain procedures in order to resolve the disputes between the parties. That is what this Ordinance does. It enables the disputes between the parties to be resolved beforehand. I totally reject what Senator Ryan has put forward to the Senate; namely, that this Ordinance is badly drafted. This Ordinance protects the rights of individuals in this community to participate in the march. It is reported in today's *Canberra Times* that, as Senator Ryan mentioned, all groups, including the Returned Services League, are dissatisfied with the Ordinance. I draw the attention of honourable senators to the statements made. They are very interesting. Mr Clarke is reported as saying that he is opposed to the Ordinance but he also is reported as saying, in reference to the meeting between the participating groups which took place yesterday:

. . . worked well and we reached a reasonable consensus: it was a worthwhile exercise.

Mr Ritchie, representing the Ex-Servicemen for Peace and Disarmament, is reported as saying:

. . . the gap between us and the Returned Services League is not as wide as it might have appeared.

That is exactly what the committee anticipated would happen. In other words, an educative process is taking place whereby the people will come together to try to resolve their disputation and come up with a consensus. There is much talk in this place, especially by Senator Chipp, about consensus. We have the Government bringing forward an innovative ordinance which enables people to resolve their differences before they march and which we hope will enable us to have a peaceful march, and Senator Chipp says that I do not know what I am talking about and that apparently I am a fool. Well Senator Chipp does not know what he is talking about and he may very well be a fool. I suggest that the critics, including Senator Chipp, have not properly considered the wording of this Ordinance. I suggest to Senator Chipp and to the other honourable senators who are opposing this Ordinance that they apply their minds to the Ordinance and to the procedures which it sets out. They should stop worrying about whether the Minister ought to have introduced it earlier and all the peripheral things, and apply their minds to whether we should have a limited participation march or an unlimited participation march and to how we should go about it. If there is to be an unlimited participation march, which will cause chaos next Sunday in the Australian Capital Territory, then by all means honourable senators must support the disallowance motion. We will then know precisely where we stand.

It is my view that there ought to be a national celebration in Canberra on Anzac Day. I believe that the national celebration should be limited to the memory of fallen comrades. I do not believe that the celebration ought to be conducted by the RSL. I believe that the celebration ought to be

conducted by the service chiefs who ought to determine who should participate. That happens to be my personal view as to what should happen. This Ordinance is a fair Ordinance for those who are interested in civil liberties. This Ordinance goes as far as one could possibly expect it to go to enable other groups to participate. I would not want the other groups to participate, but as a civil libertarian and as the chairman of the Senate Standing Committee on Regulations and Ordinances I am prepared to support this Ordinance. I strongly urge all honourable senators in this chamber to do so.

**Senator CHIPP** (Victoria—Leader of the Australian Democrats) (11.41)—I will disregard everything that Senator Lewis has said except the last part of his speech. I thought that ought to be commended. I think that is an innovative, positive and sensible proposition. It is one that I think the Senate and the Parliament ought to consider. As I said in my remarks last night, as an ex-serviceman I regard Anzac Day as a special day, a sacred day and a solemn day. It commemorates a group of occasions that I say are quite different from a march to protest against proposed laws, a march to protest against nuclear energy or whatever. I concede that there is a respectable argument to be made out for Anzac Day and what it stands for, not the glory of war that some gung ho generals would like it to be, but for the reason that Senator Lewis has said, that is, simply to allow this nation, and particularly former servicemen, to pay as high a tribute as they can to fallen comrades and the families of fallen comrades.

I hate to ascribe to myself what might seem to be a flattering adjective, but I will go on to say that I will take a broader minded view of the way in which Anzac Day should be celebrated and the march itself. Because I am an ex-serviceman I would like to see the march limited to that purpose alone. I have marched in Anzac Day marches. I would not have been too upset had people joined in that march, such as women against rape, the gay ex-servicemen of Vietnam, or whoever, provided they were peaceful, provided they did it with dignity and were not sending it up or ridiculing it in any way. I would not have been upset if they had tagged on to the end of the march. In the same way, I would not be at all upset—in fact I would have been pleased in the various anti-uranium or anti-nuclear marches that I have had the honour to lead—if pro-nuclear people joined in in a dignified way carrying their placards, flags or whatever. Surely to God in a democracy we should have reached a stage of civilised behaviour in this country where we can use the streets for purposes of demonstration,

whether it be demonstrating against something, such as an anti-nuclear march, or demonstrating for something in the way ex-servicemen demonstrate with respect to their fallen comrades. I have a great sympathy for the people who wish to march for that pure purpose.

I have respect for a great number of members of the RSL, although I cannot say that I agree with or respect some of the statements that members of the hierarchy make. I think that would not be too far from the view that Senator Lewis would have. The thoughts and memories in the minds of those men and women who march on Anzac Day are quite different from and cannot be compared with the thoughts and memories of those who march in protest against nuclear armament or whatever. There are people who care about the future, and who can conjure up in their minds and want to conjure up in the minds of other people the horrific picture of a nuclear holocaust and who, therefore, protest against nuclear armament; but even that does not compare with the memory that is conjured up in the minds of men and women who march in remembrance of their comrades who were shot down or killed beside them in war.

Having said that, one must acknowledge that we do not live in a perfect society, that there will be idiots and fruitcakes who will want to join in Anzac Day marches and perhaps spoil them, ridicule them or send them up. I deplore those people. I think a majority of people in the Senate would do so also. All we are saying is: Is bringing in legislation the right way to discourage those people? Can we legislate for that sort of human behaviour? All we are saying is that we cannot.

**Senator Lewis**—This is an attempt.

**Senator CHIPP**—I know that it is an attempt. I respect Senator Lewis and the Senate Standing Committee on Regulations and Ordinances for the attempt that they have made. I think Senator Lewis and his Committee have done a damned good job in the circumstances in trying to get some sense out of this matter. I am opposing the Ordinance and my four colleagues, without caucusing the matter as a party, will be opposing it essentially because it is very difficult to legislate for human behaviour. I would have thought that, over a period, the sorts of people who want to denigrate the Anzac Day march by joining in, by disrupting it or by adding capricious or facetious purposes to it would be dealt with by their peers, their neighbours and the community. They will do so much damage to their own cause by acting in that way. They will do far more damage to their cause than any law or any police officer could do.

There is a report in this morning's *Canberra Times* of an idiot—

**Senator Lewis**—But they will disrupt the march while they are being educated.

**Senator CHIPP**—Let me finish and then I will respond to the interjection. This morning's *Canberra Times* carries a report about an idiot in Canberra who has painted an enormous swastika on his garage. We could say: 'Let's send the police around to get him to wipe it off; it is offensive to a great number of people'. We could handle it in that way. But that idiot will be dealt with very quickly by his neighbours, by his peers. We believe that is the best way to tackle the problem. If people interrupt and cash in on the platform provided by Anzac Day for their own purposes and jar the people who respect Anzac Day and what it stands for the community will deal with them. I believe that in the normal processes of a civilised society these people would drop off over a period of years.

What my colleagues and I object to is that by getting government to interdict in this sort of situation we are bringing in a steam-hammer to hit a tack. We would have to give the Commissioner of Police powers that are frightening. The Commissioner happens to be a most honourable, decent, responsible person, and this is meant as no criticism of him; but the Ordinance allows him to delegate certain powers to the policeman on the beat. I think it is unfair to that policeman or policewoman on the beat and is quite dangerous to delegate to him or her powers whereby he or she can take certain action if he or she forms in his or her mind that a certain action is likely to cause public disorder. If Senator Lewis, as a self-confessed civil libertarian, contemplates that prospect for a moment, he must see that that can lead to the kind of disputation, the kind of public disorder, which he is genuinely trying to prevent.

**Senator Lewis**—It could.

**Senator CHIPP**—Yes. When we get down to it and try to reach the consensus which Senator Lewis seems to detest so much, I find that we can reach a consensus of our aims. It is just the methods on which we cannot agree. As someone who also professes to be some form of libertarian, it frightens me that the national Parliament might allow on its statute books the kind of legislation which would do credit only to a totalitarian nation or to a State such as Queensland where the police are given discretionary powers which are draconian, which can lead to all sorts of public disorder and which could by themselves unintentionally lead this solemn and sacred day into disrepute. That would be entirely the opposite wish of

those people who, in all goodwill, brought in this ordinance.

**The ACTING DEPUTY PRESIDENT (Senator Coleman)**—I call Senator Coates.

**Senator Tate**—Why isn't it the other side?

**The ACTING DEPUTY PRESIDENT**—I am sorry. The list I have before me shows speakers in this order: Senators Coates, Tate, Evans, Walters, and Ryan in reply. If there is a request to change that speaking order, I suggest that an application be made to the Whips who provided me with it. At the moment I am following the list before me which says that Senator Coates next has the call. Senator Coates, I give you that call.

**Senator COATES (Tasmania) (11.52)**—I do not know what the status of that list is. Madam Acting Deputy President, I did not rise when you called me, but I am happy to speak at this stage if the Government does not want to take advantage of its right to have a speaker at this stage.

**Senator Lewis**—We are trying to get on to Estimates committees.

**Senator COATES**—I beg your pardon?

**Senator Lewis**—We are trying to get this debate over so that we can get on to Estimates committees.

**Senator COATES**—Certainly. I would much prefer to attend an Estimates committee at 12 noon.

**The ACTING DEPUTY PRESIDENT—Order!** If we had fewer interjections, we could perhaps have the debate.

**Senator COATES**—I would like to speak very briefly at this stage, having contributed to the debate yesterday on the report of the Regulations and Ordinances Committee. I would like to try to avoid referring at all to the fact that Anzac Day is on the coming Sunday. Of course, this Ordinance is meant to cover assemblies, whether standing or marching, for all time. It is supposedly to cover not just Anzac Day. Of course, at this stage we have a great problem because we should have dealt with the Ordinance much earlier in the year, with the draft of the Ordinance being much more advanced by the time the Parliament resumed at the beginning of this year. It is most unfortunate that we are dealing with it in this current atmosphere. It arises because of the events of Anzac Day last year and, therefore, we cannot avoid dealing with it in this atmosphere. But we ought, I suppose, try to look at the matter in much more general terms.

I want to concentrate on the concept of limitation of participation which, as everyone now knows, is available only in respect of assemblies on days of special significance as defined by the Minister, in addition to Canberra Day and Anzac Day. My whole problem with this matter centres on that question of limited participation, if it is to be justified at all, to be available only in respect of those days. I think this is the sort of problem with which Senator Chipp was grappling. When Senator Lewis spoke today, as he did in the debate on this matter yesterday, as far as I am concerned he argued in favour of limited participation being available for all public assemblies. That was the gist of his comments. He was arguing that it was better to be able to define participants in advance and, therefore, avoid the sorts of disputes that could arise on the day. He still has not argued at all on the matter of providing limited participation only on such days.

I concede that there is an argument for limited participation. I do not agree with it. I would prefer it if all assemblies were open. The reason that limited participation was included was that the problem of disputes could arise. If it is justifiable why should not everybody be able to take advantage of that sort of condition? I would have thought that there would have been more logical argument for it in the case of a more private march, a more one-sided march, rather than a march on a day where everybody is supposed to be commemorating the one event, the one point of view.

As far as I am concerned this distinction between days of special significance and other public assemblies is easily sufficient to support disallowance of this Ordinance, quite apart from other details to which I have an objection. So whatever happens with this vote on this Ordinance today I think the whole question of the concept of limited participation should be debated and reviewed. In that way, after Anzac Day, and after this whole current dispute has been resolved one way or another, there can be a thorough and reasonable debate about whether or not limited participation ought to be available at all and, if it is to be, whether it ought to be restricted only to some types of assemblies and, more particularly, whether it ought to be limited to days of national significance, on these days on which there ought to be most reason for broad public participation.

**Senator TATE (Tasmania) (11.57)**—The Australian Labor Party is dissatisfied with this Ordinance and, therefore, is moving for its disallowance. The Labor Party finds itself actually sharing the view of the President of the Returned Services

League in the Australian Capital Territory, Mr Alf Clarke, when he said in today's Press:

As far as the League is concerned it creates far more problems than it solves. We'd be better off without it.

That is the conclusion to which the local branch of the RSL has come. I do not doubt that it has come to that conclusion reluctantly. Furthermore, I am given some strength in joining my party colleagues in expressing our dissatisfaction with this Ordinance. It weighs very strongly with me that the locally elected Australian Capital Territory House of Assembly has come to the same conclusion. I believe that when this Senate is dealing with an ordinance of the Australian Capital Territory it should take strong note, without giving up its responsibility in the matter, of the opinion of those who are elected by the residents of the Australian Capital Territory, who are responsible to it and will answer to it at the next election if indeed members in the Australian Capital Territory House of Assembly in this regard have been acting in a way inconsistent with the perceptions of the residents of the Australian Capital Territory. The fact is that Mr Alf Clarke of the RSL said:

We were not consulted in any way about this ordinance.

In fact, the only consultation with the RSL concerning this Ordinance took place in front of the Australian Capital Territory House of Assembly Select Committee on Public Assemblies.

**Senator Chipp**—Could he not have given evidence to that?

**Senator TATE**—He did. My point is that the RSL was not consulted by the Minister in the creation of this Ordinance. That is one of the reasons perhaps why it is defective. I do not say it is defective in a radical way, but it is defective. As I said, the Australian Capital Territory Select Committee was the only forum before which community organisations in the Australian Capital Territory had an opportunity to put their points of view. So it had submissions referred to it by the Returned Services League of Australia, the standing committee of the Australian Capital Territory Council for Civil Liberties, various individuals, the Council for Civil Liberties, the religious Society of Friends and so on. So there was consultation by the Select Committee of the Australian Capital Territory House of Assembly. That House, a responsibly elected body, came to the conclusion that the Ordinance ought to be disallowed. I think that fact should weigh with us.

But I believe it is possible to come in good faith to the conclusion that the Ordinance does not unduly trespass on civil liberties. The Labor

Party, after fair-minded discussion within its committees and within Caucus, particularly after considering the sections dealing with breaches of the peace, still felt such disquiet that it felt its concern should find expression in this disallowance motion. I do not want it thought that those who come to a different conclusion in respect of those sections are acting in bad faith or in a purely political or partisan manner. I think Senator Lewis has acted throughout in a proper way and in good faith. But the Labor Party has come to the conclusion that the sections dealing with breaches of the peace do not incorporate sufficiently objective criteria dealing with what might be provocative conduct. I know that Senator Evans can express that particular case far more eloquently than I. But it is a matter of judgment and that is the judgment to which our party has come.

I believe there is some merit in the Ordinance, in what I would call the compulsory conference provisions. It is a fact that when one reads the Ordinance those provisions can appear to be somewhat cumbersome. But in fact, various groups have found themselves able to come before the Commissioner of the Australian Federal Police and work out a modus vivendi. Groups which have been given permission to march under conditions that are agreed to by the Commissioner of the Australian Federal Police, Sir Colin Woods, include the Interim Committee for the Council for Civil Liberties in the Australian Capital Territory, the Canberra College of Advanced Education students and the Ex-servicemen for Peace and Disarmament group. As reported in the *Canberra Times*, Mr David Ritchie from the Ex-servicemen for Peace and Disarmament group and somebody else speaking for the civil liberties group have, in fact, indicated that they found these compulsory conference provisions helpful in reaching a situation where, indeed, their participation in the assembly may take place without undue upset. To that extent there is some merit in the Ordinance.

But, on balance, the Labor Party has come to the conclusion that the Ordinance is defective. Largely, I think this is because of the speed with which parliamentarians and the local community have had to consider the matter. The fact is that it was not until 25 February of this year, some nine months after Anzac Day of last year, that the Senate Standing Committee on Regulations and Ordinances was presented with even a first draft. So rather than having the summer period in which to deal with this matter—the Committee had intended to come back in early January to deal with it in a more leisurely and less frenzied atmosphere than prevails when Parliament is

sitting—we had this first draft of the Ordinance presented to us a week into the autumn session.

We have had two months of constant parliamentary and political activity, frenzied activity, since then. The Minister, in fact, could not produce the Ordinance until 25 March, three or four weeks ago. So the Parliament and the local community have had this Ordinance in front of them in a final agreed form for only some three weeks. I think this really leads to the conclusion that the Minister for the Capital Territory, Mr Michael Hodgman, and the Government must bear the responsibility for the disallowance of this Ordinance should the Senate agree with the case being put forward by Senator Ryan and others in that the Minister has not allowed enough time for community consultation and the parliamentary processes so to refine the Ordinance, if there is to be a law governing public assemblies, as to make it acceptable to us.

Finally, what concerns me is that whilst I believe that we should take special note of what the Australian Capital Territory House of Assembly has to say on this Ordinance, which will govern activity within the area for which it is responsible, an ordinance dealing with public assemblies in the Australian Capital Territory will be seen as a model by other governments, whether of the States or Territories, which purports to implement and to carry into effect the International Covenant on Civil and Political Rights. The objects clause of the Ordinance states:

The objects of this Ordinance are—

Amongst other things—

(a) to recognize the right of peaceful assembly in accordance with Article 21 of the Covenant, a copy of the English text of which is set out in the Schedule . . .

The Covenant is the International Covenant on Civil and Political Rights. That is what needs to concern the Senate. If it were to endorse this Ordinance it would be saying to other State and Territory parliaments of Australia that this is a model which carries into effect the purport of the International Covenant. I believe that the Senate, given the very short time which it has had to consider this Ordinance, would be acting improperly in giving its imprimatur to what will be seen to be model legislation for the rest of Australia. It would be quite unsafe for the Senate to put forward this Ordinance as a national model and, for that reason, I support the disallowance motion.

**Senator EVANS (Victoria) (12.3)**—I indicate at the outset that I am cheerfully prepared to swap my place in the queue with Senator Walters should she be feeling upset at the preponderance of Opposition comments in the debate thus far.

**Senator Walters**—Not at all.

**Senator EVANS**—If Senator Walters is prepared to wait to the end in the hope that the force and fire of her rhetoric will turn the debate around we shall wait with eager anticipation to see whether that happens. I begin with the proposition that it is, although perhaps inevitable, a matter of real regret that this debate, limited as it is, has essentially turned into a debate about Anzac Day, the law relating to Anzac Day marches and what will happen or not happen on Sunday. I think it is terribly important to appreciate that we are not debating just an Anzac Day ordinance; we are debating a public assemblies ordinance which is intended to have universal and general application for an infinite period into the future. We are talking about a law governing all public assemblies in the Australian Capital Territory. We are talking about a law which intends to govern all public exercises of the right to free speech and assembly in the Territory. As such it is terribly important, if we possibly can, to strip out of our minds the emotion that is inevitably associated with the topic of Anzac Day—emotion which I can well understand even without the banality and pathos that we can undoubtedly expect on this subject from Senator Walters when she speaks. It is important that we strip our minds of these sorts of sentiments, focus rationally and calmly upon the language content and principles inherent in this legislation, make up our minds and vote accordingly.

Yesterday, I indicated—at rather more length than I had intended, I acknowledge—what I perceive to be the basic deficiencies of this legislation. I do not want today to repeat what I said yesterday. I just want to supplement those remarks in a couple of, I think, significant respects. But let me reiterate the basic objections. The more simple and straightforward one is that the Australian Capital Territory Public Assemblies Ordinance has not been the subject of approval by the Australian Capital Territory House of Assembly. After such careful consideration as it was able to give it in the time available, the House of Assembly simply was not happy with it. If we share any respect for the principles of local self-government in these matters we ought, as other speakers have said, to take this matter seriously.

The second concern I have about the Ordinance, which again I mentioned yesterday, is its complexity and extraordinarily confusing character and the difficulty that everyone will experience in trying to apply it. I think the most graphic way of expressing the maze-like complexity of this Ordinance is to look at the diagrams or charts prepared by Mr Robin Handley for the

Australian Capital Territory House of Assembly and which appear attached to the report of that Assembly dated March 1982. It is a matter for regret that technology has not got so far with *Hansard* that these tables can be photographically reproduced and incorporated in *Hansard* because I think they would graphically demonstrate to the Senate that it is just a maze. Something like 25 to 30 different procedural steps have to be walked through whether we are talking about straightforward public assemblies on the one hand or the even more complex category of limited participation assemblies on the other. It will be, and it has proved to be, in the experience of the last two or three weeks, simply a nightmare to make sense of this material.

The whole concept of the set of procedures that has been devised really does no credit, I think, to anything other than the creative imagination of the draftsman involved. Because the Ordinance is so complex it also means it is very expensive to apply these principles in practice should anyone be minded to express dissatisfaction with the decision made by the Commissioner or the police officer down to the level of sergeant who is entitled, if delegated that authority, to make these decision on behalf of the Commissioner. Anyone who is dissatisfied and wants to take the matter to court has to confront the possibility of an action in the Supreme Court of the Australian Capital Territory. It is my understanding, as I said yesterday, that even the Returned Services League of Australia found itself unable to contemplate the cost that would be thus involved even though it is unhappy with the Commissioner's decision. I understand further that Mr Alf Clarke was heard to say yesterday that the League's estimate of the cost of a Supreme Court action in this matter was between \$3,000 and \$12,000. That is just out of the question.

The third objection related to the concept of the limited participation assembly. A lot has been said about that, and the only thing I wish to say in addition, in general terms, about this is that it seems to me to be the invention of some fertile brained bureaucrat with more ingenuity than commonsense. It is a unique concept; it does not exist in any other legislation anywhere in the Western world of which I am aware. It was a response to the perceived problems that existed in the Australian Capital Territory in the particular context of Anzac Day assembly. It is a concept that has created much of the confusion and complexity that is evident in the language of this Ordinance. There are difficulties about it conceptually in principle, that we spoke of yesterday.

