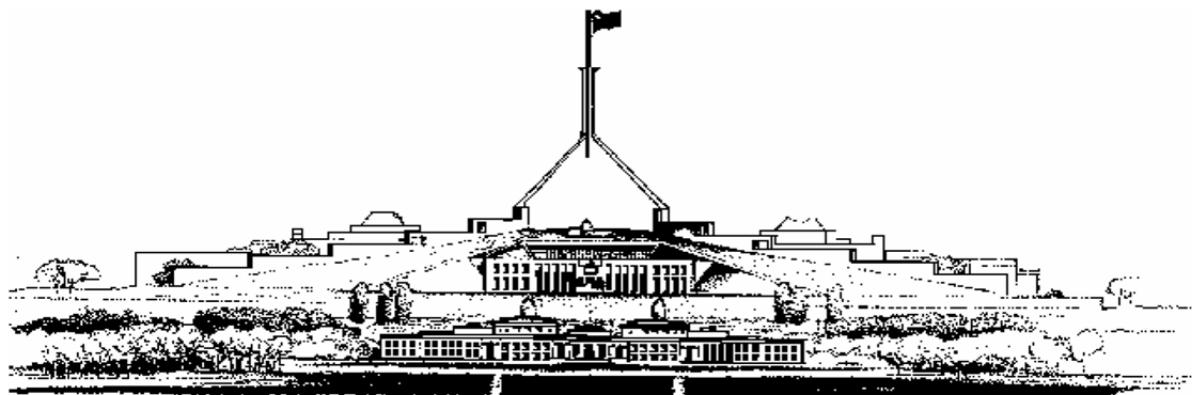




COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



House of Representatives

Official Hansard

No. 135, 1984
Tuesday, 28 February 1984

**THIRTY-THIRD PARLIAMENT
FIRST SESSION—THIRD PERIOD**

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

THIRTY-THIRD PARLIAMENT

FIRST SESSION—THIRD PERIOD

Governor-General

His Excellency the Right Honourable Sir Ninian Martin Stephen, 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 Commander of the Most Excellent Order of the British Empire, Knight of the Most Venerable Order of the Hospital of St John of Jerusalem, Governor-General of the Commonwealth of Australia and Commander-in-Chief of the Defence Force.

Hawke Ministry

*Prime Minister	The Honourable Robert James Lee Hawke, AC
*Deputy Prime Minister, Minister for Trade, Minister Assisting the Prime Minister for Commonwealth-State Relations and Vice-President of the Executive Council	The Honourable Lionel Frost Bowen
*Leader of the Government in the Senate and Minister for Industry and Commerce	Senator the Honourable John Norman Button
*Deputy Leader of the Government in the Senate and Minister for Social Security	Senator the Honourable Donald James Grimes
*Minister for Employment and Industrial Relations and Minister Assisting the Prime Minister for Public Service Industrial Matters	The Honourable Ralph Willis
*Treasurer	The Honourable Paul John Keating
*Special Minister of State and Leader of the House	The Honourable Michael Jerome Young
*Minister for Resources and Energy	Senator the Honourable Peter Alexander Walsh
*Minister for Foreign Affairs	The Honourable William George Hayden
*Minister for Education and Youth Affairs and Minister Assisting the Prime Minister on the Status of Women	Senator the Honourable Susan Maree Ryan
*Attorney-General	Senator the Honourable Gareth John Evans, QC
*Minister for Defence	The Honourable Gordon Glen Denton Scholes
*Minister for Finance and Minister Assisting the Prime Minister for Public Service Matters	The Honourable John Sydney Dawkins
*Minister for Primary Industry	The Honourable John Charles Kerin
Minister for Transport	The Honourable Peter Frederick Morris
Minister for Immigration and Ethnic Affairs	The Honourable Stewart John West
Minister for Aviation and Minister Assisting the Minister for Defence	The Honourable Kim Christian Beazley
Minister for Housing and Construction and Minister Assisting the Treasurer	The Honourable Christopher John Hurford
Minister for Sport, Recreation and Tourism, Minister for Administrative Services and Minister Assisting the Minister for Industry and Commerce	The Honourable John Joseph Brown
Minister for Health	The Honourable Neal Blewett
Minister for Science and Technology	The Honourable Barry Owen Jones
Minister for Communications	The Honourable Michael John Duffy
Minister for Home Affairs and Environment	The Honourable Barry Cohen
Minister for Aboriginal Affairs	The Honourable Allan Clyde Holding
Minister for Veterans' Affairs	Senator the Honourable Arthur Thomas Gietzelt
Minister for Territories and Local Government and Minister Assisting the Prime Minister for Community Development and Regional Affairs	The Honourable Thomas Uren
Minister for Defence Support	The Honourable Brian Leslie Howe
*Minister in the Cabinet	

Hawke Ministry

(From 3 April 1984)

*Prime Minister	The Honourable Robert James Lee Hawke, AC
*Deputy Prime Minister, Minister for Trade, Minister Assisting the Prime Minister for Commonwealth-State Relations and Vice-President of the Executive Council	The Honourable Lionel Frost Bowen
*Leader of the Government in the Senate and Minister for Industry and Commerce	Senator the Honourable John Norman Button
*Deputy Leader of the Government in the Senate and Minister for Social Security	Senator the Honourable Donald James Grimes
*Minister for Employment and Industrial Relations and Minister Assisting the Prime Minister for Public Service Industrial Matters	The Honourable Ralph Willis
*Treasurer	The Honourable Paul John Keating
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*Minister for Resources and Energy	Senator the Honourable Peter Alexander Walsh
*Minister for Foreign Affairs	The Honourable William George Hayden
*Minister for Education and Youth Affairs and Minister Assisting the Prime Minister on the Status of Women	Senator the Honourable Susan Maree Ryan
*Attorney-General	Senator the Honourable Gareth John Evans, QC
*Minister for Defence	The Honourable Gordon Glen Denton Scholes
*Minister for Finance and Minister Assisting the Prime Minister for Public Service Matters	The Honourable John Sydney Dawkins
*Minister for Primary Industry	The Honourable John Charles Kerin
*Minister for Immigration and Ethnic Affairs	The Honourable Stewart John West
Minister for Transport	The Honourable Peter Frederick Morris
Minister for Aviation and Minister Assisting the Minister for Defence	The Honourable Kim Christian Beazley
Minister for Housing and Construction and Minister Assisting the Treasurer	The Honourable Christopher John Hurford
Minister for Sport, Recreation and Tourism, Minister for Administrative Services and Minister Assisting the Minister for Industry and Commerce	The Honourable John Joseph Brown
Minister for Health	The Honourable Neal Blewett
Minister for Science and Technology	The Honourable Barry Owen Jones
Minister for Communications	The Honourable Michael John Duffy
Minister for Home Affairs and Environment	The Honourable Barry Cohen
Minister for Aboriginal Affairs	The Honourable Allan Clyde Holding
Minister for Veterans' Affairs	Senator the Honourable Arthur Thomas Gietzelt
Minister for Territories and Local Government and Minister Assisting the Prime Minister for Community Development and Regional Affairs	The Honourable Thomas Uren
Minister for Defence Support	
*Minister in the Cabinet	The Honourable Brian Leslie Howe

Members of the House of Representatives

Speaker—The Honourable Henry Alfred Jenkins

Chairman of Committees and Deputy Speaker—Mrs Joan Child

Deputy Chairmen of Committees—Mrs Elaine Elizabeth Darling, Mr Peter Hertford Drummond, Mr Leonard Joseph Keogh, Mr John Barry Milden, Mr Percival Clarence Millar, Mr John Graham Mountford and Mr Allan Charles Rocher

Leader of the House—The Honourable Michael Jerome Young

Leader of the Opposition—The Honourable Andrew Sharp Peacock

Deputy Leader of the Opposition—The Honourable John Winston Howard

Manager of Opposition Business—The Right Honourable Ian McCahon Sinclair

PARTY LEADERS

Leader of the Australian Labor Party—The Honourable Robert James Lee Hawke, AC

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

Leader of the Liberal Party of Australia—The Honourable Andrew Sharp Peacock

Deputy Leader of the Liberal Party of Australia—The Honourable John Winston Howard

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

Deputy Leader of the National Party of Australia—The Honourable Ralph James Dunnet Hunt

Member	Division	Party	Member	Division	Party
Adermann, Hon. Albert Evan	Fisher, Qld	NP	Hunt, Hon. Ralph James Dunnet	Gwydir, NSW	NP
Aldred, Kenneth James	Bruce, Vic.	LP	Hurford, Hon. Christopher John	Adelaide, SA	ALP
Andrew, John Neil	Waukefield, SA	LP	Jacobi, Ralph	Hawker, SA	ALP
Baldwin, Peter Jeremy	Sydney, NSW	ALP	Jenkins, Hon. Henry Alfred	Scullin, Vic.	ALP
Beazley, Hon. Kim Christian	Swan, WA	ALP	Jones, Hon. Barry Owen	Lalor, Vic.	ALP
Beddall, David Peter	Fadden, Qld	ALP	Katter, Hon. Robert Cummin	Kennedy, Qld	NP
Bilney, Gordon Neil	Kingston, SA	ALP	Keating, Hon. Paul John	Blaxland, NSW	ALP
Blanchard, Cecil Allen	Moore, WA	ALP	Kelly, Roslyn Joan	Canberra, ACT	ALP
Blewett, Hon. Neal	Bonython, SA	ALP	Kent, Lewis	Hotham, Vic.	ALP
Blunt, Charles William	Richmond, NSW	NP	Keogh, Leonard Joseph	Bowman, Qld	ALP
Bowen, Hon. Lionel Frost	Kingsford-Smith, NSW	ALP	Kerin, Hon. John Charles	Werriwa, NSW	ALP
Braithwaite, Raymond Allen	Dawson, Qld	NP	Klugman, Dr Richard Emanuel	Prospect, NSW	ALP
Brown, Hon. John Joseph	Parramatta, NSW	ALP	Lindsay, Eamon John	Herbert, Qld	ALP
Brown, Robert James	Hunter, NSW	ALP	Lloyd, Bruce	Murray, Vic.	NP
Brumby, John Mansfield	Bendigo, Vic.	ALP	Lusher, Stephen Augustus	Hume, NSW	NP
Burr, Maxwell Arthur	Wilmet, Tas.	LP	McArthur, Fergus Stewart	Corangamite, Vic.	LP
Cadman, Alan Glyndwr	Mitchell, NSW	LP	McGauran, Peter John	Gippsland, Vic.	NP
Cameron, Donald Milner	Moreton, Qld	LP	McHugh, Jeannette	Phillip, NSW	ALP
Cameron, Ewen Colin	Indi, Vic.	LP	MacKellar, Hon. Michael John Randal	Warringah, NSW	LP
Cameron, Ian Milne Dixon	Maranoa, Qld	NP	McLeay, Leo Boyce	Grayndler, NSW	ALP
Campbell, Graeme	Kalgoorlie, WA	ALP	McVeigh, Hon. Daniel Thomas	Darling Downs, Qld	NP
Carlton, Hon. James Joseph	Mackellar, NSW	LP	Macpherson, Hon. Ian Malcolm	Balalacka, Vic.	LP
Charles, David Ernest	Isaacs, Vic.	ALP	Maher, Michael John	Lowe, NSW	ALP
Charlesworth, Dr Richard Ian	Perth, WA	ALP	Mayer, Helen	Chisholm, Vic.	ALP
Child, Joun	Henty, Vic.	ALP	Mildren, John Barry	Ballarat, Vic.	ALP
Chynoweth, Robert Leslie	Flinders, Vic.	ALP	Millar, Percival Clarence	Wide Bay, Qld	NP
Cohen, Hon. Barry	Robertson, NSW	ALP	Milton, Peter	La Trobe, Vic.	ALP
Coleman, William Peter	Wentworth, NSW	LP	Moore, Hon. John Colinton	Ryan, Qld	LP
Connolly, David Miles	Bradfield, NSW	LP	Morris, Allan Agapitos	Newcastle, NSW	ALP
Cowan, David Bruce	Lyne, NSW	NP	Morris, Hon. Peter Frederick	Shortland, NSW	ALP
Cross, Munfred Douglas	Brisbane, Qld	ALP	Morrison, Hon. William Lawrence	St George, NSW	ALP
Cunningham, Barry Thomas	McMillan, Vic.	ALP	Mountford, John Graham	Banks, NSW	ALP
Darling, Elaine Elizabeth	Lilley, Qld	ALP	Newman, Hon. Kevin Eugene	Bass, Tas.	LP
Dawkins, Hon. John Sydney	Fremantle, WA	ALP	O'Keefe, Frank Lionel, AM	Paterson, NSW	NP
Dobie, Hon. James Donald Mathieson	Cook, NSW	LP	O'Neill, Lloyd Reginald Terrence	Grey, SA	ALP
Drummond, Peter Hertford	Forrest, WA	LP	Peacock, Hon. Andrew Sharp	Kooyong, Vic.	LP
Duffy, Hon. Michael John	Holt, Vic.	ALP	Porter, James Robert	Barker, SA	LP
Edwards, Dr Harold Raymond	Berowra, NSW	LP	Punch, Gary Francis	Barton, NSW	ALP
Edwards, Ronald Frederick	Stirling, WA	ALP	Reeves, John Edward	Northern Territory	ALP
Everingham, Hon. Douglas Nixon	Capricornia, Qld	ALP	Robinson, Hon. Ian Louis	Cowper, NSW	NP
Fatin, Wendy Frances	Canning, WA	ALP	Rocher, Allan Charles	Curtin, WA	LP
Fife, Hon. Wallace Clyde	Farrer, NSW	LP	Ruddock, Philip Maxwell	Dundas, NSW	LP
Fisher, Peter Stanley	Mallee, Vic.	NP	Saunders, John	Deakin, Vic.	ALP
Free, Ross Vincent	Macquarie, NSW	ALP	Scholes, Hon. Gordon Glen Denton	Corio, Vic.	ALP
Fry, Kenneth Lionel	Fraser, ACT	ALP	Scott, John Lyden	Holdmarsh, SA	ALP
Gayler, John	Leichhardt, Qld	ALP	Shipton, Roger Francis	Higgins, Vic.	LP
Gear, George	Tangney, W.A.	ALP	Simmons, David William	Calare, NSW	ALP
Goodluck, Bruce John	Franklin, Tas.	LP	Sinclair, Rt Hon. Ian McCubon	New England, NSW	NP
Gorman, Russell Neville Joseph	Chifley, NSW	ALP	Snow, James Henry	Eden-Monaro, NSW	ALP
Griffiths, Alan Gordon	Maribyrnong, Vic.	ALP	Spender, John Michael, QC	North Sydney, NSW	LP
Groom, Hon. Raymond John	Braddon, Tas.	LP	Staples, Peter Richard	Diamond Valley, Vic.	ALP
Hall, Raymond Steele	Boothby, SA	LP	Steedman, Alan Peter	Casey, Vic.	ALP
Hand, Gerard Leslie	Melbourne, Vic.	ALP	Theophanous, Dr Andrew Charles	Burke, Vic.	ALP
Hawke, Hon. Robert James Lee, AC	Wills, Vic.	ALP	Tickner, Robert Edward	Hughes, NSW	ALP
Hawker, David Peter Maxwell	Wannon, Vic.	LP	Tuckey, Charles Wilson	O'Connor, WA	LP
Hayden, Hon. William George	Oxley, Qld	ALP	Uren, Hon. Thomas	Reid, NSW	ALP
Hicks, Noel Jeffrey	Riverina, NSW	NP	Wells, Deane McMillan	Petrie, Qld	ALP
Hodgman, Hon. William Michael, QC	Denison, Tas.	LP	West, Hon. Stewart John	Cunningham, NSW	ALP
Holding, Hon. Allan Clyde	Melbourne Ports, Vic.	ALP	White, Peter Nicholson Duckett, MC	McPherson, Qld	LP
Hollis, Colin	Macarthur, NSW	ALP	Willis, Hon. Ralph	Gellibrand, Vic.	ALP
Howard, Hon. John Winston	Bennelong, NSW	LP	Wilson, Hon. Ian Bonython Cameron	Sturt, SA	LP
Howe, Hon. Brian Leslie	Batman, Vic.	ALP	Young, Hon. Michael Jerome	Port Adelaide, SA	ALP
Humphreys, Benjamin Charles	Griffith, Qld	ALP			

PARTY ABBREVIATIONS

ALP—Australian Labor Party; LP—Liberal Party of Australia; NP—National Party of Australia

THE COMMITTEES OF THE SESSION

(FIRST SESSION: THIRD PERIOD)

STANDING COMMITTEES

ABORIGINAL AFFAIRS—Mr Hand (*Chairman*), Mr Andrew, Mr Blanchard, Mr Ian Cameron, Mr Campbell, Mr Gorman, Mr O'Neil, Mr Porter.

ENVIRONMENT AND CONSERVATION—Mr Milton (*Chairman*), Mr Burr, Mr Chynoweth, Mr Connolly, Mr Ronald Edwards, Mr Gear, Mr Allan Morris, Mr Ian Robinson.

EXPENDITURE—Mr Leo McLeay (*Chairman*), Mr Adermann, Mr Baldwin, Mr Robert Brown, Mr Free, Mr Goodluck, Mrs Kelly (nominee of Chairman of the Joint Committee of Public Accounts), Mr Lusher, Mr Allan Morris, Mr Mountford, Mr Tuckey and Mr Wilson.

HOUSE—Mr Speaker, Mr Blanchard, Mr John Brown, Mr Burr, Mr Ewen Cameron, Mr Lusher and Mr Maher.

LIBRARY—Mr Speaker, Mr Andrew, Mr Blanchard, Mr Cross, Mr Hawker, Mr Maher and Mr O'Keefe.

PRIVILEGES—The Leader of the House or his nominee, the Deputy Leader of the Opposition or his nominee, Mr Campbell, Mr Cross, Mr Gorman, Mr Griffiths, Mr Steele Hall, Mr Hodgman, Mr Millar, Mr Simmons and Mr Spender.

PUBLICATIONS—Dr Theophanous (*Chairman*), Mr Andrew, Mr Brumby, Dr Harry Edwards, Mr Gear, Mr Lindsay and Mr McGauran.

ROAD SAFETY—Mrs Darling (*Chairman*), Mr Brumby, Dr Charlesworth, Mr Goodluck, Mr Gorman, Mr Hawker, Mr Katter and Mr Wells.

STANDING ORDERS—Mr Speaker (*Chairman*), Chairman of Committees, the Leader of the House, the Deputy Leader of the Opposition, Mr Groom, Mr Humphreys, Mr Lindsay, Mr Millar, Mr Mountford, Mr Rocher and Mr Sinclair.

JOINT STATUTORY COMMITTEES

BROADCASTING OF PARLIAMENTARY PROCEEDINGS—Mr Speaker (*Chairman*), the President, Senator Coleman, Senator Watson, Mr Burr, Mr Charles, Mr Ronald Edwards, Mr Hicks and Mr Maher.

PUBLIC ACCOUNTS—Senator Georges (*Chairman*), Chairman of the House of Representatives Standing Committee on Expenditure, Senator Dame Margaret Guilfoyle, Senator Maguire, Senator Reynolds, Senator Watson, Mr Cadman, Mrs Kelly, Mr Kent, Dr Klugman, Mr McGauran, Ms Mayer, Mr O'Keefe, Mr Punch, Dr Theophanous and Mr White.

PUBLIC WORKS—Senator Foreman, (*Chairman*), Senator Jones, Senator Kilgariff, Mr Cowan, Mr Drummond, Mr Fife, Mr Keogh, Mr Lindsay and Mr Saunderson.

JOINT COMMITTEES

AUSTRALIAN CAPITAL TERRITORY—Mr Fry (*Chairman*), Senator Giles, Senator Lajovic, Senator Reid, Senator Reynolds, Mr Hollis, Mrs Kelly, Mr McGauran, Mr Ruddock and Mr Snow.

FOREIGN AFFAIRS AND DEFENCE—Mr Morrison (*Chairman*), Senator Elstob, Senator Hill, Senator Jones, Senator Lewis, Senator MacGibbon, Senator Sibraa, Senator Tate, Mr Bilney, Mr Charles, Mr Coleman, Mr Cross, Mr Ronald Edwards, Mr Gayler, Mr Groom, Mr Jacobi, Mr Katter, Dr Klugman, Mr Lusher, Mr MacKellar and Mr Shipton.

NEW PARLIAMENT HOUSE—The President and Mr Speaker (*Joint Chairmen*), the Minister for Territories and Local Government, Senator Colston, Senator Georges, Senator Martin, Senator Reid, Senator Sibraa, Senator Teague, Mr Dobie, Mrs Kelly, Mr Lloyd, Mr McLeay, Ms Mayer and Mr Ruddock.

JOINT SELECT COMMITTEES

ELECTORAL REFORM—Dr Klugman (*Chairman*), Senator Sir John Carrick, Senator Macklin, Senator Robert Ray, Senator Richardson, Mr Griffiths, Mr Steele Hall, Mr Ian Robinson and Mr Scott.

PARLIAMENTARY PRIVILEGE—Mr Spender (*Chairman*), Senator Gareth Evans, Senator Georges, Senator Jessop, Senator Macklin, Senator Peter Rae, Mr Adermann, Mr Griffiths, Mr Holding and Mr Barry Jones.

PARLIAMENTARY DEPARTMENTS

SENATE

Clerk of the Senate—A. R. Cumming Thom
Deputy Clerk of the Senate—H. C. Nicholls
Clerk-Assistant (Committees)—H. Evans
Clerk-Assistant (Table)—T. H. G. Wharton
Clerk-Assistant (Management)—P. N. Murdoch
Acting Clerk-Assistant (Procedure)—J. Vanderwyk
Acting Usher of the Black Rod—R. Alison

HOUSE OF REPRESENTATIVES

Clerk of the House—D. M. Blake, V.R.D.
Deputy Clerk of the House—A. R. Browning
Deputy Clerk of the House—L. M. Barlin
Clerk Assistant (Administration)—B. C. Wright
Clerk Assistant (Committees)—I. C. Harris
Clerk Assistant (Procedure)—J. K. Porter
 Senior Parliamentary Officers:
 Serjeant-at-Arms Office—I. C. Cochran
 Table Office—A. B. Hume
Resource Management Office—K. Schneeman
Bills and Papers Office—M. J. McRae

PARLIAMENTARY REPORTING STAFF

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

LIBRARY

Parliamentary Librarian—H. de S. C. MacLean

JOINT HOUSE

Secretary—J. M. Jorgensen

THE ACTS OF THE SESSION

(FIRST SESSION: THIRD PERIOD)

Acts Interpretation Amendment Act 1984 (Act No. 27 of 1984)—

An Act to amend the *Acts Interpretation Act 1901*.

Aboriginal and Torres Strait Islander Heritage (Interim Protection) Act 1984 (Act No. 79 of 1984)—

An Act to preserve and protect places, areas and objects of particular significance to Aboriginals, and for related purposes.

Advance Australia Logo Protection Act 1984 (Act No. 20 of 1984)—

An Act to make provision for the protection of the Advance Australia logo, and for related purposes.

Air Navigation Amendment Act 1984 (Act No. 69 of 1984)—

An Act to amend the *Air Navigation Act 1920*.

Apple and Pear Levy Amendment Act 1984 (Act No. 28 of 1984)—

An Act to amend the *Apple and Pear Levy Act 1976*.

Appropriation Act (No. 3) 1983-84 (Act No. 32 of 1984)—

An Act to appropriate a sum out of the Consolidated Revenue Fund, additional to the sums appropriated by the *Appropriation Act (No. 1) 1983-84*, for the service of the year ending on 30 June 1984.

Appropriation Act (No. 4) 1983-84 (Act No. 33 of 1984)—

An Act to appropriate a sum out of the Consolidated Revenue Fund, additional to the sum appropriated by the *Appropriation Act (No. 2) 1983-84*, for certain expenditure in respect of the year ending on 30 June 1984.

Appropriation (Parliamentary Departments) Act (No. 2) 1983-84 (No. 34 of 1984)—

An Act to appropriate certain sums out of the Consolidated Revenue Fund, additional to the sums appropriated by the *Appropriation (Parliamentary Departments) Act 1983-84*, for certain expenditure, in relation to the Parliamentary Departments, in respect of the year ending on 30 June 1984.

Audit Amendment Act 1984 (Act No. 40 of 1984)—

An Act to amend the *Audit Act 1901*.

Australian Bicentennial Road Development Trust Fund Amendment Act 1984 (Act No. 35 of 1984)—

An Act to amend the *Australian Bicentennial Road Development Trust Fund Act 1982*.

Australian Government Solicitor (Consequential Amendments) Act 1984 (Act No. 10 of 1984)—

An Act to amend certain Acts in consequence of the establishment of the Australian Government Solicitor.

Australian Meat and Live-stock Corporation Amendment Act 1984 (Act No. 57 of 1984)—

An Act to amend the *Australian Meat and Live-stock Corporation Act 1977*.

Australian Meat and Live-stock Industry Policy Council Act 1984 (Act No. 58 of 1984)—

An Act to establish an Australian Meat and Live-stock Industry Policy Council.

Australian Meat and Live-stock Industry Selection Committee Act 1984 (Act No. 59 of 1984)—

An Act to establish a committee to nominate persons for appointment as members of the Australian Meat and Live-stock Corporation.

Australian National Airlines Amendment Act 1984 (Act No. 68 of 1984)—

An Act to amend the *Australian National Airlines Act 1945*, and for related purposes.

Australian National Airlines Commission Retention Act 1984 (Act No. 67 of 1984)—

An Act to repeal the *Australian National Airlines Repeal Act 1981*.

Automatic Data Processing Equipment Bounty Amendment Act 1984 (Act No. 8 of 1984)—

An Act to amend section 4 of the *Automatic Data Processing Equipment Bounty Act 1977*.

Bass Strait Freight Adjustment Levy Act 1984 (Act No. 25 of 1984)—

An Act to impose a levy upon certain crude oil.

Bass Strait Freight Adjustment Levy Collection Act 1984 (Act No. 26 of 1984)—

An Act relating to the collection of levy under the *Bass Strait Freight Adjustment Levy Act 1984*.

Bass Strait Freight Adjustment Trust Fund Act 1984 (Act No. 24 of 1984)—

An Act to establish a Trust Fund for the purpose of making payments to certain refiners of oil, and for related purposes.

Bounty (Two-Stroke Engines) Act 1984 (Act No. 66 of 1984)—

An Act to provide for the payment of bounty on the production of certain two-stroke engines.

Cocos (Keeling) Islands Self-Determination (Consequential Amendments) Act 1984 (Act No. 46 of 1984)—

An Act to amend certain laws in connection with the Act of Self-Determination by certain residents of the Territory of Cocos (Keeling) Islands.

Chicken Meat Research Amendment Act 1984 (Act No. 55 of 1984)—

An Act to amend the *Chicken Meat Research Act 1969*.

Commonwealth Banks Amendment Act 1984 (Act No. 76 of 1984)—

An Act to amend the *Commonwealth Banks Act 1959*, and for related purposes.

Commonwealth Electoral Legislation Amendment Act 1984 (Act No. 45 of 1984)—

An Act relating to representation in the Parliament, Parliamentary elections and related matters.

THE ACTS OF THE SESSION—*continued*

Commonwealth Schools Commission Amendment Act 1984 (Act No. 52 of 1984)—

An Act to repeal the *Curriculum Development Centre Act 1975*, to amend the *Commonwealth Schools Commission Act 1973* to provide for the establishment of a Curriculum Development Council and for related purposes.

Companies and Securities Legislation (Miscellaneous Amendments) Act (No. 1) 1984 (Act No. 13 of 1984)—
An Act to amend laws relating to companies and securities.

Copyright Amendment Act 1984 (Act No. 43 of 1984)—
An Act to amend the law relating to copyright.

Customs Tariff Amendment Act 1984 (Act No. 31 of 1984)—
An Act to amend the *Customs Tariff Act 1982*.

Customs Tariff (Anti-Dumping) Amendment Act 1984 (Act No. 1 of 1984)—
An Act to amend the *Customs Tariff (Anti-Dumping) Act 1975*.

Customs Tariff (Anti-Dumping) Miscellaneous Amendments Act 1984 (Act No. 2 of 1984)—
An Act to amend the *Customs Act 1901* and the *Industries Assistance Commission Act 1973* in relation to duties of customs under the *Customs Tariff (Anti-Dumping) Act 1975*.

Dried Fruits Levy Amendment Act 1984 (Act No. 29 of 1984)—
An Act to amend the *Dried Fruits Levy Act 1971*, and for related purposes.

Excise Tariff Amendment Act 1984 (Act No. 53 of 1984)—
An Act to amend the *Excise Tariff Act 1921*.

Federal Court of Australia Amendment Act 1984 (Act No. 11 of 1984)—
An Act to amend the *Federal Court of Australia Act 1976*.

Fishing Legislation Amendment Act 1984 (Act No. 30 of 1984)—
An Act to amend the *Continental Shelf (Living Natural Resources) Act 1968*, the *Fisheries Act 1952* and the *Fishing Industry Research Act 1969*.

Foreign Proceedings (Excess of Jurisdiction) Act 1984 (Act No. 3 of 1984)—
An Act to make provision in relation to the evidence that may be given in certain foreign proceedings, to provide a right of action in Australia in respect of the enforcement outside Australia of certain foreign judgments, and for related purposes.

Health Insurance Amendment Act 1984 (Act No. 15 of 1984)—
An Act to amend section 17 of the *Health Insurance Act 1973*, and for related purposes.

Income Tax Assessment Amendment Act 1984 (Act No. 14 of 1984)—
An Act to amend the law relating to income tax.

Income Tax Assessment Amendment Act (No. 3) of 1984 (Act No. 47 of 1984)—
An Act to amend the law relating to income tax.

Income Tax (Companies, Corporate Unit Trusts and Superannuation Funds) Amendment Act 1984 (Act No. 48 of 1984)—
An Act to amend the *Income Tax (Companies, Corporate Unit Trusts and Superannuation Funds) Act 1983*.

Insurance (Agents and Brokers) Act 1984 (Act No. 75 of 1984)—
An Act relating to insurance intermediaries.

Insurance Contracts Act 1984 (Act No. 80 of 1984)—
An Act to reform and modernise the law relating to certain contracts of insurance so that a fair balance is struck between the interests of insurers, insureds and other members of the public and so that the provisions included in such contracts, and the practices of insurers in relation to such contracts, operate fairly, and for related purposes.

Judiciary Amendment Act 1984 (Act No. 7 of 1984)—
An Act to amend the *Judiciary Act 1903*.

Judiciary Amendment Act (No. 2) 1984 (Act No. 12 of 1984)—
An Act to amend the *Judiciary Act 1903*.

Life Insurance Amendment Act 1984 (Act No. 74 of 1984)—
An Act to amend the *Life Insurance Act 1945* consequent upon the enactment of the *Insurance Contracts Act 1984*.

Local Government (Personal Income Tax Sharing) Amendment Act 1984 (Act No. 71 of 1984)—
An Act to amend the *Local Government (Personal Income Tax Sharing) Act 1976*.

Liquid Fuel Emergency Act 1984 (Act No. 5 of 1984)—
An Act to facilitate the management of liquid fuel that is, or is likely to be, in short supply.

Liquefied Petroleum Gas (Grants) Amendment Act 1984 (Act No. 54 of 1984)—
An Act to amend the *Liquefied Petroleum Gas (Grants) Act 1980*.

Live-stock Export Charge Amendment Act 1984 (Act No. 62 of 1984)—
An Act to amend the *Live-stock Export Charge Act 1977*.

Live-stock Slaughter Levy Amendment Act 1984 (Act No. 60 of 1984)—
An Act to amend the *Live-stock Slaughter Levy Act 1964*.