There are obvious practical difficulties about this in the application of the various criteria that have to be applied by the Commissioner in determining who is in and who is out and in the criteria that have to be applied by working policemen on the day of an assembly in determining which individuals are authorised to march and which ones are not. I believe that here, as elsewhere, there is a very strong case, as I said yesterday, for informal negotiation and discussions to proceed prior to any major public assembly in order to endeavour to achieve a reconciliation of the competing interests that are likely to be involved. There is no case whatsoever for building this kind of stuff into the tortured statutory language of an ordinance of this kind.

It has been said by Senator Lewis today that the kinds of discussions that have taken place in recent days, and more particularly yesterday, by the various contending groups, mini-groups and potential groups were in fact a triumph for the procedures contained in this Ordinance. They were in fact an indication of just how much sense the compulsory conference notion had about it. But I remind Senator Lewis, who has come into the chamber and is nodding his head sagely at the summary I have just given of what he had to say earlier, that the consultations which took place this week and, more particularly yesterday, were not those provided for by the statutory terms of this Ordinance. They are entirely voluntary outside the framework of this Ordinance because those consultations are required only, of course, at an earlier stage in the proceedings before the Commissioner's decision is basically made as to who gets in and who stays out. One can equally well, of course, have these sorts of consultations that have taken place without any of the lunatic statutory apparatus that is provided for in this Ordinance.

What we need is not this peculiar, inventive notion of a limited participation assembly. Nor do we need, as has been put by Senator Lewis, some notion of an unlimited assembly, implying all in with no holds barred. What we need is simply a straightforward, statutory statement of what the law governing public assemblies by anyone should be and what the standards of behaviour should be of those participating, wearing any hat, playing any role, in such an assembly. They could be wearing a hat as a participant, as a spectator or as part of the mainstream contingent who were first in the field; they could be wearing the hats of those who follow along behind.

Whatever their status, capacity or role in the assembly, there should be a single law laying out the ground rules of appropriate behaviour so that

everyone knows where he stands. What that single law should deal with is, essentially, the basic problem everyone is concerned about. One is the intention on the part of certain individuals—this arises evidently on occasions like this—to disrupt the assembly in question. For starters therefore, the law has to deal with that category of people who are intending to disrupt and who do, in fact, proceed to disrupt. The law, secondly, has to deal with that category of people who, whether they have a deliberate intention to create havoc, by their behaviour in fact do so. The law has to respond somehow, sensibly and in a principled fashion, to that kind of problem which I described yesterday as the provocation-response problem. What we need is a law which covers those problems and deals with them, not a law which tries to deal with those problems in the extraordinarily diffuse way that this Ordinance does.

That brings me to the last of the categories of objection I have—objections to the breach of the peace provisions. In these breach of the peace provisions contained in clause 24, we have the nub of what could be a sensible statement of the law of public assembly insofar as it bears upon the kind of behaviour which should be outlawed and, in particular, insofar as it bears upon the situation of provocation on the one hand matched by response on the other. The trouble with clause 24 as it is drafted at the moment is that it is much too crude and blunt an instrument. As it is drafted it has absolutely no regard for the competing requirements of those who do, in fact, want to exercise a right of free speech.

One cannot have a law drafted as this one is which operates simply to allow the police to move in and arrest anyone who, by his or her behaviour—intentionally or not—creates a reaction in some other people. If we do that we give priority to the interests, however irrational, well-founded or well-justified in principle those interests may be, of those who happen to be reacting. If we have a law drafted like this one is we give no priority, no weight in principle to the right of the people—who by their very presence, by their mere behaviour in perhaps holding up a banner or by their mere wearing of some badge are exercising their right—to express their opinion in that way. The only way one can justify the law having anything to say in this area and the law allowing a power of arrest is if the law is much more carefully drafted than this one is. As I said yesterday—I just want to spend a moment saying a little more carefully what I mean—that law needs more criteria in it than clause 24 has at the moment.

Clause 24, at the moment, is in two parts. First, it says that anyone who acts with an intention to provoke a breach of the peace is subject to statutory penalty. That is fair enough. I do not object to that. If someone has a deliberate intention to provoke a breach of the peace and if they do, in fact, cause a breach of the peace no one could object to that person being dealt with accordingly by the law. I have no objection to that part of clause 24. But the second part of clause 24 is the provision which says, in effect, that anyone who, by their behaviour, is likely to cause a breach of the peace can be dealt with in exactly the same way and subjected to exactly the same penalty. There is only one criterion likely to cause or provoke a breach of the peace.

One just has to go beyond that and add some additional criteria. The criteria that I and the Opposition have suggested are simply the following: firstly, likelihood of the behaviour causing a breach of the peace; secondly, actually causing a breach of the peace—cannot be just a figment of some police officer's creative imagination; and, thirdly, the behaviour being of such an objective character that it would cause a hostile reaction not just from the particular person who was present and reacting but from any reasonable member of the community. In other words, an objective requirement of offensiveness is needed. Only if we have a provision such as that can we justify draconian provisions of this kind.

**Senator Lewis**—I draw your attention to the wording of section 24. It refers to: an officer of the rank of sergeant or above on reasonable grounds.

**Senator EVANS**—I draw Senator Lewis's attention to section 24 (1) which states:

A person shall not, in or near a public assembly, engage in conduct that causes or provokes breach of the peace by any person.

Penalty: \$200.

**Senator Lewis**—You have accepted that?

**Senator EVANS**—No. Senator Lewis has missed the point. Sub-section (2) refers to when a police officer forms the belief that someone is about to act in this particular way—

**Senator Lewis**—On reasonable grounds?

**Senator EVANS**—Yes, when he has reasonable grounds. There are two separate offences. One is the offence of actually behaving in such a way by one's very presence at the assembly so as to provoke a reaction. The second offence relates to the situation which arises when a police officer forming some reasonable belief that someone—

**Senator Chipp**—No, forms a belief on reasonable grounds. That's different.

**Senator EVANS**—Yes, but do not let us confuse matters. The second situation is where a police officer forms a belief on reasonable grounds about the mere presence—let us say on this Sunday situation—of someone standing in the vicinity of a public assembly holding a banner bearing the words: 'Ex-Servicemen for Peace and Disarmament'. If the police officer, by looking at the reaction of Mr Alf Clarke and his minions in the ranks who are seething and raging at the mere existence of this banner, can see what is likely to happen by the mere carrying of that banner, the police officer, under the law as it is proposed, can direct the banner holder to depart the scene, and if the banner holder refuses to depart the scene—

**Senator Lewis**—Do you think that is unreasonable?

**Senator EVANS**—I think that is totally unreasonable because it gives no weight whatsoever—can Senator Lewis not get into his thick-muscled bucolic head—to the interests of free speech and to the right to assembly of those whose behaviour is not necessarily, intrinsically or objectively offensive but just happens to offend someone who is peculiarly prone to so being offended.

**Senator Harradine**—What about a Hindu with a pig?

**Senator EVANS**—It depends on whether a jury or a magistrate would be satisfied that an ordinary, reasonable member of the community—not someone in the shoes of that particular person—would have been offended. I think it is probably fair to say, to give one example, that someone in nazi regalia at the time of some Jewish celebration would be acting in such a way as standing outside a synagogue to offend an ordinary, reasonable person.

**Senator Walters**—What is ordinary and reasonable?

**Senator EVANS**—It is just the extra test that has to be involved of someone putting his mind to the question whether the behaviour is somehow objectively offensive. The way the law is regarded now, nobody has to ask himself that question. The only question anybody has to ask himself is whether someone, however irrational, will react to it. I wish to take the Senate through a course of events which have been related to me about what happened yesterday in a meeting between the Returned Services League people, the Australian Federal Police and at least some of those who are trying to get into the field. It demonstrated exactly what I am talking about. The groups were being told by the police that they must comply with the RSL organisers' requests for no banners

of any kind to be carried. Those requests could not be enforced directly by the police because they are not the subject of any conditions that have been set so far by the Police Commissioner.

What was said at yesterday's meeting is that irrespective of the fact that certain groups and certain individuals have been expressly given the right to participate in tomorrow's assembly, the police will, in the way I have said they are entitled to do under the language of the Ordinance, move in and deal with anyone, even if they have this permission, if they are acting in a way that is likely to provoke a response from the RSL. The context in which this whole position came up was this: Mr Clarke apparently stated that the banner identifying the group 'Ex-servicemen for Peace and Disarmament' was likely to cause a breach of the peace. I am told that Mr Clarke went on to say that even arm bands with 'Ex-servicemen for Peace and Disarmament' on them were likely to inflame people in the march to attack this particular group. Therefore, Mr Clarke stated, the banner should not be allowed to be carried. I am further told that the police were somewhat flummoxed by this particular statement but then said that on Mr Clarke's information they would be obliged, given the way the legislation was cast at the moment, to act to remove anyone—even someone from a group who had been given permission to march—who was in fact likely to cause another to attack them. So the police said, in response to the very specific case of the kind that I am trying to put to honourable senators, that if someone holds up a banner on Sunday saying 'Ex-servicemen for Peace and Disarmament', and if it appears to the policemen on Sunday that Mr Clarke's analysis, or promises or threats, whichever way one likes to describe them, are likely to become a reality and, furthermore, it is the policeman's reasonable judgment that there are people reacting in this way, then the obligation, not only the right but the obligation, of policemen under this legislation will be to force those people out of the assembly situation even though they have been given the right by the Commissioner to be part of it. This is not artificial, it is not abstract, it is not some academic preoccupation with abstract possibilities. This, to the best of my information, is an account of where we are actually at in a real life, on-the-ground situation, here and now. I think it is an absolutely perfect demonstration of what I am trying to say.

The reality of the matter is that there are some people in the RSL ranks who, for good motivations or evil, I make no comment on that, for whatever motivations, are likely to react very strongly and very adversely to the presence at that

march scene of anyone other than the traditional RSL participants. If that is so, the way the Ordinance is drafted at the moment the police are simply going to have to act because their obligation is not to take into account any objective requirement about the reasonableness or otherwise of the behaviour in question, but simply to look at the likelihood of that behaviour by the other demonstrators in provoking a response. That is why we see this as being so dangerous and so intolerable. That is why we argue that it gives no regard, in the way that it should give regard, to the competing interests of those who do want to exercise a right of free speech.

**Senator Chipp**—What you are saying is that if the police do act in accordance with the RSL request they are acting within the spirit and letter of this Ordinance?

**Senator EVANS**—Exactly. I do not think I need to labour that point any more. There is only one remaining point I want to make and that is this: What are the implications for the application of law and order on Sunday if this legislation is disallowed today by the Parliament? Will there be, as I suggested yesterday when I raised the question, some kind of legislative vacuum? Would it be an intolerable state of affairs so far as police officers are concerned should some disruption in fact break out if this Ordinance is disallowed and there is nothing to guide them in this respect on Sunday? I seek leave to incorporate in *Hansard* extracts from a paper by Mr Robin Handley entitled 'Public Assembly in the ACT' delivered in the Australian Capital Territory in February 1982. The extracts are under the heading 'The Existing Law'.

Leave granted.

*The document read as follows—*

#### **The Existing Law**

I have implied that the law relating to assembly in the ACT does not comply with the provisions of the International Covenant. This is the case. There is certainly no *right* of assembly as such in the ACT, and to discover the extent of the residual *freedom* of assembly, one has to examine the wide range of relevant statutory and common law provisions which may take the form of controls or specific offences. A full examination would be very lengthy, and so what follows is a brief look<sup>28</sup> at the more important or commonly used statutory provisions, which have largely superseded common law offences such as breach of the peace, public nuisance, or trespass. The common law offences of unlawful assembly, rout and riot no longer have effect in the ACT, and the old Riot Act provisions have been repealed.<sup>29</sup>

#### **Traffic Ordinance (ACT)**

21. Any person who, upon a public street—

- (a) negligently or wilfully obstructs, hinders or prevents the free passage of any person, vehicle (including a motor vehicle), bicycle, or animal . . .

shall be guilty of an offence.

(Penalty—a fine not exceeding \$40).

23. (1) Any person who, without the written permission of the Minister [for the Capital Territory] organises a procession or parade of any kind upon a public street shall be guilty of an offence.

(2) Any person who joins or takes part in any procession or parade for which the permission of the Minister has not been obtained shall, if the procession or parade causes any obstruction to traffic upon a public street, be guilty of an offence.

(Penalty—a fine not exceeding \$40).

In respect of assemblies that take the form of demonstrations or processions on a public street (as opposed to the public meeting which could take place on other public or private property<sup>30</sup>) the S. 23 (1) requirement for a permit means there is no freedom of assembly. This is similar to the position in Queensland where a permit from the District Superintendent of Traffic is required for any meeting or procession on any road<sup>31</sup> and Western Australia where the prior permission of the Commissioner of Police is required 'for any procession, meeting or assembly in any street, thoroughfare or public place'.<sup>32</sup> In practice, S. 23 is rarely enforced in the ACT. But the practice of the present is no guarantee for the future.

#### **Public Order (Protection of Persons and Property) Act 1971 (Cth)**

6. (1) Where persons taking part in an assembly that is in a Territory or is wholly or partly on Commonwealth premises conduct themselves, in the Territory or on the Commonwealth premises, in a way that gives rise to a reasonable apprehension that the assembly will be carried on in a manner involving unlawful physical violence to persons or unlawful damage to property, each of those persons is guilty of an offence, punishable on conviction by a fine not exceeding Two hundred and fifty dollars or imprisonment for a term not exceeding three months, or both.

(2) A person who, in a Territory or on Commonwealth premises, while taking part in an assembly, wilfully and without lawful excuse, does an act or thing by way of physical violence to another person or damage to property is guilty of an offence, punishable on conviction by a fine not exceeding One thousand dollars or imprisonment for a term not exceeding twelve months, or both.

8. (1) Where there is an assembly consisting of not less than twelve persons in a Territory and—

- (a) persons taking part in the assembly have conducted themselves in a way that has caused a member of a Police Force of the rank of Sergeant or above reasonably to apprehend that the assembly will be carried on in a manner involving unlawful physical violence to persons or unlawful damage to property; or
- (b) the assembly is being carried on in a manner involving such unlawful violence or damage,

a member of a Police Force of the rank of Sergeant or above may give a direction under this section.

(2) A direction under this section shall be given orally and in such a manner as to be likely to be audible to the persons constituting the assembly, or to as many of them as practicable, and shall be in accordance with the following form or to the like effect:

In pursuance of the Public Order (Protection of Persons and Property) Act of the Commonwealth of Australia, I [name of police officer], being a Sergeant [or higher rank, as the case may be] in the [name of Police Force], direct all persons taking part in this assembly to disperse forthwith. Persons who fail to disperse may render themselves liable to the penalties provided by the Act.

#### **(3) Where—**

- (a) a direction is given under this section; and
- (b) the assembly, to the number of not less than twelve persons, continues after the expiration of fifteen minutes from the time of the direction,

each of those persons who has, without reasonable excuse, failed to comply with the direction is guilty of an offence, punishable on conviction by a fine not exceeding Five hundred dollars or imprisonment for a term not exceeding six months, or both.

#### **(4) For the purpose of—**

- (a) dispersing an assembly in respect of which a direction has been given under this section; or
- (b) dispersing or suppressing an assembly to which paragraph (b) of sub-section (1.) of this section applies (whether or not a direction has been given under this section in respect of the assembly),

it is lawful for a person to use such force as he believes, on reasonable grounds, to be necessary for that purpose and is reasonably proportioned to the danger which he believes, on reasonable grounds, is to be apprehended from the continuation of the assembly.

9. A person who, in a Territory or on Commonwealth premises, while taking part in an assembly, engages in unreasonable obstruction is guilty of an offence, punishable on conviction by a fine not exceeding Two hundred and fifty dollars or imprisonment for a term not exceeding three months, or both.

These provisions are analysed in some detail by Roger A. Brown in his article in the Federal Law Review.<sup>33</sup> S. 8 adopts the old 'reading the Riot Act' procedure, and replaces the old common law and statutory offences of riot. Trespass is made a statutory offence by s. 11, and there are special provisions in respect of diplomatic premises.

#### **Unlawful Assemblies Ordinance (ACT)**

3. (1) It shall not be lawful for any number of persons exceeding twenty to meet or be assembled in the open air for any lawful purpose at any place within the distance of 90 metres from any part of the building known as Parliament House, Canberra, and any person (not being an officer of the Commonwealth acting in the discharge of the duties of his office) who is present at any such meeting or assembly shall be guilty of an offence.

Penalty: Two hundred dollars or imprisonment for six months.

(2) For the purposes of the last preceding sub-section, persons shall be deemed to have met, or to be assembled, for an unlawful purpose, if they meet or assemble for the purpose of doing anything unlawful, or for the purpose or on the pretext of making known their grievances, or discussing public affairs, or considering, preparing or presenting any petition, memorial, complaint, remonstrance, declaration or other address to His Majesty, or to the Governor-General, or to both Houses or either House of the Parliament, or to any Minister or Officer of the Commonwealth, for the repeal or enactment of any law, or for the alteration of matters of State.

4. (1) Any member of the Police Force of the Territory, or any officer thereto authorised in writing by the President of the Senate, the Speaker of the House of Representatives, or the Attorney-General, may arrest without warrant any person who appears to him to have been guilty of an offence against the provisions of the last preceding section.

(2) Any person who wilfully obstructs or resists any such member or officer while acting or attempting to act in pursuance of the last preceding sub-section shall be guilty of an offence.

**Penalty:** Two hundred dollars or imprisonment for six months.

#### Police Offences Ordinance (ACT)

12. Every person who is guilty—

- (a) of any riotous or indecent behaviour, or of fighting, in or near any public place;
- (b) or disturbing the public peace; or
- (c) of any riotous or indecent behaviour in any police station,

shall be guilty of an offence.

**Penalty:** Ten dollars or imprisonment for two months.

17. Any person who, in or near any public place, or within the view or hearing of any person therein—

- (a) sings any obscene song or ballad;
- (b) writes or draws any indecent, obscene word, figure or representation;
- (c) uses any profane, indecent, obscene, threatening, abusive or insulting words; or
- (d) behaves in a threatening, abusive, offensive, or insulting manner,

shall be guilty of an offence.

**Penalty:** Ten dollars.

73. Any person who assaults, resists, obstructs, hinders or delays, or incites or encourages any other person to assault, resist, obstruct, hinder or delay any member of the Police Force in the execution of his duty under this Ordinance or otherwise, or any person lawfully assisting any such member in the execution of his duty under this Ordinance, shall, unless otherwise specially provided, be liable to a penalty of not more than forty dollars or to imprisonment for a term of not more than three months; and the Court may order and award besides any such penalty a sum sufficient to cover any damage which any such member of the Police Force, person or officer has sustained by the assault, resistance, obstruction, hindrance or delay, which sum shall be recoverable in the same manner as the penalty.

With regard to s. 17 (d), as mentioned earlier the courts apply an objective test in determining what constitutes offensive behaviour. In *Ball v. McIntyre*, Mr Justice Kerr, as he was then, stated that:

'to be offensive, behaviour must be calculated to produce a stronger emotional reaction in the reasonable man than is involved in indicating difference or non-acceptance of his views or values. The behaviour, to be offensive, would normally be calculated to wound the feelings, arouse anger, resentment, disgust, or outrage in the mind of a reasonable man.'<sup>34</sup>

#### Australian Federal Police Act 19/9 (Cth)

64. (1) A person shall not assault, resist, obstruct or hinder, or aid, incite or assist any other member in the execution of his duty.

**Penalty—**

- (a) on conviction on indictment—imprisonment for 2 years; or
- (b) on summary conviction—\$2,000 or imprisonment for 12 months, or both.

(2) The court convicting a person of an offence against subsection (1) may, in addition to the penalty provided by that subsection, order the offender to pay such compensation as the court thinks fit for any damage or injury caused by the offender to the uniform, clothing or accoutrements of the

member concerned or for any medical or other expenses incurred in consequence of personal injury sustained by him by reason of the offence.

It is interesting to compare the penalties for obstructing a Police Officer in the execution of his duty: under s. 9 of the Public Order (Protection of Persons and Property) Act 1971 (Cth) the maximum penalty is a fine of \$250 or imprisonment for three months or both; under s. 73 of the Police Offences Ordinance (ACT) the maximum penalty is a fine of \$40 or imprisonment for three months; under the Australian Federal Police Act 1979 (Cth) the maximum penalties are on summary conviction a fine of \$2,000, or 12 months imprisonment or both, and on conviction or indictment imprisonment for two years.

As mentioned earlier, the fourteen women charged following the 1980 Anzac Day parade were prosecuted under s. 64. On appeal to the ACT Supreme Court, Connor, ACJ in setting aside the convictions held:

'It is to be observed that the penalty for the offence of obstructing the police, if tried on indictment, is imprisonment for two years. I am quite unable to attribute an intention to the legislature to expose a person to such a penalty for disobeying a police order to cease a lawful activity in circumstances where the only relevant police duty is to prevent a breach of the peace by other citizens against him.'<sup>35</sup>

This is an important decision because, in so holding, Connor declined to follow the decision of the English Divisional Court in *Duncan v. Jones* (1936).<sup>36</sup> Mrs Duncan was convicted of obstructing a police officer in the execution of his duty for refusing to obey a police officer's direction to move a meeting to another street, 175 yards away. The court found that the police officer had reasonable grounds for anticipating that a breach of the peace would occur if she were allowed to address the meeting at her chosen location, outside a trading centre for the unemployed. A disturbance had occurred when she had addressed a similar meeting outside the Centre 14 months earlier.<sup>37</sup> Connor ACJ, obiter, preferred the law as stated by the Divisional Court in *Wise v. Dunning* (1962),<sup>38</sup>

'namely that a binding over order may be available against a person who has not committed any offence in circumstances where the consequence of his lawful conduct is likely to produce a breach of the peace by other persons.'<sup>39</sup>

An order binding a person over to keep the peace is a preventive measure available to magistrates in the ACT, under statutory and common law powers.<sup>40</sup>

This brief look at the more important or more commonly used statutory provisions applicable to assemblies in the ACT, indicates just how difficult it is for a number of the public to appreciate his legal position if he takes part in a demonstration or procession or attends a public meeting. There can be no short answer to the question 'What does freedom of assembly comprise', because of the residual nature of the freedom.

28. For a fuller account see Roger A. Brown, 'And Has Thou Slain the Jabberwock? The Law Relating to Demonstrations in the ACT,' (1974) 6 Federal Law Review 107; Geoffrey A. Flick, *Civil Liberties in Australia* (1981) Ch. 4.
29. Public Order (Protection of Persons and Property) Act 1971 s. 25 (Cth).
30. On the distinction see A. L. Goodhart, 'Public Meetings and Processions' (1937) 6 Cambridge Law Journal 161.
31. Traffic Regulations, rr. 123, 124 (Qld). And see W. D. Lickiss, "Queensland and the Right to March", (June 1981), 8 Justice 22.
32. Police Act 1892, s. 54B (1) (WA).

33. Supra, n. 20.
34. Ball v. McIntyre (1966) 9 FLR 237, 242-3.
35. Vickers v. Pearson (1981) 2 A. Crim. R. 28, 37.
36. Duncan v. Jones (1936) 1 KB 218.
37. See the discussion of Duncan v. Jones and Beatty v. Gillbanks (1882) 9 Q.B.D. 308 in Harry Street, *Freedom, the Individual and the Law* (4th ed. 1977) 52-57.
38. Wise v. Dunning (1902) 1 KB 167.
39. Vickers v. Pearson, op. cit. 37.
40. See Connor A.C.J.'s discussion of the powers in Vickers v. Pearson, and Geoffrey A. Flick, *Civil Liberties in Australia* (1981) 113-118.

**Senator EVANS**—I will not go through the five of six pages of material that is set out here as it will appear in *Hansard*. I simply want to retail, for the benefit of the Senate, that there is an ample body of existing law that will more than adequately cope with any conceivable situation that will arise. There is the Traffic Ordinance in the Australian Capital Territory, sections 21 and 23; there is the Commonwealth Public Order (Protection of Persons and Property) Act sections 6, 8 and 9; and there is the Unlawful Assemblies Ordinance, which apparently still exists in the Australian Capital Territory, sections 3 and 4. There is the Police Offences Ordinance for the Australian Territory, sections 12, 17 and 73. There is the Australian Federal Police Act, section 64. There is also the potential application, which I think is set out here, of some other common law provisions. Without going into any of the boring detail about what is contained in those provisions I assure the Senate—that this is only the tip of the iceberg of provisions that are potentially applicable. Let me further assure the Senate that there is no shortage whatsoever of police power to deal with any situations that might conceivably get out of hand on Sunday if this Ordinance were to be disallowed.

On that basis I urge the Senate once again to think of the fact that we are not just dealing with something that has application for one day of the year; we are dealing with something which is fundamental to the right of free speech and public assembly. We are dealing with an Ordinance of intended general application and open-ended application in the future to any conceivable variety of public assembly situations. For that reason we are obliged to look at it very carefully and not just get emotionally swayed which is what I suspect Senator Walters is about to attempt to do on the subject matter of Anzac Day. The issues at stake are much more important than that.

**Senator WALTERS** (Tasmania) (12.31)— Senator Evans has just given us another 20-minute speech after a promise of a five-minute

speech. Both sides of the chamber are quite used to that.

**Senator Collard**—What's new?

**Senator WALTERS**—Nothing is new, as our Whip says. Senator Evans has made some quite extraordinary comments. He has assured us that the Public Assemblies Ordinance for limited participation does not apply to just special days as the Ordinance clearly indicates. He says that it will apply to any conceivable public assembly in the future. The honourable senator ought to read the Ordinance and get it a bit clear. It does apply just to any special day that the Minister so decrees.

Senator Evans really makes me mad. He stands up and wears on his sleeve the badge of a champion for the right of freedom of speech and for human and civil rights until we are all thoroughly sick of it. We know if we look at his history that he does not really care about people's civil rights. He stood up in this place a couple of months ago and assassinated the character of Professor Chipman. He called him a sophisticated racist because Professor Chipman dared to write an article with which Senator Evans did not agree. Of course, Senator Evans did all this under parliamentary privilege. He was not game to make those accusations outside. Professor Chipman has, indeed, challenged him to do so. But Senator Evans has not done that. He has not given Professor Chipman the right to sue him over his allegations. He has not even given Professor Chipman the right, as we senators on the Government side have, to stand up and claim to be misrepresented. So much for Senator Evans's thoughts on human responsibilities, human rights, civil rights and freedom of speech. He has freedom of speech in this place to denigrate anyone. He knows darn well that people outside this place cannot take him to task for it. They can ask him to apologise but he knows that they cannot take any further action and they cannot sue him. He does this regularly in this place. I really query Senator Evans's great concern for people's civil rights.

Let us get back to the Ordinance. Many accusations have been made against this Ordinance. We keep getting told about hurried decisions. Senator Ryan has said this again today. Even Senator Tate has said it. Indeed, we can look back and see that our Senate Standing Committee on Regulations and Ordinances has been looking at this matter since 22 October.

**Senator Coates**—What happened until then?

**Senator WALTERS**—There has not been a hurry. We have been looking at the matter, as Senator Coates must admit, regularly, weekly. A tremendous amount of work has gone into it. On

26 February the Ordinance was presented to the Australian Capital Territory House of Assembly. Senator Tate said that, because the Assembly does not agree with the Ordinance, we should not pass it here today. What a ridiculous situation.

**Senator Grimes**—Don't misquote him.

**Senator WALTERS**—I will quote what he said. He said: 'We should take strong note of what the Assembly says. We should not pass the Ordinance in this place; we should take strong note of the Assembly'. He said: 'We must not give up our responsibilities in this area.' But nobody mentioned that very recently a referendum in the Australian Capital Territory gave us responsibility to pass legislation in this place for the Australian Capital Territory. We were not told that we had to abide by the decisions of the House of Assembly. We were told that the people of Canberra wanted us to make decisions and that is what we are doing in this chamber today. Let us put it quite simply: The difference between the Opposition and the Australian Democrats and this Government is very simple. Senator Evans and his ilk over there have decided that they want to support the right of all the radical groups to march on Anzac Day. They say that they ought to be able to march and that they ought to be able to attend Anzac Day marches and to commemorate it as they see fit. The Government's point of view is that this has been a traditional day, held once a year since I think 1916, to commemorate one thing only—not the glories of war but, as Senator Chipp said very clearly this morning, fallen comrades. It is one day of the year on which returned servicemen and women of Australia ask in peace and with no interference to be able to remember their fallen comrades.

**Senator Coates**—But this is not just an Anzac Day Ordinance.

**Senator WALTERS**—They want to give thanks to their fallen comrades for giving Senator Coates and all of us the right to be in this place. That is what Anzac Day is all about. It has been interpreted by some radical groups as a glorification of war, and that is a lot of tommy rot. Simply stated, the Opposition wants those groups to be given the right to commemorate Anzac Day in the way in which they want to do it—not in the traditional manner. But this Government's point of view is that the day should be given to the Anzacs to commemorate their fallen comrades without interference, in peace, in dignity and as a solemn occasion. Frankly, that is the difference simply put. This Ordinance is designed to prevent breaches of the peace.

Senator Evans gave us a 20-minute dissertation on how it is up to a junior police officer to decide what is a breach of the peace. In fact the whole emphasis of this Ordinance is to prevent situations such as those we have seen in other countries where violent demonstrations have occurred. I do not think that is an unreasonable request. I believe that if this Government can prevent breaches of the peace before they take place, that is a responsible thing to do.

**Senator Coates**—What about those other days of national significance when there are public assemblies? You do not worry about them.

**Senator WALTERS**—There happens to be this particular Ordinance. If honourable senators want that drafted into legislation, that can be another matter. We are talking at the moment about this particular Ordinance, which refers to this special day.

**Senator Evans**—It does not. Read the Ordinance.

**Senator WALTERS**—Special days that the Minister has decreed and in which people want limited participation.

**Senator Evans**—And about any other assembly as well.

**Senator WALTERS**—Only if people want limited participation.

**Senator Evans**—No. Read the damn thing. What have you been doing on that Committee?

**Senator WALTERS**—Absolute rubbish! Limited participation is specifically for special days.

**Senator Evans**—No.

**Senator WALTERS**—It is. I am sorry.

**Senator Evans**—But there are also provisions in the Ordinance dealing with non-limited participation.

**Senator WALTERS**—I am talking about limited participation. I am sure that that is what Senator Evans was also talking about—the right of limited participation. I do not believe there is any argument between Senator Evans and I that that provision is in the Ordinance. The Opposition just wants the special days to be put back in other areas so that it can be open slather where anyone can march and anyone can commemorate Anzac Day in their own fashion.

There is one further matter with which I wish to deal. Senator Chipp suggested that the radical groups will be dealt with by their neighbours. He instanced an article appearing in today's *Canberra Times* concerning a swastika on a garage door. There would be no suggestion that anyone should take any action in that regard unless a

group of people were to march on that house. If a group of people started from Parliament House to march on that house to forcibly scrub that swastika would the honourable senator suggest that the police should not interfere? Surely he would suggest that the police should prevent such an occurrence?

**Senator Chipp**—I am saying that that idiot could be dealt with by his neighbours peacefully without the interference of governments. That is all I am saying.

**Senator WALTERS**—But the honourable senator cannot guarantee that that man's neighbours will be peaceful. Is he suggesting that if that particular gentleman who has the swastika on his garage door turns up on Anzac Day with swastikas all over his uniform, the police should not take some action before perhaps some of the returned servicemen—

**Senator Chipp**—Not at all. But the police have that power anyway under our existing laws.

**Senator Evans**—That is fair enough because that is objectively offensive on any view.

**Senator WALTERS**—But the decision that that man's appearance may cause a problem is a subjective one by a policeman. I agree with the honourable senator that action should be taken to prevent that. After all, that is all that the Ordinance is about. Obviously the basic difference of opinion on this matter between Opposition members and Government members is the very simple—

**Senator Evans**—Some Government members.

**Senator WALTERS**—Not just some Government members—we will see—but some Opposition members and some Government members.

**Senator Evans**—Do you think they would all accept your arguments?

**Senator WALTERS**—I think the honourable senator has been caucussed. He knows that Government members are not caucussed. We will see what happens when the vote takes place. There is a basic difference between the two groups in this place. We believe that the traditional right of the returned serviceman is paramount. The Opposition believes that the freedom of speech of radical groups to interfere with that traditional right is paramount.

**Senator HARRADINE (Tasmania)** (12.39)—Mr Acting Deputy President, I will be very brief. It seems to me that we have been ignoring the fact that this Australian Capital Territory Public Assemblies Ordinance is before us because of what happened on Anzac Day last year. I appreciate that this Ordinance is not only for Anzac

Day but also for all public assemblies, both limited and unlimited participation public assemblies. However, my mind is exercised by the fact that it is to overcome a problem that arose on Anzac Day last year. If we accept Senator Ryan's motion to disallow this Ordinance it means that we will be opening the way for what occurred last year. The Commissioner of the Australian Federal Police has operated under this Ordinance by giving approval to certain groups to join the march on this occasion. Those groups, of course, have met—I admit to what Senator Evans has said—but not under the compulsory provisions of this Ordinance. Nevertheless, they met yesterday and they came to a reasonable sort of compromise which it appears will work well on Sunday. Let us hope it does.

My fear is that if the motion for the disallowance of this Ordinance were adopted that would throw everything back into the melting pot. The good work that has been done by people of goodwill in these groups as well as by the Commissioner of the Australian Federal Police and others will be undone. We might well see a shemozzle such as occurred last year occurring again on Sunday. Nevertheless, I address myself to the point that was made by Senator Evans in respect of the breach of peace provisions contained in clause 24 of the Ordinance. The way he described it caused me some consternation. But as I see it, if, as he has described it, one of the group were to hold up a placard which gave some sort of offence to the major participants in the march, that, of itself, would not be reasonable grounds for the senior officer of police to ask that placard be removed or that that person remove himself from the assembly or from near the assembly.

**Senator Chipp**—The police are interpreting it that way.

**Senator HARRADINE**—Senator Evans said that the police are doing it that way. I suggest that if they are, they are interpreting the words of section 24 (2) incorrectly. Section 24 (2) states:

When a police officer of or above the rank of Sergeant has reasonable grounds—

He has to have reasonable grounds—

for believing that the conduct of a person in or near a public assembly is likely to cause or provoke a breach of the peace by any person, he may direct the first-mentioned person to leave the vicinity of the public assembly.

It is the police officer who must have the reasonable grounds, not the person to whom the placard is offensive.

**Senator Evans**—No, he has only to have a reasonable anticipation of a violent response; that is all.

**Senator HARRADINE**—No, Senator Evans should look at clause 24 (1). If, for example, in the mind of the police sergeant, there was a completely innocuous placard and if a majority participant in the march were to attack the holder of that placard then in my view he would be open to a charge under section 24 (1), not the holder of the placard. So it seems that that is reasonable.

**Senator Evans**—The holder of the placard is provoking the breach of the peace by the person who thumps him.

**Senator HARRADINE**—Under section 24 (1) it is the majority participant who is engaging in conduct that is causing or provoking or intending to cause or provoke a breach of the peace.

**Senator Evans**—It works both ways.

**Senator HARRADINE**—That is right, but it is up to the police officer, surely, to decide.

**Senator Evans**—He has only to have regard to whether or not there will be violence, that is all.

**Senator HARRADINE**—He has to have reasonable grounds. He has a responsibility, as a sergeant of police, to charge a person who is engaged in a breach of the peace. I come back to the brief point. I agree with what has been said by Senator Chipp and Senator Lewis. Whether Anzac Day is to be a day on which there is unlimited or limited participation in public assembly depends surely on the purpose of Anzac Day. It has been said that Anzac Day goes back to the first march which was held the year after the event at Gallipoli. The first remembrance was held in Melbourne when about 380 returned Anzacs marched from near Princes Bridge to a service at St Paul's. I agree with the proposition that Anzac Day ought to be returned to being a commemoration of the fallen dead. Another day ought to be available, for example Australia Day, for other victims of war or for other groups to march. But Anzac Day in my view ought to be set aside especially for the commemoration of the fallen comrades of persons who have fought in wars.

I am prepared to oppose this proposition only on the basis that the Minister for the Capital Territory (Mr Hodgman) and the Government look at the whole question of Anzac Day to see whether it could be separated because of the limited participation character of the public assembly which ought to be directed at the true purpose of Anzac Day. The Minister and the Government should look at this matter and come back to the Parliament with a proposition along the lines that have been suggested.

**Senator MESSNER** (South Australia)—Minister for Veterans' Affairs) (12.51)—I rise to refer to one or two points. I think this issue has been talked out at great length and there is no need to go over old ground. The Government's position is well known. Certainly, through consultation with Senator Lewis, as Chairman of the Senate Standing Committee on Regulations and Ordinances, a great deal of work has been done in what even Senator Chipp acknowledged as a good attempt to get some order into the situation.

I rise mainly to acknowledge the points made by Senator Harradine in relation to what might be called a national event which has been referred to by Senator Lewis and acknowledged by Senator Chipp. It seems as though there is some common ground for further consideration of that area. On behalf of the Government I take the matter on board for later deliberation realising that Sunday is very close and that Parliament will rise today. I will refer the matter to the Minister for the Capital Territory (Mr Hodgman) and come back to Senator Harradine for later discussions. Other than that, the Government supports the Ordinance and will oppose the motion.

**Senator RYAN** (Australian Capital Territory) (12.53)—in reply—There has been fairly extensive debate on the Australian Capital Territory Public Assemblies Ordinance. It is notable that there has been very little defence of the Ordinance by the Government. Senator Lewis has explained why he considers the Ordinance to be a good one. I think Senator Walters spent her time mainly attacking one of my colleagues. The Minister for Veterans' Affairs (Senator Messner) has merely responded to a point well made by Senator Harradine. There has been very little analytical discussion of the Ordinance by Government senators and very little defence of it. I must note my disappointment that the other elected representative of the Australian Capital Territory in this place, Senator Margaret Reid, has not participated in this debate despite the fact that the issue is of great significance in the community at this stage and will continue to be for the course of the weekend. It is very disappointing that Senator Reid has not come into the chamber either to defend her Government's action or to give some assurances to the community.

Senator Lewis made one major point in defence of the Ordinance. He said that it had the effect of causing conciliatory behaviour by various groups in the community. Senator Harradine also commented favourably on this point. I simply point out—I think Senator Harradine acknowledged this—that such conciliation activity that has taken place has taken place outside the terms of

the Ordinance. The Ordinance provides for conciliation discussions before approval is granted. That did not happen. The meeting that took place yesterday occurred at the initiative of the Commissioner of the Australian Federal Police, for which he should be congratulated, and because various groups, in good faith and because the people involved are good citizens, were prepared to participate. Progress has taken place because of the goodwill of the parties involved and not because of the Ordinance.

**Senator Harradine**—They were defined because of the Ordinance, were they not?

**Senator RYAN**—They were, but the conciliation procedures under the Ordinance were not carried out. I am pleased that there were some conciliation procedures, but I think the community groups involved and the Commissioner of Police ought to be congratulated. Senator Lewis should not claim that this happened because of the Ordinance. Senator Walters seemed to be under a serious misapprehension as to the extent of the Ordinance. The Ordinance is not simply to provide for limited participation assembly on days of special significance. The Ordinance applies to all public assemblies held in the Australian Capital Territory, although of course it includes special conditions for special days. Section 24 of the Ordinance, the breach of the peace provisions, which is causing such concern to Opposition and Democrat senators and, I think, to some extent Senator Harradine, applies to all public assemblies, that is all assemblies of three people or more in the Australian Capital Territory. It was, I think, rather disappointing that Senator Walters, one of the two defenders of the Ordinance, seemed to be under such a serious misapprehension as to the extent of it. Senator Harradine expressed his concern that the troublesome events of last year would not be repeated. That is why he supported the Ordinance, although he seemed to have very grave reservations about it. I place on record that a lot of the disturbances last year came about because of the Ordinance. It did not in fact solve any of the problems, just as this year's Ordinance, I anticipate, will not solve any of the problems.

In conclusion I remind the Senate that we are engaged in an exercise of our democratic responsibilities. The elected members of the House of Assembly are opposed to this Ordinance. All community groups affected by it have criticised it in very fundamental terms. The elected Federal representatives of the Australian Capital Territory are opposed to the Ordinance, except Senator Reid who has chosen not to make her views on this matter known. All groups, including the

police, have expressed the gravest reservations about the Ordinance. It seems even at this stage that the Ordinance will not achieve the objective—the objective being something we all agree about—of an orderly and solemn remembrance service on Anzac Day. That will not be achieved because of this Ordinance. Therefore, I believe it should not be allowed to proceed. I thank honourable senators who made constructive contributions to this debate, particularly the Australian Democrats who typically have maintained a position of support for democratic values and democratic procedures. I urge the Senate to disallow the Ordinance.

Question put:

That the motion (Senator Ryan's) be agreed to.

The Senate divided.

(The President—Senator the Hon. Harold Young)

Ayes . . . . .	26
Noes . . . . .	27

Majority . . . . .	1
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AYES

Bolkus, N.	Haines, J.
Childs, B. K.	Jones, G. N.
Chipp, D. L.	Keffe, J. B.
Coates, J.	McClelland, Douglas
Coleman, R. N.	McLaren, G. T.
Colston, M. A.	Macklin, M. J.
Elistob, R. C.	Mason, C. V. J.
Evans, G. J.	Mulvihill, J. A.
Foreman, D. J.	Primmer, C. G.
Georges, G.	Robertson, E. A. (Teller)
Gietzelt, A. T.	Ryan, S. M.
Giles, P. J.	Siddons, J. R.
Grimes, D. J.	Walsh, P. A.

NOES

Archer, B. R.	Lewis, A. W. R.
Baume, Peter	MacGibbon, D. J.
Bjelke-Petersen, F. I.	Martyr, J. R.
Carrick, Sir John	Messner, A. J.
Collard, S. J.	Rae, Peter
Critchton-Brown, N. A.	Reid, M. E.
Durack, P. D.	Scott, D. B.
Guilfoyle, Dame Margaret	Teague, B. C.
Hamer, D. J.	Thomas, A. M. (Teller)
Harradine, B.	Townley, M.
Hill, R.	Walters, M. S.
Jessop, D. S.	Watson, J. O. W.
Kilgariff, B. F.	Young, H. W.
Lajovic, M. E.	

PAIRS

Chaney, F. M.	McIntosh, G. D.
Martin, K. J.	Ray, Robert
Missen, A. J.	Sibraa, K. W.
Withers, R. G.	Tate, M. C.
Bonner, N. T.	Button, J. N.

Question so resolved in the negative.

### **PERSONAL EXPLANATION**

**Senator CHIPP** (Victoria—Leader of the Australian Democrats)—I claim to have been misrepresented by Senator Walters and I seek leave to make a personal explanation.

Leave granted.

**Senator CHIPP**—It is not a serious misrepresentation, but a copy of yesterday's *Hansard* has just come into my possession and this is the first available opportunity I have had to correct it. In a speech yesterday, as recorded on page 1379 of *Hansard*, Senator Walters said:

The Commissioner of the Australian Federal Police has been ridiculed by both Senator Evans and Senator Chipp as not being the person who should make these decisions.

I make it clear that the Commissioner of the Federal Police is a personal friend of mine and a man for whom I have an enormous regard. In my speech, as recorded on the previous page of *Hansard*, not only did I not ridicule the Commissioner but also I said these words:

. . . I find it disturbing that a police commissioner, honourable though he might be, broad-minded though he might be, should be able to determine whether the purpose of an application to march in an Anzac Day march or any application to participate in a public ceremony is consistent with the purpose for which it was designed.

### **RESIGNATIONS OF MINISTERS**

**Senator MESSNER** (South Australia—Minister for Veterans' Affairs)—For the information of honourable senators I present further documents relating to the importation of a television set by the Honourable M. J. R. MacKellar. I seek leave to move a motion relating to the publication of the documents.