THE ACTS OF THE SESSION—*continued*

Live-stock Slaughter Levy Collection Amendment Act 1984 (Act No. 61 of 1984)—
An Act to amend the *Live-stock Slaughter Levy Collection Act 1964*.

Members of Parliament (Staff) Act 1984 (Act No. 64 of 1984)—

An Act to provide for the employment of consultants and staff by Ministers, certain office-holders, Senators and Members of the House of Representatives, and for related purposes.

Merit Protection (Australian Government Employees) Act 1984 (Act No. 65 of 1984)—

An Act to provide for the establishment of a Merit Protection and Review Agency and to define its functions and powers, and for related purposes.

National Crime Authority Act 1984 (Act No. 41 of 1984)—

An Act to establish a National Crime Authority.

National Crime Authority (Consequential Amendments) Act 1984 (Act No. 42 of 1984)—

An Act to make certain amendments consequent upon the enactment of the *National Crime Authority Act 1984*.

Pig Meat Legislation Amendment Act 1984 (Act No. 56 of 1984)—

An Act relating to the promotion of pork.

Protection of the Sea (Shipping Levy) Amendment Act 1984 (Act No. 17 of 1984)—

An Act to amend the *Protection of the Sea (Shipping Levy) Act 1981*.

Public Service Reform Act 1984 (Act No. 63 of 1984)—

An Act relating to reform of the Australian Public Service, and for related purposes.

Quarantine Amendment Act 1984 (Act No. 19 of 1984)—

An Act to amend the *Quarantine Act 1908*, and for related purposes.

Referendum (Machinery Provisions) Act 1984 (Act No. 44 of 1984)—

An Act relating to the submission to the electors of proposed laws for the alteration of the Constitution.

Remuneration and Allowances Amendment Act 1984 (Act No. 73 of 1984)—

An Act relating to certain remuneration and allowances.

Roads Grants Amendment Act 1984 (Act No. 36 of 1984)—

An Act to amend section 24 of the *Roads Grants Act 1981*.

Satellite Communications Act 1984 (Act No. 21 of 1984)—

An Act relating to the national telecommunications satellite system.

Satellite Communications (Consequential Amendments) Act 1984 (Act No. 18 of 1984)—

An Act to amend the *Telecommunications Act 1975*, the *Postal Services Act 1975* and the *Overseas Telecommunications Act 1946* in relation to the national telecommunications satellite system.

Sex Discrimination Act 1984 (Act No. 4 of 1984)—

An Act relating to discrimination on the ground of sex, marital status or pregnancy or involving sexual harassment.

Shipping Registration Amendment Act 1984 (Act No. 16 of 1984)—

An Act to amend the *Shipping Registration Act 1981*, and for related purposes.

Social Security and Repatriation Legislation Amendment Act 1984 (Act No. 78 of 1984)—

An Act relating to social security, repatriation and related matters.

States Grants (Education Assistance—Participation and Equity) Amendment Act 1984 (Act No. 51 of 1984)—

An Act to amend the *States Grants (Education Assistance—Participation and Equity) Act 1983*.

States Grants (Schools Assistance) Amendment Act 1984 (Act No. 49 of 1984)—

An Act to amend the *States Grants (Schools Assistance) Act 1983*, and for related purposes.

States Grants (Tertiary Education Assistance) Amendment Act 1984 (Act No. 50 of 1984)—

An Act to amend the *States Grants (Tertiary Education Assistance) Act 1981* and the *States Grants (Tertiary Education Assistance) Amendment Act 1983*, and for related purposes.

States (Tax Sharing and Health Grants) Amendment Act 1984 (Act No. 70 of 1984)—

An Act to amend the *States (Tax Sharing and Health Grants) Act 1981*.

Statute Law (Miscellaneous Provisions) Act (No. 1) 1984 (Act No. 72 of 1984)—

An Act to make various amendments of the statute law of the Commonwealth, and for related purposes.

Supply Act (No. 1) 1984-85 (Act No. 37 of 1984)—

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 1985.

Supply Act (No. 2) 1984-85 (Act No. 38 of 1984)—

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 1985.

Supply (Parliamentary Departments) Act 1984-85 (Act No. 39 of 1984)—

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 1985.

THE ACTS OF THE SESSION—*continued*

Telecommunications (Interception) Amendment Act 1984 (Act No. 6 of 1984)—

An Act to enable certain information obtained under the *Telecommunications (Interception) Act 1979* to be furnished to the Honourable John Patrick Slattery for the purposes of a Special Commission of Inquiry established under the Special Commissions of Inquiry Act, 1983 of New South Wales.

Torres Strait Fisheries Act (Act No. 23 of 1984)—

An Act relating to fisheries in certain waters between Australia and the Independent State of Papua New Guinea.

Torres Strait Treaty (Miscellaneous Amendments) Act 1984 (Act No. 22 of 1984)—

An Act to amend certain Acts in consequence of the signing of the Treaty between Australia and the Independent State of Papua New Guinea that was signed at Sydney on 18 December 1978 and for other purposes.

Weights and Measures (National Standards) Amendment Act 1984 (Act No. 77 of 1984)—

An Act to amend the *Weights and Measures (National Standards) Act 1960* and to repeal the *Metric Conversion Act 1970*, and for related purposes.

Wool Industry Amendment Act 1984 (Act No. 9 of 1984)—

An Act to amend the *Wool Industry Act 1972*.

THE BILLS OF THE SESSION

(FIRST SESSION: THIRD PERIOD)

- Aliens Act Repeal Act 1984—
initiated in the House of Representatives. First Reading.
- Australian Citizenship Amendment Bill 1984—
initiated in the House of Representatives. Third Reading.
- Australian Federal Police Amendment Bill 1984—
initiated in the House of Representatives. First Reading.
- Australian National University Amendment Bill 1984—
initiated in the House of Representatives. Third Reading.
- Biological Control Bill 1984—
initiated in the House of Representatives. First Reading.
- Canberra College of Advanced Education Amendment Bill 1984—
initiated in the House of Representatives. Third Reading.
- Conciliation and Arbitration Amendment Bill 1984—
initiated in the House of Representatives. First Reading.
- Constitutional Alteration (Parliament) Bill 1983—
initiated in the House of Representatives. First Reading.
- Customs Tariff (Stand-By Duties) Bill 1984—
initiated in the House of Representatives. First Reading.
- Defence Legislation Amendment Bill 1984—
initiated in the House of Representatives. First Reading.
- Fresh Vegetables (Export Inspection Charge) Bill 1984—
initiated in the House of Representatives. First Reading.
- Fresh Vegetables (Export Inspection Charge) Collection Bill 1984—
initiated in the House of Representatives. First Reading.
- Income Tax Assessment Amendment Bill (No. 2) 1984—
initiated in the House of Representatives. Third Reading.
- Income Tax Assessment Amendment Bill 1984 [No. 2]—
initiated in the House of Representatives. First Reading.
- Live-Stock Slaughter (Export Inspection Charge) Validation Bill 1983—
initiated in the House of Representatives. Third Reading.
- Patents Amendment Bill 1984—
initiated in the House of Representatives. Third Reading.
- Referendum (Constitution Alteration) Amendment Bill 1983—
initiated in the House of Representatives. Returned by Senate with amendment.
- Social Security and Repatriation (Pensions Income and Assets Test) Bill 1984—
initiated in the House of Representatives. First Reading.
- Statutory Declarations Amendment Bill 1984—
initiated in the House of Representatives. First Reading.
- Taxation (Unpaid Company Tax) Assessment Amendment Bill 1983 [No. 3]—
initiated in the House of Representatives. Returned by Senate with amendments.

AUSTRALIA
PARLIAMENTARY DEBATES

HOUSE OF REPRESENTATIVES

Hansard

1984

FIRST SESSION OF THE THIRTY-THIRD PARLIAMENT
(THIRD PERIOD)

Pursuant to the Resolution of the House of Representatives passed on 8 December 1983, the House of Representatives met on Tuesday, 28 February 1984, at 3 p.m.

Tuesday, 28 February 1984

Mr SPEAKER (Hon. Harry Jenkins) took the chair at 3 p.m., and read prayers.

ELECTORAL DIVISIONS OF HUGHES, RICHMOND AND CORANGAMITE

Resignations of Members

Mr SPEAKER—I formally inform the House that on 19 December 1983 I received a letter from the Hon. Leslie Royston Johnston and on 18 January 1984 I received letters from the Rt Hon. John Douglas Anthony, CH, and the Hon. Anthony Austin Street resigning their seats as members for the electoral divisions of Hughes, Richmond and Corangamite, respectively.

Honourable members will be aware that I issued writs on 25 January 1984 for the election of members to serve for the electoral divisions of Hughes and Richmond in the State of New South Wales and Corangamite in the State of Victoria to fill the vacancies caused by the respective resignations of the Hon. L. R. Johnson, the Rt Hon. J. D. Anthony, CH, and the Hon. A. A. Street.

The dates in connection with the three by-elections were fixed as follows:

Date of nominations—Friday, 3 February 1984

Date of polling—Saturday, 18 February 1984

Return of writs—On or before Friday, 30 March 1984

Returns to Writs

I have now received returns to the writs for the election of members to serve for the electoral divisions of Hughes, Richmond and Corangamite. By the endorsement on the writs, it is certified that Robert Edward Tickner, Charles William Blunt and Fergus Stewart McArthur have been elected.

New Members Sworn

Mr Robert Edward Tickner affirmed and declared allegiance as member for the division of Hughes.

Mr Charles William Blunt made and subscribed the oath of allegiance as member of the division of Richmond.

Mr Fergus Stewart McArthur made and subscribed the oath of allegiance as member for the division of Corangamite.

MINISTERIAL ARRANGEMENTS

Mr HAWKE (Wills—Prime Minister)—I inform the House that the Hon. Mick Young was appointed Special Minister of State and Leader of the House on 21 January 1984. The Hon. Kim Beazley remains Minister for Aviation.

LEADERSHIP OF THE NATIONAL PARTY OF AUSTRALIA

Mr SINCLAIR (New England—Leader of the National Party of Australia)—Mr Speaker, I have to announce that I have been elected Leader

of the Parliamentary National Party and my colleague the honourable member for Gwydir (Mr Hunt) has been elected my Deputy.

DEATH OF A FORMER MEMBER AND A FORMER SENATOR

Mr HAWKE (Wills—Prime Minister)—I move:

That this House expresses its deep regret at the deaths of Laurie George Wallis, a former member for the division of Grey who passed away on 10 January 1984, and Francis Patrick McManus CMG, a former senator for Victoria, who passed away on 28 December 1983, places on record its appreciation of their long and meritorious public service and tenders its profound sympathy to their families in their bereavement.

Mr Speaker, the late Mr Laurie George Wallis was born on 10 September 1922 at Thornleigh, New South Wales. He was a long-standing member of the Australian Labor Party who, before his election to the House of Representatives as member for Grey in South Australia, was a boilermaker and an active union official in Port Augusta. First elected to the Parliament in 1969, he retained his seat of Grey at each election up to and including 1980. Mr Wallis served on the House of Representatives Publications and Aboriginal Affairs standing committees and was a member of the Joint Select Committee on Aboriginal Land Rights in the Northern Territory. He also served as a member of the Joint Standing Committee on the Northern Territory.

Mr Wallis was an active member of the Commonwealth Parliamentary Association. He attended the CPA annual general conference in Kuala Lumpur in 1971, the twenty-third CPA conference in Canada in 1977 and the CPA discussion group in the United Kingdom in 1981. Mr Wallis's contribution to this Parliament was appreciated by all his colleagues. Mr Speaker, I certainly regard it as a great privilege and honour to have counted Laurie Wallis as one of my close friends. To his widow and family we offer our sincerest sympathy and condolences.

The late Senator Francis Patrick Vincent McManus was born on 27 February 1905 at North Melbourne in Victoria. He represented Victoria as an Australian Democratic Labor Party senator from 1956 to 1962 and from 1965 to 1974. During his long parliamentary career he was parliamentary Leader of the DLP from October 1973 to April 1974 and Deputy Leader from 1957 to 1962 and from 1965 to 1973.

While in the Senate the late Senator McManus served on a number of Senate and joint committees, in particular the Joint Standing Committee on Foreign Affairs and Defence. The late

Senator McManus was made a Companion of the Order of St Michael and St George in December 1979. Mr Speaker, I have a particular personal memory of Frank McManus for his support following the loss of a local officers' case in which I was involved in Papua New Guinea. I recall his willingness to take up in this Parliament the issues involved, which reflected a commitment to justice that had to be respected. I know this House will join me in conveying sincerest sympathy and condolences to the late Senator McManus's family.

Mr PEACOCK (Kooyong—Leader of the Opposition)—On behalf of the Liberal Party I support the motion moved by the Prime Minister (Mr Hawke). I wish to record profound regret at the passing of the former member for Grey, Mr Laurie Wallis, who was elected in 1969 after defeating a Liberal. We had only a short tenure in that seat with Don Jessop, who has served in the Senate for a considerable period. Laurie Wallis defeated him in 1969, Don having been elected as the member for Grey in 1966. Laurie Wallis was an active member of this House, therefore, for nearly 15 years. As the Prime Minister said, he served on a number of standing committees and joint select committees. He was active in the Commonwealth Parliamentary Association throughout his career.

I, like the Prime Minister, respected and enjoyed the company of Laurie Wallis. As one who frequently finds himself campaigning in the electorate of Grey, I found consistently that almost impenetrable barrier of his own personal following that he built up in that electorate. It was considerable and it made it very difficult for those on this side of the House to dislodge him. On behalf of all members on this side of the House, I say that he was liked and respected by members on all sides; crossing all political paths and fences. I extend the condolences of the Opposition to his widow.

The Prime Minister has referred to the death of former Senator Frank McManus. He will be remembered as a man who stuck by his principles through thick and thin. In so many aspects of his life he demonstrated that he had the courage of his convictions. That is certainly a fitting epitaph. Frank McManus had an eventful political career which spanned nearly 50 years. During his parliamentary career he was Deputy Leader of the Democratic Labor Party from 1957 to 1962 and again from 1965 to 1973. He was the parliamentary Leader of the DLP from October 1973 to April 1974.

The Prime Minister referred to Senator McManus's active membership of the Senate. As

he said, he served on a number of Senate and joint committees. He took a particular interest in the Joint Standing Committee on Foreign Affairs and Defence. I think it is fair to say that Frank McManus was outspoken on the issues which he saw as most important to Australia and to Australians. He was a staunch opponent of communism as a form or system of government and saw it as a threat to international peace. He was a champion of essential Australian values such as the family and the home.

Frank McManus will always occupy a position of note in the political history of Australia. I was elected to this Parliament in the 1960s. It was around that time, in the early to mid 1960s, that many Victorian senators and members travelled from Yass to Melbourne by train, air transport not being as rapid as it is today. During that time one frequently spent considerable periods with Frank McManus. I formed a great admiration for him. I wish to place on record the condolences of my Party to the McManus family.

Mr SINCLAIR (New England—Leader of the National Party of Australia)—I join with the Prime Minister (Mr Hawke) and the Leader of the Opposition (Mr Peacock) in extending the sympathies of the members of the National Party of Australia to the relatives of the two former members of Parliament whose names are now before us. Senator McManus served the people of Victoria and the rest of Australia with total dedication. He always spoke what was on his mind. He called a spade a spade. Mac never apologised for fighting for what he believed to be the truth. He entered politics during the great split in the Labor Party. He rose to lead the Democratic Labor Party. He entered politics in 1956 and was narrowly defeated in the 1962 election. In 1965 he returned to the Senate and stayed until the double dissolution in 1974. During his parliamentary career, former Senator McManus was Leader of the DLP from October 1973 to April 1974 and the Party's Deputy Leader from October 1957 to 1962 and again from 1965 to 1973. Big Mac, as Frank McManus was known, was the toughest anti-communist fighter one could possibly have had in Canberra. In fact, it was his concern with the communists which led to his being one of the leaders of the Labor Party split and in the formation of the DLP.

Frank McManus died after a long illness. The regard in which he was held in Victoria was shown when some 1,500 people attended his Melbourne funeral. As Bishop Eric Perkins told the mourners:

Frank McManus was a fearless and courageous fighter for the causes which he believed in—for the benefit of the

working man, the family and the measures necessary to defend this great country of ours.

On behalf of the National Party, I express my condolences to the family of the late Frank McManus.

I should also like to extend my deepest sympathy to the widow of the late Mr Laurie Wallis, the long-serving former member for Grey. He was elected in 1969. He represented a complex electorate, from the steel works city of Whyalla through to the railway town of Port Augusta, down to the rural and fishing communities of the Eyre Peninsula, and in Port Lincoln. He established himself in that electorate, as my colleague the Leader of the Opposition has said, to the point where it became almost a blue ribbon seat. He was a man who served this Parliament and the people he represented with total dedication, and to the highest level of his ability. On behalf of the National Party I extend my deepest sympathy to his family.

Mr O'NEIL (Grey)—I should like to place on record a tribute to my predecessor, as member for Grey, Laurie Wallis, who died on 10 January aged 61. I knew how much Laurie was looking forward to a well-earned retirement and some travel after 14 years service, and it was sad to see those hopes frustrated by a series of illnesses. This ill health began long before the last election, and he could quite justifiably have bowed out much earlier. He stayed on because he wanted to maximise the chances of Labor retaining the seat rather than risking it in a by-election with a new candidate. He had won the seat for Labor in 1969 and held it through six tough elections, and keeping it was all important to him. This was typical of Laurie as I knew him. The interests of the Australian Labor Party and of the working people came first.

Laurie never forgot his background in the trade union movement. It was as a boilermaker that he came from New South Wales to work for the Commonwealth Railways at Port Augusta, some 30 years ago. He became Secretary of the Boilermakers and Blacksmiths Society and also Secretary of the Combined Unions Council at Port Augusta. That background made Laurie Wallis as much a crusader for railways development as he was for the rights of workers. He played a prominent part in highlighting the close integration between Port Augusta and the Australian railway system, as well as doing his best to look after the interests of other country centres affected by the shifting employment emphasis as standard gauge conversion and general modernisation began to take over from the old order. It was in recognition of this commitment of his that the Laurie Wallis Apprentice Training Centre, built for Australian

National and opened at Port Augusta last October, was so named.

Fond as he was of the railways, Laurie was by no means parochial. With one of the largest electorates in Australia, after it was nearly doubled in size by the 1977 redistribution, he could not afford to be parochial. By moving around and seeing for himself, which he did whenever he could, he formed his own opinions. For instance, during the war in Vietnam in the 1970s he became closely acquainted with the problems involved and went to look at Vietnam. He also became aware of the problems in primary industries from fisheries to wheat farms, and in secondary industries from lead smelting to ship building, and a great deal more besides.

Laurie did not have a great amount of formal education but he proved how much could be achieved with an inquiring mind, a capacity for hard work and an unshakable sense of purpose. He was of a generation which came of age during World War II and he grew up in a more traditional but less pressurised version of Australia than we know today. Perhaps the very stable code of values that he absorbed from this background was responsible for the high degree of trust he inspired in people all over his vast electorate, which covers about 9,000 square kilometres more territory than the State of New South Wales. He had friends and confidants in all walks of life, and he gave his help unstintingly wherever it was sought, regardless of political affiliations.

I have particular reason to be grateful to Laurie Wallis for the six years valuable experience I gained as his electorate assistant. He was guide, mentor and friend to me. I will always be indebted to the support he gave me when I needed it most. To his colleague Laurie was an unassuming and unpretentious man. He was greatly admired as a man and as a politician. As a truly genuine Australian, Laurie's qualities are probably summed up best by the famous quotation from the work of Adam Lindsay Gordon:

Life is mostly froth and bubble,
Two things stand like stone,
Kindness in another's trouble,
Courage in your own.

To his wife, Val, and his very close family I offer my deepest sympathy.

Mr YOUNG (Port Adelaide—Special Minister of State)—I also wish to be associated with the motion that has been moved by the Prime Minister (Mr Hawke) and endorsed by the leaders of the other parties. I had the great privilege 26 years

ago, when I first became an organiser for the Australian Workers Union and was sent to work in the Iron Triangle of South Australia, of meeting Laurie Wallis who was perhaps the leading activist of the trade union movement in that area. He was the President of the Port Augusta Trades and Labour Council and Secretary of the Boilermakers and Blacksmiths Society. He carried with him all his life the tradition of all boilermakers, that of being hard of hearing but, as my colleague the honourable member for Grey (Mr O'Neil) has said, he was a great person to guide young people in the area of trade unionism.

When the time came in 1969 to select a candidate against Don Jessop, who was a rather formidable candidate in that seat, we looked at who we should select. Political parties, of course, are always looking round for the golden boys whom they can put up, but I do not think that we selected a golden boy in the case of Laurie Wallis. We selected a person who had worked very hard and who was held in very high regard in the region. We thought that we could do the job with Laurie. Not only did Laurie win the seat but he held it against swings in 1975 and 1977 that were almost beyond comprehension.

Laurie, the trade unionist, held to his beliefs and his friendships in the trade union movement. He built a very formidable relationship with the Aboriginal people right throughout his electorate. He became patron of a number of agricultural societies, particularly in the Eyre Peninsula area. He built up a personal support in his area which, as the Leader of the Opposition (Mr Peacock) said, made it impossible for the Opposition to regain the seat. I know that he was held in extremely high regard by people on both sides of this House because of the work he did. He was a quiet, unassuming person. He will be sadly missed.

It is, in fact, a double tragedy that when Laurie took the decision to retire so that he and his wife, Val, could have a few years of living a more comfortable life in retirement after years and years of travelling thousands of miles serving the people of Grey, he was denied that privilege. To his wife, Val, his mother and his family I express my condolences.

Dr KLUGMAN (Prospect)—I wish to pay a short but sincere tribute to Laurie Wallis. I found him to be the most knowledgeable and sincere speaker in this House on Aboriginal questions. I found him to be one of very few both knowledgeable and sincere speakers on that question.

When I was studying medicine at Sydney University in the late 1940s, the then lecturer in respiratory diseases flashed a photograph of a packet

of cigarettes on the screen which proclaimed proudly that that brand was used by King George VI, who had just died of a carcinoma of the respiratory tract. He wanted to show the relationship which was not terribly well known in those days. Perhaps we should tell honourable members and others that frequently Laurie Wallis used to duck into the alcoves in this House for a quick smoke. I think it is significant that he died from a disease which is likely to be related to the habit of smoking.

I had in a sense a special relationship with Laurie Wallis because his mother belongs to one of the branches in my electorate. I do not know how old she is, but I assume that she is well into her eighties. Mrs Tripp of Cabramatta is an outstanding Labor person. To Laurie's family in South Australia and to her I offer my sincere sympathies.

Mr PETER MORRIS (Shortland—Minister for Transport)—I join the Prime Minister (Mr Hawke), the Leader of the Opposition (Mr Peacock) and previous speakers in paying tribute to the late Laurie Wallis. The Laurie Wallis that I came to know and to share my parliamentary work load with was a very humble, straightforward, down to earth sort of man. As I moved around the electorate of Grey in South Australia, both as shadow Minister for Transport and subsequently as Minister for Transport, I quickly learnt that Laurie Wallis was virtually a household name in that electorate. Laurie Wallis said what he felt and meant what he said.

I do not think there has been another fighter in this Parliament for railways like Laurie Wallis. He fought not just for the railway system but for what he thought was right for the railway system and the development of the railway industry in this country. He had that peculiar quality of character and loyalty that one finds in the railway system. I have never found it in any other group of people in this country. Laurie was a true railway man. He was true to the people that he had come from and he was a loyal trade unionist.

As a member he was a battler for the people he represented. Only a few days ago I was in the south-west of South Australia, in the electorate of Grey, and people there could only speak well of Laurie Wallis. The thing that came to my mind was that Laurie Wallis fought the case for each of his constituents irrespective of their political beliefs and attitudes. We ought proudly to remember him for that. He was a widely respected South Australian. I think the Parliament was the better for having had Laurie Wallis as a member for

those 14 years. I convey my personal sympathy to his wife and family.

Mr CHARLES (Isaacs)—I support the motion moved by the Prime Minister (Mr Hawke) and express my sympathies to the family of Laurie Wallis. I realise that I did not know Laurie Wallis for as many years as some people in this House. However, I wish to say a few words today. As a relatively young member of parliament on entering this House in 1980, I soon developed a healthy respect for the honourable member for Grey, Laurie Wallis, for the wonderful personal warmth of the man and the great parliamentary work that he carried out in this Parliament and throughout his electorate, as everyone before me has said. He was always willing to help a younger member such as myself and his sincerity and honesty could never be questioned. I wish to say just those few words. I have never heard anyone say a word against him. Laurie Wallis's name is always mentioned with the greatest of respect. His honesty and sincerity were the hallmark of the man. I express my sincere sympathies to the members of his family.

Mr KERIN (Werriwa—Minister for Primary Industry)—I would like briefly to identify myself with the motion moved by the Prime Minister (Mr Hawke), and supported by the Leader of the Opposition (Mr Peacock). I wish to express my sympathy to the family of Laurie Wallis. My colleagues have adequately expressed themselves on Laurie's virtues but I would also like to place on record that ever since he came into this House, whether in Government or in Opposition, he was always connected with the Primary Industry Committee of Caucus. He provided invaluable support for all the people on our side of the House who represented primary producers.

The really important thing, as my colleague the honourable member for Port Adelaide (Mr Young) has pointed out, was that Laurie Wallis was a hard core trade unionist. He grew up in the trade union movement and never moved from its principles; yet at the same time he worked very strongly with primary producers. For that and for his friendship and for all the advice and encouragement he gave me, I would also like to express my deep-felt views about him.

Question resolved in the affirmative, honourable members standing in their places.

CHAIRMAN OF COMMITTEES

Election

Mr SPEAKER—As a result of the resignation of the Hon. Leslie Royston Johnson, a vacancy

now exists for the position of Chairman of Committees. The next business, therefore, is the appointment of a Chairman of Committees.

Mr CHYNOWETH (Flinders)—I move:

That Mrs Child be appointed Chairman of Committees of this House.

Mr Mountford—I second the motion.

Mr SPEAKER—Is there any further motion?

Mr DOBIE (Cook)—I move:

That Mr Millar be appointed Chairman of Committees of this house.

Mr Ian Robinson—I second the motion.

Mr SPEAKER—Is there any further motion? There being no further motion, the time for motions has expired.

Mr CHYNOWETH (Flinders) (3.31)—Nominating the honourable member for Henty, Mrs Joan Child, for the position of Chairman of Committees gives me and approximately half the population of Australia a feeling of great pride. The fact that at last a female will attain this high office represents another chapter in the struggle women have had since time immemorial to obtain recognition. Joan has battled hard for recognition throughout all her political life. The seat of Henty had been held by the conservatives since Federation when Joan stood for election in 1972 and lost by 308 votes. She won in 1974 and became the first Labor woman to be elected to the House of Representatives. She lost in 1975, lost again in 1977, won in 1980 and won again in 1983. She has fought elections six times in 12 years. This surely demonstrates her determination, patience and perseverance—qualities which are essential in the position of Chairman of Committees. It is with humility, knowing that at this moment the course of events in the future is being changed, a tradition is being broken and the nation is correcting a wrong that has been in place for far too long, that I have the honour and privilege to nominate as Australia's first female Chairman of Committees the honourable member for Henty, Mrs Joan Child.

Mr DOBIE (Cook) (3.33)—Mr Speaker, I wish to speak in support of my nomination of the honourable member for Wide Bay (Mr Millar) to the very important position of Chairman of Committees. On two previous occasions I seconded the nomination of Mr Millar to this position of great responsibility—once when he resumed the office in November 1980, the other when Mr Leslie Royston Johnston was elected on 21 April 1983. I nominated Mr Millar on this occasion on the clear understanding that members of the Government Party may well not vote for him, or at least not the

majority of them. Yet I nominated him with the clear conviction that he is the outstanding person in this chamber to hold this post. His knowledge of the Standing Orders of this chamber is equalled only by you, Mr Speaker. He has no peer among the rest of us. You, along with the rest of us who served in the Parliament between 1978 and 1983, will remember not only his outstanding knowledge of those Standing Orders but also his meticulous interpretation of them and his impartial administration of them to honourable members on each side of the chamber. Having served as one of his Deputy Chairman, I can also attest to his administrative ability and sense of fairness.

The position of Chairman of Committees has a long and distinguished history, beginning in the mid-nineteenth century in the British House of Commons and continuing throughout the entire history of the Australian Federal Parliament. There have been many eminent holders of this office. Names such as Adermann, Riordan, Lucock, and now Johnson and Millar come to mind. Therefore, I appeal to all members of this House to give their vote again to Clarrie Millar. The Parliament would be advantaged by having the Speakership held by a member of the governing party and the position of Chairman of Committees held by a member of the Opposition. This situation is working very well in the Senate at this time. I ask all members of the governing party in this chamber to vote for Clarrie Millar. This request is made all the easier in view of his outstanding qualifications for the job.

Last year after the vote for this position was taken, the Prime Minister (Mr Hawke) said that he wanted consensus, not coalition. Let us overlook this earlier mistake of a new Prime Minister and have a concerted approach for excellence in the holder of this important position. This can be achieved by a majority of this House voting for Mr Millar.

With your indulgence, Mr Speaker, I pay a brief tribute to the previous holder of the office, Mr Leslie Royston Johnson. Despite my having entered this House by defeating Les in the 1966 election, over the intervening years Les and I have maintained a close personal friendship and professional association. I pay tribute to him as a devoted and energetic member for Hughes over 28 years and as a man who held all his parliamentary offices with distinction.

Finally, it is interesting to note that while Mr Les Johnson unsuccessfully nominated John Armitage for the position of Chairman of Committees in 1980, Les Johnson himself was successfully nominated three years later by none other

than Mrs Child, who has been nominated for the same position today. One can only speculate whether the honourable member for Flinders (Mr Chynoweth), having nominated Mrs Child today, will in fact be her eventual successor as a nominee. I would hate the sense of history to be lost on the nominator. I respect the Government nominee, Mrs Child, and her talents, but regrettably I ask all members of this chamber today to give their votes to Mr Millar.

Mr MOUNTFORD (Banks) (3.38)—It gives me great pleasure to second the nomination of my friend and colleague the honourable member for Henty (Mrs Child) for this important position of Chairperson of Committees. The honourable member has served the House and the residents of Henty for five years. She has, however, campaigned and stood as the Labor candidate for the seat of Henty since 1972 with a resultant three losses and three wins. Whilst campaigning for the Labor Party, to which we are both proud to belong, the honourable member was also a housewife and mother to five sons who must be, as we on this side of the House are, very proud of her today. History will be made today with the election of the honourable member for Henty as Chairperson of Committees because it will be the first occasion since Federation that a woman will hold this high office. She will bring to this office experience, patience and dedication. As a Deputy Chairman of Committees, I can assure her of my full support. I commend the nomination to the House.

Mr IAN ROBINSON (Cowper) (3.40)—I support the nomination of the honourable member for Wide Bay (Mr Millar) as Chairman of Committees. The position is of very great importance to the successful conduct of the sittings of this House. The honourable member for Wide Bay has previously served in this position. He has an outstanding knowledge of the Standing Orders and a highly distinguished record of impartiality. He gained the respect of all honourable members of the House through his dignity, his conduct and his particular attribute of recollecting the Standing Orders at crucial times, as Chairman of Committees from 1978 until March 1983. You, Mr Speaker, enjoy the respect of the members of this House. You do this in a singularly significant way because of attributes similar to those of the honourable member for Wide Bay. It is essential that on occasions when, due to the demands made on you, it is necessary for the Chairman of Committees as Deputy Speaker to act as the custodian of your office, a member with the experience, the knowledge and the abilities possessed by the honourable member for Wide Bay be charged with the task of filling the position. I say this with

due respect for the nomination of the honourable member for Henty (Mrs Child). The mover of the motion has reminded the House of the qualifications and the record of service of the honourable member for Wide Bay. As a previous Deputy Chairman of Committees, I strongly support the proposition that he be elected today so that this House will have the benefit of his services. I am sure that when the ballot is taken we will observe that he does have very strong support from honourable members in this chamber.