Leave granted.

**Senator MESSNER**—I move:

That the Senate, in accordance with the provisions of the Parliamentary Papers Act 1908, authorises the publication of the documents relating to the importation of a television set by Mr. MacKellar presented by the Minister for Veterans' Affairs this day.

Question resolved in the affirmative.

**Senator GRIMES** (Tasmania)—by leave—I rise briefly because these documents are tabled in the Senate and also in the House of Representatives today partly because of a question I asked in the Senate yesterday and partly because of a question asked by my colleague, Mr John Brown, the honourable member for Parramatta, in another place. Mr Brown, in fact, asked for a complete set of documents referring to the matter of the importation of the colour television set on 5 October last and I asked more specifically for information about an investigation made by the Internal Affairs Unit of the Bureau of Customs on this

very matter. The documents that have been tabled today, I assert, are not the only documents available and they certainly do not contain the document I asked for. This is not an answer to the question I asked yesterday.

What we have had put down here today is a series of letters from various officers of the Department of Business and Consumer Affairs, referring to other files and conversations, and the confidential minute of 4 February last from Mr R. Kennedy, the Director of the Internal Affairs Unit of that Department, which refers to an investigation which in fact started before Mr MacKellar passed through Customs on 5 October. This document is of no relevance, in fact, to the MacKellar affair; but it is of great relevance to the consideration of how this Department operates, specifically when it is viewed in conjunction with the documents which were tabled in this place two days ago, in a booklet form almost, and which are entitled 'Documents Relating to the Importation of a Colour Television Set by the Honourable M. J. R. MacKellar, M.P.'. The minute which is tabled here and which will now be published can have only one purpose, and that is to attempt to discredit two officials of the Customs Officers Association, namely, Mr Bennett and Mr Spanswick. The previous attempt to browbeat and discredit an officer—Mr Mayhew—failed, and it seems to me that, not to be outdone, an attempt is now being made to discredit others.

The minute which is produced here, I repeat, refers to an investigation conducted by Mr Kennedy which started on 1 October, five days before Mr MacKellar ever came through Customs. I believe that this documentation is useful, though, in that it can serve as a warning to any Public Service union official or employee and it emphasises the need for the independent judicial inquiry which was brought forward in this place by my colleague, Senator Button, yesterday. We have already some documentation that was tabled earlier this week relating to the importation of this colour television set. That documentation revealed, as has been amply demonstrated in this place, in the Press and in the media generally, a bizarre, Kafkaesque situation of how an officer, Mr Mayhew, was ignored or given the runaround and revealed some of the extraordinary thought processes of some of the officers in this Department. Suffice it to say that it has now been demonstrated that Mr Mayhew in fact was honest, conscientious, persistent and the only person in the affair who was consistently correct and in fact had the courage of his convictions. For this he was browbeaten.

**Senator Button**—He carried out the instructions of the Prime Minister.

**Senator GRIMES**—He carried out the instructions of the Prime Minister of this country. All this occurred in a matter which, were it not for the fact of ministerial involvement, involved merely a very small amount of money and a small item imported into this country. What goes on in the Department, what goes on in the bureaucracy, when serious matters, involving large sums of money, involving items of high value, involving drugs or crime, are involved, we do not know. But in view of what we know now the mind boggles at what might happen.

I now turn to the minute, dated 4 February, which was produced here today with other documents which I suggest are less relevant. Let us look at some excerpts from this minute. Mr Kennedy refers in the minute to Mr Bennett, an executive officer of the Customs Officers Association. He states:

Bennett raised a number of issues principally in respect to Departmental Administration and while it was pointed out to him that his complaints were being expressed in the wrong forum, we did, nevertheless, take opportunity to 'bleed' him of his thinking and aspersions.

What that means exactly I do not know, but it is an extraordinary expression to be used in a document like that. Mr Kennedy goes on to state:

It can be accepted that Bennett regards the Minister as being dishonest. He is most critical of Senior Departmental Officers and their administrative ability. Together with his confederate, Robert Spanswick, he is currently before the Stewart Royal Commission, and, on his claims, being favourably accepted in his aspersions of poor Departmental performances and inefficiency. He claims that Mr Justice Stewart has requested his Association to prepare and submit their recommendations on their proposal for Special Services to be transferred to the Australian Federal Police and Revenue Control move to Treasury.

While I do not condone Bennett's conduct, nor do I accept his condemnation of the . . . Department or the Minister, I do regard him as administratively dangerous, in that he is not without intelligence, influence or ability in some respects.

**Senator Haines**—That is terribly bad!

**Senator GRIMES**—What a terribly dangerous man he must be! What a terrible man to have in a department when he has some intelligence, influence and ability in some respects! Mr Kennedy continues:

To me there seems to be requirements for time, tact and tolerance on the part of Senior Officers for the successful handling of Bennett and Spanswick.

While I am certainly not endeavouring to advise officers in respect to Administration, I am suggesting that to ignore either Bennett or Spanswick by lack of communication---

One assumes that there was attempted lack of communication, sending to Coventry or something—

and non acceptance of their Association Role will result in resentment, resistance and the circulation of unsupported and untrue rumours.

We have this document, which was produced after a request by Mr Brown and a request by me for specific documents on investigations into the MacKellar affair. What we are given here is really a point of view, without any supporting documentation, of a senior officer in the Department, in the Internal Affairs Unit. I presume that that is the unit which would conduct an internal investigation into the behaviour of various people in the Department. In that document that senior officer makes remarks and casts aspersions on two officers of the Customs Officers Association who are doing their duty and have done their duty consistently in trying to protect the rights of their members. Mr Mayhew, whose case is well documented in the extraordinary document which was produced on Tuesday, did so very successfully and by coincidence a couple of Ministers got caught up in it. They are assertions and they are opinions. There is no supporting documentation. I really cannot see what relevance this document has to the MacKellar affair, other than to discredit Bennett and Spanswick. I do not believe that there is any other reason why that document should be produced.

The other documents introduce into the affair the names of other officers, departmental officers, senior officers, which did not appear in the documents that were tabled two days ago. But it is very difficult to judge just what their relevance is in light of the fact that they are mainly covering letters and no reports. But nowhere in this is the documentation that I asked for; that is, a report by the Internal Affairs Unit on the affair involving Mr MacKellar on 5 October. I assert that that document exists. I suppose one could say it existed, if the shredders have been running well. The documents do not contain the reports which must exist to back up the assertions of Mr Kennedy about Mr Bennett and Mr Spanswick. If that document—that document which by itself is quite scurrilous—was going to be produced, the back-up documents should have been produced.

Quite frankly, this affair has now reached proportions which I think we all should be very concerned about. We have a department which has had its difficulties in the past. We have a department which is absolutely crucial and important to safety in this country in many ways. The Department detects drugs; it detects quarantine breaches, which in many ways are more dangerous than the importation of drugs; it is charged with an important job in maintaining the security of this country. Yet, any reading of the document

tabled here on 20 April indicates the extraordinary activities that went on to stop Mr Mayhew from pursuing his duties as he should have and, as it has been shown, he tried to do. That was followed today by a document which, I assert, can only have been produced to discredit two other officers who were active in this affair.

I believe that we have a very serious situation in that Department, a situation so serious that the evidence produced today adds to the importance of Senator Button's call and Mr Brown's call in another place for an independent inquiry into this affair, an independent inquiry which obviously should be conducted by a judge or someone at that level. Until that happens we quite clearly will have a persistence of the cover-up which has gone on and I suspect we will have a persistence of the dribbling out of documents of this type, maybe to back both sides of the struggle which is obviously going on in the Department. We will have a situation in which it will be impossible for that Department to work effectively. It will make it impossible, or make it very risky, for any trade union official representing public servants in this country to operate as he or she should be able to operate, without threats of being exposed as excitable, dangerous—

**Senator Haines**—Intelligent.

**Senator GRIMES**—Intelligent, as Senator Haines says, having influence or having ability in some respects—that was the other expression that was used by Mr Kennedy. This situation cannot go on. It can be brought to a proper and satisfactory conclusion only by having the sort of inquiry that we have called for. I repeat that I asked the other day for a report made on the MacKellar affair by the Internal Affairs Unit. That report is not here. I believe that it should be here. I believe that it probably will not come out until we in fact do have a judicial inquiry.

**Senator Sir JOHN CARRICK** (New South Wales—Minister for National Development and Energy)—by leave—Yesterday, I think, Senator Grimes, in a question he directed to Senator Messner, indicated that he had some knowledge of a second statement, presumably as he understood it made by Mr Kennedy. Senator Grimes asked whether we had knowledge of it, whether it could be found and whether it could be tabled. Senator Messner acted immediately. I, in turn, acted. The Government has given quite explicit instructions that every file that exists, be it here or elsewhere, should be searched thoroughly and every possible piece of information that could relate to this matter should be made available. To this moment no record has been found of the

document to which Senator Grimes referred. If Senator Grimes can give any more details than he has already it would aid us in this matter. The Government, in good faith, wants to bring forward every piece of information. That is the first point.

The second point is this: Senator Grimes seeks to find motives in the tabling of this minute of Mr Kennedy's. He will know that his colleagues in another place were told last night—as I understand it—why this minute is tabled. In the course of a search to find every piece of information relevant to the television set, at first blush that minute did not appear relevant. But, in the second search, the Minister and his Department were told that part of the discussions that took place and are referred to in the minute, and the complaints referred to in that minute, related in one of the items to the television set. Let me make that perfectly clear.

Under those circumstances, does any honourable senator say that that piece of information should not have been brought forward? A Minister and his department, having been acquainted with that, would have been committing the very offence that Senator Grimes says should not be committed had they not brought it forward. The fact that the minute makes certain allegations about one person or another, however sad that may be, should not stand in the way of that. The important thing is that Senator Grimes has sought to be selective. He has sought to debate a document but not to debate the merits of other documents. I hoped that we would not debate only one or the other.

Let me make it perfectly clear: Nobody I know in the Government is reflecting upon any of the Customs officers. On the evidence that is before me, the Customs officer Mr Mayhew appears to have acted with complete propriety. There is absolutely no reflection on any officer at all. The sad fact is that there is some suggestion of conflict between the officers at the level of operation of Mr Mayhew's section and the managerial section of the Bureau of Customs. That being so, it is not a question of sitting in judgment at this moment; it is a question of recognising that there has been a long-standing problem.

At this moment it is not a question of whether we support this particular person, whether we protect this particular person, or whether we criticise that one. What is before us at this moment is getting all the evidence that we can on to the table. Then we will be in a position to go forward to an inquiry. I repeat: This document comes forward because the Department of Business and

Consumer Affairs and the Minister were told that, although on the face of it the document does not appear to do so, one of the factors of the events covered in it involves the television set. I put it in all seriousness that, therefore, no one can seek to have that document not put forward.

If, indeed, the document does—as Senator Grimes says it does, and I acknowledge that—emphasise the conflict that has been going on inside the Bureau of Customs apparently for some time, how even more important it is that it should be there to be used in any investigation that should come forward. I plead that every document that is relevant to the television set inquiry must be brought forward, irrespective of whether in the short term it asserts particular things about particular individuals. To make a selective judgment is to sit in judgment in a prior inquiry and we would be wrong in doing that.

**Senator Grimes**—There is no reference to the television set anywhere.

**Senator Sir JOHN CARRICK**—Let me explain this. There is no reference to the television set, but as I understand it an officer, knowing of that minute, informed the Department that the circumstances listed as complaints included a communication between the officers and the Department relating to the television set, as well as to other matters. That being so—I ask honourable senators to accept that it is so; it is easily capable of proof—I ask Senator Grimes and the Senate to accept that bringing that document forward was an act of good faith. Had it not been brought forward it would have been clear—I hope he accepts this now as an explanation—

**Senator Grimes**—It is a very enlightening document.

**Senator Sir JOHN CARRICK**—If anyone can be glad about anything, I join with that. It reveals that there is conflict. But had a meeting taken place in early February in which, amongst other things, there was discussion on the television set, had a minute been there and had we not brought that minute forward, it would have been said that we were recreant to our duty. I give an undertaking that the Government is searching to the full on this matter and that all documents that the Department can find that are relevant will be brought forward. In the meantime, I ask that we not be selective in either praising or condemning any individual in this situation. I make it abundantly clear that the Government certainly has not reflected, and I certainly would not reflect, upon any officer doing something in the course of his duty. Clearly, Mr Mayhew acted properly in the course of his duty on the facts that are now

available to us. It is in that spirit that the documents come forward.

#### ADJOURNMENT

#### Transport for Members of Parliament

**Senator PETER BAUME** (New South Wales—Minister for Aboriginal Affairs and Minister for Health) (1.28)—In order to allow Estimates committees to meet, I move:

That the Senate do now adjourn.

**Senator HAINES** (South Australia) (1.29)—I raise a matter of some considerable concern to me which was precipitated by an incident that occurred this morning. I preface what I have to say by pointing out that, in common with most senators and members, I strive to make full use of the rather inadequate provisions that we have for bringing staff members with us to Canberra to help us with the work we have to do. I am not particularly enamoured of the number of trips that we are allowed, but I do try to make full use of them. It therefore irritates me considerably when an outside factor influences or affects the usefulness of those trips. Something like that happened this morning.

My staff members are in the habit of arriving at Parliament House at about the same time as I do, that is, some time between 8.30 and 8.40 a.m. This morning I was becoming particularly concerned when my research assistant was not here by 9.45 and I had had no word from him that he was intending to be late; nor was I given any reason by anybody else for his being late. When he appeared I questioned him, obviously. He said that he, along with two other senators' or members' staff members, had had to wait an additional 48 minutes this morning for the taxi which they ordered last night for 8.30 this morning.

That cab, he said, was ordered from the Aerial Taxi Cab Society Ltd last night when he was on his way home. He ordered it through the cab driver. Another staff member who had been in the cab with him had also ordered a cab for the same time. When they discovered the double booking they rang and cancelled one of the taxis, having clearly explained that between three staff members they did not need two taxis. They assumed that they would be picked up, as usual, at 8.30 a.m. No car had arrived by 9.10. They rang again and called for another. It arrived at 9.23. I might add that it took them some time to get through because, in his words, the number was extremely busy this morning. The upshot of it was that those three senators' and members' staff members appeared here at 9.45 a.m. on a day when the Senate was due to sit at 10 o'clock and I

had work that I wanted my research assistant to do in anticipation of that sitting.

I understand that that incident really is a direct result of an instruction that was issued by the Department of Administrative Services Transport and Storage Division, Australian Capital Territory Branch, in a notice to drivers and supervisors regarding proposed shift changes and changed methods of working with regard to the passenger car fleet. I am not exactly sure when this was issued but the changed shift arrangements were to take effect from the commencement of the first shift on Monday, 5 April 1982. So this week, in effect, is the first week that members of the Parliament—the Senate and the House of Representatives—have had the opportunity to see how these changed shift arrangements will affect them.

I make it quite clear that I am aware that staff members are not entitled to Commonwealth car transport, from their motel, hotel, unit or whatever, in the morning to Parliament House. I am not asking that that be changed. What I am saying is that senators and members who rely on their staff are being inconvenienced—I was certainly extremely irritated this morning—and we are being prevented from pursuing our duties as effectively as we would like because this directive is placing an additional strain on the finite taxi and hire car resources servicing Canberra residents and is therefore causing the sorts of delays that occurred this morning.

I understand from an item in this morning's *Australian* newspaper that Government concern at the high wages involved in the use of Commonwealth car drivers was behind this change. I, for one, have no particular criticism of any Commonwealth car driver who manages to earn up to or even more than \$30,000 if he wants to work the hours involved. I am not criticising that at all. What I am concerned with is that, according to the *Australian*, the high wages are believed to be confined to ministerial chauffeurs who are often kept waiting late into the night to drive their bosses home. The point I would like to make is: If that is the reason for these high costs, why is it that the people causing the high costs are not being asked to cut back, instead of the damage being done to those lowly people among us who are mere back bench senators and members?

I also question whether in fact there will be any valuable cost saving from this little exercise. I cannot believe that the change from using Commonwealth cars to using private taxis and hire cars will cut costs. I would like the Minister to provide

figures to prove that this somewhat farcical exercise is likely to be sufficiently cost beneficial to justify its nuisance value. I think there is some empirical evidence that can be brought out; for instance, a comparison, of what it cost the Commonwealth during the period of the transport strike and what it costs in a normal period of working.

I thank the Senate. I am aware that Estimates Committee A is waiting, with bated breath, I dare say—certainly with some impatience—to come into this chamber to conduct its business.

**Senator Georges**—This is important.

**Senator HAINES**—I believe, as Senator Georges said, that this is an important issue not only for us but also for the residents of Canberra. There is a finite number of taxis and hire cars available in Canberra. We do not, despite the fact that some members from some parties would like us to do so, run Canberra. We are not in the position of being entitled to ride roughshod over the needs of Canberra residents. We are here for approximately 26 weeks of the year and we ought to cause as little disruption to the lives of Canberra residents as we possibly can.

I was heartened to read in that same article in the *Australian* that the Minister promised to make arrangements to ensure that members of parliament did not miss their early morning planes. That is terrific. Most of us do not want to miss our early morning planes. Actually most of us do not want to catch them either. We would rather they were a little later in the day. But that is a matter to take up with Ansett Airlines of Australia and Trans Australia Airlines. The point is that to catch those early morning planes we are now going to have to take taxis or hire cars. What, I would like to know, are the Canberra residents who have early morning transport requirements, for which they habitually use the taxi companies and the hire car companies, going to do while we are placing this apparent priority drain on the system? I will not take up the time of the Senate any longer, except to point out that this is an important issue, not just for us as senators and members but also for our staff and for general Canberra residents, and that a group of people who have not caused a problem are being asked to solve it in a manner which I do not think is going to prove as economical as was intended.

**Senator McLAREN** (South Australia) (1.37)—The matter Senator Haines has just raised is nothing new in this Parliament. I have been raising it for quite a number of years. If Senator Haines would like to have a look back over the *Hansard* records she would see that two

or three times every year, for many years now, I have raised this matter of car transport for members of parliament and complained about the use of taxis and hire cars. What she said is quite true. There is only a limited number of taxis in the Australian Capital Territory and there are many people who are unable to get taxis when they come out from theatres or whatever they are attending when the Parliament is sitting. This week I received from the Minister for the Capital Territory an answer to a question on notice and he says that his Department receives very few complaints. That is quite contrary to the responses that I and some of my colleagues have received when we have raised the matter.

The other thing which concerns me greatly is the moonlighting on these taxis. I got into a taxi here one night about 18 months ago and when I said to the driver 'Are you a permanent taxi driver?' he said: 'No, I work for a Minister'. The Minister concerned at the time was the Minister for Education. On another occasion—it is on record in the Parliament—a friend of mine who was working back late doing pays in a department rang for a taxi, and when she went out and got into the taxi who should be behind the wheel and driving the taxi but her section head. It was a great embarrassment to him, of course. He is not being paid enough, apparently, and he is out moonlighting on taxis.

The main concern now is that, with the change in the system, as Senator Haines said, no Commonwealth cars will be available to convey members of parliament to the airport on Friday mornings. We know that the Government engaged Mr Marks to do a survey of the Commonwealth fleet here. I have tried on many occasions—I tried again on Monday—to get a copy of the Marks report to see what was recommended. I am told that it is an interdepartmental report and it is not available to members of parliament. One thing we were told in the Estimates committee that dealt with the Department of Administrative Services on Monday was that in that report Mr Marks recommended that a consultant be employed, at a cost of some \$50,000, to have a further look at the Commonwealth transport fleet. I would like to know the qualifications of the person who is now in charge of Commonwealth transport and whether he in fact is on a very good government superannuation payment as well as what he is getting as his wage as the supervisor, or whatever category he comes into. I do not know what it is.

That brings me to the statement which Senator Haines referred to and which was on the front page of today's *Australian*. Apparently if we can

believe the *Australian* article, it was stated in the Liberal Party room—not in public—yesterday, in answer to a question by Senator Martin to Mr Newman, that in fact some Commonwealth drivers, Ministers' drivers, are in receipt of salaries of \$30,000 or more. I have had it brought to my attention by some of these drivers that they are very disturbed that they are being put up as the bogey people getting \$30,000 a year; yet the man who is making these decisions could be getting much, much more. This is of grave concern to many of us. Not so long ago Mr Morris, my colleague who is the shadow Minister for Transport in the other place, was given an answer to a question on notice seeking some details of the breakdown of the costs of Commonwealth cars. There was a big splurge in the Press, after he was given that answer, on what it was costing to transport members of parliament in the Australian Capital Territory. I followed that up with a question on notice and sought further explanation. To my surprise, I found that it was not the members of parliament who were costing the taxpayers the great amount of money; it was the public servants, in the main—of course there are more public servants than members of parliament—and, secondly, Ministers. In the lowest category, costing the taxpayers the least, were the back bench members of parliament.

We cannot find out what was the cost of Mr Marks's report. I will be pursuing that in the Committee of the Whole, in the consideration of the Estimates. We now are given the answer that he has recommended that another person be employed at a cost of \$50,000. That was given with some reluctance because, it was said, the person might not want the public to know what the Government was paying. Of course, my rejoinder was that the public knows what is the salary of members of parliament. We get kicked to death, every chance the Press gets, in respect of what we are paid. But here a consultant is going to be employed and the officer concerned said that it might be an embarrassment to him if the public knows what he is being paid. What is he going to come up with? He is going to come up with more confusion in the car pool. Some years ago, when I first came here, there was no problem with Commonwealth cars; but, under the penny-pinching methods of this Government, it is phasing out the Commonwealth cars not only in the Australian Capital Territory but in every capital city, while the Ministers are using Commonwealth cars and hire cars and taxis are used to convey members of parliament. It is not good enough.