Mr SPEAKER—In accordance with the Standing Orders, the bells will be rung for three minutes and a ballot will be taken.

The bells having been rung—

Mr SPEAKER—Order! Ballot papers will now be distributed. Honourable members will please write on the ballot paper the name of the candidate for whom they wish to vote. The candidates are: Mrs Child and Mr Millar.

A ballot having been taken—

Mr SPEAKER—Order! The result of the ballot is: Mrs Child 73 votes; Mr Millar, 50 votes. Mrs Child is declared elected, and I congratulate her.

Honourable members—Hear, hear!

Mr HAWKE (Wills—Prime Minister)—I take this opportunity to congratulate Mrs Joan Child on her election to the important position of Chairman of Committees. As the honourable member for Flinders (Mr Chynoweth) so eloquently put it in nominating Mrs Child, this is an historic event. It is the first occasion in the history of this Parliament that a woman has occupied this important position. The occasion is memorable because of that but I think all of us who know Joan Child so well will share her joy not simply because of that historical fact but because of her qualities as a person.

I have had the pleasure of knowing Joan Child for a very long period. I count her as close friend and this is indeed a just reward which has been endowed upon her by this House on this occasion for the great qualities as a human being that she brings to this House. So to you, Joan—if I can say that, Mr Speaker—I offer congratulations. We wish you well and I know that all honourable members, irrespective of where they are sitting in the House, will and can rightfully expect, on her record, that she will discharge the obligations of this important post with dignity and with impartiality.

I know that all honourable members on this side of the House will excuse me if, in paying that

tribute to the honourable member for Henty—which I do most sincerely—I make the observation in closing that our great pleasure and joy in seeing Mrs Child in this position in no way reflects upon her opponent in this election, Mr Clarrie Millar, who carries still from us on this side of the House our affection and respect.

Mr PEACOCK (Kooyong—Leader of the Opposition)—Mr Speaker, I would like to join with the Prime Minister (Mr Hawke) not only in congratulating Mrs Child but also in wishing her well. We on this side of the House gave strong support to Clarrie Millar not merely because he was our nominee, but because, as the Prime Minister has indicated, his record indicates that he has shown objectivity and impartiality in the Chair. I also know that Clarrie would wish me to say, if he does not take the opportunity to do so himself, that we do wish Joan Child well. This is a significant step forward. A ballot has been held and she has been elected. She has our support. I trust that the objectivity that the Prime Minister has spoken of will in fact be forthcoming. As I stand here today I have no doubt that it will. On behalf of all members on this side of the House, I do wish Mrs Child well and congratulate her.

Mr SINCLAIR (New England—Leader of the National Party of Australia)—I too would like to extend my congratulations to Mrs Joan Child on what is not only an historic event but also one which is of great consequence as far as this Parliament is concerned. You, Mr Speaker, as a former Deputy Speaker and Chairman of Committees, know the onerous responsibilities that befall he or she who sits in a position of dispassionate judgment on the proceedings of this place. I am sure that Mrs Joan Child, as you have, will exercise that responsibility, having in mind the rights of members of this place and those whom they represent. Whatever the matter before us, we must remember that those who speak in this place speak on behalf of so many who have no voice here.

I, too, express my regrets that Clarrie Millar did not get the numbers. He occupied the position of Deputy Speaker in this place for some years. He filled the post with distinction and I can assure all honourable members that we on this side of this House still regard him highly. I wish Mrs Child well and commend to her the admonition that now three of us have presented—that she exercise due impartiality in those historic responsibilities she is about to undertake.

Mr MILLAR (Wide Bay)—If I may have the indulgence of the House, I congratulate immediately the honourable member for Henty (Mrs

Child) on her elevation to the position of Deputy Speaker. She enjoys the very rare distinction of being the first of the fairer sex to occupy that very important office. I have no doubt that the talents she has displayed hitherto when exercised in the chair will vindicate the judgment of her supporters and no doubt afford satisfaction to all members of the House in their proper expectations.

Mrs CHILD (Henty)—I thank the House for the honour it has done me today. I am very proud that I stand here in this position. I thank the Leader of the Opposition (Mr Peacock) and the Leader of the National Party of Australia (Mr Sinclair) for their comments. I can assure them of my impartiality. I am sure that they did not doubt it. I wish to thank the Prime Minister (Mr Hawke) for the words he had to say about me. They mean a great deal to me because we have been close friends for well over 20 years. Twenty years is a long time in anybody's life, but in politics it is a tremendously long time to see friendship and loyalty stronger than they were at the beginning. I thank the Prime Minister very much.

My Party and my colleagues have done me a tremendous honour, not just in selecting me to represent them as the candidate for Henty six times in a row but now in electing me to this very special position. I thank them for the confidence they have shown in me. I am sorry that there cannot be two winners, but I think it was a great credit to the Party that it decided to have two women fight out this position. I thank my Party very much for the honour it has done me. I offer my commiserations to the honorable member for Lilley (Mrs Darling), but she is a lot younger than I am and she will live to fight another day.

I was sorry to see Les Johnson resign from this position. He was also a close colleague and friend of mine. I was delighted to have the privilege of working with him for almost 12 months, and I will also enjoy working with Mr Speaker. I could not close these few words, Mr Speaker, without saying that, while you were speaking about the honorable member for Wide Bay (Mr Millar), I agreed with just about everything you said. On this side of the House we have a great respect, affection and admiration for him. The only thing that was missing today was that he did not have the numbers.

BROADCASTING OF PARLIAMENTARY PROCEEDINGS

Mr SPEAKER—The parties will recall that some time ago I made a request to them regarding the installation of television cameras which would feed to screens in the rooms of the three Party

Whips, the Leader of the House and the manager of Opposition business in the House. I took the liberty of adding my own office to that system. That installation has been made. For those honourable members who want to test their television appearance, they are now being televised in those six offices.

URANIUM

Notice of Motion

Mr HUNT (Gwydir)—I give notice that, on General Business Thursday No. 6, I shall move:

That this House condemns the Government for its negative and damaging policies on the mining and export of Australian uranium, which will lead to—

- (1) the development of the Northern Territory being placed in jeopardy;
- (2) uncertainty in respect of the long term development of South Australia;
- (3) the potential for thousands of jobs being lost;
- (4) the loss of thousands of millions of dollars of investment;
- (5) the abandonment of proposals for a uranium enrichment industry which would have meant greater earning from secondary processing of Australian uranium; and
- (6) valuable and long-standing relationships with some of our most important trading partners being placed in jeopardy.

MEDICARE

Notice of Motion

Mr HOLLIS (Macarthur)—I give notice that, on the next day of sitting, I shall move that this House:

- (1) notes with pleasure the successful introduction of a universal health service in Australia, thus removing the fear of crippling health payments from all Australians;
- (2) notes that despite scare tactics by vested interests groups, indications are that the scheme is working well; and
- (3) deplores the actions of those with a vested interest in trying to discredit this long overdue universal health service.

HEADQUARTERS OF AUSTRALIAN BROADCASTING CORPORATION

Notice of Motion

Mr HODGMAN (Denison)—I give notice that, on the next day of sitting, I shall move that, on behalf of the electors of Denison and the people of Tasmania, this House calls upon the Government to—

- (1) immediately refer to the Public Works Committee, for inquiry and report, the proposed ABC headquarters in Hobart at an estimated capital cost of \$21m, and
- (2) take all necessary steps to ensure that construction of Stage 1 (Radio), at a cost of \$8.7m, is commenced in financial year 1984-85.

PERSECUTION OF BAHAI'S

Notice of Motion

Mr SIMMONS (Calare)—I give notice that, on the next day of sitting, I shall move:

That this House—

- (1) notes that despite continuing international requests to the Government of Iran to cease the religious persecution of Baha'i's, breaches of human rights continue unabated in Iran
- (2) requests the Australian Government to continue its efforts in international forums to dissuade the Government of Iran from such religious persecutions consistent with the resolution of this House on 8 September 1983.

Suspension of Standing Orders

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

That so much of the Standing Orders be suspended as would prevent the honourable member for Calare moving his motion forthwith.

Motion

Mr SIMMONS (Calare) (4.13)—Mr Speaker, it gives me great pleasure to move:

That the House—

- (1) notes that despite continuing international requests to the Government of Iran to cease the religious persecution of the Baha'i's, breaches of human rights continue unabated in Iran.
- (2) requests the Australian Government to continue its efforts in international forums to dissuade the Government of Iran from such religious persecutions consistent with the resolution of this House on 8 September 1983.

I am sure that many honourable members would be aware of the concern that I expressed on 8 September 1983 in moving a similar motion, for which I was grateful to receive the support of the Leader of the Opposition (Mr Peacock) and indeed all honourable members of this House. I am sure also many honourable members would be aware of contacts made by the members of the Baha'i faith in Australia with their electorate offices to advise them of the continuing persecutions that have been occurring in Iran.

One of the things that we pride ourselves on in this country is that here, unlike in many countries in that part of the world, human life is a very precious thing. Unfortunately, in many countries, particularly Iran it seems, when it comes to the question of the treatment of the Baha'i's, human life is indeed not a very sacred thing. Mr Speaker, I will mention a few instances of some of the treatment of the Baha'i's without taking too much time of the House. I point out that between 31 December 1983 and 3 January 1984 nearly 70 people of the Baha'i faith in Iran were arrested and are facing continuing persecution. Time does

not permit me to go any further into some of the instances of persecution but I am indeed very grateful for the support of the Leader of the Opposition in allowing this motion to be put forward and debated. I commend the motion to the full support of this House.

Mr SPEAKER—Is the motion seconded?

Mr Mountford—I second the motion.

Mr PEACOCK (Kooyong—Leader of the Opposition) (4.15)—I took the action that I did today as I did last year, because for a considerable period the parties on this side of the House, together with the party in Government, have taken the view that breaches of civil liberties should be condemned wherever they occur. The treatment of Baha'is in Iran has been the subject of debate in this Parliament on more than one occasion and it gives me pleasure to support the motion moved today by the honourable member for Calare (Mr Simmons). The atrocities are still continuing. The Baha'i need and deserve support and, as I have said, this Parliament must support this motion.

Question resolved in the affirmative.

HAWKE GOVERNMENT

Notice of Motion

Mr CADMAN (Mitchell)—I give notice that, on the next day of sitting, I shall move:

That this House—

- (1) Calls on the Prime Minister to establish a people's committee, comprising a cross-section of the Australian community to examine—
 - (a) the increased cost of medical services;
 - (b) the abolition of the health insurance rebate;
 - (c) the indexed excise and sales taxes;
 - (d) the tax on superannuation lump sum payments;
 - (e) prescribed payments taxes for subcontractors;
 - (f) abolition of home loan rebate, and
 - (g) the 'tax creep' forcing average Australians into the 46 per cent tax bracket;
- (2) requires the committee to ascertain the cost of these decisions, and
- (3) requests the committee to report to this House as a matter of urgency whether the average Australian family is losing up to \$15 per week due to these measures.

MR WAYNE ELKMAN

Notice of Motion

Mr STAPLES (Diamond Valley)—I give notice that, on the next day of sitting, I shall move:

That this House—

- (1) congratulates Mr Wayne Elkman on being named as Citizen of the Year for 1984 by the City of

Doncaster-Templestowe in the electorate of Diamond Valley;

- (2) notes that this award was in recognition of Mr Elkman's tireless efforts on behalf of the young people of that city, and for his efforts in building-up the Doncaster Community Youth Support Scheme;
- (3) also congratulates the members of the interim committee of management, those who recently volunteered for the new local committee of management and the Doncaster-Templestowe Council for their support, and
- (4) urges all citizens and community groups in the City of Doncaster-Templestowe to give their support to the Doncaster CYSS project when it opens its doors to the young and unemployed of the area on 1 March 1984.

TWEED HEADS BY-PASS

Notice of Motion

Mr BLUNT (Richmond)—I give notice that, on the next day of sitting, I shall move:

That this House notes—

- (1) the great inconvenience caused to the residents of Tweed Heads and surrounding areas by the lack of a traffic by-pass causing traffic delays of up to four hours;
- (2) that the previous Government had made funds available under the Australian Bicentennial Road Development Program, and
- (3) the apparent dispute between the Federal Labor Government and the New South Wales State Government and conflicting remarks made by Federal and State Ministers during the recent by-election campaign concerning the construction of the by-pass and, therefore, requests the Minister for Transport to advise the date on which construction will commence on the proposed Tweed Heads by-pass.

PRIVATE HOSPITALS: RE-CATEGORISATION

Notice of Motion

Mr FISHER (Mallee)—I give notice that, on the next day of sitting, I shall move:

That this House—

- (1) urges the Minister for Health to re-categorise private hospitals including bush nursing hospitals in order that daily bed subsidies and insurance rebates are relative to their functions and costs, and
- (2) condemns the Government for its attitude towards patients of these hospitals who must pay the one per cent levy on income, must fully privately insure, and still pay a minimum of \$36 per day for hospitalisation.

SMALL BUSINESS

Notice of Motion

Mr SHIPTON (Higgins)—I give notice that, on the next day of sitting, I shall move:

That this House declares 1984 to be the year of small business in Australia because of the importance of the small business sector to the Australian economy.

NORTHERN RIVERS COLLEGE OF ADVANCED EDUCATION

Notice of Motion

Mr BLUNT (Richmond)—I give notice that, on the next day of sitting, I shall move:

That this House—

- (1) notes that the Northern Rivers CAE provides inadequate facilities and a limited range of courses for students and urgently requires expansion to cope with the rapidly growing student population, and
- (2) requests the Minister representing the Minister for Education and Youth Affairs to advise the House what funds will be made available and when, in order to commence construction of stage 2 of the Northern Rivers CAE.

MEDICARE

Notice of Motion

Mr WELLS (Petrie)—I give notice that, on the next day of sitting, I shall move:

That this House—

- (1) congratulates the Minister for Health on the manner in which he introduced Medicare;
- (2) notes that all States except one have now signed the Medicare agreement, thereby obtaining a substantial increase in health funds in those States, and
- (3) notes that the increases to the States were worked out according to a careful formula to preserve the relativities between the States so that none would be disadvantaged relative to the others.

TAX DEDUCTIBILITY OF VICTORIAN BUSHFIRE APPEAL DONATIONS

Notice of Motion

Mr FISHER (Mallee)—I give notice that, on the next day of sitting, I shall move:

That this House—

- (1) notes that the Prime Minister promised during the last election campaign that gifts to the Victorian Bushfire Appeal would be tax deductible,
- (2) notes that the Commissioner of Taxation has interpreted the Taxation Act as excluding for tax deductibility donations of produce and stock, and
- (3) calls on the Government to honour its promise so that 'donors in kind' will not be punished for their outstanding generosity.

QUESTIONS WITHOUT NOTICE

PENSIONS ASSETS TEST

Mr PEACOCK—My question is addressed to the Prime Minister. Panels or no panels, will there be an assets test or not?

Mr HAWKE—The position of the Government has been made clear. We are adhering to the clear principle that expenditure on pensions should be directed to those most in need and not be dissipated by payments to those who do not need them. What we have done is to ensure that, in giving effect to that principle, we act in a way which as far as possible ensures a maximum degree of understanding by members of the Australian community and, as far as possible, a maximum degree of support. That is why we have decided to appoint a broadly-based committee. In respect of this question, the Government has been entirely consistent in its approach. It is a great pity this consistency has not been exhibited by the Leader of the Opposition, who has vacillated on this matter from the time he began speaking about it in 1981.

TERTIARY EDUCATION PLACES

Ms MAYER—My question is addressed to the Minister representing the Minister for Education and Youth Affairs. I ask: What action is the Government taking to increase the number of tertiary education institution places available to school leavers?

Mr DAWKINS—I thank the honourable member for the question. On behalf of the Minister for Education and Youth Affairs, I take pleasure in answering it. There has been some attention given to the fact that there has been a marked increase in the demand for places in tertiary education institutions this year. That is indicative of the success of the Government's campaign to bring about a higher level of participation in education generally and in tertiary education in particular. When the Government came to office it was concerned with the very marked decline in tertiary education enrolments of school leavers.

If we look at the enrolments of those 19 years and under in universities and colleges of advanced education we find that in 1976 the enrolments were about 100,000 part time and full time, yet they had fallen by 7,000 by 1983. If we look at the proportion of the particular age group we find that the fall in the participation rate was even more dramatic than as demonstrated by those figures. What the Government did in its last Budget was to allocate a special amount of \$10m to universities and CAEs to provide an additional 3,000 places in 1984. Universities and CAEs in offering those places have tried to give particular priority to school leavers and people in that under 19-year-old age group. As well as that, the

Government has taken decisions, which the Minister for Education and Youth Affairs will be announcing today, which will accelerate some important building programs in some universities and CAEs in Australia in order that the capacity of those institutions to increase their enrolments will be enhanced in the years to come. In general, the Government is concerned to ensure that the slide in participation rates in universities and CAEs, particularly amongst school leavers, is overcome. We are greatly encouraged by the increased interest this year of those people.

MEDICARE

Mr CARLTON—My question is addressed to the Minister for Health. Is it true that the notorious section 17 of the Health Insurance Act introduced in last year's Medicare legislation grants absolute power to the Federal Minister for Health to determine the conditions of employment and practice of all specialists in Australian public hospitals without any right of appeal? Is it true that under this Act he is imposing conditions of contract on diagnostic specialists in public hospitals without the specialists having any resort to processes of arbitration? Does the Builders Labourers Federation, with which he has compared the doctors, have access to proper conciliation and arbitration processes? If it has, why cannot this Government of consensus and national reconciliation apply similar rules to hospital specialists?

Dr BLEWETT—First, the issue which has been raised, that of the private practice rights of doctors in public hospitals, has been one of concern to health administrators in this country for some years. I remind the previous Minister for Health, the honourable member for Mackellar who asked the question, that in 1979 the Standing Committee on Hospital Cost Sharing Agreements recommended to the Commonwealth Government that it should address the serious problems in this area. Secondly, the Jamison Commission of Inquiry into the Efficiency and Administration of Hospitals, which advised another Minister, recommended that private practice rights in relation to salaried specialists in public hospitals should be phased out and that there should be an immediate investigation into the general issue of private practice rights in public hospitals. Again, that irresponsible Government refused to take up those challenges which this Government is prepared to face. While honourable members opposite can be quite irresponsible, I am glad to say that Mr Greiner, the new Leader of the Opposition in New South Wales, in the days before he

devoted himself to mud slinging, addressed this problem. He said:

Regardless of what particular health insurance arrangements prevail in a family or at any point, the costs of hospital care are ultimately borne, in every sense, by the community as a whole. . . . the medical profession has an obligation to ensure that the public funds it accepts, and more importantly commits, are utilised to maximum effect and are properly accounted. Historically, the profession has not adequately recognised this obligation.

Mr Greiner went on to discuss some of the problems in New South Wales, which we are now addressing. He speaks of scheme C, which allows specialists to earn an income of at least \$87,000 per annum, Mr Greiner went on to say:

With respect to scheme C, it is fair to say that a considerable weight of opinion believes it to be excessively generous. This opinion is shared by many staff specialists working under other schemes.

I will now address the more specific points raised by the honourable member in his question. First of all, the Government in its negotiations with the Australian Medical Association has made a series of concessions to the Association's point of view, taking into account the very point raised about rights of consultation and appeal, which is a specific term of reference to the Joint Government/AMA inquiry to be chaired by Professor Penington. We have also referred to a committee the question of the constraints on these very high incomes about which I am talking. But there is one guideline on which the Government will continue to insist, and it will apply from 1 March; that is that private pathologists, radiologists, nuclear specialists and other diagnostic specialists working on a private patient in a public hospital will charge no more than the scheduled fee. That is the fee set down by arbitration, and all self-respecting unionists observe arbitrated fees.

PRIVATE HOSPITALS: GOVERNMENT ASSISTANCE

Mr MAHER—Will the Minister for Health inform the House as to what action the Government is taking to assist private hospitals which are run on a non-profit basis by charities so that hospitals can continue to accept patients who have no private insurance, particularly terminal cases?

Dr BLEWETT—In relation to the general categorisation of private hospitals, we have sought to relate the cost of hospitals to the insurance benefit payments made to them. Again this is an area that was totally neglected by the previous Government. I point out that in the 30 months from August 1981 to 1 February 1984, the amount paid in Commonwealth bed day subsidy and basic private insurance benefits to private

hospitals rose from \$66 a day in August 1981 to an average total of \$140 at the beginning of this year. That was the size of the increase in a period of some 30 months. The previous Government, while being prepared to attack the public hospitals, refused to impose any cost constraints whatsoever on the private hospital sector. However, we recognise that categorisation has caused particular problems in particular areas, and I will refer to two of those problems. Firstly, in the psychiatric hospital area the categorisation system does occasion some problems. My Department and the Australian Private Hospitals Association are moving, as quickly as possible to solve categorisation problems in that area. Secondly, in relation to the particular problem raised—where charitable hospitals quite frequently take on pensioner patients who have no insurance cover—we are seeking to make arrangements with the State governments concerned to deal with this problem.

MEDICARE COSTS

Mr FIFE—I ask the Minister for Health whether the Prime Minister said of Medicare in his election policy speech last year: 'It will mean that nine out of 10 Australians will pay less for the health needs of themselves and their families'. Is it now true that a person on average male weekly earnings who has a dependant spouse and who takes private hospital insurance at the same level, before and after the introduction of Medicare, would pay \$2 per week more after its introduction? If someone on average weekly earnings is worse off under Medicare, how can the Prime Minister's policy speech claim be justified?

Dr BLEWETT—Certain assumptions that underlie the honourable member's question need to be examined in order to answer it. It is absurd—even though the former Treasurer developed such a theory—to claim that one can compare the prices for private insurance, in many cases set 12 months ago, with the rates that the Government and the funds have now determined. These are rates which are guaranteed to last for the next 12 months to February 1985. It is completely absurd to ignore the fact that in February of this year there would have been a rise in private insurance rates, if the old scheme had continued. This would have taken the average basic family insurance figure to between \$15 and \$16 a week. That is the comparison we have to start with.

Let us take the three groups dealt with. Firstly, it has always been obvious, to most honourable members, at least, that those who paid nothing under the previous scheme pay nothing under Medicare because they are exempted from payment of the levy. Indeed, the exemption levels

have been raised so as to include some 200,000 extra people. One other advantage is that under the previous scheme, if a pensioner suddenly went over that arbitrarily defined income limit, the pensioner was faced immediately with a need to pay the full rate of private health insurance. Under our system the pensioner is faced with a very low levy payment. Secondly, every Australian is now entitled to basic health cover under the one per cent levy.

Mr Lusher—It depends a hell of a lot on where you live. Have you thought about that?

Dr BLEWETT—Some country doctors, no doubt defended by the honourable member for Hume, are using their best guerrilla tactics to deny the public patient treatment to patients in public hospitals. If people opt for the one per cent levy only they need to be earning more than \$1,100 a week before they will pay more under the present system than under the old. The third comparison that needs to be made is people who took out private insurance under the old system and want to take it out under the new system, in addition to payment of the levy. Depending on the State, because there are variations in the charges in each State, and depending on the exact type of cover that people select, the break even point for a family is about \$500 a week, having in mind what private insurance rates would have been if the old insurance scheme had continued after February 1984.

Honourable members interjecting—

Dr BLEWETT—The honourable member for Mackellar wishes to cast some doubt on the notion that private insurance premiums would have gone up this year. I point out that in the last two years they have risen by \$4 a week for a family and there is no doubt that in February this year they would have gone up by a further \$2 a week.

OCCUPATIONAL HEALTH AND SAFETY: COMMONWEALTH SCIENTIFIC AND INDUSTRIAL RESEARCH ORGANISATION

Mr STAPLES—I ask the Minister for Science and Technology what the Government intends to do about the serious issues of occupational health and safety which are obvious in many Commonwealth Scientific and Industrial Research Organisation divisions, in particular the situation that has arisen at the Floreat Park Laboratories in Perth? Is the Government prepared to accept the call of the CSIRO Technical Association that a full epidemiological study be conducted? In the absence of an appropriate occupational health

body in Australia, would the Government be prepared to use expert opinion from overseas, such as the National Institute of Occupational Safety and Health of the United States?

Mr BARRY JONES—The safety and health of all CSIRO employees is a matter of continuing concern to me. I have urged the Executive of CSIRO to implement the recommendations of the Occupational Safety and Health Management Review Committee, the Craig Committee, as quickly as possible. This report was released by CSIRO on 19 October 1983. I am particularly concerned about the reported staff health problems at the CSIRO laboratories at Floreat Park, Perth. The CSIRO Technical Association has also expressed its concern to me. I will be inspecting the laboratories on 11 March, next week. Meanwhile, CSIRO is upgrading the laboratory ventilation. Following the first reported cases of ill health at the Floreat Park laboratories in April 1983, CSIRO requested the Western Australian Public Health Department to investigate the possibility of a causal link between the chemicals used and the reported illnesses. With one exception, this study failed to establish any such link.

At the request of the CSIRO Technical Association, Dr John Matthews of the Australian Council of Trade Unions—Victorian Trades Hall Council Occupational Health Unit visited the laboratories in December 1983. Dr Matthews's report suggested that exposure to some chemicals in use at the laboratories could cause neuromuscular disorders similar to those reported by the staff. CSIRO has referred both these reports to the Commonwealth Department of Health for advice about what further action should be taken. An occupational hygienist from the Commonwealth Institute of Health is visiting the site this week and is conducting a detailed investigation on possible chemical hazards. Arrangements have also been made for any of the laboratory staff who are concerned about their health to be examined by Commonwealth Medical Officers. Seven people have gone to a CMO and one to a private practitioner. The Department of Health is urgently considering the appropriateness of conducting an epidemiological study of the staff health problems at the laboratories. While it would not be appropriate for me to pre-empt its consideration of this matter, I have advised CSIRO that I am strongly of the view that an outside inquiry into the laboratories is needed.

CHRONIC PATIENTS: ACCOMMODATION

Mr CARLTON—My question is directed to the Minister for Health. Is it true that under the

Medicare legislation chronic patients in private hospitals were required to move out of those hospitals into nursing home beds or elsewhere after 35 days rather than 60 days unless they had a special doctor's certificate? Is it also true that in implementing this proposal the Government has made no special arrangements for such people to be accommodated in nursing homes? Is it also true that there have been no new nursing home approvals since the Fraser Government left office? Why did the Government not give full consideration to the anguish and discomfort of these elderly and frail patients and their relatives before implementing this new measure?

Dr BLEWETT—It is true that under the Medicare legislation there is the 35-day rule, but as the honourable member points out, a special certificate is available if acute medical care is still needed. There should be no reason whatsoever for any nursing home-type patients to move out of private hospital accommodation because in fact they are being paid by way of Commonwealth bed day subsidy and private insurance twice what they would be paid in a good nursing home. That is, those private hospitals which are providing this kind of care are funded through insurance, and through the Commonwealth Government subsidy, at roughly twice the payment for the same type of patient in a nursing home. I do not believe that any private hospital should not be able to care for those patients at twice the payment made to a good nursing home.

HEALTH INSURANCE

Mr GEAR—I also direct my question to the Minister for Health. Is the Minister aware that a commercial insurance company is using the Perth Building Society branch network to offer health insurance called Mediplus that excludes people aged over 64 and some who are chronically ill? Is he also aware that this scheme is not party to the community rating principle? If so, can he tell the House what action he will take if that principle is threatened?

Dr BLEWETT—I thank the honourable member for Tangney for that question. Yes, I am aware that that is going on in Perth and also in one or two other centres. Of course this Government, when it provided basic health cover for everyone, decided that it would, to a certain extent, deregulate the private health industry. We believed that private health insurers—good private enterprise people—would be able to observe certain basic principles in their health care; that is, that they would retain the community rating principle. Let me say that in deregulating most of the funds we have found that most of them have

observed that responsibility. However, of course once one allows private enterprise this kind of freedom one finds the kinds of sharks that have just been talked about. That is, one finds companies that are prepared to be quite parasitic on the whole health insurance industry by in fact refusing to cover those who most need cover. That is what these funds are doing. I have had discussions with the private health funds which are equally concerned about these kinds of practices. If we get evidence that this is a significant threat to the community rating principle, the Government will not hesitate to bring in legislation to control these kinds of practices, which both responsible health funds and the Government believe should be beyond the pale.

ILLEGAL TELEPHONE TAPPING

Mr STEELE HALL—I direct my question to the Deputy Prime Minister. I refer to reports concerning illegal telephone tapping published in the *Sydney Morning Herald* and the *Melbourne Age* on 18 February in which it was stated that the Attorney-General 'had made available to the judge concerned the taped material, and had sought his response to it'. Will the Deputy Prime Minister tell the House why the Attorney-General approached that particular judge? Will the Deputy Prime Minister tell the House whether the judge has given the Attorney-General the response he sought? If the judge has responded, did he confirm that it was, in fact, his voice on the tapes and that the conversations on the tapes and recorded in the transcripts did take place?

Mr LIONEL BOWEN—As the honourable gentleman would be aware, the question of the authenticity of the tapes and the content of them has been a matter of debate. The material, I understand, was referred to a number of Crown law officers and the opinions have been given as to those matters. In respect of the detail as to whether the judge concerned has made a reply, I think he has. However, the Attorney-General will be making a statement in the Senate this day on all those matters. I also understand that the opinions given in respect of the authenticity of the tapes and material were also given to the Leader of the Opposition.

STARLAB PROGRAM

Mr WELLS—My question is directed to the Minister for Science and Technology. Is Australia going to continue participation in the Starlab program? How much will it cost? What proportion will be spent in Australia and how will Australia benefit from participation?

Mr BARRY JONES—Starlab is an orbiting space telescope which it is hoped will be put into space by the United States of America space shuttle in 1989-90. The three participants in it so far are the United States, which has the responsibility for putting it up, Canada, which will construct the telescope itself, and Australia, which it is hoped will have the responsibility for the scientific instrumentation package. My Department will submit a proposal to the Government for the funding of the next Starlab detailed design and construction phase this year. Subject to this proposal passing the normal budgetary reviews, funds will be provided in 1984-85 with commitment to future funds to continue the project. However, of course, it has to be considered in the context of an overall budgetary thrust. The total estimate of this phase—the CD phase—is estimated at \$65m. This estimate has been reviewed by a panel of experts from the National Aeronautics and Space Administration, assisted by Commonwealth officers, and is believed to be realistic. Approximately 80 per cent of the funds will be spent in Australia.

Australia would benefit from the Starlab program in several ways: First, by major enhancement of the aerospace capability in areas of very advanced technology and, secondly, by collecting a team of some 200 engineers with expertise in fields of structures, electronic optics and space qualification at the state of the art level. The consultant's report says that this team will be able to perform \$20m per year of high technology work for others, by secondary job creation as a result of the work performed by the Starlab team. The estimate of the consultants is that over 600 jobs will be created largely in service industries. Techniques developed for Starlab will enable industry to participate more effectively in future space programs—second generation satellites and so on—and the offsets program. Experience in other advanced countries has demonstrated that major technology advances need a specific project or target as a driver. Starlab, if it is approved, will provide the driving force required to increase our industrial capacity in a number of technologies rapidly. It is considered that neither the rate nor the increase nor the breadth of knowledge could occur by other means of funding.