One of the other questions that I still have on notice is: How many 'no contacts' are being

reported by hire cars and taxis in the morning when people want to go the airport? I have had the experience of their arriving late. I have never yet had the experience of a Commonwealth driver arriving late or coming with the excuse that the taxi drivers offer, namely: 'I had the wrong address; I was around in the other street'. Only a fortnight ago, when I was in Canberra on parliamentary business, I had to catch a plane at 8 p.m.—the last plane out of Canberra at night. The transport did not arrive. I rang up the after hours number at the depot and I was told that a car was on its way; that it should have arrived. I said: 'What sort of a car—a private hire car or taxi?' The girl said: 'Yes'. I said: 'That follows'. She got on the blower, and then she said: 'Hang on; he will be around in a few minutes'. When the car arrived the driver said: 'I was around in the other street. I had the wrong address. What time did you have the car booked for?' I told him. I said: 'We will have to hurry or I will miss the plane'. He handed me the warrant book to sign and, lo and behold, when I opened the book I saw that he had the time there on the document. He knew what time he had to pick me up; yet he asked me what time he was to pick me up. This has happened on many occasions. Many members of parliament have had the same experience. A taxi driver is given a job and he tries to fit another one in before the time at which he is to pick up a member of parliament. He has a little bit of lag, he fits in a private fare, and therefore the member of parliament in lots of cases is running late for his plane.

One thing we are concerned about is the instances in which the drivers report that no contact has been made. This probably does not happen with members of parliament; it happens with public servants who in the course of their duty have to catch a plane out of Canberra in the morning. They find that the taxi does not arrive. What do they do? They have to get into their own car and drive to the airport. When the taxi arrives late, the driver phones back to depot and says that there is nobody there. Of course the passengers are not there; they have had to use their own transport. Members of parliament cannot do that because very few of them have their own transport in Canberra. So, there needs to be a thorough inquiry into the whole system which is operating now, not by somebody who is employed by the Government, like Mr Marks, who recommends the employment of another consultant for \$50,000. It is something that ought to be done by a Senate select committee so that we can get to the crux of the matter and make some recommendations and take it out of the hands of this Government altogether.

**Senator GEORGES** (Queensland) (1.46)—This matter needs to be debated. I am indebted to Senator Haines for raising the matter. But the fact that this is the adjournment debate and Senate Estimates committees have to follow limits the ability of senators to participate in the debate. The matter is important. It seems to me that those who were responsible for the decision which has led to the problems that have been spoken of should have first consulted those who were going to be primarily affected, such as the members of parliament and staffs of members of parliament. We could extend it to others. If the discussion had taken place and if those employed by the Transport and Storage Division of the Department of Administrative Services—the car drivers—had been consulted, these problems would have emerged.

My view is that, now that the decision has been made, we are in a state of disarray and the Government, in order to explain away the disarray and justify the decision, is beginning to distort the matter. I am particularly concerned that the Minister for Administrative Services (Mr Newman) should tell members of his own party—I hope they were not satisfied with the explanation, but perhaps they were—that drivers in the pool were earning up to \$30,000 a year and it was necessary to cut this back. That was a selective statement and a misleading statement, and it does not help the situation at all. It appears to me that most drivers do not receive that amount of money.

What has now occurred is this: We have a limited number of drivers and a substantially larger number of cars which are not properly utilised. We have to be careful about the problem being corrected in this way: The Government will sell off some of the cars, extend the number of taxi licences and perhaps also, with its fetish for private enterprise, issue further hire car plates. That is what is bound to follow. The problems which have developed will not be corrected. In other words, the Government will not go back and reconsider its decision; it will merely endeavour to correct it by getting into further error. All I am saying is that this matter needs to be raised. The senators should have been consulted before these changes were made. In fact the changes were made in conflict with the direction by the Minister for Administrative Services that Commonwealth cars would be available for members of parliament and other closed categories whenever they were required. In Canberra the opposite has occurred.

I am seriously concerned about the erosion of the conditions that have been available to

members of parliament and their staff and to the people who work in this Parliament. There is a continual erosion of these conditions and if this is allowed to occur without complaint the Government will feel free to carry out further, what it calls, economies which are economies on the surface and do not really bear close investigation. I am not going to go any further into experiences such as Senator McLaren has described. I could add a number of instances in which the service now provided to members of parliament falls far short of what is really required if we are to carry out our duties with some reasonable dignity. Maybe I should not use the word 'dignity'—

**Senator Peter Baume**—Come on! You just want to get to and from Parliament House.

**Senator GEORGES**—I know that it offends Senator Baume. Let me give an example: I call for a car every morning at 6 o'clock. Over the years I have expected and have received a car at 6 o'clock. At 6 o'clock the other people in the house are asleep, and my neighbours are asleep. The Commonwealth car driver knows my requirements. He pulls up quietly, I go out to the car and get into the car, and we pull away quietly. If I get a taxi, what happened to me on one occasion can happen. The taxi driver roars up the street, roars up the driveway, parks underneath the neighbours' window, gets out of the cab, roars up the stairs, knocks on the door and wakes up everyone in the house. It is just unreasonable that we should get that sort of treatment. One says to that person: 'Next time please park in the street and keep the noise down'.

One does not have to explain that to a Commonwealth driver. His purpose is to give members of parliament, in the somewhat strained conditions under which we work, a special type of service. It is a confidential service, it is a secure service and it is a safe service. If we get into a taxi now we become victims of the person who is driving the taxi. We are obliged to listen to a whole series of questions about the political situation of the country and how problems ought to be solved. We get that and we have no defence against it. We just have to sit there silently and accept it all. The other night I was in a taxi that had no brakes. I said to the driver: 'Look, you've got no brakes. You put your foot on the brake and you've got a grind of metal upon metal'. There were no shoes to the brakes. I said: 'What's the idea?' He said: 'This is my last job. I'm putting it in and it's going to be worked on tonight'. But I was sitting in the car, at a late hour, trying to get home peacefully, and the car had no brakes.

Shall we go on and on with these various instances that derive from a decision that was not properly thought out and was arrived at because the Senate, or its respective committees, was not consulted before the decision was made? All I am suggesting to the Minister for Aboriginal Affairs and Minister for Health (Senator Peter Baume), who is sitting at the table, is that the matter ought to be brought forward for discussion. If there is a relevant committee to which the matter can be referred it ought to be referred to that committee. Any of the distortions of fact that have been made in order to justify the decision ought to be corrected.

**Senator COLEMAN** (Western Australia) (1.54)—I want to contribute a little to this debate because, in my activities on another committee, I have already raised matters in relation to security. My concern has always been that we have Commonwealth drivers, or people in a Commonwealth uniform with a Commonwealth visitor's pass—responsible for driving a Commonwealth car admittedly—coming into Parliament House to pick up members of parliament and coming to their homes to pick them up, but we have no physical identification that these people are in fact who they purport to be. My concern in that area is for security. Incidentally, I have raised this matter in another place and there will be continuing discussion on it. The other point I make is that we tend to blame the transport officers for this. Of course, they are not at fault in this instance. What has happened since the Marks report is that a colonel has been placed in charge of Commonwealth transport here in the Australian Capital Territory. I think it is Colonel Fleming. He has been responsible for the institution of new rosters which require that Commonwealth drivers, by virtue of their needing to start at 7.30 in the morning, will not now be working past 10 o'clock at night.

The point I make is that in the Australian Capital Territory the general public is already short of taxi cabs. I do not know whether the Minister for Aboriginal Affairs and Minister for Health (Senator Peter Baume), who is at the table, is aware of that, but some time ago—earlier this year—I had figures taken out in relation to the ratio of population to licensed taxis. We may have a larger number of private hire cars in the Australian Capital Territory; I do not know. I did not go into the private hire car situation. But let me just tell honourable senators that, for instance, in Sydney the ratio of taxis to population is one to 1,000. It is the same in Melbourne, Brisbane, Adelaide and Perth. In Hobart the ratio is one to 750. In Darwin it is one to 1,000. In Canberra

already it is one to 2,000. So the people who want to travel by taxi are already seriously disadvantaged in the Australian Capital Territory.

If we are going to have this stupid roster system—I have to call it a stupid roster system because no-one has been able to explain how the heck it is working or how it is expected to work—all it will mean, as far as I am concerned anyway, is that the Commonwealth car drivers, because of the nine-and-a-half hour break that they are required to have between Thursday night and Friday morning, will not be available to get to my home in Torrens in time to pick me up to take me to the airport to catch the flight which I have to catch to get back to Western Australia in time to have any time at all in my electorate office on the Friday. I agree with what Senator Georges and Senator McLaren have had to say, but my concern is not in the same areas. My concern is that we will also make it doubly difficult for the ordinary Canberra resident, the visitor to Canberra, to get a taxi if, in fact, we monopolise the situation just so that we can get to where we want to go.

We should have the right to a Commonwealth car driver. I have mentioned the situation with regard to security. I have already expressed in this place and at committee meetings my concern that the people who purport to be Commonwealth car drivers may not necessarily be car drivers, but one has no idea of the identification of a taxi driver. If we are going to have massive security inside Parliament House it has to extend to the secure transportation of members of parliament between their home and the House, the House and their home and the airport and wherever they are going. That applies not only here in the Australian Capital Territory; it should apply in all the States as well.

The situation that we now have to look at is so serious that little argument can be put other than, as Senator McLaren suggested, that we should either open it up for full debate in this chamber or refer it to a committee so that it could be debated properly, so that we can receive the submissions of the people who are most affected. I point out that the people who are most affected are the transport officers who are resident in Parliament House and the transport drivers themselves, plus the very nice people who work on the after hours number, who are always very courteous but who, unfortunately, are not necessarily in a position to provide us with a Commonwealth car when we particularly want one.

The situation that has evolved over the last few months is not something that has just happened; it has been happening for years. Gradually since I came here in 1974, we have seen the denigration

of members of parliament. We have seen, as I said, the lack of concern about the secure transportation of them between point A and point B. Now we have this added incursion into the right of the people of the Australian Capital Territory to be able to ring a number and be able to obtain transport. If we look at the figures—one taxi to 2,000 population—we see that they are grossly out of proportion when compared with those of any of the other major capital cities throughout Australia. Hobart has one to 750 and the others all balance out at roughly one to 1,000 population. The Canberra resident does not have that advantage now.

I suggest that there would be little advantage in the suggestion that more taxi licences should be issued in the Australian Capital Territory to overcome what is, after all, a short lived problem. It is a problem only when the Parliament is sitting for the two sessions each year. At other times there is adequate coverage for the rest of the population of the Australian Capital Territory to have normal access to taxis. It is when the Parliament is sitting, because we are greedy in that sense and we say that we are entitled to have first call on the taxis, that the people will be further disadvantaged.

**Senator PETER BAUME** (Minister for Aboriginal Affairs and Minister for Health) (2.1)—in reply—Several honourable senators have spoken on the question of car transport. Senator Haines actually raised an issue which was slightly different from that taken up by other honourable senators. I will attempt to summarise her case. She was concerned about the fact that her staff had made a complicated arrangement with two separate bookings and one cancellation to try to rationalise the bookings. In the process the booking was lost. It is undesirable that her staff should have been late.

**Senator Haines**—That is your interpretation of it.

**Senator PETER BAUME**—I am interpreting what the honourable senator said. She said that, in fact, that is what happened and her staff member was 48 minutes late. For that I am very sorry. But I want to come immediately to a point made by Senator Coleman. I think, from the figures she has given, that there could be a case for a bigger taxi fleet in the Australian Capital Territory, irrespective of the operations of the Parliament. The honourable senator took some trouble to give us taxi to population ratios. Irrespective of whether the Parliament is here, those figures show that per head there are half as many taxis in the Australian

Capital Territory as there are in most other capital cities. I will certainly pass that on.

I agree with honourable senators that it is quite inappropriate that there should be any suggestion that this is directed at either Frank Stewart or Steve Heggen. They look after us with great dedication and care, as have all transport officers. We can make bookings in two main ways, either through the booking office in the Department of Administrative Services or through our own transport officers in the Parliament. In the case of the DAS booking service, when a Commonwealth car is not available for a senator or member an attempt is made to book a hire car. Failing that, a taxi is booked.

In relation to the shuttle service, bookings are made by the parliamentary transport officers. The Department provides the vehicles for the shuttle on the basis of the numbers requested. They can be Commonwealth cars, hire cars or shuttle cars. I admit that for 18 months now I have been a Minister, but in my period in the Parliament up to that time I found the taxis and hire contractors in this city to be, in the main, reliable, courteous, safe and reasonable. But in peak periods, particularly during parliamentary sittings, taxi availability may be difficult.

I accept Senator Coleman's concern about security. I will pass that on to Mr Newman because I think there is a reasonable point to be raised there and to be answered. I am not willing to take on board that our dignity requires that we receive a certain kind of transport. What we require is to get from point A to point B. Irrespective of whether we go in a drive-yourself car, as I choose to do whenever there is a strike, or by way of taxi, hire car or Commonwealth car, our dignity is not really affected. Senator Georges mentioned the fact that senators and members have to talk to people and said that he thought the cars were unsafe. That is a matter for the Australian Capital Territory authorities. I do not really believe it is good enough for parliamentarians to say that we are special and different and deserve better treatment than other people receive. If taxi transport is good enough for me—I use it in Sydney and my family uses it—I do not know why it is not good enough for other people.

Senator McLaren asked a question about a particular person and asked whether he in fact was receiving a certain kind of salary. I will have to ascertain that information for the honourable senator. Whether a Senate select committee should look into this issue is entirely a matter for the Senate to determine. The Senate appoints its own committees. I would not presume to have a

judgment on that. I merely say that, as a senator, I would take part in any debate on such an issue at an appropriate time. In conclusion, I must say—I separate Senator Haines's concern from this because her concern was for her staff—that I am sometimes disappointed when it seems that the greatest passion is aroused in this place when dealing with a matter of our own comfort and our own convenience.

**Senator GEORGES** (Queensland)—I claim to have been misrepresented, Mr Acting Deputy President. I do not like being taken to task by the Minister for Aboriginal Affairs and the Minister for Health (Senator Peter Baume) in that way.

**Senator Peter Baume**—You talked about your dignity.

**Senator GEORGES**—Yes, unfortunately, I used the word 'dignity'. Let me explain to the Minister—he ought to know this as we have worked fairly closely together over a long period—that my point of view is that everyone is entitled to maintain his or her dignity in the work he or she does. That is so irrespective of the level of the position held in this Parliament. For that matter, it applies equally well to the people in the cars that we spoke about. The Minister merely picked on that word in order to discredit the case I put. I did not expect that sort of behaviour from the Minister.

Let me make it clear: The point I make is that the conditions which have been available to people in this place, be they members of parliament, staff or anyone else, should not be eroded. It is a continual process and it should be brought to an end. That is the point I have been trying to make. For the Minister to become selective is really to put him at a disadvantage. I do not think he understands the problem. He talks about the situation that existed 18 months ago. He ought to look at the problem as it exists at the present time. He ought to forget about us and seek out the other people who are disaffected—the transport officers, the transport drivers—

**Senator Coleman**—The people.

**Senator GEORGES**—He ought to seek out the disaffected people in Canberra, as has been pointed out, as well as the people who are employed in the transport pool. We have a problem in this place. A person has been appointed. He has brought in certain methods—

**Senator Peter Baume**—Mr Acting Deputy President—

**Senator GEORGES**—I know that this will be a point of order. The Minister need not bother raising it. I know I am wrong and I will bring my remarks to an end. But I will get another opportunity, at a later stage, to endeavour to instruct the Minister on the proper way in which to perform his duties; that is, to find out what the real problem is and to solve it.

**Senator McLAREN** (South Australia)—Mr Acting Deputy President, I claim to have been misrepresented.

**The ACTING DEPUTY PRESIDENT (Senator Townley)**—If you will stick strictly to how you have been misrepresented you may proceed.

**Senator McLAREN**—I certainly will, but the Minister for Aboriginal Affairs and the Minister for Health (Senator Peter Baume) did not. The Minister implied in his reply that we on this side of the chamber who took part in this debate today did so only because we were concerned about our own comfort. If he cares to read the transcript of this debate and of the speeches I have made over the years in this chamber he will see that my concern has been for the drivers and the transport officers, in the main. It is the transport officers in this case who, because of the changed rosters, are getting it in the neck. They are getting the blame. While the Minister can get away in his ministerial car—

**Senator Robertson**—Which he is giving back today.

**Senator McLAREN**—Of course he is. From what he said he will give it back now and he will use the same facilities as we use. We will be ferried to and from in whatever car is available. But he has seriously misrepresented me. Year after year I have stood up in this Parliament and spoken on behalf of the drivers. They were misrepresented again in the Press this morning, when it was claimed that they were on a fantastic salary. That

claim was made because the Minister Senator Baume represents in this place gave a reply in his party room yesterday to the effect that the drivers are getting an enormous salary. That was done without anything being said in the Parliament.

Senator Baume has now misrepresented us further by saying that those of us who have taken part in this debate today are concerned only about our own comfort. I ask the Minister to read the record and see for whom we have been trying to get some justice. He will find that they are, firstly, the drivers, who have been persecuted in lots of respects, and, secondly, those transport officers who will get the blame when somebody misses a connection on a plane or is not picked up in time to get here in the morning. That is why I claim that I was misrepresented.

**Senator COLEMAN (Western Australia)**—Mr Acting Deputy President, I claim to have been misrepresented, but at this late stage of the day I will just treat the comments of the Minister with the contempt that they deserve.

Question resolved in the affirmative.

**The ACTING DEPUTY PRESIDENT**—I remind honourable senators that Estimates committees E and F will meet this afternoon at 2.15 and the bells will be rung for three minutes prior to that. Estimates Committee A will meet in the Senate chamber as soon as the chamber is prepared. I suggest that that be at 2.30 this afternoon. Estimates Committee E will meet in committee rooms 1 and 2 and Estimates Committee F will meet in committee room 6. Tomorrow—Friday, 23 April—Estimates committees G and H will meet at approximately 10.30 a.m., or such other time as the committees may determine. Estimates Committee G will meet in the chamber; and Estimates Committee H will meet in committee room 1.

Senate adjourned at 2.11 p.m.

## ANSWERS TO QUESTIONS

The following answers to questions were circulated:

### **Electoral Rolls**

(Question No. 1718)

**Senator Gietzelt** asked the Minister representing the Minister for Administrative Services, upon notice, on 26 November 1981:

(1) For each Federal electoral division in the 12 months to December 1981:

- (a) how many names were deleted due to death notification;
- (b) how many names were deleted following Habitation Reviews; and
- (c) how many names were transferred to other divisions.

(2) For each Federal electoral division since the close of rolls for the last Federal election:

- (a) how many names have been deleted due to death notification;
- (b) how many names have been deleted following Habitation Reviews;
- (c) how many names were transferred to other divisions.

(3) For each Federal electoral division in the 12 months to December 1981 how many polling places have been changed.

(4) For each Federal electoral division in the 12 months to December 1981:

- (a) how many employees, full and part-time, were involved in Habitation Reviews, and what total hours were worked in this regard for each month; and
- (b) what was the frequency of Habitation Reviews.

**Senator Peter Baume**—The Minister for Administrative Services has provided the following answer to the honourable senator's question:

(1) and (2) As I have stated in answers to the honourable senator's previous questions (Nos 856 and 1374) on the habitation review process, the aim of these annual habitation reviews is to help maintain up-to-date electoral rolls. The reviews are as much concerned with seeing that eligible electors have their names placed on the electoral rolls as they are with the removal of ineligible electors. Accordingly, in order to give Parliament a total picture of enrolment activity, I asked the Chief Australian Electoral Officer to supplement the information sought by the honourable senator and provide details of additions to the rolls as well as the deletion details which have been requested.

The Chief Australian Electoral Officer has provided answers to parts (1) (a) and (2) (a) in the two tables set out

1. Enrolment transactions in each Federal Division in the 12 months to December 1981 showing:

(a) names removed from the rolls owing to:

(i) notification of death

(ii) objection action on grounds of non-residence

(iii) transfers from Sub-divisions within Division (these figures show the total transfers out of Sub-divisions whether to a Sub-division within the Division or to another Division)

below. The tables also include details of additions to the relevant Divisional rolls in two parts—the "New Enrolments" figures represent new enrolments and interstate transfers of enrolment; the 'Transfers' figures represent intrastate transfers of enrolment.

In essence the statistics show that in the year to December 1981, the names of 349,759 electors were removed from the electoral rolls following objection action on the grounds of non-residence, whilst on the other side of the ledger 1,032,339 names were added to the rolls throughout Australia during the same period. Of course, as the honourable senator will appreciate, these were not all new arrivals in Australia of persons turning 18 years of age. But this figure clearly takes into account people who have moved from one address to another, whose names have been removed from the first address by the required objection process, and whose names have been re-entered on the roll at their new address—many of them as a result of habitation review work in the area to which they have moved.

As I mentioned in answer to Question No. 856 the Australian Electoral Office does not maintain statistics in a form which would enable precise answers to be given to parts (1) (b) and (2) (b). Electors' names are removed from the rolls as a consequence of objection action on the grounds of non-residence within Divisions concerned, pursuant to the provisions of sections 52 of the Commonwealth Electoral Act and regulations 26 to 31 of the Electoral and Referendum Regulations. The main sources of objection on the grounds of non-residence are Habitation Reviews and follow-up action in respect of non-voters at elections (both Commonwealth and State) but the statistics maintained by the Electoral Office do not so differentiate.

As the honourable senator will appreciate, removals from the roll as a result of objection action during 1981 are much higher than in 1980. This is brought about as the result of non-voter follow-up action following the October 1980 Federal election as well as non-voter follow-up following by-elections in Queensland, South Australia, Western Australia and New South Wales.

The Australian Electoral Office does not maintain statistics which would enable precise answers to be given to parts (1) (c) and (2) (c)—electoral rolls are maintained on a sub-divisional basis. To assist the honourable senator transfers out of a sub-divisions have been totalled. However, the statistics maintained by the Australian Electoral Office do not differentiate between transfers between sub-divisions within a Division and transfers to sub-divisions in other Divisions. The figures supplied therefore cannot be interpreted as transfers from Division to Division.

(b) names added to the rolls as a result of:

(iv) new enrolments (these figures include interstate transfers)

(v) transfers (these figures include the total transfers into Sub-divisions whether from a Sub-division within the Division or from another Division in the State).

Electoral division	Removals		Transfers from sub-divisions within division	Additions	
	Death notification	Objection action on grounds of non-residence		New enrolments	Transfers
		New South Wales			
Banks . . . . .	633	2,072	4,418	3,089	3,567
Barton . . . . .	793	2,928	5,653	3,018	4,421
Bennelong . . . . .	732	2,833	5,690	3,880	4,724
Berowra . . . . .	710	2,339	4,939	3,547	4,684
Blaxland . . . . .	712	3,137	5,872	4,084	4,268
Bradfield . . . . .	614	1,540	4,480	3,080	2,827
Calare . . . . .	817	880	4,573	2,868	4,159
Chifley . . . . .	437	1,456	5,501	4,157	4,201
Cook . . . . .	671	2,331	5,850	3,428	4,496
Cowper . . . . .	931	1,949	4,964	4,571	7,211
Cunningham . . . . .	696	1,418	6,218	4,226	5,023
Dundas . . . . .	694	2,335	6,352	3,350	4,465
Eden-Monaro . . . . .	823	2,095	4,146	4,819	4,076
Farrer . . . . .	726	2,611	5,925	5,107	4,668
Grayndler . . . . .	787	2,659	6,538	4,663	4,580
Gwydir . . . . .	739	1,146	4,709	3,393	3,717
Hughes . . . . .	558	3,123	5,312	4,188	5,815
Hume . . . . .	940	1,090	3,323	2,824	2,448
Hunter . . . . .	897	1,362	4,577	3,256	5,896
Kingsford-Smith . . . . .	828	3,149	5,026	3,804	3,631
Lowe . . . . .	941	2,520	5,923	3,560	4,397
Lyne . . . . .	878	1,495	5,314	3,528	6,989
Macarthur . . . . .	799	1,951	4,704	3,761	6,293
Mackellar . . . . .	745	2,567	5,563	3,491	4,615
Macquarie . . . . .	652	3,455	6,414	5,419	8,574
Mitchell . . . . .	444	4,041	6,452	5,380	7,292
Newcastle . . . . .	951	2,735	6,364	3,411	5,178
New England . . . . .	694	1,442	4,815	3,451	3,982
North Sydney . . . . .	850	2,972	6,963	4,217	4,906
Parramatta . . . . .	683	2,195	6,398	4,728	5,137
Paterson . . . . .	799	1,232	4,177	3,056	3,641
Phillip . . . . .	999	4,614	7,151	5,438	5,762
Prospect . . . . .	544	2,640	5,602	4,948	5,448
Reid . . . . .	764	2,403	4,882	3,806	3,402
Richmond . . . . .	808	2,290	4,878	4,862	5,785
Riverina . . . . .	802	1,725	4,001	3,554	2,338
Robertson . . . . .	1,209	2,335	6,371	3,280	8,436
St George . . . . .	843	2,120	5,308	3,330	3,816
Shortland . . . . .	837	1,787	5,703	3,421	6,581
Sydney . . . . .	957	3,141	6,955	5,187	5,138
Warringah . . . . .	792	3,154	5,770	3,703	4,388
Wentworth . . . . .	978	5,948	6,733	4,647	4,944
Werriwa . . . . .	481	2,554	7,215	5,505	7,813
State total . . . . .	33,188	103,769	237,452	171,035	213,732
<b>Victoria</b>					
Balaclava . . . . .	1,024	3,919	5,595	3,259	4,565
Ballarat . . . . .	843	1,532	4,631	2,257	4,399
Batman . . . . .	834	3,199	5,571	3,643	4,346

Electoral division	Removals		Transfers from sub-divisions within division	Additions	
	Death notification	Objection action on grounds of non-residence		New enrolments	Transfers
Bendigo	919	2,060	5,792	3,618	5,634
Bruce	387	2,747	4,818	4,253	4,132
Burke	482	3,056	4,415	4,222	3,791
Casey	453	2,500	5,145	3,548	5,820
Chisholm	791	2,641	5,590	3,466	4,355
Corangamite	722	1,334	4,089	2,259	3,941
Corio	804	2,395	4,859	2,812	4,251
Deakin	578	2,856	5,910	4,477	6,130
Diamond Valley	371	3,019	4,146	4,005	4,883
Flinders	847	2,923	4,600	3,427	5,660
Gellibrand	872	3,464	5,001	3,720	3,594
Gippsland	854	1,939	3,705	3,019	3,609
Henty	878	3,498	6,161	3,444	5,431
Higgins	950	4,711	6,618	3,690	5,501
Holt	414	4,263	5,027	4,128	5,701
Hotham	558	3,367	5,419	3,873	4,800
Indi	792	1,722	3,071	3,191	2,621
Isaacs	711	3,600	5,554	3,715	5,233
Kooyong	989	2,933	6,355	3,502	4,842
Lalor	418	3,576	3,789	5,408	3,662
La Trobe	483	3,280	5,186	3,376	6,070
McMillan	728	1,558	3,909	2,634	3,631
Mallee	876	1,235	3,299	2,548	2,528
Maribyrnong	575	2,708	4,592	3,536	4,701
Melbourne	923	7,016	7,230	4,837	5,577
Melbourne Ports	1,081	6,355	7,038	5,069	5,709
Murray	704	1,945	4,011	3,216	3,699
Scullin	490	2,846	4,228	4,506	4,594
Wannon	805	776	2,801	2,054	2,381
Wills	942	3,814	5,619	3,674	4,453
<b>State total</b>	<b>24,098</b>	<b>98,787</b>	<b>163,774</b>	<b>118,386</b>	<b>150,244</b>
<b>Queensland</b>					
Bowman	860	3,119	4,957	5,114	5,336
Brisbane	671	3,893	5,130	3,774	4,265
Capricornia	756	2,985	3,981	3,125	3,757
Darling Downs	827	3,078	4,786	3,421	5,256
Dawson	705	2,571	3,733	3,047	3,491
Fadden	473	4,543	4,848	7,863	6,434
Fisher	700	3,867	3,915	5,697	5,592
Griffith	1,008	4,926	5,430	4,311	4,446
Herbert	620	5,397	5,253	5,235	5,290
Kennedy	524	2,850	3,236	2,611	2,385
Leichhardt	742	3,461	3,440	4,112	3,379
Lilley	901	3,108	4,434	2,711	3,407
McPherson	1,061	3,896	6,992	8,311	5,471
Maranoa	670	2,014	3,210	2,341	2,292
Moreton	662	3,147	5,102	3,374	3,831
Oxley	571	4,118	5,384	4,937	5,256
Petrie	692	3,235	4,846	3,950	4,375
Ryan	611	4,295	5,340	4,270	4,724
Wide Bay	792	2,424	4,187	3,437	4,228
<b>State total</b>	<b>13,846</b>	<b>66,927</b>	<b>88,204</b>	<b>81,641</b>	<b>83,215</b>
<b>South Australia</b>					
Adelaide	884	2,974	5,244	3,438	3,108
Barker	817	1,053	4,973	3,981	2,123
Bonython	312	2,578	5,151	3,966	3,302
Boothby	734	4,002	5,582	3,955	4,111
Grey	605	2,034	4,004	3,368	2,137

Electoral division	Removals			Additions	
	Death notification	Objection action on grounds of non-residence	Transfers from sub-divisions within division	New enrolments	Transfers
Hawker . . . . .	820	2,827	5,043	3,554	3,766
Hindmarsh . . . . .	789	1,893	5,010	3,386	3,002
Kingston . . . . .	568	1,993	4,332	3,373	3,281
Port Adelaide . . . . .	809	2,537	4,213	3,355	2,694
Sturt . . . . .	760	2,598	4,763	3,605	3,479
Wakefield . . . . .	910	574	5,165	3,879	2,297
<b>State total</b> . . . . .	<b>8,008</b>	<b>25,063</b>	<b>53,480</b>	<b>39,860</b>	<b>33,300</b>
<b>Western Australia</b>					
Canning . . . . .	496	3,488	3,615	3,871	4,106
Curtin . . . . .	887	5,214	5,030	3,083	3,368
Forrest . . . . .	617	2,587	2,896	2,453	3,381
Fremantle . . . . .	676	2,756	4,162	3,972	4,243
Kalgoorlie . . . . .	336	3,349	4,823	6,555	3,980
Moore . . . . .	295	3,649	4,733	5,835	6,468
O'Connor . . . . .	569	2,303	3,693	2,781	2,690
Perth . . . . .	723	2,059	5,727	3,895	4,469
Stirling . . . . .	540	3,992	5,003	4,235	4,619
Swan . . . . .	730	3,810	5,456	3,970	4,239
Tangney . . . . .	562	3,834	4,823	4,360	5,155
<b>State total</b> . . . . .	<b>6,431</b>	<b>37,041</b>	<b>49,961</b>	<b>45,010</b>	<b>46,718</b>
<b>Tasmania</b>					
Bass . . . . .	619	1,434	3,872	2,353	3,430
Braddon . . . . .	585	1,184	2,549	2,014	1,705
Denison . . . . .	626	2,274	5,032	3,153	4,349
Franklin . . . . .	500	1,089	3,359	2,461	3,041
Wilmot . . . . .	669	1,053	2,910	2,320	2,730
<b>State total</b> . . . . .	<b>2,999</b>	<b>7,034</b>	<b>17,722</b>	<b>12,301</b>	<b>15,255</b>
<b>Territories</b>					
Canberra . . . . .	350	2,882	3,247	5,717	1,320
Fraser . . . . .	396	4,046	4,095	6,012	966
Northern Territory . . . . .	288	4,210	4,970	5,104	2,523
<b>Total for Territories</b> . . . . .	<b>1,034</b>	<b>11,138</b>	<b>12,312</b>	<b>16,833</b>	<b>4,809</b>
<b>Australia total</b> . . . . .	<b>89,604</b>	<b>349,759</b>	<b>622,905</b>	<b>485,066</b>	<b>547,273</b>

2. Enrolment transactions in each Federal Election Division since the close of rolls, on 19 September 1980 to 31 December 1981 showing:

(a) names removed from the rolls owing to:

- (i) notification of death
- (ii) objection action on grounds of non-residence
- (iii) transfers from Sub-divisions within Division (these figures show the total transfers out of Sub-divisions whether to a Sub-division within the Division or to another Division)

(b) names added to the rolls as a result of:

- (iv) new enrolments (these figures include Interstate transfers)
- (v) transfers (these figures include the total transfers into Sub-divisions whether from a Sub-division within the Division or from another Division in the State).

Electoral division	Removals		Transfers from sub-divisions within division	Additions	
	Death notification	Objection action on grounds of non-residence		New enrolments	Transfers
<b>New South Wales</b>					
Banks . . . . .	745	2,557	5,174	4,021	4,071
Barton . . . . .	960	2,928	6,620	4,200	5,071
Bennelong . . . . .	816	2,894	6,638	5,010	5,273
Berowra . . . . .	800	2,339	5,677	4,843	5,470
Blaxland . . . . .	838	3,137	6,779	5,856	5,113
Bradfield . . . . .	684	1,540	5,175	4,092	3,345
Calare . . . . .	981	880	5,328	3,898	4,753
Chifley . . . . .	519	1,456	6,483	5,649	5,056
Cook . . . . .	693	2,331	6,689	4,531	5,090
Cowper . . . . .	1,101	1,949	5,548	5,528	7,872
Cunningham . . . . .	813	1,421	7,214	5,805	5,803
Dundas . . . . .	803	2,336	7,436	4,788	5,159
Eden-Monaro . . . . .	1,007	2,095	5,154	6,363	4,782
Farrer . . . . .	855	2,741	6,838	6,730	5,266
Grayndler . . . . .	943	2,659	7,627	6,975	5,438
Gwydir . . . . .	862	1,146	5,594	5,152	4,634
Hughes . . . . .	669	3,123	6,024	5,552	6,571
Hume . . . . .	1,119	1,090	4,052	3,886	2,980
Hunter . . . . .	1,084	1,406	5,328	4,565	6,843
Kingsford-Smith . . . . .	1,020	3,149	5,988	5,707	4,369
Lowe . . . . .	1,108	2,520	6,980	5,222	5,174
Lyne . . . . .	1,050	1,498	6,234	5,190	8,343
Macarthur . . . . .	919	1,951	5,698	5,742	7,604
Mackellar . . . . .	879	2,615	6,689	5,385	5,475
Macquarie . . . . .	786	3,455	7,539	7,181	10,142
Mitchell . . . . .	522	4,041	7,462	7,435	8,604
Newcastle . . . . .	1,117	2,735	7,464	4,542	6,039
New England . . . . .	821	1,442	5,632	4,529	4,562
North Sydney . . . . .	1,035	3,653	8,430	6,400	5,956
Parramatta . . . . .	747	2,195	7,350	5,355	5,507
Paterson . . . . .	932	1,232	5,091	4,463	4,437
Phillip . . . . .	1,135	4,614	8,448	6,974	6,390
Prospect . . . . .	632	2,640	6,638	6,471	6,200
Reid . . . . .	917	2,403	5,775	5,179	3,997
Richmond . . . . .	993	2,290	5,865	6,936	6,846
Riverina . . . . .	923	1,754	4,972	4,826	2,771
Robertson . . . . .	1,358	2,335	7,374	4,755	9,695
St. George . . . . .	1,019	2,120	6,122	4,651	4,504
Shortland . . . . .	985	1,787	6,651	4,912	7,539
Sydney . . . . .	1,104	3,142	8,285	6,868	5,780
Warringah . . . . .	936	3,154	6,818	5,207	5,164
Wentworth . . . . .	1,093	5,948	7,889	6,352	5,621
Werriwa . . . . .	597	2,556	8,313	7,138	8,553
<b>State total</b> . . . . .	<b>38,920</b>	<b>105,257</b>	<b>279,085</b>	<b>234,864</b>	<b>247,862</b>
<b>Victoria</b>					
Balaclava . . . . .	1,195	3,919	6,587	4,433	5,219
Ballarat . . . . .	1,015	1,532	5,536	3,273	5,163
Batman . . . . .	998	3,207	6,642	5,237	5,122
Bendigo . . . . .	1,064	2,066	6,856	4,677	6,547
Bruce . . . . .	471	2,751	5,739	5,257	4,668
Burke . . . . .	570	3,056	5,515	6,000	4,622
Casey . . . . .	559	2,504	6,132	4,898	6,872
Chisholm . . . . .	977	2,641	6,533	4,596	4,939
Corangamite . . . . .	819	1,334	4,841	3,143	4,687
Corio . . . . .	916	2,402	5,757	3,761	4,931
Deakin . . . . .	709	2,856	6,886	5,847	6,944
Diamond Valley . . . . .	465	3,032	5,003	5,246	5,720
Flinders . . . . .	1,046	2,923	5,654	4,807	6,531
Gellibrand . . . . .	1,067	3,464	5,977	5,395	4,225

Electoral division	Removals		Objection action on grounds of non-residence	Transfers from sub-divisions within division	Additions	
	Death notification	New enrolments			Transfers	
Gippsland . . . . .	961	1,939	4,656	4,367	4,483	
Henty . . . . .	1,071	3,625	7,218	4,772	6,281	
Higgins . . . . .	1,163	4,938	7,828	4,761	6,223	
Holt . . . . .	507	4,307	6,250	5,902	6,928	
Hotham . . . . .	678	3,367	6,374	5,344	5,626	
Indi . . . . .	915	1,730	3,689	4,254	3,121	
Issacs . . . . .	900	4,003	6,573	4,812	5,964	
Kooyong . . . . .	1,129	2,933	7,457	4,604	5,616	
Lalor . . . . .	490	3,576	4,607	7,482	4,428	
La Trobe . . . . .	582	3,285	6,298	4,954	7,139	
McMillan . . . . .	898	1,558	4,890	4,148	4,647	
Mallee . . . . .	1,015	1,235	4,036	3,640	2,959	
Maribyrnong . . . . .	701	2,816	5,510	5,077	5,565	
Melbourne . . . . .	1,116	7,035	9,093	7,580	6,643	
Melbourne Ports . . . . .	1,307	7,111	8,641	7,413	6,911	
Murray . . . . .	852	2,025	4,896	4,249	4,396	
Scullin . . . . .	574	2,848	5,078	6,452	5,466	
Wannon . . . . .	987	1,103	3,450	2,877	2,816	
Wills . . . . .	1,110	3,819	6,738	5,322	5,252	
<b>State total</b> . . . . .	<b>28,827</b>	<b>100,940</b>	<b>196,940</b>	<b>164,580</b>	<b>176,654</b>	
<b>Queensland</b>						
Bowman . . . . .	933	3,110	5,741	6,258	5,886	
Brisbane . . . . .	802	3,893	6,117	5,206	4,976	
Capricornia . . . . .	841	2,985	4,954	4,875	4,532	
Darling Downs . . . . .	986	3,078	5,843	4,936	6,119	
Dawson . . . . .	808	2,571	4,764	4,880	4,328	
Fadden . . . . .	573	4,642	5,878	10,234	7,506	
Fisher . . . . .	850	3,867	4,921	8,441	6,735	
Griffith . . . . .	1,167	4,928	6,431	5,855	5,114	
Herbert . . . . .	705	5,397	6,498	7,208	6,147	
Kennedy . . . . .	621	2,852	4,483	4,726	3,406	
Leichhardt . . . . .	899	3,467	4,330	6,709	4,103	
Lilley . . . . .	1,072	3,108	5,490	4,225	4,105	
McPherson . . . . .	1,203	3,920	8,250	11,400	6,396	
Maranoa . . . . .	811	2,014	4,175	4,016	3,067	
Moreton . . . . .	788	3,147	5,985	4,527	4,425	
Oxley . . . . .	694	4,118	6,598	6,727	6,081	
Petrie . . . . .	787	3,235	5,601	5,235	5,017	
Ryan . . . . .	753	4,295	6,303	5,941	5,564	
Wide Bay . . . . .	939	2,424	5,266	5,218	5,146	
<b>State total</b> . . . . .	<b>16,232</b>	<b>67,060</b>	<b>107,628</b>	<b>116,617</b>	<b>98,653</b>	
<b>South Australia</b>						
Adelaide . . . . .	954	2,974	6,834	5,021	3,961	
Barker . . . . .	903	1,053	5,966	5,357	2,734	
Bonython . . . . .	342	2,578	7,033	5,644	4,452	
Boothby . . . . .	870	4,002	7,166	5,388	5,220	
Grey . . . . .	717	2,068	5,150	5,301	2,750	
Hawker . . . . .	928	2,827	6,372	5,008	4,649	
Hindmarsh . . . . .	911	1,893	6,391	5,076	3,900	
Kingston . . . . .	621	1,993	5,687	4,743	4,081	
Port Adelaide . . . . .	871	2,537	5,540	4,994	3,557	
Sturt . . . . .	853	2,598	6,203	5,128	4,302	

Electoral division	Removals			Additions	
	Death notification	Objection action on grounds of non-residence	Transfers from sub-divisions within division	New enrolments	Transfers
Wakefield	1,029	574	6,010	5,200	3,024
State total	8,999	25,097	68,352	56,860	42,630
<b>Western Australia</b>					
Canning	640	3,495	4,285	5,246	4,797
Curtin	1,076	5,218	5,913	4,262	3,899
Forrest	759	2,593	3,556	3,440	3,979
Fremantle	775	2,763	4,823	5,039	4,821
Kalgoorlie	337	3,361	5,369	6,975	4,166
Moore	351	3,679	5,373	7,656	7,424
O'Connor	656	2,303	4,340	3,553	3,076
Perth	879	2,141	6,596	4,968	5,058
Stirling	603	3,994	5,794	5,451	5,142
Swan	889	3,834	6,382	5,289	4,858
Tangney	659	3,840	5,614	5,609	5,806
State total	7,624	37,221	58,045	57,488	53,026
<b>Tasmania</b>					
Bass	756	1,434	4,477	3,263	3,861
Braddon	655	1,184	3,522	3,173	2,349
Denison	763	2,285	5,996	4,707	5,120
Franklin	597	1,300	4,025	3,587	3,598
Wilmont	773	1,053	3,461	3,192	3,196
State total	3,544	7,256	21,481	17,922	18,124
<b>Territories</b>					
Canberra	424	2,939	3,933	7,082	1,525
Fraser	446	4,140	5,088	8,015	1,114
Northern Territory	421	4,210	6,456	7,718	3,167
Total for Territories	1,291	11,289	15,477	22,815	5,806
Australian total	105,437	354,120	747,008	671,146	642,755

3. The following table sets out the changes to the Polling Places effected during 1981:

Electoral Division	Appointed	Abolished	Change of Name
<b>New South Wales*</b>			
Grayndler	2	2	..
Gwydir	..	..	2
Hughes	1	..	..
Macarthur	..	1	..
New England	2	2	..
State Total	5	5	2

Electoral Division	Appointed	Abolished	Change of Name
<b>Victoria</b>			
Melbourne Ports	..	..	1 ..
Scullin	1	..	..
State Total	1	1	..
<b>Queensland</b>			
Darling Downs	..	..	5
Fadden	..	..	1
McPherson	5	..	2
State Total	5	..	8
<b>South Australia</b>			
Barker	..	..	1
Grey	..	..	1
State Total	..	..	2

Electoral Division	Appointed	Abolished	Change of Name
<b>Western Australia</b>			
O'Connor . . . . .	1	1	..
Tangney . . . . .	1	1	..
State Total . . . . .	2	2	..
<b>Australian Capital Territory</b>			
Canberra . . . . .	1	..	..

\* A State redistribution was undertaken during early 1981. Because of the considerable changes made to sub-division boundaries as a result of the redistribution all polling places within the State were abolished and re-appointed within the new sub-divisional boundaries—the changes set out in the table are in addition to these abolitions/appointments.