NEWSPAPER ALLEGATIONS

Mr PEACOCK—I direct my question to the Minister representing the Attorney-General. I refer the Minister to questions asked in the Senate of the Attorney-General on 30 November and 8 December last year concerning the need for an investigation into possible breaches of Federal law

involved in allegations published in the *National Times* newspaper. Why did it take the Attorney-General, in association with his colleague the Special Minister of State, more than two months to initiate any proper inquiry into these allegations of corruption? Now that the Government has belatedly appointed a special prosecutor and a joint police task force to inquire into some aspects of the questions raised initially in the *National Times*, when does he expect to be in a position to report to the House on the substance of the allegations?

Mr YOUNG—I think the Leader of the Opposition is referring to questions asked by Senator Archer in regard to material published in the *National Times*. There was an investigation undertaken by the Australian Federal Police. It was incomplete as at early this year. It was unfortunately hampered because the *National Times* refused to hand over the material on the basis that it said it was police material and that the police already had it, so that was not of much assistance to the Australian Federal Police. The matter, of course, is now incorporated in the present investigation.

DISALLOWED QUESTION

Mr Steedman having addressed a question to the Minister for Health—

Mr SPEAKER—Order! The honourable member's question is out of order.

IMPORTED AGRICULTURAL TRACTORS

Mr IAN CAMERON—My question is directed to the Minister for Primary Industry. Is it a fact that the Industries Assistance Commission is recommending to the Government that a tariff be imposed on all imported agricultural tractors at a cost of millions to primary producers? How does this recommendation correlate with the Minister's leader's momentous statements on reducing tariffs while recently travelling in South East Asia?

Mr KERIN—This question should really be directed to the Minister representing the Minister for Industry and Commerce. I will take the honourable member's question on notice and get back to him.

ANTARCTICA

Mr SCOTT—Is the Minister for Science and Technology in a position to advise the House of the unexpected visit of the Russians to Australia's Antarctic base at Davis?

Mr BARRY JONES—On 19 January 1984 a Russian helicopter arrived at the Davis station in

Australian Antarctic Territory with little warning. It should be noted that in the area that we claim in Antarctica we have three bases and the Union of Soviet Socialist Republics has four. I doubt if one Australian in a hundred is aware of that. On board the helicopter were the Director of the Arctic and Antarctic Research Institute of Leningrad, the leader of the 29th Soviet Antarctic expedition, the captain of the supply ship *Mikhail Somov*, one other observer, an interpreter, two pilots, two engineers and one radio operator.

The Russian party explained that the purpose of its visit was to show continued interest in Australia's commitment to science in the Antarctic. It was shown over the station and it invited the officer-in-charge of the station and two others to visit the Russian ship. This offer was accepted.

The purpose of the Russian visit is not entirely clear. It was not an official inspection under Article VII of the Antarctic Treaty. The personnel had not been designated as observers in accordance with Article VII.

Mr Hawke—They may have run out of vodka.

Mr BARRY JONES—That is entirely possible. It seems likely that one purpose of the visit was to gauge the level of activity at the base and to assess whether Australia was in the process of closing it or winding it down. Various media reports in 1983 may have given the USSR the impression that this was the case. It is known that East Germany has approached the USSR for financial assistance in setting up a station at Larsemann Hills, not far from Davis in the Australian claim area. If Davis were to be closed the Russians might approach Australia to make it available to the East Germans. The visit also emphasised the Russian logistic capacity. The *Mikhail Somov* is an ice-breaking supply research vessel of 133 metres and 7,550 tonnes, equipped with long range helicopters.

SOUTH EAST ASIA: TRADE

Mr HUNT—I refer the Prime Minister to his discussions with Prime Minister Nakasone and other leaders on the need for a more open world trading system, an objective I hope we all share, and in particular the need for a strong regional approach to be adopted to any international discussions on this subject. Will the Prime Minister ensure that the full weight and commitment of the Government are brought to bear on this objective? Will he encourage his Ministers, especially the Minister for Trade, to pursue this objective with enthusiasm? Will he ensure that actions Australia must take to strengthen its negotiating

arm and its standing with our regional trading partners, such as positive steps in relation to our own protection levels, are set in train as quickly as possible?

Mr HAWKE—I am indebted to the Deputy Leader of the National Party of Australia for his question. Of course, as he will appreciate, I had discussions on this matter not only with Prime Minister Nakasone but also with all the leaders of the countries which I visited on the recent tour of Asia. I am very pleased to be able to report to the House—I am sure this will have universal support—that all the leaders with whom I spoke expressed their very strong support for the initiative which I commenced in Bangkok on 22 November. I am sure all honourable members will appreciate that all the leaders of these countries have given their support to a meeting which will take place either in Jakarta or in Singapore in April. The exact date is not certain yet. At that meeting officials of the countries concerned will seek to agree on those items which appropriately, in terms of regional interests, should be inscribed upon the agenda of any multinational trade negotiation round that takes place.

The Deputy Leader will appreciate that the problem in the past has been that the major countries have conducted those rounds in a way which excluded the interests of this country in relation to agricultural products and processed minerals in particular. We believe it is appropriate, being part of this most dynamic region of the world, that we should ensure that, if the MTN takes place, our interests are on the agenda. I take the point that the Deputy Leader includes in his question. If we are to be heard with authority in such discussions then it is appropriate that we as a nation make the decisions which are consistent with such an approach. I am very pleased to say that it is not a question of my having to inform or instruct any of my Ministers, including the one to whom the honourable member referred. He mentioned the Deputy Prime Minister, the Minister for Trade. He is totally at one with me in this approach. He has indicated that and the concerns of his Department in writing.

I assure the Deputy Leader of the National Party that we recognise that if we take this approach it has to be coherent and integrated. The Government and all Ministers will be making those decisions which are appropriate to give force and weight to this initiative which I undertook last November and which has been supported by the countries of this region. As I understand from the tone of the question, it is supported by the Opposition.

MEDICARE CLAIM FORMS

Mr SIMMONS—Is the Minister for Health aware that in many isolated communities and small towns people seeking to claim a refund of medical expenses are required to request Medicare claim forms from the nearest Medicare office? Is the Minister conscious of the fact that this procedure means that claimants face a double postal fee for the initial request and the subsequent lodgment of the claim? Will the Minister undertake to ensure that official and non-official post offices in areas not serviced by Medicare offices have supplies of Medicare claim forms to alleviate this problem?

Dr BLEWETT—The Government shares with the honourable member for Calare the concern that no country person should be disadvantaged in access to Medicare. First of all, the Health Insurance Commission has provided some 300 Medicare centres across the country. It is true that it is not possible for Medicare to provide an office in every town and settlement in the country. Therefore the Health Insurance Commission has been instructed to provide Medicare claim forms to doctors and chemists in towns where there is no Medicare office.

I must say that a few obstinate doctors refuse to accept these forms and provide them to their patients, I suppose as part of their campaign against Medicare, but the great bulk of doctors have been prepared to provide claim forms to their patients. However, where we have discovered doctors refusing to accept the claim forms to provide to their patients, we have progressively provided claim forms to local chemists. I recognise that in some places, such as Yeovil, which the honourable member for Calare has raised with me, there are neither doctors nor chemists. In those centres the Health Insurance Commission has been instructed to provide claim forms through local post offices. It is our belief that with all these forms of access—Medicare offices, doctors' surgeries, chemists and post offices—we will be able to provide a far better cover, far better access, for people in non-metropolitan areas than was provided by the previous scheme.

COKING COAL: SHIPPING DELAYS

Mr O'KEEFE—My question is directed to the Prime Minister. I ask: Is it a fact that, when in South Korea recently, the Prime Minister visited the Pohang steel works? Did General Kim, principal of the Pohang company, complain about shipping strike delays of coking coal from the port of Newcastle to Korea? If shipping strike delays

occur in the future, what steps can be taken to protect this valuable trade?

Mr HAWKE—I am indebted to the honourable member for his question. I did indeed visit the very impressive integrated iron and steel complex to which he referred. I think I raised the question of post industrial disputes in Australia having been a cause of some concern in South Korea. It certainly was discussed by us. I indicated these things: Firstly, this Government has very real concern about the industrial relations situation in this country and since it has been in office has given high priority to improving the situation. I was able to report there and in other places that I visited that in the 12 months to October 1983—the latest statistics available to us then—the level of industrial disputation in Australia had been the lowest for the last 15 years. I also indicated that in the two areas of interest to that complex—that is, the raw materials of iron ore and coking coal—we had taken specific action to reduce industrial disputation.

I am pleased to report that not only in South Korea but also wherever I spoke on this tour with interests who were concerned with the export of materials from Australia I found that they not only recognised the facts to which I have referred but also expressed great satisfaction with what had taken place. Let me go on to say in respect of the intake of iron ore by the South Korean iron and steel complex in particular that unfortunately there has been a fairly significant decline in the proportion that we have supplied—a proportion which in fact has been substantially taken up by Peru. I explained there and at other points the facts I have already referred to, and to which I will not allude again. Secondly, I made the point—I think this view will be shared by all members of this House—that South Korea, Japan and all these countries should, when contemplating where they will place their contracts, take account not only of the improvement to which I referred but also the fact that when they are dealing with Australia they are dealing with one of the most stable political entities in the world. I pointed out that we had gone through an election last year and had a change of government but those sorts of things happen in this country with great stability.

Mr Shipton—Left, right, centre.

Mr HAWKE—This is not a matter which should be denigrated in any way by an interjection. It is to the advantage of all interests in this country that together we make it clear to potential purchasers of our products that we are such a stable country, politically, and that the industrial

relations situation is improving. If we can sell that message, which is an accurate one, all economic interests in this country will be advantaged.

PATERSON'S CURSE

Mr SNOW—My question is directed to the Minister for Primary Industry. What program has the Government developed to deal with the horrific problem in many areas of Australia of Paterson's curse? I think the honourable member for Paterson would refer to it as salvation Jane. This problem was particularly manifest during the recent spring and summer.

Mr KERIN—I think the honourable member for Eden-Monaro is referring to the common name of the plant that is properly termed Echium plantagineum. The Government is concerned about biological control, but not just of Paterson's curse, salvation Jane, Riverina bluebell or whatever it is. I congratulate the honourable member for Eden-Monaro and the honourable member for Calare in particular for pushing this issue because, as everyone is well aware, the Paterson's curse outbreak this year, following the Hawke-induced breaking of the drought, caused many problems in all the crop areas of New South Wales and north-east Victoria. This matter has been discussed by the Australian Agricultural Council and the Commonwealth has brought forward guidelines. Those guidelines have been agreed to and legislation will be introduced into the House this session.

As I have said, the proposals will not concern just Paterson's curse, but the biological control of weeds and pests in general. Cabinet has approved the legislation and it is my intention that there be close consultation with the States so that we have matching legislation. The legislation is intended to provide for the nomination and advertisement of target species, to allow for public inquiry and for an appeal process, and to provide authority to release control agents and to establish a method for Commonwealth-State agreement on proposals through the Australian Agricultural Council. The legislation is intended to provide an equitable and efficient means of resolving conflict that may arise concerning any biological control program in the future.

AUSTRALIAN PUBLIC SERVICE

Mr DAWKINS (Fremantle—Minister for Finance and Minister Assisting the Prime Minister for Public Service Matters)—For the information of the House I present a policy paper entitled 'Reforming the Australian Public Service'. The policy paper was provided to all honourable members and senators during the recess.

Motion (by Mr Young) proposed:

That the House take note of the paper.

Debate (on motion by Mr Sinclair) adjourned.

ABORIGINAL DEVELOPMENT COMMISSION

Mr HOLDING—(Melbourne Ports—Minister for Aboriginal Affairs)—Pursuant to section 40 of the Aboriginal Development Commission Act 1980, I present the 1982-83 annual report of the Aboriginal Development Commission. The report contains a copy of the Commission's financial statements for the year ended 30 June 1983, together with a copy of the Auditor-General's report in respect of those statements. Because of delays in finalising the financial statements, I presented an interim 1982-83 annual report for the Aboriginal Development Commission on 3 December 1983. Pursuant to section 40 (6) of the Aboriginal Development Commission Act 1980, I am also presenting comments that have been made by the National Aboriginal Conference in relation to the Commission's 1982-83 annual report.

Motion (by Mr Young) proposed:

That the House take note of the papers.

Debate (on motion by Mr Porter) adjourned.

JOINT COAL BOARD

Mr LIONEL BOWEN (Kingsford-Smith—Minister for Trade)—Pursuant to section 20 of the Coal Industry Act, I present the Joint Coal Board annual report for 1982-83.

LAW REFORM COMMISSION

Mr LIONEL BOWEN (Kingsford-Smith—Minister for Trade)—Pursuant to section 37 of the Law Reform Commission Act 1973, I present report No. 22 of the Law Reform Commission on privacy, volumes 1 and 2, together with the text of a statement by the Attorney-General (Senator Gareth Evans) relating to the report.

FREEDOM OF INFORMATION

Mr LIONEL BOWEN (Kingsford-Smith—Minister for Trade)—For the information of honourable members I present the first annual report of the operation of the Freedom of Information Act 1982 to 30 June 1983, together with the text of a statement by the Attorney-General relating to the report.

AUSTRALIAN INSTITUTE OF CRIMINOLOGY

Mr LIONEL BOWEN (Kingsford-Smith—Minister for Trade)—Pursuant to section 33 of the Criminology Research Act 1971, I present the

Australian Institute of Criminology annual report for 1983.

CRIMINOLOGY RESEARCH COUNCIL

Mr LIONEL BOWEN (Kingsford-Smith—Minister of Trade)—Pursuant to section 43 of the Criminology Research Act 1971, I present the Criminology Research Council annual report for 1983.

LAW REFORM COMMISSION

Mr LIONEL BOWEN (Kingsford-Smith—Minister for Trade)—Pursuant to section 35 of the Law Reform Commission Act 1973, I present the Law Reform Commission annual report for 1982-83.

ROYAL COMMISSION OF INQUIRY INTO DRUG TRAFFICKING

Mr LIONEL BOWEN (Kingsford-Smith—Minister for Trade)—For the information of honourable members I present the Government's response to the report of the Royal Commission of Inquiry into Drug Trafficking.

Motion (by Mr Young) proposed:

That the House take note of the paper.

Debate (on motion by Mr Steele Hall) adjourned.

REPORT OF THE CROSS SPECIAL COMMISSION OF INQUIRY

Mr SINCLAIR (New England—Leader of the National Party of Australia)—by leave—I thank the House for the opportunity to make this statement. On 12 January this year, the Premier of New South Wales released the report of a Special Commission of Inquiry conducted by Mr Justice Cross into certain allegations made by me. The allegations were made on 29 October last year when I addressed the Federal Council of the National Party. The following day the New South Wales Premier commented publicly that I might have committed a crime by not immediately reporting the offer to which the speech referred. On Monday, 31 October, Deputy Commissioner Perrin of the New South Wales Police Force interviewed me in my office at Parliament House. On 1 November, Mr Wran announced that legislation was being introduced into the State Parliament to allow the establishment of special commissions of inquiry. The legislation was rushed through the State Parliament with minimal debate and in the face of considerable public opposition, and Mr Justice Cross was appointed to the post of Special Commissioner. Mr John Hatton, the Independent member of the Legislative

Assembly for the South Coast, said in the *Sun-Herald* on 26 February:

(The) Special Commissions Inquiry legislation compels witnesses to attend and answer questions, denies them the right to refuse to answer on the grounds that it is self-incriminating, compels them to reveal sources and denies a right of appeal.

That legislation would sit well in any totalitarian state.

It is unique in Australia.

If someone demands an inquiry, the inquiry is called not into the allegations but into the person who made them.

On 8 November, Mr Wran announced three references to the Special Commissioner. The second reference concerned my allegations into the administration of justice in New South Wales. I now table a photocopy of the terms of reference as they refer particularly to me. In my Press release of 12 January last, following the publication of the Cross report, I commented:

My recollection of the lunch was based on the only written evidence tendered to the inquiry, including minutes of my solicitors and advice received from Mr Murray Gleeson QC, on which I acted.

My comments basically addressed the widespread concerns about the processes of justice in New South Wales. These concerns remain.

Section 36 of the Special Commissions of Inquiry Act 1983 of New South Wales states:

(1) A Special Commission shall not be vitiated by reason of any informality or want of form or be liable to be challenged, appealed against, quashed or called in question by any court.

In other words, there is no appeal. The section continues:

(2) No proceedings, whether for an order in the nature of prohibition, certiorari or mandamus or for a declaration or injunction or for any other relief, shall lie in respect of any Special Commission.

The Special Commission's rulings were final.

There being no appeal under that Act to any court, my only avenue for appropriate response is through this House and to the people of Australia. The Australian community has been told how clever, witty and wise the Special Commissioner has been. His colourful language has been much quoted. Yet those findings were simply wrong. They do not stand up to any objective study. Mr Speaker, I put it to you today and I ask even members of the Government: How did Mr Justice Cross get it so wrong?

In his report, Mr Justice Cross stated that he had no wish to be unduly critical of me, and he would let the evidence speak for itself. I will return his compliment, and try, as far as I am able, to let Mr Justice Cross's report speak for itself about his conclusions, and let honourable

members ask: How did Mr Justice Cross get it so wrong?

There are three fundamental principles which go to the heart of the rights of citizens and the exercise by governments and the courts, including special commissions, of their lawful responsibilities. The first is the separation of government from the law.

'Courts', as Dicey wrote, 'cannot without considerable danger be turned into instruments of Government'. The second is that justice should be administered based on evidence before it. A judge should not embark on the consideration of a case if he has reached an opinion upon the facts before hearing and considering dispassionately and impartially the evidence which is available. The judge's responsibility is a heavy one.

The third principle is that it is the law-breaker who should be pursued, not those who bring wrong-doing to public notice. All three principles have been turned upside down by the proceedings against me.

The structure of the Special Commission of Inquiry established by Mr Wran is designed to do the Government's work for it. The proceedings involving me resulted in a report which, I will demonstrate, gives a strong impression that the Special Commissioner had decided on his conclusions without a proper investigation of all the facts or indeed adequate consideration of them. And under Wran's law, it is the victim, not the law breaker, who is the person pursued and effectively brought to trial. The Cross Commission was no inquiry in the proper and normal sense of the word. The formal hearing of evidence lasted one judicial day. There was no deep searching or delving for information.

Yet Mr Justice Cross himself said:

... the Commission does not sit as a Court; it does not "hear and determine" questions coming before it. Its function is to "inquire into and report upon" the specific matters referred to it for investigation, ...

Under section 10 of the Special Commissions of Inquiry Act it is the responsibility of the Special Commissioner to investigate those matters referred by the instrument of appointment. Yet, I suggest, any consideration of the proceedings before Mr Justice Cross gives the distinct impression that I was put in the position of a defendant, while the Special Commissioner sat in judicial consideration of the facts. The nature of the Special Commissioner's power is investigatory, to be followed by a report. That report is to be made after such investigation as the Special Commissioner thinks appropriate.

I suggest—and I will demonstrate—that a critical analysis of the report, and a more rational and cool appraisal of the evidence, does not support the conclusions of the report. There was certainly no deep searching or delving for information, as I have noted. A prime witness, available if requested, in the person of one of Australia's most senior counsel, Mr Murray Gleeson, QC, was not even called. As far as I know he was not interviewed and a statement was not taken from him, either by Mr Justice Cross or his assistants. So I ask again: How did Mr Justice Cross get it so wrong?

In the evidence before the Commission there was no dispute that a luncheon took place on 17 December 1979 at City Tattersall's Club at about 12.45 p.m. This lunch had been arranged at the request of Mr Bill Waterhouse. Present were Mr Waterhouse, Mr Ted Coombs and myself.

The undisputed evidence was that the lunch concluded by 2 p.m. I left the club and went immediately to see my solicitor, Mr A. T. Scotford, at his office. Within 15 minutes of the lunch concluding, I repeated to my solicitor the terms of the conversation that had just taken place, namely, that a proposal had been put to me whereby with the passing of money, arrangements could be made with respect to my forthcoming criminal charges. Mr Scotford made a note about this in his own office diary. On my instructions, he then sought and obtained advice from Mr Gleeson as to what should be done about the matter. That advice was that nothing should be done about it, and I should 'put the matter out of my mind.' As the Special Minister of State (Mr Young), who has some acquaintance with Mr Gleeson, should be able to confirm, that is typical Gleeson advice. I acted on that advice, but I did report the incident to senior parliamentary colleagues—one of whom is now Deputy Leader of my Party—and to a meeting of my electorate council, which was open to the media.

Mr Scotford gave evidence to the Special Commission, and his diary, which completely corroborated my statements, was tendered before Mr Justice Cross. No challenge was made to Mr Scotford's evidence or to his diary. He was not cross-examined in any way by counsel assisting Mr Justice Cross or indeed by any parties before the inquiry. Mr Justice Cross stated specifically, in fact, that he accepted Mr Scotford's account of events. Mr Scotford is a very reputable and highly regarded Sydney solicitor. He is a partner in one of the larger law firms.

In these factual circumstances it is incredible that the judge should reach the conclusion that

my statement of the conversation was simply untrue. In reaching this conclusion he did not say that he disbelieved Mr Scotford's evidence. He did not attempt to deal with the evidence of the diary of the solicitor. He simply ignored that evidence because it did not fit in to what appears to have been his predetermined conclusion. This is all the more surprising when there was, apparently, no attempt by Mr Justice Cross or his assistants to interview Mr Gleeson, of Queen's Counsel or to call him to give evidence. What possible reason could I have had, at 2 p.m. on 17 December 1979, to fabricate such an incident before going to see my solicitor at 2.15 p.m. that same afternoon? Why would I do such a thing? No motive was explored or even suggested by the judge. What advantage could I hope to have obtained in making up the incident which the judge labelled untrue? Mr Justice Cross does not suggest one. In fact, he specifically rejects any suggestion that I did so. Nor does he offer an explanation for my going to the trouble and expense of briefing one of Australia's leading silks to obtain advice about something which, according to Mr Justice Cross, was simply untrue. Particularly is that so when that advice was to do nothing, and I acted on that advice. The judge reaches the remarkable conclusion that with the benefit of competent legal advice I must have realised that I had been mistaken.

The overwhelming evidence is to the contrary. The advice which I received was not based upon the premise that I had been mistaken or that no such proposal had been put to me, but rather that, the proposal having been put, I should not act upon it and I should put the proposal right out of my mind. There is no other conclusion supportable upon the evidence. How did Mr Justice Cross get it so wrong? The judge fleetingly raises and then rejects the proposition that I might have intended to set up Mr Waterhouse. No possible reason is put forward for me having such a motive, especially when it was Mr Waterhouse who initiated the meeting in the first place. The judge does not even explore the possibility that an attempt may have been made to set me up. There is in fact just such a possibility, and an obvious one. If the case against me at the time of this lunch was perceived to be weak or unlikely to be successful, then what better way of ensuring my conviction than by implicating me in a scheme to tamper with the Crown case against me. This possibility is not far-fetched.

Central to the charges against me was the question of the so-called forged signatures on the company documents. The Crown case on forgery was, in the long run, found to be very weak. In

fact, at the trial the Crown did not even call the police handwriting expert who had first expressed the opinion that the signatures were forgeries. I called in my defence a world-regarded handwriting expert, the head of New Scotland Yard's forensic and handwriting department, to prove conclusively that the signatures were not forgeries. This evidence, of course, was overwhelming and the jury accepted it. Rather than inquiring into any of these matters, the judge found that I was mistaken, and that I had misunderstood the nature of the terms of the conversation at the lunch. This conclusion effectively sidesteps the whole issue. Not even my enemies would believe that I am of such character that three months after I resigned from Cabinet I was so affected by stress that I would mishear or misunderstand the nature of a conversation put to me at this lunch. The evidence of my solicitor, and the diaries, makes any such conclusion laughable. We read every day of some new cause of cancer or heart disease. This is the first time I have heard that the loss of public office causes deafness.

It is one thing to be mistaken. It is another thing to be puzzled and perplexed about why this proposal had been made, as I was. My subsequent conduct, which bears upon my state of mind, is equally consistent with the second state of mind as it is with the first. This obvious possibility does not even seem to have been addressed by the judge. Instead, he relies for his conclusion of my 'prompt realisation that I had been mistaken' on the fact that within a few months, as a result of Mr Waterhouse's request, I was, to use the Judge's words, 'vigorously promoting' Mr Waterhouse's interests in the taking over of the Canberra Totalizator Agency Board. The pejorative phrase 'vigorously promoting' does not have any basis in the evidence at all, nor did Mr Justice Cross identify any. My sole involvement in Mr Waterhouse's activities concerning the Canberra TAB was to make one telephone call to the then Minister for Home Affairs, Mr Ellicott, to arrange an appointment for Mr Waterhouse, and indeed it may well have even been my staff.

Where is the evidence that I was 'vigorously promoting' Waterhouse's interests? It simply does not exist. This is but one of many illustrations of the judge sacrificing accuracy and judgment on the altar of the quick quip.

Honourable members will recall that on 29 October 1983 I addressed the Federal Council of the National Party of Australia in Canberra. In my address I raised publicly the allegation of the lunch at the City Tattersalls Club with a leading Sydney bookmaker and senior Sydney businessman, and the proposal that was put to me in the

course of that lunch. It should be noted at the outset that no person was identified by name in that speech and the descriptions of each of them were extremely imprecise. It is highly significant, however, that Mr Coombs in his evidence said that he had seen the television report of the speech and had thought immediately that he and Mr Waterhouse were probably the two persons to whom I was referring. Mr Coombs, who admitted to an extremely bad memory, said he then became most concerned. This is an extraordinary state of affairs.

Mr Coombs, if his evidence is to be believed in its entirety, was someone who had a casual lunch of no significance or importance almost four years before, at which nothing untoward had been said at any time, and at a club where all of us had been members for years. Yet on viewing the television film he immediately thought he and Mr Waterhouse were the people involved at the relevant lunch. This is an incredible feat of recall for someone who said in evidence that he could not remember any details of a discussion he had with Mr Waterhouse only three weeks before.

He was not alone in identifying the lunch and being perturbed as a result. In his evidence, Mr Coombs said that on 31 October he was phoned by Mr Waterhouse who asked him, incapacitated as Mr Coombs was by a stroke, to meet Mr Waterhouse immediately in Mr Waterhouse's Crow's Nest office. Mr Justice Cross refers to the meeting at Crow's Nest, although Mr Coombs, later in his evidence, talks of taking a cab to Kirribilli, and says it was the first time he had been to Mr Waterhouse's office. Wherever this sudden meeting took place, they then discussed the whole matter. Is this conduct likely by two persons who would have us believe that nothing had happened; that nothing untoward had been discussed at the lunch; that they had no recollection of the lunch; and that it was entirely innocent and totally unimportant? Mr Justice Cross seeks to explain this conduct by saying that Mr Coombs was agitated that he had been associated with the Australian Labor Party. I can understand his embarrassment, but it hardly seems likely that an elderly man who had suffered a major illness and got about the city with difficulty would conduct himself in this way simply because he had been identified as a member of the Labor Party. This conduct by both Mr Coombs and Mr Waterhouse is hardly explicable upon the basis that no such conversation took place, and that my allegations were simply untrue.

How did Mr Justice Cross get it so wrong? Mr Justice Cross's inquiries into Mr Waterhouse's association with Labor's cause was covered in his report by the conclusion that as Consul-General for Tonga he may have some acquaintance with members of political parties, but he went on to say that there was no evidence that he was a 'confidant of . . . any State Government member or official.'

Mr Justice Cross indeed, has carefully reversed the onus of his responsibilities under the Commission given him by the New South Wales Government. On page 22 of my copy of his report, he states:

Not a single question or suggestion was put to Mr Waterhouse by counsel for Mr Sinclair that Mr Waterhouse had any 'pull' or 'leverage' or even association with any member of the State Government.

It was not for me to establish the fact of this association; it was for Mr Justice Cross. Yet on page 39 of his report, he spoke of the 'admitted falsehood' of my claim that Mr Waterhouse and Mr Coombs were 'supporters of the Labor cause'. He uses the phrase 'supporters of the Labor cause' again on page 44. Mr Justice Cross could not even get my statement right. I had said that the two men were 'associated with Labor's cause', and the conclusions of Mr Justice Cross are not assisted by his changing the nature of my assertion.

The terms of the Commission were that Mr Justice Cross was to inquire into and report on the matters referred to him. Interestingly, the terms of reference of the Commission did not include my allegation that the two men who had lunch with me were 'associated with Labor's cause'. If Mr Justice Cross wished to report on it, therefore, it was his duty to inquire into whether or not Mr Waterhouse or Mr Coombs had any association with any member of the New South Wales Government. Curiously, Mr Justice Cross appears to have gone to a great amount of trouble not to give his own opinion on that section of my allegations. He merely says that on the basis of my evidence in the record of interview and of the Commissioner I had no basis for making that claim.

But look at this another way. If he believed I was right, would he not have been duty bound to ensure that I was, by further investigating that claim? Mr Justice Cross's way of dealing with this matter was a classic case of 'heads I win and tails you lose'. In fact, anyone with even a superficial knowledge of the anatomy of the politics of New South Wales knows of the long-standing close personal friendship between Mr Waterhouse and Mr Wran, and other senior State Labor parliamentarians. Milton Cockburn in the *Sydney Morning*

Herald of 24 January 1984 suggests that everyone in Sydney would immediately guess through his association with Mr Wran, the Waterhouse name. Why, might I ask, did not Mr Justice Cross see the Labor association? The association between Mr Waterhouse and Mr Wran goes back to university days.

It is widely known that Mr Wran and Mr Waterhouse have had close business associations. Indeed, while he was at university Mr Wran even pencilled for Mr Waterhouse. How could the Commissioner have reached the conclusion that Mr Waterhouse merely 'had some acquaintance with members of political parties' as Consul-General for Tonga? How could he have got it so wrong?

Mr Speaker, the Special Commissioner, in his report placed great reliance upon the record of interview given by me to the police shortly after I made my speech to the Federal Council of the National Party. In that record of interview, it was clear that I was making it plain that I was not positively asserting that a criminal offence had been committed by Mr Waterhouse. The reason for such an assertion was obvious. Shortly before my interview with the police, Mr Wran had made a public statement saying that I may have been guilty of a criminal offence in failing to report the terms of the conversation during the lunch. Mr Wran went on to say that investigations would be made by the police to determine whether or not I had been guilty of such an offence. It was in this context that my record of interview was given to the police, without the benefit of any legal or other advice. Nowhere in that record of interview do I suggest that the conversation which I reported did not take place, or that I was mistaken as to the terms of it. There is nothing in that record of interview from which a conclusion can be drawn that my allegations were 'simply untrue'.

Mr Justice Cross's conclusion that my allegations were 'untrue' had a two-fold effect. The first was to remove any pressure for a further or deeper investigation into the allegations themselves. The second was that instead of concern being directed at my allegations, serious as they were, it was directed at me personally. In commenting on that police interview, with his colorful analogy with the Spanish Inquisition, Mr Justice Cross particularly contrasted the precision of my diary entry about the amount of money involved in the proposal, and what I had said in the discussion about this aspect to Deputy Commissioner Perrin.

Mr Justice Cross dismisses out of hand the entry in my diary regarding the lunch. He says that 'the deliberations of this Commission have not been assisted by the production of the diary entry'.

He explains the specific reference to 20G, that is \$20,000, as 'having some strange aspects'. He then continues, in his analysis of that diary comment, to refer to the statement made to the Deputy Commissioner 'a few weeks before he produced that diary to this Commission'. In that comment, Mr Justice Cross has failed to recognise that when I spoke to the Deputy Commissioner, I had not seen the diary entry for some years. Those members who have read the police transcripts will recall that during the time that statement was being given my electoral secretary phoned me to say she had found the diary. She was in Armidale in northern New South Wales. I was in Canberra. I had not seen my diary entry, nor had I had the opportunity to discuss the matter with my solicitor. I did not know of his own diary entry. It is invalid, therefore, for Mr Justice Cross to draw the conclusions he has about my diary reference to \$20,000 and to Mr Waterhouse and Mr Coombs because, at the time of the record of interview, my own memory had not been refreshed by the opportunity to re-read the diary.

Mr Justice Cross continues to 'express surprise at the reference in the diary of the specific sum of \$20,000'. Well might he. He has in each instance ignored the only objective evidence available to the Special Commission. Indeed, the corroborative evidence available in my diary, my solicitor's diary, my solicitor's evidence, and the failure to call on Murray Gleeson, QC, of itself, is a fundamental flaw not only in Mr Justice Cross reaching his extravagant conclusions, but also in his exercising his task at all.

There are a number of other specific matters that need to be considered. The first is the quality of the evidence by Mr Coombs. Mr Justice Cross comments that Mr Coombs was 'so transparent in his truthfulness'. It needs to be recalled that Mr Coombs declared that he had suffered a stroke. He said in cross-examination that he could remember nothing. The only recollection he had with precision was that the occasion of the lunch had been his loan of a pair of binoculars to Mr Waterhouse for a friend. The precision of that recollection on that event contrasts markedly with the vagueness of his recollection for everything else. It also contrasts markedly with his realisation, following my original speech, that he was one of the people to whom I was referring.

Another matter of considerable interest in the conclusions reached by Mr Justice Cross was his analysis of the evidence tendered by Messrs Waterhouse and Coombs. The substance of their response before the Commission was that there was no proposal regarding money or the charges then before the Magistrate's Court in New South Wales. How was it possible then for Mr Justice Cross to conclude that "after short reflection and with the availability of competent legal and other advice", I decided that I "had been mistaken"? One cannot be mistaken about nothing. Mr Justice Cross's conclusion that 'it seems probable that something was said about money' is not good enough. It was the only luncheon from which I have ever immediately left without appointment to report on the discussion there to my solicitor. He regarded the matter as of sufficient concern to refer the matter immediately to one of Australia's leading senior counsel. How can it be that these two actions were taken if there was only some vague reference to money, perhaps to legal fees? How can Mr Justice Cross have got it so wrong?

Another conclusion of Mr Justice Cross was his rejection of my presumption that Messrs Waterhouse and Coombs were speaking on behalf of the police, on the basis of my statement that I did not know really whether Mr Waterhouse had any police connections and my statement that I had 'no reason at all to suggest that Mr Coombs had any'. Yet as I explained in my evidence to the Commission the charges before the Magistrate's Court were by the police, not by the Corporate Affairs Commission. Indeed, this specific fact was acknowledged by Mr Justice Cross in his background to the allegations at the front of his report. He observed there:

On 8 October 1979, a written direction was given by the then Attorney-General—

that is, the New South Wales Attorney-General—that . . . informations against Mr Sinclair be laid by the police; and . . . also direct that the Clerk of the Peace act as the solicitor for the prosecution.

Any approach with respect to these proceedings in my view would have had to be on behalf of the police or of the State Government. In these circumstances it was not necessary for me to show any particular association between either Mr Waterhouse or Mr Coombs and the police. Any proposition at all regarding the charges must have come either from the police or the State Government, for they were the initiators of the proceedings against me. Indeed, as I will disclose shortly, it seems that people facing charges in other cases have been told that police evidence may or may

not be presented, thereby affecting the judicial result.

Another matter referred to by Mr Justice Cross was the statutory declaration by Mr Waterhouse's daughter, Mrs Louise Rädler, in which she stated that I had said at a party in Canberra some time before that I would like to see her father again 'and have lunch with him'. I do not remember that conversation precisely, but nothing in that casual conversation rebuts my assertion that Mr Waterhouse initiated the luncheon on 17 December 1979—indeed, his evidence shows that he phoned me to do so—and that he had his own reason for initiating that luncheon.

On another aspect of the report, I think it is instructive to compare Mr Justice Cross's conclusions about my evidence and about the evidence of Mr Coombs and Mr Waterhouse. On page 45 of his report, Mr Justice Cross states that it was my own statements to the police and my evidence which destroyed the credibility of my televised allegations. On the same page, he says that 'nothing occurred in the evidence to damage even slightly the credibility of Mr Waterhouse or Mr Coombs as to this matter'. He went on to state that he accepted their evidence that they had no doubt that no suggestion of the type I alleged was made.

With those findings in mind, I would like to refer the House to the evidence given by both men at the Commission. First, let us look at the evidence of Mr Coombs who, it will be remembered, flatly denied my allegation of what took place at a lunch four years previously, in spite of his bad memory. At the Commission, he was asked about a conversation he had with Mr Waterhouse only three weeks before. Mr Coombs could not recall what Mr Waterhouse had said to him and when pressed, he replied: 'Three weeks? I've got to search myself every morning before I leave home.'

Secondly, let us look at the evidence of Mr Waterhouse, who is, it should be remembered, a qualified barrister. In his evidence-in-chief, on page 62 of the transcript, Mr Waterhouse said:

I cannot recall what was said at the lunch, but I can recall what was not said. There was no suggestion of any payment, of any nefarious means.

He was asked if anything was said in relation to him doing anything on behalf of Mr Sinclair, and he replied simply: 'No'.

Later, Mr Waterhouse was questioned about what he had said in a statement to the police and what he said in his evidence-in-chief. In his statement, Mr Waterhouse said, as is referred to on page 70 of the transcript: 'I believe he—that is,

myself—"was worried about them"—that is, the pending court matters.

On page 71, there was the following exchange:

QUESTION: I understand that, thank you, but may we take it that the belief which you have told the Police Commissioner about in your statement was a belief based upon what you observed or were told at the luncheon?

WATERHOUSE: I can only repeat that I have no recollection whatsoever of the conversation at the luncheon. It is my belief that we would have spoken about this but I just can't recall it.

QUESTION: So where you say there in your statement, "I believe he was worried about them", you say that part of the statement is not accurate?

WATERHOUSE: Well, where—I don't know where the fact and fiction comes in here.

Nothing in their evidence occurred to damage their credibility? How could Mr Justice Cross have got it so wrong?

Another matter Mr Justice Cross comments on is that it was 'extraordinary' that a proposal of the kind that I attributed to Mr Waterhouse would be made in a crowded club dining room and that it was 'improbable in the extreme' that such a proposal would have been made at all, given the circumstances of the case I mentioned. The fact was that I had been an honorary member of the club since at least 1978 and Mr Waterhouse and Mr Coombs were naturally well-known there. While it may be true that a club lunch may not be the place where a judge expects such matters to be discussed, there is no more confidential place to discuss such matters than a crowded public area, as I am sure the Special Minister of State, who has been to the odd lunch himself, would agree. It is, I suggest, naive to suggest otherwise.

On the second issue, the improbability of the approach itself, I would suggest that what Mr Justice Cross has concluded is equally naive. I will return to this issue later. But for the moment, I would suggest that those who put corrupt proposals about aborting court proceedings are unlikely to have the same standards as Supreme Court judges. I put it to the House: How can Mr Justice Cross have got it so wrong?

As I began this statement, I referred to my concern at the administration of justice in the State of New South Wales. The House will recall that I mentioned in my comments to the Deputy Commissioner of Police that my purpose in making the reference to my own experience was the publication, the previous day, of an allegation of a lunch with a magistrate and a crime figure in New South Wales. Whatever the conclusions reached by Mr Justice Cross in his report into that event, his consideration of these allegations made by Mr

Bob Bottom should similarly be a matter of concern to this Parliament in that they too suggest that Mr Justice Cross has acted other than in accordance with the principles of natural justice. In accepting submissions from Mr Bottom early in the case, Mr Justice Cross stated:

His (Mr Bottom's) conduct in relation to this is not the subject of any challenge. Mr Bottom is not the accuser here. I just cannot see how Mr Bottom's conduct in relation to this is challenged.

In his conclusions, however, Mr Justice Cross took a very different stance. He reports of 'Impetuosity bordering on irresponsibility on the part of Mr Bottom', and says: 'He has done himself and the State some disservice'. Yet Mr Justice Cross refused Mr Bottom leave to be represented by counsel before him, other than through a watching brief, on the ground that Mr Bottom's conduct was not in question, and his integrity was not at issue. Twenty pages of that report were excised before it was published—pages which reportedly demonstrated the justification of Mr Bottom's statement—and the official reason was that Federal legislation prevented publication. If that is so, then to avoid any stamp of political interference, the Federal Attorney-General (Senator Gareth Evans) should quickly introduce legislation into the Senate and this place so those missing 20 pages can be published. Both in Mr Bottom's case and my own, Mr Justice Cross has reached serious conclusions affecting our integrity, yet in neither case have we been given an opportunity before him to respond to his intended findings. This is a very serious matter.

It is vital that this House should consider a decision of the Privy Council recently, the case concerning the Air New Zealand Royal Commission which inquired into the Mount Erebus disaster. In that case, the Privy Council decided that it is a fundamental principle of natural justice that before serious findings are made and published in a report about a party, a Commissioner has a duty to tell that person the nature and extent of his intended findings. It is his duty to give that person an opportunity to deal with them and to rebut them or to attempt to rebut them. Any breach of that duty, the Privy Council declared, amounts to an appealable breach of natural justice. No such opportunity was offered to me, nor, I understand, to Mr Bottom. As a result, not only should it be asked how Mr Justice Cross got his conclusions so wrong, but why he has committed such a flagrant breach of natural justice in respect of his findings both on myself and on Mr Bottom.

Mr Justice Cross under section 10 of the Special Commissions of Inquiry Act had a duty to 'inquire into and report upon' matters referred to him.

Since the presentation of his report there has been considerable publicity around material included in manuscripts of taped telephone conversations, exposed by the *Melbourne Age*, as to which I understand the Attorney has made a statement in the other place this afternoon. As in my statement to the National Party Council, no names have been involved. Regrettably, the Federal Government, at least until this statement which I have not seen, has concentrated on denying any impropriety on the part of the Federal judge reportedly involved, while the State Government has directed its concern at those who were involved in recording and transcribing the tapes.

Central to the findings of Mr Justice Cross were two principal conclusions, 'the general impropriety of the proposal' alleged by me and the overwhelming improbability of the proposal 'at the stage my prosecution had reached'. I referred to this issue earlier, but the *Age* tapes shed further light on it. Not only do the transcripts of the *Age* tapes show that propositions of the nature I encountered do occur, but they also suggest that they are not rare. It seems curious that although the media has been able to disclose evidence of such improper events, Mr Justice Cross has not inquired adequately into my accusations about a similar incident. Members of the House will be interested to know of direct links between some of the personalities referred to on the transcripts of the *Age* tapes and those involved at the luncheon to which I referred. The firm of the solicitor which appeared for Mr Waterhouse and Mr Coombs before the Special Commission were none other than Messers Morgan Ryan and Brock. Mr Morgan Ryan is the solicitor who has been named as a central figure in the transcripts of these tapes. He was personally present at my hearings before the Cross Special Commission, hovering in the wings. Mr Morgan Ryan is a known associate of Mr Wran. He is a close associate of many Federal and State Labor politicians. His association with Mr Waterhouse and Mr Coombs at the Special Commission again throws open the question of that Labor association to which I referred, and which Mr Justice Cross rejected. Mr Ryan was involved in the Cessna-Milner case, which has again come under public notice. The *Sydney Morning Herald* reported yesterday:

'The charges had been brought on indictment, but after argument in Court, the matter was dealt with summarily by Mr M. Farquhar, (then Chief Stipendiary Magistrate). He sentenced one defendant to 18 months' jail and placed the other on a bond. If the matter had proceeded on indictment the maximum sentence would have been 10 years' jail.'

The *Sydney Morning Herald* report continued and referred to a New South Wales parliamentary

observation that Mr Ryan was the Premier's 'long-time friend and associate'. The *Sydney Morning Herald* also reported that in August 1981 Mr Ryan was charged with conspiring to forge documents in an immigration racket by which South Koreans were alleged by the Australian Federal Police to have been able to remain illegally in Australia. Some two years later when the case eventually came before the courts, the jury, after six hours, found Mr Ryan guilty.

Mr Speaker, if the transcripts of the tapes, and the community recognition of Mr Morgan Ryan as a Mr Fix-It are to be believed, the association becomes with those luncheon partners of mine even more sinister, and adds some thread of connection to that proposition put to me at that lunch so long ago. If the transcripts of those tapes are accurate, very similar instances of the passing or proposed passing of money to secure the variation of findings in a coronial inquiry and to head off criminal proceedings are suggested, with the same solicitor seemingly the mastermind on each occasion. In the case of the coronial inquiry, the suggestion was, according to the transcripts, that witnesses would not answer their subpoenas; they just would not turn up. In the criminal case, the tapes went like this:

Q: What do you think about that fellow shooting himself?

A: Very sad.

Q: Isn't it a funny thing, I said to him, you know put 8 up front and I said there'll be no way you'll get committed. And he said, you know the lawyers tell me there's no way I'll be committed anyway. He just didn't believe.

A: Very sad.

Q: And I told him the old story . . . the 8 doesn't go anywhere until your not committed, but he thought I was playing the old con trick . . . that he wasn't going to be because the barrister told him.

SP bookmaking is, of course, a criminal offence in New South Wales. In my evidence I noted the presence of Mr Ted Coombs at the lunch on 17 December 1979. If the transcripts of the tapes are accurate, it seems that the same gentleman has been somewhat more than a passive figure on several occasions and in several instances, particularly in SP bookmaking. Indeed, Mr Coombs has been, according to the transcripts, a bagman for a major New South Wales SP operation. He allegedly placed bets and collected winnings for a man who is reputedly one of the leading criminal figures in Sydney.

Mr Speaker, in opening proceedings before the Special Commission, Mr Justice Cross acknowledged that it was his duty to 'inquire into and

report upon' the specific matters referred to him. His report was to be made after such investigation as he thought appropriate. It would have been open for Mr Justice Cross, in his report on the reference which concerned my comments, to say simply: 'I have inquired and investigated and I do not know.' Instead, he responded in such a way, and using extravagant and injudicial language, that an impression was created—and widely published—that I had committed a heinous crime.

I have today demonstrated conclusively that any critical analysis of the report, and a rational and cool appraisal of the evidence, does not support the conclusions of Mr Justice Cross. As I have repeatedly said, how can he have got it so wrong? How is it that the *Age* newspaper has been able to disclose suggestions of very serious matters regarding the administration of justice in New South Wales, some of which involve persons involved in my allegations, yet Mr Justice Cross is unable to do so? Sadly, the implication of his failing to adequately consider or inquire into the matters referred to him is that not only has my name being muddied, but also has the administration of justice in New South Wales been further into question. Indeed, the objective evidence has been ignored and I have been damned for speaking the truth. Mr Justice Cross gained considerable publicity for the allusion in his report to the Spanish Inquisition. I suggest that in the future, if Mr Justice Cross draws some objective but colourful analogy with the proceedings over which he presided, he might find himself drawn irresistibly to phrases such as Star Chamber or even kangaroo court.

LEADER OF THE NATIONAL PARTY OF AUSTRALIA

Motion of Censure

Mr LIONEL BOWEN (Kingsford Smith—Minister for Trade)—by leave—I move:

That this House censures the Right Honourable the Leader of the National Party for conduct unworthy of a member of this House in that on 29 October 1983, when addressing the Annual Meeting of the Federal Council of the National Party, he made serious allegations against two citizens which were subsequently found to be false as evidenced by the findings of the Special Commission of Inquiry by Mr Justice Cross.

The matter at issue concerns the Leader of the National Party of Australia (Mr Sinclair). I want all honourable members opposite to listen carefully, because they think he is a man who deserves their undying support. Let us get what he said on record. It is now four years since this matter arose. We are talking about the right honourable member for New England being the subject of a charge of forgery and of making false statements.

In the course of making a statement to the House today he omitted to say that those charges were levied following advice given by Mr Hiatt, QC, Mr Sully, QC, Mr Court, QC and Mr Sullivan, QC. At the time he referred to in his speech he had already been arraigned before the Court of Petty Sessions on these charges, and the hearing had been fixed for the following February.

We are talking about events in 1979. So at the time of the lunch which gets so much attention in the right honourable member's speech he was already under charges. As honourable members know, the charges related to the misappropriation of \$542,125 from a company which belonged to the Allan Walsh group of companies. This has been referred to in *Hansard*. As the right honourable member for New England may or may not know, the Opposition at that time was continually receiving submissions from a relative of Mr Walsh as to what was being done about the matter. The issue concerned funds to the sum of \$50,000 which had been deposited in the bank account of the late George Sinclair and funds that were deposited in the bank account of the Sinclair Pastoral Co. Pty Ltd.

Mr Howard—Mr Speaker, I take a point of order. Reference to matters which were dealt with in criminal proceedings in the State of New South Wales and in respect of which the Leader of the National Party was fully cleared by a jury of his peers is utterly and completely irrelevant to the motion now before the House.

Mr SPEAKER—There is no point of order. The Deputy Prime Minister may proceed.

Mr LIONEL BOWEN—We are talking about a lunch which was held in 1979.

Opposition members interjecting—

Mr SPEAKER—Order! I know that this is the first sitting day of this session and I know that the subject before the House involves some emotion, but that is no excuse for honourable members on both sides of the House to try to disrupt the proceedings. I ask that at least some tolerance and caution be shown in the remarks which are being made.

Mr Peacock—Does that apply to both sides?

Mr SPEAKER—It applies to both sides of the House.

Mr LIONEL BOWEN—I am quoting from *Hansard*, so it is no surprise. The quotation relates to the question of moneys being misappropriated. I have given the details. That was the issue that was before the honourable gentleman's mind when he had that famous lunch. He went on television four years after that and

said—and this is the subject of what we are now discussing:

I shall never forget the lunch at City Tatts with a leading Sydney bookmaker and senior Sydney businessman shortly after my own political prosecution by the New South Wales Government. These two men, one of whom all of you would know, claimed to speak for the police, although I believe the approach was made not from the police but on behalf of the New South Wales Labor Government. They said if I was prepared to pay a significant five-figure sum to them as stakeholders all charges against me would be dropped. That attempt by those well known Sydney personalities associated with the Labor cause I treated with the contempt it deserved.—

That is the issue. Four years after it happened this is the statement made by a barrister of the Supreme Court of New South Wales. It was a matter that was within the knowledge of Mr Gleeson, QC. It was within the knowledge of Mr Scotford, his solicitor. They were all officers of the Supreme Court of New South Wales. Not one of them made a reference to those charges after that date, when they were appearing in the Court of Petty Sessions a few weeks afterwards, stating that, according to the facts, in their minds a crime had been committed. Is it seriously suggested that none of those legal personnel took the opportunity to prosecute these two people for suggesting a bribe or trying to pervert the course of justice? That is one of the first questions we asked.

Let us go to the findings on this matter. The honourable gentleman has said that he disagrees with those findings and asks: How did Mr Justice Cross get it so wrong? Mr Justice Cross allowed the honourable gentleman to have Mr Stitt, QC represent him. All witnesses were cross-examined. The honourable gentleman had the benefit, or should I say the burden, of facing up to cross-examination. Let us look, in the short time available, at what he alleged. He said: 'These two men . . . claimed to speak for police'. But when he saw Deputy Commissioner Perrin he said that the police were not formally put in the proposal. When he gave evidence in chief he said that not at any stage did Mr Waterhouse indicate how the charges might be withdrawn. He was cross-examined on the same issue. In the record the following appears:

 . . . Counsel is asking you if in fact the 2 men claimed to speak for the police.

Sinclair—No they didn't—

That is the sort of variation of evidence one gets. All that we have here is a concocted version of the honourable gentleman's view but it is not the evidence. The finding was:

As to Mr Sinclair's claim in his televised speech that Mr Waterhouse and Mr Coombs both claimed to speak on behalf of the police it is apparent from Mr Sinclair's record

of interview and his evidence that this allegation also cannot be sustained.

That is the end of that allegation. The honourable member's next allegation was:

They said if I was prepared to pay a significant five-figure sum to them as stakeholders all charges against me would be dropped.

But when he gave the evidence to the Deputy Police Commissioner he said:

. . . and he indicated in general form that it would need to be a significant sum of money, and I think it was I—

'I' being Mr Sinclair—

who said what do you mean somewhere about \$10-20,000—

That was a complete reversal of what he said on television. When he was examined in chief he said:

He or I, I am not sure which, mentioned the figure of about \$20,000.

Under cross-examination he said:

The five figure sum I have indicated was imprecise. There was a suggestion that any sum would be a matter for subsequent discussion.

He was asked:

At no time was there a suggestion that there be a payment of money to or through Mr Coombs?

The honourable member answered that it was only through Mr Waterhouse. Counsel then put to him:

But beyond his presence there was nothing in your mind to indicate any implication of Mr Coombs?

The honourable member answered: 'That would be correct'. Again we have the finding:

Even on Mr Coombs' evidence alone I would have been satisfied that no 'offer' of the type suggested by Mr Sinclair took place.

. . . Nothing emerged in the cross-examination of Mr Waterhouse or otherwise to cause any doubts whatsoever as to his statement that in that lunch conversation no suggestion of any sort as to the dropping of charges against Mr Sinclair for money or otherwise was made.

We have to examine this matter with a view to being fair to the men accused here today—Waterhouse, Coombs and Mr Justice Cross. I am amazed that any honourable member could think that there had been such a perversion of justice as the honourable gentleman opposite suggests. The honourable member referred to:

That attempt by those well known Sydney personalities associated with the Labor cause . . .

In the course of cross-examination Mr Bruce asked:

There was nothing, not a scintilla, that led you to any conclusion that Mr Coombs was a well known personality associated with the Labor cause, was there?

The honourable gentleman answered: 'No'. He said that in evidence, so what are we to do? We have here today a person who under oath and under cross-examination could not face up to the test. Today he seeks to offer his own explanation. We cannot accept that situation. We must look at the matter honestly. Deputy Commissioner Perin asked:

Waterhouse made the approach to you?

The honourable member answered: 'Yes'. Mr Bruce asked:

Shortly before 17 December 1975 you suggested to Louise Waterhouse 'that some time in the future you might have lunch' with her father.

The honourable member replied:

It could very easily have happened certainly.

The honourable member met the daughter of Mr Waterhouse at a function hosted by Mr Oxley, the South African Ambassador. He said that he would like to be in touch with her father. It was on that basis that the father rang. The evidence given was that probably could be correct. That was the right honourable member's own admission. The finding by Mr Justice Cross was that he accepted Miss Waterhouse's account or her conversation with Sinclair. He added:

This finding renders unlikely the suggestion by Mr Sinclair that Mr Waterhouse telephoned apparently coincidentally and for a different (and improper) reason.

I have quoted some of the evidence which is beyond contradiction. At issue is the curious propensity of the honourable gentleman always to be interested in forgery and the question of skilful doctoring of documents comes out, on one issue that happens to concern the diary entry, which was an exhibit.

Mr Lusher—That is despicable.

Mr LIONEL BOWEN—It is not despicable. I will table the diary entry so that the honourable member can have a look at it. The idea of the diary entry was clearly to show that the meeting was to be at City Tatts at 12.45 but at that time the honourable gentleman did not know about Ted Coombs and Bill Waterhouse because, as he states in evidence, he inserted those words later. He inserted the words: '20G' later. He said that he might have done it the same day or the next day. In order to guarantee that we would not be confused about it obviously having been done before, he put a whole lot of cattle prices above and around that entry with an arrow drawn across. Is it seriously suggested that in a diary you are going to put all your cattle prices so that, effectively, you will build a fence around the entry? No wonder the judge said: 'Look, I think this is a very curious entry.' We think that it is a remarkably

curious entry, bearing in mind the prior history of problems relating to this situation. We believe that it is even more ridiculous to accept the explanation that he reported it to his solicitor, who was very vague about the matter. His solicitor said: 'Yes, he did give me a report. He did not mention the 20,000 or any sum of money.' The solicitor's note has no mention of it although it was made within half an hour of its having happened. What did the solicitor say to Mr Murray Gleeson, who gave the right advice, 'Put it out of your mind'? What was the honourable gentleman putting out of his mind? Was it the suggestion that perhaps he should do something about this matter? We would welcome Mr Murray Gleeson coming before us to tell us what really happened. He is an officer of the court, an honourable man and he obviously gave the right advice—'For God's sake, on the basis of what you have here, do not think you might have some opportunity to talk about taking action because a bribe had been offered'. I would have thought that he would have said to the honourable member: 'If that is the position we will go straight ahead, Mr Sinclair. We have a perfect case.' What was he putting out of his mind? The issue can never be understood because we do not know what Mr Murray Gleeson would have said. However, we do know that the following finding was made:

It cannot be known what induced Mr Sinclair four years after a lunch time conversation to return to his original thoughts.

One of the explanations is that the man was under severe pressure. We will accept that but surely it would not lead to all the machinations of manufacturing diary entries, running around to the solicitor to get a note made of the conversation and the solicitor reporting something—we do not know what it was—to Mr Murray Gleeson. Why did not the honourable gentleman call Mr Murray Gleeson if that was the situation? He could have done it.

His Honour makes the point:

But within 48 hours of the televised speech, when interviewed by the police, Mr Sinclair retreated—as far as he could without losing total face—from the allegations, conceded he had nothing to suggest that Mr Waterhouse or Mr Coombs had any connection with the police or with 'the Labor cause', admitted that he may well have been mistaken in thinking any 'offer' was made and finally he conceded that at the lunch neither Mr Waterhouse nor Mr Coombs had suggested anything illegal or even improper.

That is the finding. Let us come to some of the other matters. What about the damage done to Coombs and Waterhouse by these allegations? The judge makes the point that if we are giving sympathy to Mr Sinclair because of some mental aberration or mental derangement—God knows

what—we ought to give a measure of sympathy to the two accused, who suffered the embarrassment and strain which accompanied it, the latter being particularly unfortunate in view of Mr Coombs's state of health. It is acknowledged the man had a stroke. The judge continued:

... the evidence, consisting mainly of Mr Sinclair's own admissions, provides an almost Euclidian demonstration that the accusation was simply untrue.

Surely the issue is that the right honourable gentleman never thought he would be brought to look for the speech he made to the National Party. He made the speech thinking he would get away with it. Of course, when he was asked to front up and give evidence about all these matters he collapsed like a proverbial paper bag. He made one statement to the Deputy Police Commissioner. When he gave evidence in chief he made another statement. When he was cross-examined he made a third statement. Today we have the fourth or fifth variation of it. These people are not here to defend themselves. We are here to make the accusation that justice was done. These people are entitled to compensation for being dragged into the glare of publicity. It is said that portion of the right honourable member's speech aroused a great deal of public interest and controversy. Is it any wonder that people know the position?

The Leader of the National Party mentioned a name which has nothing to do with the matter before the House, but I will answer quickly the question of the conviction of Mr Morgan Ryan. He was convicted because this Government prosecuted him. Why did the previous Government not take action against him when the matter was before it some two years before? What did the previous Government's Attorney-General do?

Mr Peacock—Tell us about your dinner with him.

Mr LIONEL BOWEN—Never mind about trying to alter the circumstances. The issue is simply that. How many members of the Liberal Party made representations for Mr Morgan Ryan to the previous Government's Attorney-General, asking him not to file a bill? Honourable members opposite should not come in here with these outrageous propositions that they are all innocent and lily white. In the first instance charges were laid on the question of the misappropriation of money running into thousands of dollars. The issue obviously affected the Leader of the National Party at that time. Is it any wonder that Mr Gleeson is running a mile from this situation? He was the man who got the right honourable gentleman acquitted, but he did not appear in this

last case. The whole issue is that Mr Gleeson would be able to tell us of the situation if he were here.

I make the further point that submissions made by counsel in relation to the evidence clearly show that there is not a scintilla of evidence against any of the people involved. In fact, in many cases Coombs and Waterhouse were not cross-examined by the right honourable gentleman's counsel. Mr Justice Cross said that the speech of Mr Sinclair was designed to get him publicity, the consequence of which had been to cause harm to innocent people. It was not a slip of the tongue by Mr Sinclair; it occurred in a prepared speech. It was a deliberate and calculated lunge for publicity. That is the real issue.

The right honourable gentleman never thought he would be brought to book on this matter. He deserves the greatest censure for bringing people into disrepute in this fashion and for using the privilege of this House to make attacks not only against the two people he had attacked before and whom he did not name—he knew full well they would be named—but also against Mr Justice Cross, whom in his view is not worthy to be a judge of the Supreme Court. We now have the position where the Leader of the Party can accuse anybody who has accused him of not being fit to carry out their functions? We should bear in mind that the money we are talking about was misappropriated—I will not say by whom. We are very keen now about this diary entry and the ability to produce figures. The right honourable gentleman suggested a figure of \$20,000 and then got in the witness box and said: 'Well, I was the first to suggest it; the others did not do it'. How does one justify that sort of conduct?

Is it any wonder that the submissions made by counsel for the others pointed out that this was an outrageous situation. Every tittle of evidence the right honourable member offered has been torn to shreds. He has withdrawn every statement he made in the first instance. In other words, the judge had no alternative but to find that there was no evidence of impropriety. This is the type of issue that never comes before the House unless there is some serious problem such as the one we are debating. We say that the right honourable gentleman's conduct was not worthy of a member of this House. We go further and say that the right honourable gentleman should not remain a member of this House.

Mr SPEAKER—I call the Leader of the Opposition.

Dr Klugman—The Leader of the Opposition wants a briefing during the dinner hour.

Mr SPEAKER—Order!

Dr Klugman—It is no wonder that Lusher opposed him.

Mr SPEAKER—I warn the honourable member for Prospect. I do so on two counts—on continued interjections and on not taking any notice of the Chair. I made an appeal during the Deputy Prime Minister's speech for some tolerance and reason to be shown. That was done and I appreciate it. I trust that the same courtesy will be given to the Leader of the Opposition by members on both sides of the House.

Mr PEACOCK (Kooyong—Leader of the Opposition) (6.18)—I am somewhat surprised that in a motion such as this—a censure of the leader of a party—we have not even heard from the person who allegedly seconded the motion. Let me say very clearly that not only do we oppose the censure motion but also we support the Leader of the National Party of Australia (Mr Sinclair).

Mr SPEAKER—In case the Leader of the Opposition is in any doubt, there is no need for a seconder to a motion moved by a Minister.

Mr PEACOCK—But by golly, it is the norm in this place when a censure motion is brought forward that someone seconds that motion or else it seems to lack substance. The reality is that this motion is a political fabrication and falls to the ground on any objective analysis of the report of the Special Commission of Inquiry into certain allegations by the Right Honourable Ian McCahon Sinclair. It might be a good idea to get back to the Cross report rather than to dwell on the speech of the Deputy Prime Minister (Mr Lionel Bowen), who did not approach it with an open mind but rather with an open mouth. Much could be said not only of his association with persons named by the Leader of the National Party but also with certain other people whom I am fixing on at this moment.

There is one central question: Did the Leader of the National Party form a genuine belief that a proposal of an improper nature had been put to him at the lunch which took place on 17 December 1979 at the City Tattersalls Club? The evidence is quite clear. Mr Justice Cross has accepted the evidence of Mr Scotford, the solicitor for the Leader of the National Party. On page 19 of the report His Honour says:

As to Mr Scotford's evidence, no challenge of any sort was made to it, and I accept Mr Scotford's account . . .