4. (a) and (b) The Australian Electoral Office has advised that Habitation Reviews are normally conducted on the

annual basis (during each financial year). As was mentioned in answers to the honourable senator's earlier questions on this subject, officers who conduct the reviews are employed on piece rates (i.e. they are paid an amount in respect of each habitation reviewed) and are not employed on an hourly basis.

The honourable senator will recall that to answer question No. 856 an estimate of the numbers of hours review officers worked was made. However, because of the basis of payment which gives no direct indication of the actual time spent on review work and because of the various densities of habitation within areas and the mixture of such areas within and between Divisions the information quite clearly could only be based on very broad estimates. Therefore, to give the honourable senator an accurate picture of review work undertaken, details of the actual number of habitations reviewed in each month in each Division are provided.

The following table sets out, by Division, the number of staff employed on habitation reviews in 1981 together with details of habitations reviewed in each month in each Division during 1981:

Electoral Division	No. of review officers	Total number of habitations reviewed													
		Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total	
<b>New South Wales</b>															
Banks	9	..	..	814	6,882	3,574	2,921	3,156	10,345	763	1,632	4,088	..	34,175	
Barton	10	..	..	1,114	6,863	3,815	2,049	2,596	5,336	..	1,389	2,649	..	25,811	
Bennelong	7	..	..	..	3,558	4,952	3,316	2,294	5,347	2,628	492	5,986	..	28,573	
Berowra	11	..	..	..	..	4,303	7,191	699	8,675	..	547	5,346	1,489	28,250	
Blaxland	8	..	..	..	6,359	4,314	2,286	3,380	9,486	..	2,717	..	..	28,542	
Bradfield	6	..	..	..	..	2,905	4,509	2,557	5,323	1,635	3,196	4,914	1,424	26,463	
Calare	8	..	..	..	4,248	3,256	606	2,053	7,303	..	2,110	5,378	..	24,954	
Chifley	10	..	..	..	3,679	4,631	2,882	1,510	6,735	..	4,248	8,335	..	32,020	
Cook	9	..	..	..	5,492	2,397	5,117	1,908	10,592	..	406	7,514	1,702	35,128	
Cowper	10	..	..	..	..	1,520	1,787	3,707	636	8,619	..	228	2,582	432	19,511
Cunningham	8	..	..	..	3,845	8,602	5,784	4,095	8,578	1,009	815	4,461	1,677	38,866	
Dundas	7	..	..	..	6,762	6,340	593	3,450	5,663	800	1,858	7,413	..	32,879	
Eden-Monaro	7	..	..	1,388	3,826	5,541	..	1,382	2,892	..	2,136	1,493	..	18,658	
Farrer	12	..	..	..	3,472	4,872	1,122	911	3,382	..	717	1,929	..	16,415	
Grayndler	6	..	..	..	2,594	6,865	4,501	2,484	4,413	..	4,890	8,110	3,939	37,796	
Gwydir	8	..	..	..	..	708	2,559	2,608	1,303	2,574	964	885	1,801	400	13,802
Hughes	8	..	..	..	12,275	943	..	5,397	12,813	..	4,938	3,236	..	39,602	
Hume	10	..	..	..	332	1,807	962	150	3,579	..	1,292	2,137	106	10,365	
Hunter	10	..	..	..	3,372	2,024	475	2,517	2,827	1,252	2,729	6,923	..	22,119	
Kingsford-Smith	6	..	..	..	1,597	9,378	5,093	3,563	6,275	..	2,050	2,711	1,632	32,299	
Lowe	6	..	..	..	4,533	8,358	3,081	3,242	8,061	..	3,054	7,712	1,066	39,107	
Lyne	10	..	..	..	1,825	5,151	2,513	1,047	3,223	..	..	1,024	260	15,043	
Macarthur	12	..	..	..	2,191	3,855	1,920	748	1,464	2,040	2,572	6,462	..	21,252	
Mackellar	7	..	..	..	4,775	6,302	2,049	953	5,657	1,114	1,662	6,615	..	29,157	
Macquarie	10	..	..	1,117	7,679	2,529	..	2,613	13,338	505	4,317	4,388	271	36,757	
Mitchell	10	..	..	..	5,211	7,497	3,471	2,807	9,468	..	2,658	5,832	..	36,944	
Newcastle	8	..	..	2,455	4,670	1,479	971	4,149	5,828	..	4,388	4,412	332	28,684	
New England	18	..	..	..	1,168	4,295	..	482	3,635	..	2,314	7,091	1,752	20,737	
North Sydney	10	..	..	..	548	8,652	6,388	1,066	6,726	..	726	5,143	..	29,249	
Parramatta	16	..	..	..	2,956	3,598	6,081	4,250	10,342	..	1,866	6,538	..	35,631	
Paterson	18	..	..	..	1,737	1,361	3,848	1,531	2,443	..	497	2,461	1,143	15,021	
Philip	11	..	..	..	2,977	8,189	3,264	4,806	9,814	..	5,248	3,349	..	37,647	
Prospect	8	..	..	..	11,674	4,274	..	4,699	4,974	2,393	..	2,767	1,433	32,214	
Reid	10	..	..	..	3,163	3,450	5,404	3,028	7,264	..	1,085	11,134	3,030	37,558	
Richmond	5	..	..	..	5,939	2,970	..	535	3,231	..	2,304	2,916	..	17,895	
Riverina	13	..	..	..	1,508	5,902	1,602	1,333	3,158	1,001	2,236	3,310	..	20,050	
Robertson	5	..	..	1,192	6,626	1,462	..	..	5,977	..	3,091	2,860	..	21,208	
St. George	13	..	..	..	2,354	2,642	6,413	1,438	5,726	..	3,328	6,426	252	28,579	
Shortland	9	..	..	..	4,422	1,328	..	1,919	10,740	..	2,503	4,340	1,826	27,078	
Sydney	6	..	..	..	..	3,857	2,550	4,434	7,878	..	1,014	5,273	..	25,006	
Warringah	10	..	..	..	2,357	6,529	802	2,576	12,541	..	..	3,203	3,682	31,690	
Wentworth	14	..	..	..	..	..	..	1,038	5,501	..	3,387	5,224	5,090	20,240	
Werriwa	5	..	..	669	6,235	3,225	2,756	1,905	4,779	..	3,003	6,864	..	29,436	
<b>Victoria</b>															
Balaclava	7	..	1,963	7,425	6,523	6,023	2,148	..	1,415	7,197	6,311	5,564	4,210	48,779	

Electoral Division	No. of review officers	Total number of habitations reviewed													
		Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total	
Ballarat	7	..	1,023	4,314	3,746	792	..	..	1,264	7,896	8,281	2,812	1,127	31,255	
Batman	5	..	2,275	8,067	6,729	8,739	2,656	..	2,665	8,957	8,137	9,203	3,157	60,585	
Bendigo	12	..	2,000	5,551	5,104	5,811	6,683	..	849	4,102	5,370	4,870	1,664	42,004	
Bruce	9	..	3,329	7,026	6,100	5,828	2,007	..	3,573	6,966	7,135	6,226	3,609	51,799	
Burke	9	..	2,085	4,853	6,948	7,820	2,584	..	1,578	6,043	7,174	6,088	3,923	49,096	
Casey	14	..	2,351	5,451	6,544	4,367	..	..	1,652	3,626	5,010	6,753	3,418	39,172	
Chisholm	5	..	1,711	8,988	7,136	6,784	..	..	2,024	8,072	6,128	5,772	5,027	51,642	
Corangamite	9	..	1,174	2,776	1,797	1,623	..	..	..	5,975	7,169	2,448	1,901	24,863	
Corio	9	..	1,437	5,575	5,894	8,480	1,654	..	..	3,033	7,625	7,896	4,868	962	47,424
Deakin	4	..	2,613	6,012	6,329	5,884	3,008	..	2,284	6,183	6,915	7,493	3,388	50,109	
Diamond Valley	9	..	1,409	7,770	8,582	4,654	2,682	..	2,058	7,325	6,059	6,990	5,576	53,105	
Flinders	9	..	2,948	4,106	5,461	7,929	6,248	..	1,358	5,668	5,732	7,960	6,890	54,300	
Gellibrand	9	..	3,031	6,591	6,456	7,233	5,778	..	2,712	5,777	5,918	5,871	5,259	54,626	
Gippsland	24	..	1,716	6,126	5,865	882	..	..	1,536	5,493	4,844	5,111	3,541	35,114	
Henty	6	..	1,933	6,882	5,163	6,098	2,919	..	2,149	9,010	7,763	7,126	4,773	53,816	
Higgins	7	..	2,854	7,457	5,942	6,903	3,314	..	1,959	6,028	6,039	6,583	4,450	51,529	
Holt	10	..	1,312	5,524	7,293	5,607	3,183	..	1,865	6,253	6,303	6,268	2,924	46,532	
Hotham	7	..	3,247	9,538	5,568	6,117	2,897	..	2,196	6,503	6,413	6,408	5,311	54,198	
Indi	17	..	689	3,918	1,944	2,843	3,443	..	1,400	5,076	7,125	2,022	1,391	29,851	
Isaacs	6	..	2,298	10,129	6,875	5,466	2,759	..	1,138	7,584	8,849	5,076	1,820	51,994	
Kooyong	13	..	2,202	9,936	7,634	5,776	2,262	..	3,975	6,524	7,259	6,667	3,564	55,799	
Lalor	9	..	2,454	6,228	4,833	8,386	4,053	..	2,181	6,831	5,009	5,863	4,111	49,949	
La Trobe	9	..	1,677	6,923	6,188	6,986	2,157	..	1,005	4,011	7,868	5,926	5,142	47,883	
McMillan	12	..	929	2,466	5,445	5,059	448	..	..	2,691	5,949	6,947	2,088	32,022	
Mallee	28	..	465	7,062	2,355	946	..	..	436	5,773	4,171	5,595	640	27,443	
Maryborough	7	..	1,364	6,929	6,381	6,346	5,144	..	2,483	7,847	7,405	9,303	2,570	55,772	
Melbourne	7	..	969	5,922	7,508	8,687	4,401	..	1,071	7,997	5,231	5,266	3,799	50,851	
Melbourne Ports	4	..	1,339	5,442	6,427	6,372	2,853	..	3,038	8,295	6,189	5,368	5,212	50,535	
Murray	13	..	890	7,698	4,487	1,951	..	..	1,003	8,990	5,605	3,495	578	34,697	
Scullin	10	..	1,408	8,608	7,008	5,809	3,532	..	4,330	7,869	10,011	14,235	1,868	64,678	
Wannon	5	..	..	..	..	..	..	..	2,725	6,998	7,937	1,050	..	18,710	
Wills	8	..	1,047	4,811	6,079	8,797	2,974	..	1,515	7,357	7,042	5,215	3,936	48,773	
<b>Queensland</b>															
Bowman	15	..	10,495	8,204	9,209	10,443	..	..	..	..	..	..	..	38,351	
Brisbane	13	..	13,491	11,462	7,828	3,313	..	..	..	..	..	..	..	36,094	
Capricornia	19	..	10,694	7,559	7,159	932	819	..	..	..	..	..	..	27,163	
Darling Downs	20	..	12,859	12,920	3,485	..	..	..	..	..	..	..	..	29,264	
Dawson	14	..	7,379	4,593	2,366	2,532	..	..	..	..	..	..	..	16,870	
Fadden	12	2,900	7,391	12,706	11,061	2,949	..	..	..	..	..	..	..	37,007	
Fisher	13	..	2,285	18,119	11,947	2,956	..	..	..	..	..	..	..	35,307	
Griffith	9	..	24,159	8,859	5,095	4,067	..	..	..	..	..	..	..	42,180	
Herbert	12	..	11,014	9,303	7,500	..	..	..	..	..	..	..	..	27,817	
Kennedy	14	..	4,157	4,759	968	..	..	..	..	..	..	..	..	9,884	
Leichhardt	15	..	..	6,927	14,046	1,769	..	..	..	..	..	..	..	22,742	
Lilley	10	..	21,925	15,038	..	7,501	..	..	..	..	..	..	..	36,963	
McPherson	10	..	..	..	..	7,501	..	..	..	..	..	..	..	7,501	
Maranoa	37	..	5,724	7,709	3,056	1,494	..	..	..	..	..	..	..	17,983	
Moreton	8	..	8,632	10,938	10,601	3,198	..	..	..	..	..	..	..	33,369	
Oxley	16	..	7,332	10,803	10,495	6,799	..	..	..	..	..	..	..	35,429	
Petrie	11	..	10,507	9,885	5,680	7,310	4,312	..	..	..	..	..	..	37,694	
Ryan	11	..	12,500	19,814	5,641	..	..	..	..	..	..	..	..	37,955	
Wide Bay	16	..	22,073	4,828	..	..	..	..	..	..	..	..	..	26,901	
<b>South Australia</b>															
Adelaide	5	..	..	11,066	7,818	2,706	..	..	..	..	..	..	..	21,590	
Barker	4	..	456	2,657	5,754	..	..	..	..	..	..	..	..	8,867	
Bonython	6	..	1,814	7,680	10,643	1,519	..	..	..	..	..	..	..	21,656	
Boothby	7	..	..	..	12,912	6,001	..	..	..	..	..	..	..	18,913	
Grey	3	..	..	5,514	389	..	..	..	..	..	..	..	..	5,903	
Hawker	5	..	3,779	12,949	5,746	..	..	..	..	..	..	..	..	22,474	
Hindmarsh	7	..	1,410	9,387	8,324	6,939	..	..	..	..	..	..	..	26,060	
Kingston	5	..	..	9,316	8,130	..	..	..	..	..	..	..	..	17,446	
Port Adelaide	5	..	417	6,684	4,074	1,868	..	..	..	..	..	..	..	13,043	
Sturt	7	..	..	10,475	7,796	3,285	..	..	..	..	..	..	..	21,556	
Wakefield	1	..	..	1,220	..	..	..	..	..	..	..	..	..	1,220	
<b>Western Australia</b>															
Canning	17	..	435	9,175	6,251	5,802	..	..	..	..	1,719	5,136	741	29,259	
Curtin	10	..	..	..	4,035	2,369	..	..	..	..	3,677	6,867	3,564	20,512	
Forrest	12	..	1,198	4,338	3,380	1,510	..	..	..	..	2,654	3,965	1,304	18,349	
Fremantle	14	..	3,504	9,118	5,204	1,294	..	..	..	..	3,719	7,705	2,643	33,187	
Kalgoorlie	33	..	..	4,679	4,030	10,021	2,125	1,732	309	..	..	..	1,365	24,261	
Moore	16	..	2,463	14,770	9,926	2,893	..	..	..	..	705	9,521	4,353	44,631	
O'Connor	20	..	843	5,427	2,727	377	82	..	..	..	..	2,804	27	12,287	

Electoral Division	No. of review officers	Total number of habitations reviewed												
		Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total
Perth	10	..	1,963	9,855	4,470	3,524	..	..	..	..	4,354	5,232	463	29,861
Stirling	11	..	1,360	8,721	7,420	6,893	..	..	..	..	4,570	5,408	3,125	37,497
Swan	25	..	2,073	9,345	5,021	9,412	807	..	..	..	2,902	8,325	5,050	42,935
Tangney	10	..	2,099	8,250	6,422	6,128	..	..	..	..	3,004	5,824	2,247	33,974
<b>Tasmania</b>														
Bass	6	..	1,029	7,254	3,911	1,821	1,452	..	..	..	..	..	..	15,467
Braddon	16	..	..	5,612	4,073	3,273	211	..	..	..	..	..	..	13,169
Denison	5	..	..	3,341	2,220	5,133	1,920	..	..	..	..	..	..	12,614
Franklin	3	..	..	2,431	5,810	3,444	..	..	..	..	..	..	..	11,685
Wilmot	7	..	..	..	5,861	1,434	488	..	..	..	..	..	..	7,783
<b>Territories</b>														
Canberra	17	..	..	9,449	13,770	10,736	1,153	..	..	..	..	8,912	8,557	52,577
Fraser	13	..	..	4,908	17,279	7,246	6,078	..	..	..	..	9,237	7,212	51,960
Northern Territory	5	..	..	..	..	..	2,273	..	..	..	..	175	..	2,448

**Public Service: Salary Increases**

(Question No. 1825)

**Senator Douglas McClelland** asked the Minister representing the Minister for Industrial Relations, upon notice, on 17 February 1982:

(1) Has the Government directed the Minister's Department to pay the salary increases granted in December 1981 by the Conciliation and Arbitration Commission from funds already allocated for this financial year.

(2) What impact will this direction have on the Department's ongoing programs.

(3) What programs will have to be curtailed or dropped.

**Senator Chaney**—The Minister for Industrial Relations has provided the following answer to the honourable senator's question:

I refer the honourable senator to the answer provided by the Minister for Finance to Question No. 1835 (Senate *Hansard*, 25 March 1982, page 1259).

**Public Service: Salary Increases**

(Question No. 1828)

**Senator Douglas McClelland** asked the Minister representing the Minister for the Capital Territory, upon notice, on 17 February 1982:

(1) Has the Government directed the Minister's Department to pay the salary increases granted in December 1981 by the Conciliation and Arbitration Commission from funds already allocated for this financial year.

(2) What impact will this direction have on the Department's ongoing programs.

(3) What programs will have to be curtailed or dropped.

**Senator Messner**—The Minister for the Capital Territory has provided the following response to the honourable senator's questions:

I refer the honourable senator to the reply provided by the Minister for Finance to Question No. 1835, which appeared in the *Hansard* of 25 March 1982 on page 1259.

**Immigration**

(Question No. 1864)

**Senator Jones** asked the Minister representing the Minister for Immigration and Ethnic Affairs, upon notice, on 17 February 1982:

(1) What was the total number of immigrants entering Australia during the year ended 30 June 1981.

(2) What was the total number of refugees entering Australia during the same period.

(3) What percentage of these immigrants were: (a) professionals; (b) skilled workers; and (c) unskilled workers.

(4) What professionals were represented in the professional group and do their qualifications meet Australian standards.

(5) What trades and occupations were represented by the skilled workers in that group.

**Senator Durack**—The Minister for Immigration and Ethnic Affairs has provided the following answer to the honourable senator's question:

(1) 110,689 persons.

(2) 21,847 persons (included in the above figure).

(3) (a) 7.7 per cent (Professional and technical group); (b) 14.2 per cent; (c) 8.8 per cent.

Footnote: The remainder is made up of semi-skilled (12 per cent); not previously employed (1 per cent); not stated (1.4 per cent) and dependants of above (54.9 per cent).

(4) See list (a) below.

Immigrants for whom labour market criteria apply as a condition of entry, have the acceptability of their qualifications in Australia checked before approval. However the recorded occupations of other migrants such as accompanying dependants, refugees or New Zealand citizens are usually based on self-description. It is therefore not possible to prepare statistics on numbers of immigrants' qualifications which meet Australian standards.

(5) See list (b) below.

(Note: Source of statistics)—Australian Bureau of Statistics

**PROFESSIONAL AND TECHNICAL GROUP**

Chiropodists

Clinical Psychologists

Dental hygienists, Therapists

Dentists, Orthodontists	LIST (b)
Dietitians	TRADES GROUP
Matrons, Nurses (Hospital)	Skilled Mining
Medical Laboratory Technologists	Skilled Mining Occupations
Medical Practitioners and Specialists	Skilled Building and Construction
Nurses (Other than Hospital)	Bricklayers
Occupational Therapists	Carpenters
Optometrists	Joiners (In Workshop)
Orthoptists	Fibrous Plasterers
Pharmaceutical Chemists	Painters, Decorators, Signwriters
Physiotherapists, Masseurs	Plasterers (Solid)
Social Workers, Welfare Workers	Plumbers and Gasfitters
Speech Therapists	Tilers (Roof)
Veterinary Surgeons	Stonemasons
Other Medical and Para Medical	Flat Glass Tradesmen
Agricultural Scientists incl. Foresters	Riggers
Architects	Other Skilled B & C Trades
Biologists, Biochemists	Skilled Metal and Electrical
Chemists—Industrial/Research	Blacksmiths
Draftsmen	Boilermakers
Geologists, Mineralogists, Petrologists etc.	Jobbing Moulders and Coremakers
Geophysicists & other Earth Scientists	Toolmakers and Diemakers
Mathematicians	Machine Setters
Metallurgists, Assayers (Professional)	Fitters
Physicists (Chemical, Nuclear etc.)	Turners
Quantity Surveyors	Fitters and Turners
Scientific Technologists (N.E.I.)	Machinists, First Class
Surveyors—Land (Cadastral etc.)	Coppersmiths
Town and Regional Planners	Sheet Metal Workers, First Class
Other Life Scientists	Pattern Makers
Other Scientific Occupations	Shipwrights
Accountants (Not Public)	Welders, First Class
Administrators (Government)	Motor Mechanics
Auctioneers, Valuers	Aircraft Maintenance Engineers
Barristers, Solicitors, Law Clerks	Electrical Fitters and Armature Winders
Company Secretaries	Electrical Fitters (Automotive)
Computer Programmers	Electrical Mechanics
Economists	Telephone and Telegraph Mechanics
Institution, Association Secretaries	Tradesmen, Radio
Insurance Agents, Inspectors etc.	Linesmen
Managers, Agents (Land, Estate etc.)	Refrigeration Mechanics
Managers Catering, Caterers	Sewing Machine Mechanics
Managers—Club, Hotel etc.	Business Equipment Mechanics
Managers of Establishments	Watch and Clock Makers
Managers by Function	Instrument Makers
Statisticians	Motor Trimmers
Systems Analysts (Data Prep.)	Annealers, Case Hardeners
Other Business and Commerce	Tradesmen Heat Treaters
Announcers, Arrangers etc. (Radio/Television)	Electroplaters (First Class)
Commercial Artists	Motor Body Builders
Other Artists	Vehicle Painters (First Class)
Directors, Producers (Theatre, Television etc)	Locksmiths
Editors, Journalists	Safemakers and Repairers
Librarians, Library Assistants	Other Skilled Metal and Electrical
Managers—Rural, Fishing, Hunting	Other Skilled Trades
Photographers, Television Cameramen etc.	Glass Trades
Pilots (Aircraft)	Brick, Tile and Pottery Trades
Professors, Lecturers etc.—Tertiary	Tannery, Leather and Canvas
Psychologists (Not Clinical)	Rubber and Plastic
Ships Officers	Clothing and Textiles
Teachers	Footwear Trades
Ministers of Religion	Food and Drink
Other Professional, N.E.I. Technicians—Dental	Tobacco Trades
Technicians—Electrical, Electronics	Woodworking, Timber, Furniture—
Technicians—Industrial	Chair and Couch Makers
Technicians—Medical etc.	Cabinet Makers
Technicians—Production, N.E.I.	Furniture Polishers
Technicians—Radio, Television B'casting	Upholsterers
Technicians—Scientific and Lab	Wood Machinists
Other Technicians, N.E.I.	Other

Paper Trades  
 Printing  
 Jewellery Makers, Repairers  
 Boat Builders  
 Dry Cleaners  
 Laboratory Assistants  
 Other Skilled, N.E.I.