Let me reiterate that. His Honour says:

. . . I accept Mr Scotford's account—confirmed by his—

Mr Scotford's—

diary entry—that on the afternoon of the lunch, Mr Sinclair called on him and said he had been at lunch at City Tattersalls Club where 'certain proposals were put to me and I rejected them. I said I was anxious to clear my name; but I am anxious to report the matter to you'.

Having accepted Mr Sinclair's solicitor's account, Mr Justice Cross, at page 19, also says:

I am also satisfied that Mr Scotford telephoned Mr Sinclair a day or two later to say that Mr Gleeson, Q.C., had said: ' . . . put this matter right out of your mind'.

In referring to the diary, at page 41, His Honour adds:

However, that diary was tendered in evidence only to show that shortly after the lunch Mr Sinclair was of the view that some proposal had been put to him. But that that was Mr Sinclair's state of mind appears to be established by the evidence of Mr A. T. Scotford (Mr Sinclair's solicitor). Unless Mr Sinclair's subsequent visit to Mr Scotford was part of some pre-arranged plan by which Mr Sinclair intended to 'set up' Mr Waterhouse—

His Honour goes on to say:

and there was no evidence of any sort which could support that suggestion—it is clear from Mr Scotford's evidence that Mr Sinclair alleged shortly after the lunch that 'certain proposals' had been put to him.

Whatever Mr Justice Cross also has to say or believes, His Honour accepted Mr Scotford's evidence and, therefore, His Honour accepted, firstly, that the Leader of the National Party was deeply concerned and that he spoke to Mr Scotford, secondly, that Mr Scotford thought the matter was serious enough to, on his own initiative, speak to Mr Gleeson, QC, about it and, thirdly, that Mr Gleeson gave the advice 'put the proposals out of your mind', advice which Mr Scotford then passed on to the Leader of the National Party. Consulting a Queen's Counsel is not something solicitors do without good reason. It confirms the genuine belief of the Leader of the National Party. There is no doubt in my mind that this is the central issue in this whole matter: The belief of the Leader of the National Party, a belief to which the judge gives too little weight, because what we are concerned with is what the Leader of the National Party understood had been said to him at the time and how could he have been mistaken.

Consider what the Leader of the National Party did: He went round to his solicitor straight after lunch and passed on to him details of the conversation. This is the behaviour of a man genuinely concerned that an improper proposal had been made to him. It is the only possible explanation to be construed from that act. Neither Mr Scotford nor Mr Gleeson can be impugned in any way. It is surprising, to say the least, that Mr

Gleeson was not even called by Mr Justice Cross to give evidence.

I listened to the Deputy Prime Minister (Mr Lionel Bowen) say that it was up to Mr Sinclair to put forward the proof. The onus was on the inquiry to call those who would be putting forward viewpoints. The onus was certainly not on the Leader of the National Party. It was Mr Justice Cross who was obliged to call witnesses and Mr Gleeson was not even called. Furthermore, Mr Scotford's evidence supports the conclusions of the Leader of the National Party. As he said during his evidence to the Commission, recorded at page 34:

. . . my conclusion at the end of the lunch was that was so.

That is, that he had been made an improper offer in the view of the Leader of the National Party.

Even Mr Justice Cross dismisses the possibility that the Leader of the National Party was trying to set up Mr Waterhouse, a suggestion that is patently absurd. Once one dismisses that possibility then the only possible conclusion to be formed is that the Leader of the National Party formed an honest belief that an improper proposal to pervert the course of justice had been put to him. The evidence supports him. The diary of the Leader of the National Party supports the thrust of the complaint that he made to Mr Scotford. I care nothing for the nonsense that was put forward by the Deputy Prime Minister today. The fact is that the diary produced by the Leader of the National Party had an entry which referred, as it said, to 20G. Mr Justice Cross thought that this entry had some strange aspects but that was mainly because of the failure of the Leader of the National Party to put the same figure to the police or to His Honour.

Let us consider that. We have heard the explanation of the Leader of the National Party for this and I, for one, am satisfied with it. Clearly, at the time of the police interview, he had not looked at that particular diary. He said so in evidence and he repeated it again today. So it is little wonder that he was not able to conjure up the actual amount.

In his evidence to His Honour, he speaks of an imprecise figure, a sum to be the 'matter of subsequent discussion'. It is perfectly logical that, as a consequence of what was said to him and of his judgment about it, and as a form of shorthand, that the Leader of the National Party should put an abbreviated reference to 20G in his diary. Consider also that not only did the Leader of the National Party tell his solicitor but he also reported to, as he puts it, his senior parliamentary

colleagues, one of whom is now the Deputy Leader of the National Party (Mr Hunt). He also put it to a meeting of his electorate council which, as he said, was open to the media. Therefore it is quite clear that the Leader of the National Party genuinely believed that an improper offer had been made to him and that, as a consequence, he went to considerable lengths to make a record of that fact.

I pass now to other matters related to the Cross findings. Mr Justice Cross's conclusions were helped by his views as to the improbability of the allegations of the Leader of the National Party in the light of the nature of the prosecution and the stage that it has reached. On pages 24 and 25 he discusses the attendant circumstances of the trial and says that it has been well publicised and that counsel has been briefed. I will not read those quotations although later, at page 25, he says:

To this Commission it seems that it would require an almost imbecilic credulousness to believe that Mr Sinclair's prosecution could be dropped on the payment of money; and it would have required an unbelievable naivete on Mr Waterhouse's part to have expected that Mr Sinclair or anyone else would give a moment's credence to such a suggestion.

Well really! At a time when we have the *Age* tapes all over the newspapers in which such matters appear to have been discussed quite candidly for years, Mr Justice Cross puts too much weight on the belief that because a prosecution was properly brought, it would have been impossible to improperly stifle it. I find such a belief extraordinary. It seems to assume that not only was everything in order, but also that everything would remain in order and that corrupt people would assume that it was impossible to do anything and behave accordingly.

Mr Justice Cross also puts great weight on the fact that the proposal was made at lunch in a dining room. His Honour seems to think that offers like this do not get made in places like dining rooms. I suppose he also thinks that people do not discuss matters of dubious legality over the telephone, either. His Honour also places reliance on the view of the Leader of the National Party that it was 'impossible' for the prosecution to be dropped. That certainly does not lead to the conclusion that the Leader of the National Party must have been wrong in saying that a suggestion had been made to him. Again His Honour seems to assume that corrupt offers are made only in a context that thoughtful and impartial tribunals later think to be possible and prudent. That is extraordinary naivete exceeded only by the extravagance of the language used in the report.

As to the fairness and/or unfairness of the whole inquiry, we should remember that this was a judicial inquiry and it is not subject to review. I was glad to hear not just vague concepts of natural justice referred to by the Leader of the National Party, because natural justice has not been done in this matter. It is an established rule of natural justice—the Leader of the National Party correctly referred to the Mount Erebus case, with the Privy Council building on judgments of the House of Lords over lengthy periods—that where a person exercises the kind of duties that His Honour was exercising and who proposes to criticise or to make adverse findings of a substantial nature against a person in the position of Deputy Leader of the National Party, he is bound by the rules of natural justice to put the substance of what he proposes to say to the person who will be affected and get that person's answer.

I accept the word of the Leader of the National Party that this was not done. Not only does that kind of approach violate fundamental principles of natural justice, since what is said cannot be recalled, but also it demonstrates a fundamental flaw, may I say, in His Honour's whole approach to answering the questions posed by his terms of reference. The reality is, once again, from the findings of the case of Mahon and Air New Zealand Ltd—the Mount Erebus case—that these matters have to be put to the person to be so accused.

To sum up, Mr Speaker, at all times the Leader of the National Party believed that such an offer had been put to him. He put it to his solicitor, who checked with his silk, his QC. His Honour accepted the evidence of the Leader of the National Party's solicitor and he accepted the entry in the solicitor's diary. He accepted also that the only other plausible explanation—namely, setting up Mr Waterhouse—was not on. The reality is, therefore, that the Leader of the National Party believed that such an offer had been put to him and the finding of His Honour should have reflected that. His solicitor's evidence corroborated it and, as I say, His Honour accepted the solicitor's evidence.

The findings of the most adverse nature which have been made against him without chance of fair appeal or suitable redress fall to the ground when one looks at what ought to be tackled on any notion of natural justice, let alone the concepts of natural justice that are approved by the Privy Council itself. This censure motion deserves to be treated with contempt.

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

Sitting suspended from 6.33 to 8 p.m.

Mr YOUNG (Port Adelaide—Special Minister of State) (8.00)—It is of interest for the Parliament to note how the matter we are discussing tonight—the motion of censure of the Leader of the National Party of Australia, the right honourable member for New England (Mr Sinclair)—has come before the national Parliament. This is not a matter that has been raised in the national Parliament previously. This matter arose out of a speech made to a National Party conference in 1983 which was the subject of an inquiry by Mr Justice Cross of the Supreme Court of New South Wales and which was replied to, by leave, by the right honourable member for New England today. So the right honourable member for New England himself brought the matter before the national Parliament.

The Parliament could have done one of two things about that: It could have ignored completely the proceedings that had gone on previously or it could have voiced its opinion about those proceedings and those findings and said something in relation to them. That is what we could have done. That was bad enough as far as the activities and allegations of the right honourable member for New England are concerned. But there is a second element to be considered now that we have had time to view the speech made by the right honourable member for New England this afternoon. If he was not condemned already by his activities at the National Party conference and the evidence he gave before the Cross inquiry, he would be further condemned by all the innuendo, allegation, outright criticism and sarcasm about the judiciary which is included in the speech he made to the Parliament this afternoon.

I do not know whether all honourable members opposite are in agreement with the activities of the right honourable member for New England in respect of the allegations of last year, but I ask them to look very seriously at the speech made this afternoon, because I think it does gross injustice to a very senior member of the judiciary in New South Wales, Mr Justice Cross, a person who by any criteria has served this country well. He has been a judge for 25 years. Having read the honourable member's speech it seems to me to be based on the criteria established by the former Prime Minister, Mr Malcolm Fraser, that if a judge gives a decision which members of the Liberal Party of Australia do not like the Parliament becomes a forum for open criticism of that member of the judiciary.

The Parliament has been very careful in its handling of and relationship with the judiciary. I

would have thought that many people in Australia will be very concerned that the matters raised by the right honourable member in his speech this afternoon raise a whole new element about the allegations. The right honourable member not only tried to defend what he did last year at the National Party conference but also increased the violations by the outrageous attack on Mr Justice Cross in his speech this afternoon and the furthering of the allegations which have been made about Messrs Waterhouse and Coombs. There can be no doubt that, caught in these circumstances, the Parliament must say something about them. We always have and I should think that all future parliaments will.

We have reached a stage in Australia—the right honourable member for New England became a victim of it—where people want to run around making allegations, but they are not too happy when they have to justify those allegations at an inquiry. There can be no doubt also that, as one of the most experienced and senior politicians in this country, the right honourable member knew exactly what he was doing at the National Party conference last year. If honourable members look at the speech they will see that he did not make his allegations about what had happened in New South Wales off the top of his head. Amongst all the comments about National Party policy and the coalition there was a very strange interlude about what he claimed was the administration of law under Labor in New South Wales. I quote from page 4 of the speech made last year by the right honourable member for New England:

I shall never forget a lunch in Sydney Tatts with a leading Sydney bookmaker and a senior Sydney businessman shortly after my own political prosecution by the New South Wales Government.

The two claimed to speak for the police although I believed the approach was on behalf of the State Government.

They said if I paid a significant five figure sum to them as 'stake holders' all charges against me would be dropped!

Let me repeat:

The two claimed to speak for the police although I believed the approach was on behalf of the State Government.

They said if I paid a significant five figure sum to them as 'stake holders' all charges against me would be dropped!

Those remarks were made in the middle of a speech on policy to the National Party conference. The right honourable member for New England knew what he was about when he said that. He is able to ascertain the best way of achieving headlines in this country. He knew that the only thing in that speech that would attract the television, radio and print media was to

further the continual barrage of allegations that are going on in Australia at almost every level of public administration. There is one group of people who should not play that game. They are the people who serve in the parliaments. We should be ensuring that justice is done in this country. We should not do so by making wild allegations, as was done by the right honourable member in a speech to the National Party conference.

Some incredible conclusions were drawn by the right honourable member for New England about what happened after he left the lunch. He wants us in this Parliament to believe that one of the most eminent Queen's Counsel in New South Wales, Murray Gleeson, was told that afternoon by a solicitor that at the luncheon Mr Sinclair had just left he had been asked to pay \$20,000 to get all the charges against him in New South Wales dropped and that Mr Gleeson said, 'Forget about it'. One cannot be serious if one believes that a person of Murray Gleeson's standing, who in a few weeks time was going to represent him in proceedings, would have said, 'Forget about it; it is not serious'. That is another allegation that was made in the speech today.

Why did not the right honourable member for New England make the same allegation to the Cross Special Commission of Inquiry as he made to the National Party conference? Why did he not make the same outright bold, raw statement to the inquiry as he was prepared to make to the National Party conference and he was prepared to follow by doing television interviews? The fact is that when the inquiry was called and he was asked to appear before it he became a different person. All of a sudden the allegations which he was making seemed to fade away. He was not sure where the money was talked about. He was not sure who raised the subject. He was not sure whether the people said they represented the police. He was not sure whether any offence had been committed.

I invite honourable members to read the evidence that he gave before they stand up and condemn Mr Justice Cross. The right honourable member for New England was not being charged at the inquiry. He was being asked at the inquiry to justify the allegations which had gone the length and breadth of this country. Everybody in Australia knew about the allegations. The right honourable member made sure about that. When, as one of the most senior politicians of this country, he was told that there would be an inquiry and that he would have to justify those statements before the inquiry, he melted. He

could not justify one allegation. When the decision was made he was not prepared to say that he thought there was something wrong.

The right honourable member has had weeks to prepare the statement which he laid before the Parliament today. I say to honourable members opposite that the statement he made today has only got him into more trouble. The more honourable members opposite cling to him, based on the statement that he made today, the more trouble they will be in and the more condemned they will be by every fair-minded person in Australia. That is why I say to the Leader of the Opposition (Mr Peacock): It is one thing to stick to the right honourable member after the Cross inquiry, but he had better go home and have a good read of the statement made by the right honourable member today because the crime has been increased ten-fold as a result of the speech which he made to the Parliament today. Mr Justice Cross is neither a crook nor a fool. He has served on the Bench under both forms of government for a long time.

Unless I am mistaken, I have not read any widespread criticism about the way he administers justice in that State. He has been a judge since 1958. This is the person we are dealing with. He was able to look at the police interviews of the right honourable member for New England and at the evidence before the inquiry. The conclusions he reached are based on what the right honourable member for New England told him. They are not based on anything from outside. They are based on what the right honourable member for New England was prepared to tell the police. He was not prepared to tell either the police or the inquiry that he was asked to pay \$20,000 to get all the charges dropped.

The right honourable member for New England tells us that he told his electorate council at Armidale—the media were present—about this offer and that no-one took notice of it. There could not have been a Laurie Oakes working for the Armidale newspaper. If the right honourable member for New England went to Armidale and told the meeting, including the Press, that he had just been asked to pay over \$20,000 in New South Wales to have all charges dropped, would it not have got a line in the Press somewhere? But he would not have dropped that allegation at Armidale. I will tell honourable members where the right honourable member for New England would have dropped it if that had been the outcome of that lunch. He would have dropped it right here because he was still a member of the national Parliament and he still had his rights as a member to say what had occurred. What an outcry would have occurred if that had been true.

What an outrageous lie it is for the right honourable member for New England to say: 'I was told to forget about it but I wanted to raise it four years later'.

The only reason the right honourable member for New England, in his politically partisan way, made the allegations in his speech to the National Party conference last year, was because he thought it was a good time to try to stick the boots into the New South Wales Labor Government. That is the sole reason. If it had been a Liberal government it would not have been said. But it was a Labor government; so he thought he could say anything and hoped he would never be expected to justify it. Let this be a good lesson to all honourable members opposite when such allegations are made. The allegations upon which the right honourable member based his statement—that made by Bob Bottom about a magistrate—was also withdrawn at the Cross inquiry. I suppose Mr Justice Cross is to blame for that also. A magistrate had been maligned. Everybody in Australia had read how this magistrate was having lunches with criminals and that that was the way justice was being administered in New South Wales. The person who made that allegation came before the Cross inquiry, apologised and withdrew the allegation. Justice cannot be administered in this way.

I respect the rights of members of the Liberal Party and the National Party to fight as hard as they can to win government in the State and Federal spheres, but they will not win respect and they will not win government when their actions are based on the sorts of things that the right honourable member for New England did.

Opposition members interjecting—

Mr YOUNG—There is absolutely no doubt about that. I suggest to some of the honourable members opposite who are interjecting that they had better read the Cross report because obviously a lot of them have not. They should read it and read the evidence that was given by Mr Sinclair. He asked about the conversation that went on. Mr Coombs did not even know who he was. He was supposed to be there saying: 'Give us \$20,000 to drop the charges'. He said that Mr Waterhouse arranged the lunch. According to the evidence Mr Sinclair asked his daughter to arrange for him to have lunch.

In respect of every skerrick of evidence that was given, Mr Justice Cross was entitled to say what he did. There is no doubt that he was entitled to say it and now, on top of that, this Parliament is entitled to say what it thinks about the behaviour of a person who wants to be Deputy

Prime Minister. It will be a great scene when Andrew and Sinclair are on the same stage with their hands up in the air. I tell Andrew that he will have to keep his hands on his wallet because that will be knocked off as well. The right honourable member for New England will have absolutely no credibility in the run-up to the next election. Try as honourable members opposite may to defend him and to associate with the statements he is making, I can assure them, from my knowledge of the Australian people, that they will not cop this scandalous conduct from a person who wants to be the Deputy Prime Minister of Australia, nor should they because his conduct at the National Party conference and not only before the Cross inquiry is beyond redemption.

Before this week is out his speech will come bouncing back at the Liberal and National parties. Honourable members opposite will wish it had disappeared from sight by the end of this week because I can assure them that this Government is not going to allow the Parliament to rise at the end of the week before we have an apology to Mr Justice Cross for the condemnation and remarks that have been made in this speech by the right honourable member for New England this afternoon. I can assure honourable members opposite that we are quite happy to keep this debate going because we want to see as many honourable members opposite as possible associating themselves with the grubby remarks and the grubby behaviour of the right honourable member for New England.

Mr HUNT (Gwydir) (8.15)—How cynical can a government become when it has to fall back to a man, to an honourable gentleman, the Special Minister of State (Mr Young), who himself has been accused of leaking Cabinet secrets, to attack the integrity of the right honourable member for New England (Mr Sinclair). The honourable member who is a security risk, on his first day back as a Minister—he served a six-month sentence, as the Prime Minister (Mr Hawke) has said, for his indiscretions—was one of the prime attackers of the integrity of the right honourable member for New England. That, I think, is an incredible state of affairs. I would have thought that the Government would have chosen somebody more suitable to pursue the terms of its censure motion. I think the fact that it has chosen the Special Minister of State to reply in this debate indicates how cynical and how shallow this censure motion is against the right honourable member for New England. I think it is grossly unprincipled that the Government has put him forward as the great defender of right and morality. I think it just

shows how bankrupt the Government is in its own sense of morality to choose such a character.

Before addressing my remarks to this cynical censure motion against the Leader of the National Party, let me remind the House and the Australian people of three basic and fundamental principles of law in a parliamentary democracy. I am no lawyer but these principles are so precious that thousands of people not only from this country but from around the world have laid down their lives in times of war to defend them. The first one is that in this country, unlike the Soviet Union and other non-democratic systems, a man is presumed innocent until his guilt is proven beyond reasonable doubt. We have heard today a speech from the Deputy Prime Minister (Mr Lionel Bowen) of this nation which presumed guilt. It was a disgraceful performance by the Deputy Prime Minister and the nearest thing I have seen to a Moscow show trial. It happened right here in the Australian Parliament. It is the courts alone which determine guilt or innocence. Justice is done by judges and juries. This must never be done by royal commissions, special commissions of inquiry or the Parliament itself. Natural justice—the right to be heard in one's defence and the basic right to a fair go—has been violated in the Sinclair case and this principle has been raped here today in the National Parliament by none other than the Deputy Prime Minister of Australia and the honourable gentleman who has just concluded his speech. This is the second time that the Government has committed a gross and brutal violation of fundamental human rights. Last year it did it to David Combe and today it is attempting to do it to Ian Sinclair. Shame on the Government!

This censure motion should be treated with the same contempt as one should treat the corrupt system of justice that has developed in New South Wales under the Wran Government. I do not intend to go into legal arguments. I will leave that to the lawyers.

I simply state a number of salient facts. Mr Waterhouse invited Mr Sinclair to luncheon. Mr Waterhouse suggested the luncheon at the City Tattersalls Club. He asked another gentleman, whose name appears in the transcript of the now infamous tapes. Mr Justice Cross agreed that something regarding financial transactions occurred at the luncheon. Fifteen minutes after the luncheon the right honourable member for New England called on his solicitor and reported the incident. Diary entries were produced to prove that point. His Honour accepted the evidence of Mr Sinclair's solicitor. Soon after the incident Mr Sinclair informed me and other colleagues of what

occurred at the City Tattersalls luncheon. Mr Justice Cross took evidence for one day only from 10 o'clock until 4 o'clock in the afternoon in order to establish what he regarded to be the facts. I believe that the evidence of the right honourable member for New England was true. I do not believe that the allegations which Mr Sinclair made were fully tested in the course of that inquiry.

The Leader of the National Party is one of the Government's strongest adversaries in this Parliament. Ever since the dismissal of the Whitlam Government he has been the target of a well-planned campaign of victimisation by the Australian Labor Party, particularly in New South Wales. He is seen by Labor as one of the architects of Labor's destruction in 1975, but Ian Sinclair had only one vote on 13 December 1975. The Australian people passed judgment on that day on Labor's total incompetence and scandalous behaviour. Of course, members of the Labor Party ignore the fact that the Whitlam Government was its own worst enemy. Clearly, the right honourable member, in rugby terms, is a marked man. He is such a strong and effective politician that in the view of many Labor Party supporters, particularly in the State from which he comes, he must be destroyed at any cost.

There has never been such an obvious attempt by any party to vilify and destroy a member of parliament as the campaign launched by Labor against the right honourable member for New England. Any lesser person would have buckled under the pressure of a vicious personal attack. Instead, Ian Sinclair has at all times withstood the campaign of hate with dignity and composure. Let us take our minds back to when this campaign started. It commenced with accusations of malpractice against the right honourable member in respect of a private company in which the Sinclair family had interest. The accuser was a man with a criminal record whose credibility in any circumstances would have been suspect. It was not suspect to the Labor Party in New South Wales, whose Attorney-General seized on the opportunity to put the right honourable member to one of the worst kangaroo court types of inquiry in legal history. Who was charged with the responsibility for this inquiry? It was none other than a committed member of the Australian Labor Party and a friend of the Attorney-General in New South Wales. The right honourable member was subjected to a lengthy inquisition designed to damage his integrity and to wound him grievously as a politician and a public figure.

The Labor Party was clearly out to get him and it has been abusing the legal processes to get him. In spite of there being no *prima facie* case, the

right honourable member was committed for trial. Once again he and his family were subjected to the glare of publicity month after month, facing and answering charges against his integrity and honour. How many people in this place and how many of their families could have withstood these pernicious and vicious efforts to bring down a man? Yet he was acquitted of every—

Mr Peter Morris—Remember Rex Connor.

Mr HUNT—The Minister said ‘Remember Rex Connor’. Remember Rex Connor; that is what this is all about. Government members are trying to get their own back because they believe we killed Rex Connor. They want their pound of flesh and they have chosen the right honourable member for New England. They have singled him out. They will go to any lengths in the State of New South Wales to get him. Remember Rex Connor. May that be written numerous times in *Hansard* because I believe that that is what they are on about.

I do not think there has ever been a more blatant abuse of the legal and judicial system than that used by the Attorney-General in the Labor Government in New South Wales at that time. Since then there have been other examples of how the Labor Government in New South Wales has abused the processes of justice in that State. However, the persecution of Ian Sinclair is probably the most blatant example of denigration of the legal system in New South Wales. While I have never had any sympathy for Combe, I have sympathy for him now because I believe he has been dealt a similar blow.

We had the extraordinary invitation by Mr Waterhouse to lunch at the City Tattersalls Club and the events that followed. The right honourable member dealt in some detail with the events leading up to and since that lunch. The most remarkable feature of Cross's inquiry was the duration of its investigations. In spite of Mr Justice Cross's findings, I happen to believe the right honourable member because I believe in his integrity and I firmly believe that the Labor Party has been out to destroy him. Indeed, as I said earlier, soon after the Waterhouse luncheon the right honourable member for New England reported to me and to a number of my colleagues that this event had occurred. The circumstances were reported as they have since been exposed. That was four years ago.

I am convinced that the events surrounding the luncheon were part of the foul process of getting Ian Sinclair. I believe he was set up. I do not believe that the Cross inquiry examined all the evidence that was available. Mr Justice Cross was

charged with the investigation. Why did he not call Mr Sinclair's counsel who was a witness to his immediate reaction to the foul proposition at that luncheon? Subsequent revelations of tapes and transcripts have thrown a new light on the other guest at the Tattersalls Club luncheon.

I believe the whole exercise is full of the most frightful ramifications. The New South Wales Labor Government is in deep disgrace. Its legal and judicial system is under a cloud of suspicion and public ridicule in spite of inquiry after inquiry set up by the Premier to clear his Government's name. I believe Ian Sinclair and I do not trust the Wran Government. Every day more and more people are also not trusting the Wran Government. Why? It has set out to destroy Ian Sinclair, but I believe that it has sown the seeds of its own destruction. I also firmly believe that the type of inquiry established by the Wran Government was a typical Star Chamber inquisition because there was no right of appeal by any party involved.

Mr Morrison—I take a point of order, Mr Deputy Speaker.

Mr Hodgman—Time-wasting.

Mr Morrison—I am not time-wasting. I direct attention to standing order 75. We have heard tonight a series of offensive remarks made against the judiciary, remarks about Moscow trials and Star Chamber tactics. I make the observation that standing order 75 states:

No Member may use offensive words against . . . any Member of the Judiciary.

I believe the whole farrago of comments made by the Opposition is in contradiction of that standing order.

Mr DEPUTY SPEAKER (Mr Mountford)—This is a censure motion; the point of order is not upheld.

Mr HUNT—The right honourable member for New England, the Leader of the National Party, retains the trust and confidence of a united National Party determined to reveal the corruption of the Labor movement, especially in New South Wales, so that the people of Australia and New South Wales can make their own judgment. I believe that the censure motion is consistent with the way in which the Labor Government has used the legal processes in the State of New South Wales to achieve its own seedy political objectives.

I mentioned the way in which the inquiry was undertaken. I refer honourable members to what Mr Hatton, an Independent in New South Wales, had to say. He said that such an inquiry was unique in Australia. He said:

That legislation would sit well in any totalitarian state. If someone demands an inquiry, the inquiry is called not into the allegations but into the person who made them.

That comes from somebody quite independent of the two parties that sit in this Parliament.

Mr KEATING (Blaxland—Treasurer) (8.30)—What we have heard today from the Leader of the National Party of Australia (Mr Sinclair) has been a speech which will live on in infamy, the like of which no member of this Parliament has ever heard. The right honourable member for New England (Mr Sinclair) has demonstrated at last that there is no limit to how far he will stoop, no gutter too low to slide into, no sewer too murky for him to lose himself in. Apparently there is no reputation which this man regards as worthy of protecting. We could scour Australia and not find a person with a more sacrosanct reputation than Mr Justice Cross who has served in the judiciary of Australia for more than 25 years without a slur being cast upon him. Is it not strange that after 25 years in the judiciary he has had to wait until this day for the right honourable member for New England to attack his reputation in the Parliament of the nation? Indeed, it is Mr Justice Cross's proud boast that he has never had a criminal case overturned in a court of appeal. He has been a model to the Australian judiciary of what a judge should be and is justifiably proud of it.

But let everybody compare his reputation with that of the right honourable member for New England. We all know how that comparison will read. There is probably no member of the House who has a lower level of public esteem than the right honourable member for New England. Let us pause and examine what the right honourable member for New England has really done here today. He has not made an intellectual challenge to Mr Justice Cross, although he pretended otherwise. He did not seek to challenge the judge on the law or the facts. What he did today was slowly to create the impression by innuendo that Mr Justice Cross was out to hurt him; he sought to create the illusion that for some reason Mr Justice Cross had an ulterior motive. The real issue is what he is alleging. The innuendo was that the Wran Government put a fix in on Mr Justice Cross to fix him. That is what his whole speech was about. He tried to attack Mr Justice Cross's reputation by suggesting that the New South Wales Government tried to harm him. He tried to tell the people of Australia: 'Don't take any notice of Mr Justice Cross and his report, because the judge wasn't fair dinkum'. What he has tried to do to a man who has given a lifetime of service to the Australian

public in the judiciary was to slash his reputation in the faint hope that his own miserable, sullied reputation might in some way be restored. Far from being restored, it has been lessened in the eyes of all honourable members.

It is significant that he has been supported by the Leader of the Liberal Party of Australia (Mr Peacock). Upon a reading of the report, the Leader of the Liberal Party would know that the Leader of the National Party is damned by that report. It is on the evidence of the right honourable member for New England that the report damns him. The Leader of the Liberal Party knew these things before the right honourable member for New England was elected Leader of the National Party. In fact, the honourable member for Kooyong (Mr Peacock) was in a position to stop the right honourable member for New England being elected Leader of the National Party and he failed to do so. He could have said no. He could have done what Jack McEwen did and said: 'I will not serve this man'. Instead, he is prepared to sit with a criminal intellect on his front bench and to appeal to the public and to the nation to support the coalition jointly led by the honourable member for Kooyong and the right honourable member for New England. He ought to be ashamed of his behaviour. Let us not pretend that such an action was not on because the honourable member for Hume (Mr Lusher) has no intention of running for the leadership of the National Party. The honourable member for Hume was outraged and disgraced by the findings as was the honourable member for Bennelong (Mr Howard). If honourable members look at the guarded comments and quotes in the newspapers, they will find that they knew damned well that the report damned the right honourable member for New England. But they were all too gutless to exercise their veto. What happened? Finally, the honourable member for Hume decided to run against the right honourable member for New England and he made it clear to other members of the Parliament that he was outraged by the Cross report. In fact, his candidature was a protest at the election of the right honourable member for New England to the leadership.

What did the honourable member for Bennelong do? Again, he sits back there waiting his chance, waiting for the honourable member for Kooyong to wear himself out on the present Prime Minister (Mr Hawke) so that he can then slide into the leadership of the Liberal Party. Of course, he would not care if he got into bed with the right honourable member for New England who has attacked everybody's reputation and sullied the reputation of a judge. He would do a deal

with the devil to become Leader of the Liberal Party because little Johnnie Howard must succeed. There is no way he will exercise the sort of veto that the Leader of the Liberal Party never had the guts to use. The Leader of the Liberal Party did not have the courage to say no to the right honourable member for New England. He could have stopped him from being Leader while the National Party was in a malaise for two weeks wondering whom it would elect. Instead, what do members of the National Party do today? They support the most shameful attack upon a member of the judiciary that we have ever heard in this Parliament. Honourable members opposite sat like stunned mullets listening to the garbage put across by the Leader of the National Party. When we consider his speech we find that not only does he retreat from the findings of Mr Justice Cross, but also that he again makes the original allegations. At the bottom of page 13 of his statement he said:

I would suggest that those who put corrupt proposals about aborting court proceedings are unlikely to have the same standards as Supreme Court judges.

After all his sworn evidence in the text of the Cross report, he again, after Mr Waterhouse and Mr Coombs have been cleared, dragged them through the mud in this House by asserting that they 'put corrupt proposals about aborting court proceedings'. In fact, he said that Mr Coombs was not involved. He said:

I don't believe that he—

That is, Mr Coombs—

was in any way directly involved.

I don't believe the other gentleman's name (Mr Coombs) has quite so much relevance because he was only there as a committee member of Tatts, basically I suspect because it was in that Club that the luncheon took place.

So there he dismissed Coombs. What does he say about Coombs today? He said that Mr Coombs had been a bag man for a major starting price betting operation, and that he allegedly placed bets and collected winnings from a man who was reputedly a leading criminal figure in Sydney. On the one hand he said, as reported in the transcript of the Cross report, that Mr Coombs wandered into the lunch as a committee man of Tatts; today he destroys his reputation as a man who consorts with criminals and works for an SP organisation. He is an elderly man; there is every prospect that having suffered a stroke this sort of pressure will further damage his health. Is that what the Liberal Party stands for these days? Is that what the coalition parties stand for these days? It is just sheer, mindless destruction of a reputation.

Mr Tuckey—Go and read last year's *Hansard*.

Mr KEATING—The honourable member is a half-baked crim, so let us not get on to him.

Mr Howard—Mr Deputy Speaker, I take a point of order. The honourable member for O'Connor is not under attack. I do not believe that it does any good to the dignity of this House or to the veracity of the Treasurer's argument for him to be saying that the honourable member for O'Connor is a half-baked crim, and he should withdraw.

Mr KEATING—In deference to the honourable member I will withdraw it. Both Mr Waterhouse and Mr Coombs—

Mr Tuckey—I take a point of order. I think the honourable member should take time off to tell me about that. He does not know what he is saying. He is a raving lunatic.

Mr DEPUTY SPEAKER (Mr Mountford)—Order! I would ask honourable members to remain silent while the Treasurer is addressing the Chair.

Mr KEATING—I wish to read into *Hansard* part of the transcript of proceedings because it is very important. In regard to the offer, Mr Sinclair said:

It was so much of an iffy character there was really nothing out of that discussion that I felt that I had any justification reporting to anybody without looking an absolute fool for having suggested it might be possible in some circumstances.

Mr Sinclair said that it was so iffy and so foolish that he did not even report it. He went on to say:

There were sufficient ifs and buts and maybes that I frankly couldn't pin anything he (Mr Waterhouse) said as being improper or illegal.

That is Mr Sinclair's evidence; it is not the findings of Mr Justice Cross. What did Mr Sinclair say in his statement today? He repeats the allegation in regard to those who 'put corrupt proposals about aborting court proceedings'. On one hand he said that no proposal was put; it was iffy and butty and nothing about which he could complain; it was not illegal under any circumstances. Today he referred to corrupt proposals about aborting court proceedings.

Where does the Liberal Party stand in regard to this man and with the National Party of Australia? We are not arguing here about Mr Justice Cross but about Mr Sinclair's testimony made under oath before the Cross Commission. One should compare that with today's charge which relates to those who put corrupt proposals about aborting court proceedings. Obviously the most outrageous claims have been made against the judge and his reputation, against Mr Waterhouse, who was cleared, and against Mr Coombs, who is

elderly, sick and who has already been cleared. And in whose name? It has been done to defend the miserable hide and to save the miserable political skin of the right honourable member for New England. It is a disgrace.

I say to the honourable member for Kooyong that he is a disgrace for supporting the right honourable member for New England. I say to the honourable member for Bennelong (Mr Howard) that he is an even greater disgrace for supporting him. I have come to expect that reaction from the honourable member for Kooyong but not from the honourable member for Bennelong. I will be very interested to hear what the honourable member for Hume (Mr Lusher) will have to say. At least he has said off the record to a lot of people in this Parliament that he was outraged and dismayed at the findings of the Cross report and ran against Mr Sinclair in protest. We want to know where members of the Liberal Party stand. Mr Sinclair, according to page 37 of the Cross report, stated:

I am not making any charge against any individual. There is no way that he can establish any relationship between a bookmaker and the Government.

So the whole charge about Mr Waterhouse representing the Labor Party is put down. Mr Sinclair further stated that he did not know Mr Waterhouse's political affiliations or voting habits. Today Mr Sinclair said that this man is a well known Labor identity, yet under evidence he said he could not establish that fact. He went on to say that he did not really know whether Mr Waterhouse had any police connections. In other words under evidence he said that in no way could he establish that Mr Waterhouse had any police connections, but today he is charging Mr Waterhouse and Mr Coombs with offering corrupt proposals about aborting court proceedings.

Where does the Parliament of this nation go when a judge of 25 years' standing, who has never had a criminal decision overturned by a court of appeal, can be sullied as a result of the attack made upon him by the Leader of the National Party of Australia in this Parliament? In fact two gentlemen who have been cleared by a special commission of charges of illegality made by the right honourable member for New England now find these charges adverted to and reasserted in the honourable member's speech. Where does that leave the judiciary? Where does it leave the national Parliament if the national Parliament will tolerate such behaviour? There is no place in the Parliament of Australia for a man with Mr Sinclair's behaviour, a man of Mr Sinclair's low standing amongst the judiciary of this country. He

is not a fit and proper person to remain a member of this House.

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

MR HOWARD (Bennelong) (8.46)—I think this debate illustrates one thing very clearly: What is being said back and forth does not have a great deal to do with principle nor does it have a great deal to do with morality, but it has everything to do with numbers. If one were to accept every single thing which has been said by Mr Justice Cross about the Leader of the National Party (Mr Sinclair), the right honourable member's conduct, in my view and in the view of a great number of citizens, is certainly far less culpable than the results of the findings made by Mr Justice Hope against the Special Minister of State (Mr Young). That disposes immediately of any claim of morality or of propriety. Yet the Treasurer (Mr Keating) came into this Parliament and stammered and stuttered through his speech and said that the events involving the right honourable member for New England were the most disgraceful thing that this Parliament has ever seen.

Even if one were to accept everything in the findings of Mr Justice Cross, which we do not, and the right honourable member for New England disproved this in a very effective manner, this House ought not to accept them. Even if one were to accept all the findings, it is a most deplorable double standard for the Treasurer and other members of the Australian Labor Party to express their outrage at the criticism of a judge. I make no criticism of Mr Justice Cross. I may disagree with his findings, as indeed members of the Labor Party have constantly disagreed with the findings of judges. Year after year when I was Treasurer I heard members of the Labor Party traduce the integrity of the judiciary in regard to taxation matters. Day after day they would come into this Parliament and say that the whole thing was loaded against the ordinary taxpayers. Was anybody in the Labor Party then standing up for the integrity of the High Court of Australia? The present Prime Minister (Mr Hawke) then described some of the High Court's findings on taxation as being obscene. Yet he leads a party which comes into this Parliament and has the audacity to call us to account because we dare to put a version on the merits which is different from the version which has been arrived at by Mr Justice Cross.

When I read the report of the Cross Special Commission of Inquiry I was concerned about its findings, and I said so. I said that I would wait until I heard the speech of the right honourable

member for New England before reaching a view. I believe that the right honourable member for New England has raised a number of very serious doubts about the accuracy of the findings. I think that any objective person looking at this report would come to that conclusion. It may well be that some people will question the wisdom and judgment of the right honourable member in having made that speech in the first place, but if anybody denies that his speech does not raise very serious doubts about the accuracy of that report that means, I think, that that person has not carefully read the report; nor has he carefully listened to what the right honourable member has said. Anybody who understands anything about the law knows that the most compelling evidence, particularly when arguing about competing recollections—because this is what this matter is all about—is the evidence on the recollection of the right honourable member for New England against the recollection of Mr Waterhouse.

It was the recollection of the right honourable member for New England against the recollection of Mr Waterhouse, who never recollected positives; he could only recollect negatives, which is a very selective piece of recognition or, some might say, a selective piece of amnesia. The most significant evidence of all when you have competing recollections is, of course, the contemporaneous evidence. The one piece of contemporaneous evidence that the defence of the right honourable member for New England rests on is the diary entry of his own solicitor. It is highly significant that a man of utmost integrity, a person whose reputation in the Sydney legal profession is beyond dispute, beyond reproach, was told by the right honourable member for New England that he believed an improper offer had been made to him at that lunch. That fact stands undisputed. Nobody saw fit to traduce the reputation or integrity of Mr Scotford at the hearing before Mr Justice Cross. In fact, Mr Justice Cross went a step further and said: 'I accept that what Mr Scotford said was correct'.

I repeat: One may argue about political judgment, or timing, one may question the wisdom of the venue, but nothing alters the fact that is undisputed that, arising out of all this, there was contemporaneous evidence of a belief on the part of the right honourable member that an improper offer had been made. To see the honourable member for Port Adelaide and the Treasurer come in here and condemn the right honourable member for New England for what he said, when they know darned well that their colleagues,

under the cover, the coward's castle, of parliamentary privilege, say far worse things about the reputation of people—

Government members interjecting—

Mr HOWARD—I will only say under parliamentary privilege what I am willing to say outside—a practice that the Minister for Finance (Mr Dawkins) did not have the guts to follow last year. The Minister for Finance, whom the Government protected, supported and now draws unto itself, did not have the courage last year to go outside the Parliament and say certain things about certain decent, honourable citizens, but honourable members opposite are now saying that Ian Sinclair ought to be thrown out of this Parliament for having had the courage to speak outside. That is the sort of double standard that the Prime Minister of this country and his colleagues have. I am glad that the Prime Minister has been flushed into this debate. It is apparently all right to accept back into the bosom of the Hawke Government someone who, according to Mr Justice Hope, endangered national security, but someone who has the courage to say without the protection of parliamentary privilege what the right honourable member for New England said is described as unworthy to be a member of this Parliament. The Prime Minister will pretend to this Parliament that he does not have a double standard. The fact is that the Labor Party has demonstrated throughout this debate an absolutely deplorable double standard. The Labor Party made a grave tactical error today when it decided to pull on a censure motion. It has been a bit clever by half in doing that because what it requires every member of this House to do is to look at the motion and to test the motives of the Government in bringing it forward. Does this House really believe that it is a far less serious thing for a person having the enormous responsibility of being a member of the security and intelligence committee of the Cabinet of this country—

Government members interjecting—

Mr HOWARD—I know that Government supporters do not like that matter being brought up. I know that they are embarrassed by what the Prime Minister did when faced with the conflict between popularity and duty. In his first real test, being a craven populist, he sought popularity and forsook duty. Instead of standing up and saying that it was not proper, that it was not right, that it was not decent for a person who could not handle national security to be a member of his Government, he crumpled before the onslaught. Yet this man will come in, will interject and will lead his troops into battle saying: 'We are so pure, we are

so wonderful that we cannot possibly have in our Parliament someone who has the courage to stand up without the protection of parliamentary privilege'. I wish someone in the last Government had thought of the device of having a Cross commission last year when the Minister for Finance, the Treasurer and the Minister for Foreign Affairs (Mr Hayden), under cover of parliamentary privilege, accused honest, decent citizens of being crooks. They did not have the courage to go before the New South Wales conference of the Labor Party. They did not go before their mates and say: 'We think so and so, who is a member of the finance committee of such and such a division of the Liberal Party, is a crook'. What they did was say it in this Parliament. They now have the hide to bring forward this extraordinary censure motion. They are brave, are they not? They are terrific! There we have an example that all Australians might follow—using not only the coward's castle of parliamentary privilege but also the stance of morality to clothe the naked use of political numbers.

The crowning demonstration of the use of the morality of the glass house must be the performance of the honourable member for Port Adelaide, who spoke to us in an earnest tone and said: 'Let this be a lesson to all of us'. This is the honourable member who could not keep his mouth shut in a car park only nine or 12 months ago. He comes into the Parliament and says: 'Please, let us all learn something from this'. We have learned something from this. We have been reminded yet again that, despite all the talk about national reconciliation, about governing for everybody and about everybody having a part of the fabric of Australian national life, the Australian Labor Party is not averse to using its numbers in this House. Just as the Prime Minister was too weak to stand up to his Caucus over the return of the Special Minister of State and just as he crumpled at the first whiff of electoral grape-shot over the assets test, he has been willing once again to associate himself with a motion condemning the right honourable member for New England. It is an abuse of the privileges and processes of this Parliament to bring forward this motion.

As I said at the commencement of my remarks, when I read the Cross report I did have concerns. I believe that the speech that the right honourable member for New England has made today has raised a number of quite legitimate concerns about the veracity of the finding of Mr Justice Cross. One may question the right honourable gentleman's timing, his judgment, the wisdom of the forum chosen, but I do not believe by any

stretch of fairness or imagination that what he has done in any way has justified this phoney, abusive motion that has been put forward by the Government.

Mr HAYDEN (Oxley—Minister for Foreign Affairs) (8.58)—The Deputy Leader of the Liberal Party (Mr Howard) displayed a great deal of passion but addressed himself with very little relevance to the report of the Special Commission of Inquiry under Mr Justice Cross. He had it clear very early in the piece that whatever criticisms might have been made of Mr Justice Cross today he in no way wished to be associated with them, and little wonder. What we witnessed today from the right honourable member for New England (Mr Sinclair) was a sustained, unexampled vilification of one of the most experienced and respected criminal justices in the history of this country, a man who has given more than a quarter of a century's service to the bench.

What the right honourable member for New England effectively accused Mr Justice Cross of today was political motivation in the discharge of his judicial responsibilities. He accused him of conducting a kangaroo court stacked against the proper principles of justice, of assaulting decency and fairness. In a nutshell, what the honourable member did today was to accuse Mr Justice Cross of corruption in the discharge of his duties. By his actions and by the blindness of members of the Opposition, he has led them by the nose in supporting these wicked allegations about a man who has an unblemished reputation in the judicial field.

I want to dispatch quickly references to barrister Gleeson and to solicitor Scotford. Does anyone believe for a minute, that if the right honourable member for New England had reported the sort of allegations which he reported specifically and publicly late last year, either would have done nothing, or both would have refused to have taken action? Does anyone believe that, a few weeks later when the right honourable member for New England, at last before the courts properly but still to deny the Queen of the proper justice that should have been discharged, barrister Gleeson would not have raised that matter? Does anyone believe for a minute that, when the right honourable member for New England returned to this Parliament after his extraordinary discharge, with all of the vindictiveness that he mustered thereafter, he would not have made some reference to it? Whom are people going to believe on their established records—Mr Justice Cross or the right honourable member for New England?

What we saw today on the part of the right honourable member for New England was the floundering of a fool gone too far once too often. I ask honourable members to look at what the report of Mr Justice Cross convincingly demonstrates. It demonstrates that in his whole conduct, from the occasion on which he first made the allegation, to 48 hours later when he was confronted by the police, to sometime later when he appeared before the Commission, he stumbled about, varying his allegations according to the pressure which was applied to him, that he was unconvincing, inconsistent and evasive, that he displayed breathtaking effrontery, that he was a total stranger to truth at all times. For the benefit of new honourable members, nearly all of whom are on this side of the House, let me remind them of the record of a parliamentary scoundrel, the right honourable member for New England, who has properly had levelled against him allegations of tax avoidance, fraud, embezzlement, forgery, and misappropriation. Today, by his behaviour, we had added to his shame that he is a reckless defamer, a malicious libeller and a cheap liar. The right honourable member for New England has the personality and public morals of a cashiered sergeant-major from the New South Wales rum corps.

The right honourable member for New England's allegations were precise; they were explicit. He said:

These two men, one of whom all of you would know, claimed to speak for the police, although I believe the approach was not from the police but on behalf of the New South Wales Labor Government. They said if I was prepared to pay a significant five-figure sum to them as stakeholders all charges against me would be dropped.

There are several specific allegations included in that public statement—a statement which was not made impulsively, a statement not prepared on the spur of the moment but a statement carefully concocted some 24 to 48 hours before it was actually delivered. It is little wonder that in his attack upon Mr Justice Cross's probity in the Parliament today he never once referred to the extracts of his evidence and his testimony to both the police and the Commission of Inquiry because if he had he would have had an insurmountable task in trying to explain the inconsistencies.

Let us look at the allegation that these people represented the Labor Party. I quote from the honourable member when he met the police. He said:

'I don't believe that he (Mr Coombs) was in any way directly involved'.

I don't believe the other gentleman's name (Mr Coombs) has quite so much relevance because he was only there as a committee member of Tatts, basically I suspect because it was in that Club that the luncheon took place.'

On page 30 he says:

. . . but a man of his significance in the racing industry—

He is talking about Waterhouse—

I would think would probably be not unnaturally linked with Government in one way or another.

That is fairly flimsy evidence on which to condemn people. He says:

. . . There is no way I can establish any relationship between a bookmaker (Mr Waterhouse) and the Government.

'I would doubt that he's (Mr Waterhouse) a member of a (political) party. I don't know his political affiliations—'

And on and on it goes. Yet he was prepared recklessly to embark upon conduct designed to defame people in the New South Wales Government, designed to defame two particular gentlemen—Waterhouse and Coombs—without a shred of evidence that he could produce. Not only did he produce not a shred of evidence. His inconsistent behaviour and his lack of concrete substance to present in this matter also established beyond any doubt that he made these allegations recklessly and without any justification.

Let me go on in relation to the police. Page 32 of the Cross report contains the following question:

Q. You said (i.e. in the television speech), did you not, that the two claimed to speak on behalf of the Police?

A. No.'

Cross inserts parenthetically:

(This may have been a mere slip of the tongue, for Mr Sinclair had clearly said so in the television speech.)

He made plenty of slips of the pen. After all, he is known as the handwriting expert of the National Party. But this is the first time we had a slip of the tongue. The report continued:

Q. . . . He (Counsel), is asking you if in fact the two men claimed to speak for the Police.

A. No, they didn't claim to.'

Yet he is prepared publicly, with his political motivation as corrupt and crooked as it was, to allege differently. The right honourable member demolishes his claims on the evidence that he has produced before the Inquiry. Whom does one believe—the right honourable member for New England or Mr Justice Cross? This is what Cross says:

Contrary to the terms of his televised speech Mr Sinclair did not have—and again I am forced to say that he knew that he did not have—any evidence, or even any reason, to sustain his allegation that Mr Waterhouse or Mr Coombs 'claimed to speak for the Police'.

On the same basis, it can be said that he had no evidence to make the claim that they sought to speak for the Labor Party. He tears his own vilification to shreds with direct quotes from his testimony at pages 34, 35, 37 and 38 of the Cross report. These are direct extracts:

- Q. You would agree with me that it would be inaccurate to say that they said that if you paid a significant five-figure sum to them as stakeholders all charges against you would be dropped.
- A. The implication was that that was correct.
- Q. But they did not say that, did they?
- A. There was the implication.
- Q. They did not say it, did they, Mr Sinclair?
- A. I cannot remember the precise words, but my conclusion at the end of the lunch was that that was so.'

He goes on:

'I don't believe they mentioned a sum.'

He continued:

'The five-figure sum I have indicated was imprecise. There was a suggestion that any sum would be a matter for subsequent discussion.'

He says:

'Certainly there was no firm proposal'.

On the flimsiest concoction this man is prepared to defame Waterhouse and Coombs, to impute quite wrongful and unjust motives to the New South Wales Government and the police. But worst of all today to try to save his scabrous hide, he comes in here and defames Mr Justice Cross, a man of unblemished record. Let the right honourable member for New England step outside this Parliament and say the things he said about Mr Justice Cross today. The right honourable member for New England labelled the significance of 20G in his diary—\$20,000. But this is sneered to scorn. At page 40 of the evidence he is reported as having said to the police:

' . . . and I think it was I who said, what do you mean, somewhere about \$10,000-\$20,000?, and he said, well, a significant sum of money . . .'

Then he said:

'the five-figure sum I have indicated was imprecise.'

It was just like his facts—shakier than his honour.
He continued:

'There was the suggestion that any sum would be a matter of subsequent discussion.'

Cross says this:

In the light of those statements—

and others elsewhere in this report—

it is legitimate to express surprise at the reference in the diary to a specific sum of \$20,000. There were other statements by Mr Sinclair in his evidence and in his record of

interview which seem inconsistent with detail in the diary entry.

This significantly, but gently, is added:

It is, I feel, unnecessary to go further.

What a nice way to say that the 20G was put in there as a postscript long after the alleged luncheon took place, sometime after he saw the police and in a desperate effort to bolster a completely hopeless case before the Commission. Why did he do it? He did it because he had recklessly embarked on this scandalising exercise in October last year believing himself to be safe, in the usual sort of way he has been safe in the past with reckless allegations against others, suddenly to discover that his bluff had been called. The police called on him. He tried to weave and wiggle his way out of it with an unconvincing set of responses and ended up before a commission of inquiry, where he was in an absolutely hopeless position.

Does anyone believe that there is any authenticity in the 20G postscript insertion in his diary? The right honourable member for New England was so scandalised by Coombs and Waterhouse that he described them as improper and contemptible. As a man of great personal honour, his susceptibility was outraged by the approaches they made. They were an improper and contemptible duo. But he stayed on wining and dining with them and, a few weeks later, he made pressing representations to Mr Ellicott, then a Minister, about getting a Totalizator Agency Board licence for Waterhouse. That is how improper and contemptible they are! It took him four years to go public on this matter, except for a ghost meeting of his electorate council, with the Press present and suffering from industrial deafness.

Is the right honourable member for New England credible? He accused two men of claiming to represent the police and the New South Wales Labor Government and of claiming to propose that, with the provision of a precise five-figure sum, charges against him would be dropped. On his own evidence, he cannot sustain any of those allegations. I have quoted from the record. He was not prepared to do that when he decided today to calumniate the reputation of Mr Justice Cross. He retreated from his police allegations. He cannot sustain his accusations against the Labor Government. He was evasive and denying in respect of the five-figure sum. He made a desperate plunge with a dubious late entry in his diary.

In all of this Sinclair oozed along in a crab-like path of slander and reckless deceit and perjury. In all of it he confessed that, right from the start, he

knew that the proposition was improbable and therefore unbelievable. As a lawyer he knew it was improbable and unbelievable; he recognised that Waterhouse as a lawyer, would also acknowledge that. He had a whole battery of legal people telling him what his situation was, well advanced in the court case. Can anyone believe this conciliation at this late stage? Let me quote Mr Justice Cross. He said:

Mr Sinclair himself conceded at this Commission that he could not understand then and does not understand now how the prosecution could possibly have been dropped; indeed, he considered the suggestion 'impossible'. To this Commission it seems that it would require an almost imbecilic credulousness to believe that Mr Sinclair's prosecution could be dropped on the payment of money;

Whatever the right honourable member for New England is, he is neither credulous nor imbecilic when it comes to his self-interest. I repeat: Mr Justice Cross has an unblemished record. The right honourable member for New England, on his performance in this House over many years, has displayed that he has the morality of a shyster and the honour of a cutpurse. We know who we believe. That is why we had no hesitation in proposing this motion of censure against the Opposition. The Opposition has locked itself into an impossibly embarrassing and humiliating situation by supporting a man of such dubious reputation as the right honourable member for New England.

Mr DEPUTY SPEAKER (Mr Mountford)—Order! The Minister's time has expired.

Mr HODGMAN (Denison) (9.14)—As it is quite clear that nobody will get a fair hearing in this Parliament tonight, I will speak directly to the thousands and thousands of men and women of Australia who have been listening to this debate. The noise they hear in the background is the noise of a hand-picked and caucused jury whose verdict is already determined before the case is concluded. I say to the people who believe that Browne and Fitzpatrick are dead that today, in this Parliament, Robert James Lee Hawke, Lionel Frost Bowen, Michael Jerome Young, Paul John Keating and William George Hayden have conspired to deny to an Australian citizen that which is his basic and fundamental birthright. I repeat to the people listening all over Australia that the laughter they hear is the laughter of a jury which is a caucused jury, a jury which is a stacked jury, and a jury whose verdict is predictable.

Who in Australia would believe that the man who leads this country is a man who claims to be a qualified lawyer, a man who was once a Rhodes Scholar? He has today, through his Government, denied before the Australian nation, every basic

and fundamental principle of decency and the rule of law. The Government, whether it believes it or not—and the Deputy Leader of the Opposition (Mr Howard) made the point—is about to commit the first gross tactical blunder of its parliamentary life. It is going to use its numbers, as another Government and another Prime Minister used their numbers many years ago in this Parliament to send two men to prison without a trial, to condemn a man. I think the people of Australia should hear the words of the judge on which the Government hangs its case. About this man the judge said:

I wish to make it clear that this Commission has no desire to be unduly critical of Mr Sinclair.

The Government has come in on that report when the judge himself said that he had no desire to be unduly critical of Mr Sinclair, and the Government will use its numbers to bring about a crook and corrupt verdict. I thought it was a basic and fundamental right of every Australian, firstly, to be presumed innocent until proven guilty, and that means proven guilty beyond all reasonable doubt, and secondly, to have his case determined by the courts. The only bodies in this country which determine guilt or innocence are the courts. Judges and juries determine guilt or innocence, not royal commissions, not special commissions of inquiry, and not parliamentary proceedings where numbers are used to bludgeon matters through as is done in a Moscow show trial. The judge made it clear that it was not a trial. If honourable members had read his report, and I suggest that most of them clearly have not, they would know that Mr Justice Cross said:

the Commission does not sit as a Court; it does not 'hear and determine' questions coming before it. Its function is to 'inquire into and report upon' the specific matters referred to it for investigation . . .

Mr Justice Cross did not sit as a court. Mr Justice Cross did not hear and determine. His function was quasi-judicial. The Government is using and abusing the report of Mr Justice Cross, and it has the temerity to criticise us.

This is a shameful day in the history of the national Parliament. For the first time in living memory a Prime Minister has shown himself to be so scared of a member of the Opposition that he has said: 'We will destroy this man Sinclair. We are going to have a little trial'. I want to talk briefly, in terms which would be understood by a first year law student, about what Robert James Lee Hawke, lawyer and Rhodes Scholar, has done to the rule of law in this country in this year of 1984. George Orwell was right; 1984 is here. Let us have a look at the first and fundamental point.

If any person is charged with any crime or offence, even a minor traffic offence, he is entitled to know the details of the charge. Have a look at the censure motion. Where are the particulars? Where are the allegations? This censure motion is a dishonest, cynical smear. Honourable members opposite did not have the guts, the moral fortitude, to put down the particulars. They were not prepared to give Mr Sinclair the details because they did not want him to have the chance to defend himself.

The second proposition I put is: Where is the presumption of innocence? Today the Deputy Prime Minister (Mr Lionel Bowen) disgraced the entire legal profession because he, a solicitor of the Supreme Court of New South Wales, based his speech on a presumption of guilt. Worse still, he knew and knew full well when he addressed this Parliament that he committed two outrageous breaches of fundamental decency. Firstly, he knew that the Commissioner's report was not the finding of a court, yet he tried over and over again to convey to this Parliament and to the people of Australia that it was a finding of guilty against Sinclair when he knew that that was not true.

Secondly, and even more disgracefully, he endeavoured to use evidence which in the law is known as similar facts. I do not believe, in 16 years in politics and 22 years at the Bar, that I have ever seen anything more disgraceful than what the Deputy Prime Minister did today. He referred to the mark in the diary, 20G, and started to smear and cast innuendoes. What did he do then? He said: 'And of course, there was that other matter'. What he did not say to the people of Australia was that a jury of 12 Australians totally cleared the right honourable member for New England of that other matter. In other words, he tried to use similar facts evidence when he knew full well that the court before which those proceedings had been conducted had cleared the right honourable member.

It seems that the Deputy Prime Minister has never heard of autrefois acquit, and the Deputy Prime Minister and the Prime Minister (Mr Hawke), both lawyers, today demeaned and disgraced the legal profession. If they are prepared to do this to a member of the Parliament, what chance has a citizen got; what chance has the ordinary Australian citizen? This Government does not believe in principles of the rule of law, does not believe in parliamentary democracy. It will use the bloody numbers. This Government will line you up in a Moscow show trial and it will use the numbers. Members of the Australian Labor Party are so gutless that they are all

caucused to vote Ian Sinclair guilty regardless of the evidence. What a shameful situation!

Mr Deputy Speaker, I wish this debate was on television. I wish the people of Australia could see this crooked jury, this caucused jury, this stacked jury. If an ordinary citizen appears in the District Court at Darlinghurst charged with stealing \$5, he has the right to challenge. I tell you what, the right honourable member for New England has no chance of challenging any of the honourable members opposite. An accused has a challenge of six as of right and then, with cause, any number. Do any honourable members opposite feel proud of what they are about to do tonight?

Government members—Yes!

Mr HODGMAN—They do! I would like them to stand up when I have finished and say to the people of Australia: 'This is our idea about fair trial; this is our idea about justice'. The judge himself did not make a finding of guilty.

I will not make comparisons with the situation regarding the Special Minister of State (Mr Young), but I will say that the matter in question was not a trial and members of the Labor Party are being dishonest when they claim that Mr Justice Cross found the right honourable member for New England guilty. He did not. The judge himself made it very clear that it was not his role to make findings; it was not his role to hear and to determine. He is an experienced judge. I did not see in the report of the Hope Royal Commission on Intelligence and Security Agencies words such as these:

I wish to make it clear that this Commission has no desire to be unduly critical of Mr Sinclair.

Do honourable members opposite think a judge would make a comment like that if Mr Sinclair was a quarter guilty of what they allege?

Mr Campbell—He is lucky.

Mr HODGMAN—What a shameful thing to say. I said last year that this country was moving down the path towards being a socialist republic. A few people laughed then, but after tonight they will not be laughing. Members of the Labor Party can laugh as much as they like with me; I will not take offence. But the people of Australia listening to this broadcast tonight will know that we now have in power a government which is prepared to act, in precisely the same way as a totalitarian dictatorship. There is no difference between this Government's mock show trial tonight and the mock show trials in Moscow; there is no difference between its mock show trial tonight and the mock show trials in Nazi Germany. I repeat: Can honourable members opposite tell me

of any court in Australia in which the accused does not have the right to challenge? Can they tell me of any court in Australia in which the verdict is signed, sealed and delivered before the case is completed?

In the remaining moments I want to make two fundamental points: If the Labor Party is prepared to behave like this in the national Parliament, where it has parliamentary privilege—the cowards' castle, as the Deputy Leader of the Opposition said so correctly—what will it do to the ordinary citizen? This is not their first foray into breaching basic and fundamental human rights. They did it last year, to one of their own. I carry no brief for David Combe but I do say that the average Australian is very concerned about the way members of the Labor Party treated him. The headlines in tomorrow's papers will say 'House censures Sinclair'. Is it too much to hope that now there might be enough honourable members opposite with enough courage to come across and vote against this corrupt and dishonest motion?

What satisfaction will they get? Will they feel as Hitler felt when he was able to say 'They were found guilty'? Will they feel as people felt in Moscow, with the mock show trials? I believe each and every one of them today dishonours the 200,000 Australian men and women who laid down their lives in the defence of freedom. They can laugh about that if they like but their values are not mine and their values are not the values of the people of Australia.

Today the Hawke socialist Government starts on the road to defeat. The impossible will happen. The 73 per cent pseudo-president of Australia, of January, will be the defeated socialist Prime Minister of Australia by December. A mere 2.3 per cent swing is all that is required to remove the Labor Party from office. I have been committed to its destruction, but as of tonight my commitment has doubled and even trebled because this Government is corrupt and power crazed; it is going to use its numbers. Have members of the Government not heard of the case of Rydge and Balwin? Do they know what the High Court of Australia said in the case of the Queen v. Neilson ex parte Heatley and have they read what the Privy Council said in the Mount Erebus case? Up until now this country had a Government which respected natural justice and which respected the presumption of innocence. Tonight this Government will destroy it all; tonight it will damn itself as the most corrupt, power crazed Government this country has ever seen and, mark my words, it will be bloody well thrown out at the next federal election.