**CLERICAL, COMMERCIAL AND ADMINISTRATIVE GROUP**

Clerical, Commercial and Administrative Proprietors and Contractors

Managers (Non-Professional)  
 Clerks—Male  
 Clerks—Female  
 Typists, Stenographers

**Leopard Tank Program**

(Question No. 2047)

**Senator Siddons** asked the Minister representing the Minister for Defence, upon notice, on 16 March 1982:

(1) What offsets have been provided against the value of the Leopard tank program.

(2) What Australian industrial participation was there in the Leopard program.

(3) What technological transfers occurred as a result of the Leopard tank program, and in each case what was the value of the project.

(4) What proposals for such programs were made but rejected by the German contractor or sub-contractors in the period January 1975 to January 1982.

(5) What was the total cost of the Leopard tank acquisition program.

(6) Has Krauss Maffei and its subcontractors met the spirit and letter of their contractual obligations.

**Senator Durack**—The Minister for Defence has provided the following answer to the honourable senator's question:

(1) Offset orders placed with Australian manufacturers total \$11.8m at March 1982 against an obligation of \$35.4m. Major elements include:

Electrical connectors and other components  
 Refrigeration equipment  
 Electronic equipment  
 Machine tools  
 Tank battery lead

(2) and (3) When the first contracts for Leopard tanks were signed in May 1975 the then Government agreed that the associated industry program would be provided by offsets, manufacture of ammunition and some components and the setting up of support capabilities.

Capacity for the manufacture of ammunition is well advanced; spare gun barrels have been manufactured; the Drivers Night Sight is being manufactured by industry in South Australia; track refurbishment is underway; local production of brake discs, pads and running-gear spares is being investigated together with other high usage items. The engine manufacturer has set up an overhaul facility in New South Wales which could later be used to overhaul Leopard engines and the Army has established a comprehensive overhaul capability. Technology transfer to Australia has occurred in the above areas.

(4) and (6) More than 500 enquiries for offset items from Australia have been listed by Krauss Maffei and its subcontractors. This list includes a small number of independent offers by Australian industry.

Many of the earlier enquiries were badly directed, or were for goods not qualifying as offset—such as coal. In response to Departmental pressure Krauss-Maffei has, in the past two years, made increased efforts to satisfy its obligation including mounting a purchasing mission which visited major Australian cities during 1980. Several follow-up visits have taken place and the Company has sought a two year extension to the offset period to give it further opportunity to satisfy its obligation.

(5) The cumulative value of contracts with Krauss-Maffei is about DM300m (\$120m).

**Naval Facilities in Western Australia**

**Senator Durack**—On 9 March 1982 (*Hansard*, page 569) Senator Martyr asked me, as the Minister representing the Minister for Defence, without notice:

Is the Minister representing the Minister for Defence aware of the feeling expressed in Western Australia last weekend that the new ship of war acquired by the Government should be home-ported at HMAS *Stirling*, Garden Island, Western Australia. Will the Minister convey this sentiment to Cabinet and, I hope, support it himself?

The Minister for Defence has provided the following answer to the honourable senator's question:

It is assumed the ship referred to in the question is HMS *Invincible*; if so there are no plans to home-port her in Western Australia. A significant shore based infrastructure is required to support an aircraft carrier on a permanent basis and this is only available on the East Coast. Nevertheless *Invincible* will be able to operate from HMAS *Stirling* and should circumstances so dictate she could be base-ported there for limited periods.

Since 1980, up to two destroyers have been base-ported from time to time at HMAS *Stirling* for short periods. This practice will continue. It is planned the first destroyer will commence home-porting at HMAS *Stirling* in early 1984 with a second destroyer home-ported by mid 1985.

This requirement has given rise to significant infrastructure developments in the area including:

- Armament Depot, HMAS *Stirling*. Completed in October 1981 at a cost of \$4m;
- 20,000 tonne oil fuel installation, HMAS *Stirling*. Due for completion in October 1982 at a cost of \$2.6m;
- modifications to South Fremantle slipway to accommodate destroyer escorts and submarines. Completed in May 1980 at a cost of \$0.4m;
- land is being purchased progressively in the Rockingham area for additional housing associated with HMAS *Stirling*; 19 additional houses have been built since February 1980 and a further 126 are planned for construction in the current Five Year Defence Program.

**Public Service: Salary Increases**

(Question No. 1815)

**Senator Douglas McClelland** asked the Minister representing the Minister for Trade and Resources, upon notice, on 17 February 1982:

(1) Has the Government directed the Minister's Department to pay the salary increases granted in December 1981 by the Australian Conciliation and Arbitration Commission from funds already allocated for this financial year.

(2) What impact will this direction have on the Department's ongoing programs.

(3) What programs will have to be curtailed or dropped.

**Senator Sir John Carrick**—The Minister for Trade and Resources has provided the following answer to the honourable senator's question:

I refer the honourable senator to the reply given by the Minister for Finance in answer to Question No. 1835 (Senate *Hansard*, page 1259 of 25 March 1982).

### Public Service: Salary Increases

(Question No. 1824)

**Senator Douglas McClelland** asked the Minister representing the Minister for Primary Industry, upon notice, on 17 February 1982:

(1) Has the Government directed the Minister's Department to pay the salary increases granted in December 1981 by the Australian Conciliation and Arbitration Commission from funds already allocated for this financial year.

(2) What impact will this direction have on the Department's ongoing programs.

(3) What programs will have to be curtailed or dropped.

**Senator Chaney**—The Minister for Primary Industry has provided the following answer to the honourable senator's question:

I refer the honourable senator to the answer provided by the Minister for Finance to Question No. 1835 (*Hansard*, 25 March 1982, page 1259).

### Public Service: Salary Increases

(Question No. 1838)

**Senator Douglas McClelland** asked the Minister for Veterans' Affairs, upon notice, on 16 February 1982:

(1) Has the Government directed the Minister's Department to pay the salary increases granted in December 1981 by the Australian Conciliation and Arbitration Commission from funds already allocated for this financial year.

(2) What impact will this direction have on the Department's ongoing programs.

(3) What programs will have to be curtailed or dropped.

**Senator Messner**—The answer to the honourable senator's question is as follows:

I refer the honourable senator to the Minister for Finance's answer to Question No. 1835 (Senate *Hansard*, 25 March 1982, page 1259).

### Community Youth Support Scheme

(Question No. 1886)

**Senator Grimes** asked the Minister representing the Minister for Employment and Youth Affairs, upon notice, on 18 February 1982:

(1) What was the cost of continuing with Community Youth Support Scheme between October 1981 and February 1982.

(2) Did this money come from an additional appropriation or from other sections of the Department of Employment and Youth Affairs.

(3) Did the money come from other divisions of the Department; if so, were the specific withdrawals of funds from them.

**Senator Dame Margaret Guilfoyle**—The Minister for Employment and Youth Affairs has provided the following answer to the honourable senator's question:

(1) The cost of continuing the Community Youth Support Scheme between October 1981 and February 1982 was \$4.8m.

(2) The funds to enable the Scheme to function until 28 February 1982 came from the present appropriations of the Department of Employment and Youth Affairs.

(3) Yes; yes.

### Working Party on Skill Shortages

(Question No. 1940)

**Senator Douglas McClelland** asked the Minister representing the Minister for Employment and Youth Affairs, upon notice, on 24 February 1982:

(1) What action has been taken by the Working Party on Skill Shortages to implement the recommendations contained in its report, following endorsement of the Working Party's report by Commonwealth and State Labour Ministers in September 1980.

(2) Which particular recommendations have been implemented and what action is being taken to implement those that are outstanding.

**Senator Dame Margaret Guilfoyle**—The Minister for Employment and Youth Affairs has provided the following answer to the honourable senator's question:

(1) After it was endorsed by Commonwealth and State Labour Ministers in September 1980, copies of the report were circulated to principal employer and trade union organisations and other appropriate bodies at both national and State levels.

(2) Implementation of the 27 recommendations is being actively pursued. At the conference of Commonwealth and State Labour Ministers on 4 March 1982, it was agreed to publish a report which outlines the progress made in implementing those recommendations. When that document is available I will arrange for a copy of it to be forwarded directly to the honourable senator.

### Dairying: Production

(Question No. 1960)

**Senator Walsh** asked the Minister representing the Minister for Primary Industry, upon notice, on 9 March 1982:

(1) What has been the production in each month since January 1981 of the dairy factories at:

- (a) Leongatha;
- (b) Sale;
- (c) Bairnsdale; and
- (d) Warragul.

(2) What stocks were held by each factory in each of those months.

**Senator Chaney**—The Minister for Primary Industry has provided the following answer to the honourable senator's question:

(1) and (2) My Department does not receive details of dairy and factory's monthly production or stock figures. For the purposes of the dairy industry stabilization marketing arrangements, the Australian Dairy Corporation (ADC) receives, on a confidential basis, details of production of the prescribed products by factories. For planning purposes, manufacturers also make available to the ADC details of their stock holdings of prescribed products on a commercial-in-confidence basis. Where a company has more than one factory the stock figures are usually provided in aggregate and not in respect of individual factories.

Because of the commercial advantage which could be given to other manufacturers, I believe it would be inappropriate to request the ADC to make information in respect of selected factories available for public record.

### Community Youth Support Scheme

(Question No. 2020)

**Senator Jones** asked the Minister representing the Minister for Employment and Youth Affairs, upon notice, on 10 March 1982:

(1) Are funding levels for the Community Youth Support Scheme (CYSS) in real terms, below the operating levels making it impossible to engage in viable and flexible forward planning; if so, will consideration be given to abandoning the system of pro rata funding.

(2) Will consideration also be given to making the Government's decision not to abolish CYSS more meaningful by adopting a more generous and understanding approach to youth problems so that the spirit and objectives of CYSS are realised, by raising the level of funding to a more realistic figure.

**Senator Dame Margaret Guilfoyle**—The Minister for Employment and Youth Affairs has provided the following answer to the honourable senator's question:

(1) No.

(2) As announced on 24 February 1982, a total of \$5m has been made available to enable the 260 existing viable Community Youth Support Scheme projects to continue in operation for the period 1 March to 30 June 1982. The great majority of projects have received a substantial increase in funds of 15 per cent to cover increased costs and to reimburse travel costs of participants.

From 1 July 1982 approved projects may receive a grant at one of three standard levels. The actual levels of the grants have yet to be determined.

### Kangaroos, Wallabies and Koalas

(Question No. 2061)

**Senator Mulvihill** asked the Minister representing the Minister for Home Affairs and Environment, upon notice, on 16 March 1982:

What are the names and locations of the various overseas zoos that have been permitted to import kangaroos, wallabies and koalas during the 12 months to 1 March 1982.

**Senator Peter Baume**—The Minister for Home Affairs and Environment has provided the following answer to the honourable senator's question:

The following overseas zoos have been permitted to import kangaroos or wallabies during the 12 months to 1 March 1982:

Belle Island Zoo, Detroit, USA

Peking Zoo, People's Republic of China  
Orana Park, Christchurch, New Zealand  
Naples Zoo, Italy  
Michael Corbasson Forest Park, New Caledonia  
St. Louis Zoo, USA  
Cebu Zoo, Phillipines  
Phoenix Park, Dublin, Ireland  
Djakarta Zoo, Indonesia  
Bristol Zoo, UK  
Okinawa Childrens Land Zoo, Japan  
Los Angeles Zoo, USA  
San Diego Zoo, USA  
Knoxville Zoo, USA  
Wellington Zoo, New Zealand  
Bombay Zoo, India  
Skansen Zoo, Stockholm, Sweden

The following overseas zoo has been permitted to import koalas during the 12 months to 1 March 1982:

Los Angeles Zoo, USA

### Repatriation Commission

(Question No. 2068)

**Senator Grimes** asked the Minister for Veterans' Affairs, upon notice, on 17 March 1982:

What steps have been taken to apply the rulings given by the Administrative Appeals Tribunal, Federal Court and the High Court against the Repatriation Commission and the number of claims which have been finalised as a result.

**Senator Messner**—The answer to the honourable senator's question is as follows:

A copy of each judgment of the Administrative Appeals Tribunal, the Federal Court and the High Court which has been given in a repatriation case has been passed to every Repatriation Board and to delegates of the Repatriation Commission dealing with appeals to the Commission.

In some instances the Repatriation Commission has, because of the importance of the issues involved, issued statements of principles to boards pursuant to section 15 of the Repatriation Act.

In addition, there have been conferences of Repatriation Board Chairmen and Commission delegates to discuss the implications of various decisions.

Of approximately 780 cases formally deferred pending these various decisions, approximately 530 have now been finalised. The remainder are being finalised as quickly as possible.

In addition, there are cases which had not been determined pending the decision of the Full Court of the Federal Court in Bowman's case. This case involved the question of eligibility for pension at the Totally and Permanently Incapacitated (T. and P.I.) Rate. The Commission has indicated that it will be issuing guidelines for the handling of these cases in the very near future.

### Commonwealth Employment Service

(Question No. 2076)

**Senator Grimes** asked the Minister representing the Minister for Employment and Youth Affairs, upon notice, on 17 March 1982:

(1) How many unemployed persons referred to jobs by the Commonwealth Employment Service were given: (a) refundable fares; and (b) non-refundable fares in 1980-81 and from 1 July 1981 to 28 February 1982.

(2) What was the cost of providing this fares assistance.

**Senator Dame Margaret Guilfoyle**—The Minister for Employment and Youth Affairs has provided the following answer to the honourable senator's question:

(1) Records of the actual numbers of unemployed persons involved are not kept. The numbers of fares given were:

	Refundable fares	Non-refundable fares
1980-81 . . . . .	228	116,534
1 July 1981-31 December 1981*	18	72,007

(2) The cost of providing this assistance was:

	Cost	\$
1980-81 . . . . .	302,754.36	
1 July 1981-31 December 1981*	99,816.05	

\*Data for quarter ended 31 March 1982 not yet available.

### Technological Change: Effect on Employment

(Question No. 2086)

**Senator Foreman** asked the Minister representing the Minister for Science and Technology, upon notice, on 23 March 1982:

(1) How many people in Australia have lost their jobs as a direct result of technological change for each year since 1975-76 to 1980-81.

(2) What major industry groupings did they come from.

(3) What proportion of these people were in the following age groups: (a) 20-25 years; (b) 25-34 years; (c) 35-44 years; (d) 45-60 years; (e) 60-64 years.

**Senator Durack**—The Minister for Science and Technology has provided the following answer to the honourable senator's question:

(1), (2) and (3) The information sought by the honourable senator is unavailable. The Committee of Inquiry into Technological Change in Australia, after consulting experts in Australia and overseas, concluded that 'even with hindsight the employment effects of a particular technology cannot, in most cases, be reliably identified' (paragraph 3.3, Volume 1).

Two reasons for this difficulty are, first, technological change is only one of many factors affecting employment; second, the employment consequences of technological change comprise both direct and indirect effects, the latter being of a complex nature. These difficulties are evident even in relation to particular firms, industries or technologies, and are clearly magnified enormously at the national level.

### Technological Change: Effect on Employment

(Question No. 2087)

**Senator Foreman** asked the Minister representing the Minister for Science and Technology, upon notice, on 23 March 1982:

(1) Has the Minister for Science and Technology seen reports that up to 2.5 million workers in the United States will lose their jobs in the next 20 years as a direct result of robot technology.

(2) How many jobs are under threat in Australia from such advances in technology over the next 20 years.

(3) What government controls are there to prevent such losses.

**Senator Durack**—The Minister for Science and Technology has provided the following answer to the honourable senator's question:

(1) and (2) There has been considerable speculation in Australia and overseas in recent years about the number of jobs affected by technological change. As indicated in response to question 2086 there are difficulties even in estimating the number of jobs which have been affected by technological change previously introduced. These difficulties are greater in the case of forecasting, particularly over a long time horizon. Reliable information pertinent to the honourable senator's question is thus unavailable. As historical evidence suggests, new technologies have employment generation as well as employment displacement effects. It is therefore perhaps more appropriate to consider net employment effects, although the forecasting problems I have described also apply to employment created by technological change.

(3) There are several Government schemes and initiatives which, although they cannot be regarded as 'controls', help ease the process of adjusting to change.

On the recommendation of the Committee of Inquiry into Technological Change in Australia (CITCA), the Government established the Technological Change Committee as a sub-committee of the Australian Science and Technology Council, to monitor and report on the direct and indirect effects of technological change.

The Government also accepted CITCA recommendations for increased effort by employers where technological change is to be introduced in the areas of consultation with, notification of and provision of information to employees. The Commonwealth Employment Service, the Relocation Assistance Scheme and the Government's manpower programs are aimed at improving the mobility, adaptability and skill level of the workforce.

The Government believes that, in the long term, the employment prospects of Australians are dependent on the innovativeness and competitiveness of Australian industry and its ability to keep pace with the latest technological advances.

### Repatriation Review Tribunal

(Question No. 2102)

**Senator Macklin** asked the Minister for Veterans' Affairs, upon notice, on 23 March 1982:

(1) What is the standing of the Repatriation Review Tribunal's 'Proposed Rules of Procedure' currently being circulated.

(2) Is any legislative action necessary in the event that these Rules of Procedure are adopted.

**Senator Messner**—The answer to the honourable senator's question is as follows:

(1) I have been informed that the President of the Repatriation Review Tribunal prepared Draft Rules of Procedure aimed at achieving uniformity of practice within the Tribunal and at bringing the practice within the Tribunal to the attention of the Repatriation Commission, the Department of Veterans' Affairs and organisations representing veterans as well as applicants and their representatives.

Late last year a draft of the proposed Rules was forwarded to the Repatriation Commission, the Department of Veterans' Affairs and organisations representing veterans. Comments were sought concerning the content of the Rules. Replies

indicated general support and many useful comments were received.

When all of these comments have been considered, the President proposes to publish Rules of Procedure for the Repatriation Review Tribunal in pursuance of section 107VP of the Repatriation Act 1920.

(2) No.

### Public Telephones

**Senator Peter Baume**—On 17 February 1982 (*Hansard* page 78) Senator Townley asked the Minister representing the Minister for Communications the following question without notice:

My question is directed to the Minister representing the Minister for Communications and it refers to public telephones. I preface it by saying that I note from a letter I received a couple of years ago from Telecom Australia that it anticipated income of some \$1,000 from each public telephone before a new one was installed. Of course I realise that that figure may now be somewhat higher. Now that Telecom has decided to increase public telephone calls to 20 cents, will this mean that Telecom will re-examine the number of public telephones that are installed and consequently install many more so that those people who are without a private telephone will have a public telephone more easily available to them?

Will Telecom convert most telephones to take 50 cent pieces as well as 20 cent pieces so that people who make subscriber trunk dialling calls, long distance calls, will not get arm ache from putting the 20 cent pieces in?

Finally, will Telecom convert as many public telephones as possible to the international subscriber dialling system so that people without that service available to them at home will have it available at public telephones?

The Minister for Communications has provided the following answer to the honourable senator's question:

As background to the honourable senator's question, Telecom advises that the loss on the public telephone service in 1980-81 was about \$43.3m or the equivalent of over \$1,350 per public telephone in service at the end of that year.

The figure of \$1,100 quoted by the honourable senator was assessed some years ago and has been the average annual revenue used as a guide in determining whether a public telephone should be installed at a particular location. Clearly, in the light of the above loss figure, \$1,100 is insufficient to offset the network costs of handling calls from the unit plus the maintenance and continuing running costs of clearing, cleaning and lighting the unit itself. The figure of \$1,100 is therefore being re-assessed in view of cost increases to Telecom since it was first established.

Turning to the honourable senator's specific queries, the recent increase in the public telephone fee was designed to help offset the high loss being incurred on the public telephone service rather than to provide additional public telephones which will continue to be installed in particular locations on the basis of expected revenue and community needs.

There are currently some 26,000 of the new type green public telephones in service. Whilst similar in appearance, there are two types—the CT3 and the CT3 (I)—and, because of the technical and cost considerations, the earlier CT3 units (some 20,000) will be converted to 20c operation only. Of the remaining 6,000 CT3 (I) units, 2,500 will be converted to 20/50c operation in 1982-83 at a relatively low cost. Also, 2,000 new type public telephones will be installed in 1982-83 and these will have 20/50c operation.

The 20/50c units will be available in areas with a high incidence of STD and/or ISD usage. Telecom will convert as many public telephones to ISD as is practicable bearing in mind particular local exchange equipment restrictions and the need for such a service. It will also give consideration to 'out of area' provision of ISD public telephone facilities in areas where the local exchange equipment is not suitable for ISD and where subscriber requirements justify such action, for example, where there is a high level of overseas calls being booked through operators from public telephones.