Mr BEAZLEY (Swan—Minister for Aviation) (9.29)—Mr Deputy Speaker, we and those thousands of people listening whom the honourable member for Denison (Mr Hodgman) addressed tonight can rely on one thing: Every time he speaks in the House he will predict in the course of his speech that that speech has launched the beginning of the destruction of the Hawke Government. Over the last 12 months he has started pretty well every speech or included somewhere within it at some time the point that he is about to launch that course of action, and that events which he has described have launched that particular proceeding. I suspect that should the honourable member for Denison continue to be a member of this place, we will hear him make that comment in every debate in this chamber for at least the next 10 years. This absurd bluster has had nothing to do with the matter at hand. What the honourable member said today has nothing to do with the matters which we are discussing at this moment. When the Government contemplated launching the censure motion it assumed that it would be doing so on the basis of a shoddy public performance in this instance and in others by the Leader of the National Party of Australia (Mr Sinclair). We assumed that we would be coming into this House with the justifiable rebukes that have been placed upon him by Mr Justice Cross in his judicial inquiry. We assumed we would be making that the basis of a censure motion for reprehensible behaviour following upon other aspects of reprehensible behaviour by him in this place and in the observance of his ministerial duties over the years. We believed that this reasonable ground for censure would be sufficient to sustain us.

What we have found ourselves doing in this House is something we had not anticipated we would have to do. We are obliged to do it not only because of the remarks made by the Leader of the National Party, who may at least have had a degree of personal spleen, concern or whatever in regard to this, but also because the Leader of the Opposition (Mr Peacock) has tied himself directly into the nature of the attack, as have subsequent speakers on that side of the House. We have found ourselves obliged to come into this place not just to censure the Leader of the National Party, who is obviously deserving of censure on what has been put forward from the judicial inquiry. We find ourselves obliged to censure him again for the events here today. Perhaps we ought to expand the censure motion to include the Leader of the Opposition but we will not.

The Leader of the National Party came into this place and made the basis of his defence—obviously he could not defend himself on the basis of his performance before the judicial inquiry—an attack upon the legal capacity and the honour of the judge involved in this case. He and, more specifically, the Leader of the Opposition have effectively invited us to stack up.

Mr Coleman—Don't you know how the New South Wales Government works?

Mr BEAZLEY—An attack is now coming through from the back bench. In the course of testing whether the right honourable member for New England is deserving of censure, we have been invited to make a judgment on the relative credibility of the two persons involved. The honourable member for Denison said that thousands of men and women had died for principles which we are supposed to be abusing. The only person who has put his life on the line in this instance is Mr Justice Cross. Mr Justice Cross started a career of service to this community in his State as a Spitfire pilot during the last World War. From that he proceeded to an eminent career in the judiciary, a career marked by the fact that in the criminal justice system of New South Wales he has not had a case overturned on appeal after 25 years on the Bench. Obviously he is a fellow of some legal competence but the suggestion has come forward from the other side of the House in a welter of bluster, that his credibility is to be attacked.

The Leader of the Opposition invited us to say: 'Well, Mr Justice Cross ought not to have been so naive. There are many allegations, most of which were fermented by us, and that all is not well in the House of New South Wales. In the light of that Mr Justice Cross ought to have believed in the possibility of what the Leader of the National Party was prepared to put up but not prepared to sustain in evidence'. The Leader of the Opposition believes that some sort of revelation of faith ought to have descended upon Mr Justice Cross; that the possibility of buying the criminal justice system in New South Wales should immediately have struck him obviously.

I think it is worthwhile looking at exactly what Mr Justice Cross had to say about the circumstances in which this event is supposed to have taken place, this possibility that somebody who was deeply linked to the Government, speaking directly on behalf of the police, was able to say to the right honourable member for New England that the charges would be dropped. Mr Justice Cross said this:

It appears to this Commission that it would have been improbable in the extreme—bordering on the impossible—for such a prosecution suddenly to have been stopped by a political direction . . . If the members of the State Government were not unhappy at Mr Sinclair's predicament or felt that his predicament was to their political advantage—as Mr Sinclair himself suggests they were—it is difficult to see how they would accede to one or more of their number, for financial gain, causing the prosecution to be dropped. It is equally difficult to accept in realistic terms that any government would have been willing to tolerate the reaction and queries of the media and the public at such a prosecution, particularly at the stage it had reached—being suddenly abandoned. Mr Sinclair himself conceded at this Commission that he could not understand then and does not understand now how the prosecution could possibly have been dropped; indeed, he considered the suggestion 'impossible'. It seems that it would require an almost imbecilic credulousness to believe that Mr Sinclair's prosecution could be dropped on the payment of money; and it would have required an unbelievable naivete on Mr Waterhouse's part to have expected that Mr Sinclair or anyone else would have given a moment's credence to such a suggestion.

The simple fact of the matter is that the accusations made by the right honourable member for New England have been systematically demolished. At this point in the debate I think that it is well to reiterate them. We need to recollect exactly what has been said. It is not as if, as Mr Sinclair implied here today, what he said at that National Party meeting was a generalised abuse—a feeling that somehow, by a process of osmosis, somebody had scuttled into his brain at that luncheon the possibility that \$20,000 might get him off the hook. Basically that is what he is asking us to believe today. The right honourable member was specific when he spoke at the National Party meeting. He said:

The two claimed to speak for the police . . .

Mr Justice Cross finds that they did not. Mr Sinclair said he believed the approach was made on behalf of the New South Wales Labor Government. Mr Justice Cross found that Mr Sinclair believed no such thing. Mr Sinclair said:

They said if I paid a significant five figure sum to them as 'stake holders' all charges against me would be dropped!

Mr Justice Cross found that they said no such thing. Mr Sinclair said:

. . . those well-known Sydney personalities associated with Labor's cause . . .

Mr Justice Cross found that Mr Waterhouse and Mr Coombs could not be so described. Mr Sinclair continued that he treated the attempt with the contempt it deserved. Mr Justice Cross found that Mr Sinclair did not so react. The Special Commissioner made it clear that while it may have been the case that Mr Sinclair was not then thinking straight and that Mr Sinclair did at the time misunderstand something that had been said at

the luncheon, that misunderstanding could not have persisted for very long. It certainly did not persist for very long. I draw the attention of honourable members to the remarks made by the Minister for Foreign Affairs (Mr Hayden). Mr Sinclair found this set of circumstances—circumstances which he maintains are true—so inoffensive at the time that some weeks later he was prepared to take up the cudgels on behalf of a man whom he says he believed then—and now describes to have been—to be prepared to participate in a major effort to suborn a prosecution, to pull a highly public prosecution, for an amount of \$20,000. That is an absurd proposition. We are invited to believe a proposition which is worthy of contempt and censure.

Today and during the last few months we have seen two Ian Sinclairs. There is the Ian Sinclair who was prepared at the uncritical public forum of the National Party to stand up and abuse people, to lie and deceive regarding the nature of the relationship that he had with them. Then there is the Ian Sinclair who was prepared to come into this place and launch a vicious attack on the credibility of a judge whose record is unblemished. Then we have the other Ian Sinclair, the Ian Sinclair who was involved in a proper investigative process of the police and who appeared before a judicial inquiry. There is none of that sweeping accusation. There is none of that political bravado. There is quavering, such as: 'Well, maybe something happened. Maybe we had a bit of an idea that this thing got across. No, I could not really believe that it had much credibility; but that is all right, we can get in and say anything we like at any point of time'.

We have had a look at the Ian Sinclair of 23 October last year. Let us now look at the Ian Sinclair of today and contrast him with the Ian Sinclair who appears before people who can subject him to cross-examination, which of course we cannot do in this House. Today Ian Sinclair said:

The Cross Commission was no inquiry in the proper and normal sense of the word . . .

Let us not forget the great welcoming noises that were made from the other side of the House when a judicial inquiry was set up into these matters. Somehow this is not a proper inquiry in the normal sense. He continued:

There was certainly no deep searching or delving for information, as I have noted.

It is pretty darn difficult to delve for the information given by the right honourable member for New England. Then before the police he said:

I frankly still, as I did then, don't believe that there is enough hard evidence for me to be able to report to you on

the basis that I think it justifies your time. If I believed there were, I would have done it long ago.

Now we have the speech which the right honourable member for New England made today. He said:

The judge does not even explore the possibility that an attempt may have been made to set me up.

I repeat that before the police he said:

I frankly still, as I did then, don't believe that there is enough hard evidence for me to be able to report to you on the basis that I think justifies your time. If I believed there were I would have done it long ago.

It is a pity he did not think that when he went and slandered the people with whom he conducted that luncheon and the New South Wales Government on such a lying basis when he went before the National Party conference. Today Mr Sinclair said:

I have demonstrated conclusively that a critical analysis of the report, and a rational and cool appraisal of the evidence, does not support the conclusions of Mr Justice Cross.

Then before the police he said:

There was no contract, there was no acceptance, there was no formal offer, it was all very conditional in the maybes and ifs of the luncheon and frankly I would not be able to lay any charges against anybody out of it.

The simple fact of the matter is that what was engaged in by the right honourable member for New England in October last year and what has been engaged in today is a process of political slander that demeans the political process and has extended with today's events to demeaning the judiciary as well. It casts doubt on the credibility of those involved in the political process when one of the senior figures is prepared to act in such a manner. The difference between that action on the part of the Leader of the National Party and what normally happens in those circumstances is that somebody finally invited him to place his evidence before a judicial inquiry and to respond to it. He had no evidence to put before that inquiry for the slanders in which he engaged. He had no evidence to sustain accusations of bribery. He had no evidence to pursue the New South Wales Government and the people that he was associating with at that time in the manner in which he did.

As Mr Justice Cross points out, people have suffered as a result of that. The two persons who subsequently emerged and had to answer questions before his inquiry have suffered. They are two citizens of this country and they deserve to be protected from that situation. They will not be protected from that situation if those who find that they have been damned in a totally unprincipled fashion are going to have that decision,

that view, overturned by an unprincipled Opposition which is prepared to engage in the sort of slander that it engaged in tonight. He is deserving of censure and this House will censure him.

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

Mr LUSHER (Hume) (9.44)—In this debate the Government has run its shabby course. It has done its worst. It has tried its hardest to cripple an effective opponent and it has failed. It has resorted to the shabby tactic of moving a censure motion against a private member of this House. I draw the attention of the House to an extract from *House of Representatives Practice* edited by Pettifer, to be found at page 424, where it deals with the censure of a member, because I think it is interesting. It states:

A motion of censure of a private Member has been moved on only one occasion. The motion was agreed to. On a number of occasions a motion of censure of the Leader of the Opposition, or an amendment expressing censure in the form of an alternative proposition, has been agreed to. Such resolutions, as distinct from a resolution of the House suspending or expelling a Member, are of no substantive effect and are only regarded as an expression of opinion by the House.

That is what the Government is attempting to do in this debate today. It knows that a motion of censure is totally ineffective. It knows it has no substance and it knows it has no effect. That is why it is a shabby tactic. There is absolutely no doubt in my mind that this debate is about opinions. It is a debate about what has been in the minds of different people at different times. In relation to that there is no doubt in my mind that the right honourable member for New England (Mr Sinclair) believed that at the lunch in question he had been propositioned.

Mr Scott—Did you believe it?

Mr LUSHER—I believe that he believed he had been propositioned; of course I do. If I did not believe it I would not be standing here. Everything that the Leader of the National Party of Australia has done has been consistent with that belief; the fact that he reported it to his solicitor—the fact that he reported it to his colleagues—I was present at the meeting when he informed his colleagues about that proposition that was made to him—and the fact that he had reported it to his electorate council. There is absolutely no doubt in my mind that it is his belief that he was propositioned and I accept it. That is the indisputable fact that must emerge as a result of this debate—the Leader of the National Party believed that he had been propositioned at that lunch.

The fact of the matter is that different people can look at the same evidence and honestly and honourably come to different conclusions. I want to draw the attention of the House, by way of example, to what happened in the High Court of Australia no more than a few days ago. Five of the seven justices of the High Court sat in judgment over the evidence in relation to the Chamberlain appeal. All five of them heard the same evidence and three of them came to one conclusion and two of them came to a different conclusion.

How many members of this chamber have been in situations in which they believed something to have happened and yet, when they have been asked to pinpoint the detail of why they believed it, have not been able to detail actually why it is they believed it, yet there was no doubt whatsoever in their minds that what they perceived to have happened was in fact what happened, and that they were probably right. I believe that is happening to us all the time, as a result of telephone conversations, as a result of interviews and as a result of a range of things that we are put in contact with as members of parliament. I would not like to see too many of us having to stand up and detail why it was that we had come to form particular views about particular events. That is something I think we all ought to be very careful about.

Mr Justice Cross listened to certain evidence in this matter and came to a view. This afternoon, in this House, the right honourable member for New England gave his view judged upon the same evidence. I believe that it is clear from the way in which the right honourable member for New England has presented his argument that it is possible to come to different conclusions from the same evidence. That is fundamental.

I accept the fact that the view drawn by the right honourable member is different from that drawn by the judge. But that is not something which is worthy of censure. Yet that is what the Government has sought to do in the course of this debate—to censure the right honourable member for New England for having said and done something which he firmly and honestly believed to have been the case. If this House is going to proceed down that track, to censure people for doing and saying things that they honestly believe to be the case—saying them, as the honourable member for Bennelong (Mr Howard) quite properly said, outside this place, not inside it—it is a very sorry day. What the judge said was that in his view Mr Sinclair's allegation was untrue. He did not say—it is very important to be aware of this fact—that Mr Sinclair did not believe what he said. That is what is at the crux of this debate. Mr

Sinclair believed what he said to have been true and Mr Justice Cross did not dispute that.

Most of what the Government has been on about in this particular debate has been what it alleges to be the impugning of the judge by the right honourable member. There is nothing in what Mr Sinclair said that impugns the judge. The right honourable member for New England is entitled to put his view. Everyone in this House ought to defend to the death his right to put his point of view. He put his point of view on the basis of his interpretation of the facts, the same facts that were before the judge. He is entitled to come to a different point of view. Those of us in this House who have heard him are entitled to support the stance that he has taken. I support it. He has been put in a situation in which special legislation was passed in the New South Wales Parliament under which he has had no right of appeal. He has no opportunity to test or challenge the findings of Mr Justice Cross. It is his right to come into the Parliament and express his view of what the judge should have found on the evidence and to pick holes in the evidence.

If honourable members read the report by Mr Justice Cross, they will find significant holes in it—holes to which the right honourable member for New England was entitled to draw attention and to which he has quite properly drawn attention. Appeals are an everyday part of the legal process in this country. The legal structure depends upon appeals being able to go forward. Yet in the legislation which was rammed through the New South Wales Parliament for the specific purpose of dealing with these allegations, there is no right of appeal. That is a significant weakness in the way in which the Wran Government set up this structure, denying any right of appeal to the person who was being asked to justify what he said. Particularly in light of the fact that no appeal is provided for, there is no doubt in my mind that the right honourable member was entitled to expect that the judge would call him in to discuss the findings that he was considering making before he made them public. In this situation effectively, it was the word of one man against another. In this case the Leader of the National Party produced the only substantive evidence, the only written evidence, to the Commission. The only other evidence was verbal evidence. As the right honourable member for New England correctly pointed out today, much of that can be looked at as being suspect.

In those circumstances it would have been quite appropriate, and I think it would have been expected, for the judge to call him in and say:

'These are the findings that I am considering making. What do you think about them in the light of the evidence?' That would have been a sensible thing to do. On any other view of it, the right honourable member for New England was entitled to expect the judge to come down with a finding that stated: 'I cannot make a decision between the evidence on the one hand and the evidence on the other hand'. If an alternative finding was to be brought down, it would not have been unreasonable for the judge to have discussed that with the right honourable member for New England, bearing in mind everything that was at stake.

I believe that the most surprised person in the country when the Cross report was released would have been the right honourable member. He would not have anticipated such a finding. Nothing that happened in the drawing of evidence or at the Commission would have led anybody to conclude that a decision of that nature would have been brought down. Those of us who have discussed it around the corridors of this Parliament in the weeks running up to the bringing down of that report all agreed that it would be a negative finding in the sense that there would be no specific finding. Yet it came out in the way that it did with no consultation with the right honourable member. He had no right to make any sort of an appeal.

I accept that the material that was put before the judge may have entitled him to come to the conclusion to which he came. But that is not to say that other people having the same material put before them would not have been entitled to come to other findings. It is as simple as that.

The point I want to keep coming back to in this discussion is this: The judge, whilst he made a finding that the allegation of the right honourable member was untrue, did not say that it was not the belief of the right honourable member that he had been propositioned at that lunch. That is something which is fundamental to this debate. These honourable members who are giving consideration to supporting this sham and shabby motion of censure against the right honourable member ought to bear that in mind.

The Leader of the National Party had a genuine concern about the administration of justice in New South Wales. Anybody who had had the experience that he had had of the administration of justice in New South Wales would be entitled to have grave concerns about that system. Despite all the efforts that were made to destroy his political career, he went through that process and was cleared and acquitted. He is entitled to have that

laid to rest and put behind him. Yet even today, years after, members of the Government are prepared to raise those allegations in the Parliament which were put to rest years ago in that court by a jury of the right honourable member's peers. Government members are raising questions about why the right honourable member raised questions about a lunch four years previously. They are doing exactly the same thing in relation to a court hearing that he went through and in which he was cleared and acquitted by a jury. He is entitled to have that put behind him and laid to rest. If Government members continue to raise that, it emphasises the shabby political nature of what they are doing. Any face that they try to put on it, other than a political face, will not stand up.

I have sat through the entire debate this afternoon and this evening. Nothing of substance has been raised. Everything has been political, including the motion itself. As I made clear from the *House of Representatives Practice*, written by a respected former Clerk of this House, it is a politically shabby motion. It has no substantive effect and that is made clear in the book.

I make it perfectly clear to this chamber that this debate is a debate about the perceptions of people. There is absolutely no doubt in my mind and the minds of Opposition members that Mr Sinclair believed that he had been propositioned at that lunch. Everything that he has done since that time has been consistent with that belief. The actions that he took are totally inconsistent with any other view of that proposition. To try to censure a man for doing nothing other than putting his belief is a shabby political stunt.

Mr DEPUTY SPEAKER—Order! The honourable member's time has expired.

Dr KLUGMAN (Prospect) (9.59)—At this very late hour I am given only about five minutes in which to speak by the Leader of the House (Mr Young). I would like to introduce some completely new material to the debate. I preface my remarks with a couple of statements. First, I say that I quite like the right honourable member for New England (Mr Sinclair), not because of his basic honesty but because of his hide. If I had been on the jury in 1980 I would certainly have bent over backwards to acquit him, though I would have been completely sure that he was guilty. I do not know Mr Justice Cross, but I defend our and everybody else's right to criticise judges in their judicial capacity, and that includes Norm Gallagher and the right honourable member for New England. I believe it is completely wrong for judges to use contempt proceedings to stifle rational criticism. I also think it is utter hypocrisy

for honourable members opposite to accuse the Commission of Inquiry of being a Star Chamber while supporting a Costigan type of national crimes commission which would do the same thing to everybody.

The right honourable member for New England made the claim that there was a clear relationship between Mr Waterhouse and the Labor Government, based on Wran and Waterhouse being at university together, thus proving that Waterhouse was a Labor man.

Mr Hunt—And Wran was his penciller.

Dr KLUGMAN—I was President of the Labor Club at Sydney University in those days. It may be relevant that the honourable member for Wentworth (Mr Coleman), who has left the chamber, was also in the Labor Club. He was opposed to me even then because he used to support the communist candidates. I mention in passing that Neville Wran was President of the Liberal Club at that time. If there was any association between Waterhouse and Wran at that time it would have been a Liberal association. Later all of us realised that Mr Waterhouse could have had a much closer relationship with Mr Askin, who I understand was not a Labor Premier of New South Wales. It would have been more worthwhile had the right honourable member for New England shown some courage and accused Mr Waterhouse and Mr Coombs outside the House.

One issue raised in the chamber was that the right honourable member for New England was acquitted of charges in 1980. At the end of that trial the jury retired at 12.30 and returned at 7.38, after seven hours, with a verdict of not guilty. In his summing-up Mr Justice Staunton said:

I wish to give you this direction of law at the very outset which is of fundamental importance in this case; that is that —

Mr Spender—I raise a point of order. Even on a censure motion, what was said in the summing-up at the trial can have nothing to do with this issue.

Mr SPEAKER—I have been listening fairly carefully to what the honourable member has said —

Dr KLUGMAN—I am quoting straight from the transcript.

Mr SPEAKER—It is not a matter of the transcript; it is a matter of —

Dr KLUGMAN—It is that the accused —

Mr SPEAKER—Order! I remind the honourable member for Prospect of the content of the

censure motion. We still have some rules of relevance and I would like to hear where his argument is relevant.

Dr KLUGMAN—It is relevant to the remarks made by the defenders of the right honourable member for New England. Mr Justice Staunton continued:

. . . the accused carries no onus of providing his innocence. He is not required to satisfy you that he is not guilty of any of these charges. The onus of proving his guilt rests throughout upon the Crown and I have told you time and again and I repeat it now that the Crown can only discharge that onus of proof of his guilt by proof of his guilt beyond reasonable doubt.

That is all fair enough. The judge continued:

That onus would not be discharged by the evidence which may raise matters of suspicion or conjecture. The accused is charged with grave offences and nothing short of your being convinced of his guilt to the point of virtual certainty is sufficient to satisfy the onus that the Crown bears.

This has been held to be completely contrary to the rulings of the Court of Appeal and of the High Court. There should be no interpretation of the words 'beyond reasonable doubt'. Certainly, 'beyond reasonable doubt' does not mean virtual certainty.

Mr Ruddock—You are not questioning the decision of a judge, are you?

Dr KLUGMAN—It is not a matter of questioning the decision of a judge. Mr Justice Staunton's summing-up continued:

I want to say something more about this because I have a feeling, rightly or wrongly, that it may be easy to lose sight—

Mr SPEAKER—Order! I must ask the honourable member to relate what he is putting before the House to the content of the censure motion.

Dr KLUGMAN—In the context of the censure motion, the right honourable member for New England and his defenders have repeatedly said that he was cleared of a particular charge. That is true, but I think it is relevant to point out why he was cleared, referring to the summing-up by the judge at that trial.

Mr SPEAKER—Order! I will read the terms of the motion to the honourable member.

Dr KLUGMAN—I have read the motion, Mr Speaker.

Mr SPEAKER—The motion refers to the right honourable member's address to the annual meeting of the Federal Council and his serious allegations against two citizens. I can understand the honourable member speaking on the onus of proof, but I think he is getting rather wide of the mark. I ask him to get closer to the motion.

Dr KLUGMAN—The summing-up said:

. . . it may be easy to lose sight of the position as it actually existed in 1975 and early 1976 and not as it appears now so many years later. Assuming as we must for the purposes of this that the accused was in no way involved in the actual misappropriations, let us look at his place in the events of that time. He had for years been, as he regarded it at his father's request, a nominal director of these funeral companies signing routine returns. He was very actively engaged in national politics. During late 1975, early 1976, this country had just come through the greatest Constitutional and political crisis in its history. He was deeply involved in it and was a senior Minister in a new Government which had the task of settling in and the responsibility of restoring political stability of the country.

Mr SPEAKER—Order! I ask the honourable member for Prospect to refer to the motion or resume his seat.

Dr KLUGMAN—The point I am trying to make is quite clear. I believe that tonight, as during the day, we can criticise judges. Mr Speaker, all day you have allowed criticisms of a particular judge. I believe that all judges should be able to be criticised in this House. It should be possible to criticise all judges. I put it to you, Mr Speaker, that members not only of this House but also of the public, and people who claim to represent the conscience of the country, a la *National Times*, should look at the summing-up of Mr Justice Staunton in the Sinclair case in 1980 and at his summing-up in the Kevin Humphreys case last year. If people compared the instructions to the jury by Mr Justice Staunton in those cases, they would come to a quite clear-cut conclusion. I can see by the smile of the right honourable member for New England that he probably agrees with me. I think it is very important that we emphasise continually that it does not matter who we are or what we are, people should be treated equally when they come before the courts. Whether one is a Cabinet Minister, recently resigned or not, or a person of alleged ill repute, one should be treated equally with others. That is my point.

Much of the argument today has been on the basis that Mr Justice Cross, in acting as a commissioner, for some reason or other misinterpreted the remarks of the right honourable member for New England. There is much paranoia on the part of members of the National Party. When the Cross report was issued in the middle of January, the National Party said that it was released at that time because its leadership election was due. The New South Wales Parliament had fixed a date for the release of the Cross report in the previous November, before Mr Anthony had even thought of resigning, let alone resigned. I therefore put it to the House that National Party members and other members of

this House have continually tried to show that there has been some attempt by all kinds of people in the New South Wales Government to persecute them. There may be odd people who are trying to do that, but I am quite sure that the majority of people in the New South Wales Government and in the governmental system are trying to behave in a reasonable and fair way. I note that the Leader of the House is trying to get a vote before 10.30 p.m., so I will conclude my remarks at this point.

Mr SPEAKER—Before calling the honourable member for North Sydney, I wish to say that there have been some reflections during this debate which have suggested that the Chair has allowed improper debate on this matter. I refer to standing order 75, which amongst other things, says:

No member may use offensive words against . . . any member of the Judiciary.

The fact is that the right honourable member for New England was given leave to make a statement on the findings of a commission of inquiry. The Chair took the view that integral to his being able to make a statement on the Cross Special Commission of Inquiry it was impossible to ignore the involvement of a member of the judiciary in making those statements. Hence the Chair has allowed reference to and even questioning of what a member of the judiciary reported in that Commission of Inquiry. I think that it was a proper course for the Chair to take to allow that debate.

Mr SPENDER (North Sydney) (10.11)—Mr Speaker, I am not here to attack Mr Justice Cross or to attack the witnesses or indeed to attack Mr Justice Staunton. I know Mr Justice Cross. I have appeared before him. I know Mr Justice Staunton. I have appeared before him, and I think that one would get a fair run in front of both Mr Justice Cross and Mr Justice Staunton. But all judges make mistakes, and that is one of the things that we have to consider here tonight. I am not here to impugn the witnesses in any way at all. Indeed, just looking at the transcript I felt quite at home. I saw names that I had seen before often, and names that I had seen in court.

We must, however, look at the simple proposition that judges can make mistakes and that appeal courts can sometimes rectify those mistakes. But there is no appeal court here. Honourable members should remember this: It does not matter how fair the trial, how impartial the judge and how hard he has tried to arrive at a just result, we all know that injustices occur even in the fairest of times and in the fairness of circumstances. So let us bear that in mind when we look at this question tonight.

I wish to speak about three features of this case—the Sinclair inquiry. First of all, I refer to the question of belief. Of all the arguments which have been advanced limpingly and sometimes frequently abusively from the other side, no attempt has been made to meet the case which Mr Justice Cross sets up; that Mr Sinclair believed that an improper proposal had been put to him, that he went straight away to see his solicitor, that his solicitor contacted Mr Gleeson QC, that Mr Gleeson gave some advice and that Mr Sinclair followed that advice. Mr Scotford was called, as we all know, and his evidence was accepted unreservedly by the judge. What does that mean? It means the person who was involved at the time—Mr Sinclair who was right there at that lunch with Mr Waterhouse and Mr Coombs, believed rightly or wrongly, that a perfectly improper proposal had been put to him.

I am not passing judgment upon either of those two men. But why do honourable members opposite think that Mr Sinclair went to his solicitor? Do they think that he was seeking to concoct some amazing fabrication to be used four years later on? Mr Justice Cross did not think that, and nobody here has advanced any argument to that effect, nor do I believe that it was put before Mr Justice Cross. That is the first matter with which I wish to deal. It is critical to remember that the test of a man's veracity, of what he thinks, is what he did at the time. At the time the right honourable member for New England behaved just as one would expect a man to behave, who honestly believed that a perfectly improper proposal had been put to him.

The second feature about which I want to speak briefly is the circumstances argument. Mr Justice Cross laid considerable weight upon the improbability arising from the nature of the prosecution and the stage it had reached. The Minister for Aviation (Mr Beazley) referred to that matter in his remarks as though he had finally found truth in an unvarnished form. But we all know that corrupt proposals are put under the most amazing of circumstances, at times when one would think it would be perfectly absurd and bizarre to put those proposals; it happens all too frequently. Is there any honourable member here who really believes that before a corrupt proposal is put, people sit down and make a cool and careful calculation of whether, considering the law as it stands and the way in which a prosecution has been brought, the proposal has any prospects of success? I am not suggesting that these two gentlemen put that corrupt proposal. I am not engaging in a re-trial. However, I am putting to honourable members that it is somewhat naive of

Mr Justice Cross, and I make that criticism, to place great reliance upon that feature.

Thirdly, there is the matter of inconsistencies in Mr Sinclair's evidence. If one wanted to go through and have a look at his evidence, one would find inconsistencies. One of the things which we know about the right honourable member for New England, and it is one thing which would never be said against him, is that he has plenty of nerve. Is there any member in this House who really thinks that the right honourable member is lacking in nerve and in stamina? If he had decided to fabricate something, would he not see it through? What is one of the hallmarks of an honest witness giving evidence four years later on? It is inconsistency in recollection and inconsistency in testimony. If a man comes into a court or to any other kind of inquiry and gives evidence which is absolutely consistent, which is on all fours with what one would expect and which fits like a glove, and if he gives the kind of evidence which might be expected of him, the first thing one must ask oneself is: 'Where did this brilliant witness come from? Where did he get such a superb recollection of events? How is it that he is not inconsistent in anything that he says?' The reason one asks those questions, as every honourable member here knows, is that one would find it very hard to remember what one said two days ago, let alone four years ago, or to remember the events of a dinner party or a luncheon party a week ago, let alone one which was held four years ago. I point that out to all honourable members who rely on inconsistencies and ask them to acknowledge that it is the mark of honesty to be inconsistent, and it is frequently the mark of dishonesty to be absolutely consistent in one's evidence.

Let me leave those matters and go to the reason why this censure motion was brought. Was it brought because we have here a government concerned with high ethical standards? Was it brought because the Government shelters in its ranks someone like the Special Minister of State (Mr Young), who knowingly and deliberately deceived this Parliament through this Prime Minister (Mr Hawke)? Are we really talking about a government of standards, a government that cares about principles, a government that cares about behaviour, or are we talking about a government that has the numbers and perceives that it has an enemy, which it has disliked and hated in some cases for many years, in a vulnerable position and it now determines to use those numbers as effectively, as callously and as amorally as it may?

We are not talking about standards; we are talking about numbers. We are talking about politics, about ideologies, about personalities. When the Special Minister of State speaks in Parliament, what do we really have? Do we have the voice of veracity and concern for the conduct of Parliament? Does anybody really believe that he has the least interest in the conduct of Parliament and in the maintenance of standards here? Certainly he would not have that belief himself if he admitted honestly what was inside his heart. Every single one of the speeches which have been given by honourable members opposite has contained in one way or another a lamentable attempt to rerun a trial which has been held—a trial which the right honourable member for New England had to go through for many months and which resulted in his acquittal. I had thought that most of us believe that once one was acquitted by an Australian jury, that was fair enough. Surely we know that the Special Minister of State will never face an Australian jury in regard to the minor peccadillo that he committed by simply betraying a high secret of state. So let us therefore remember that acquittal by an Australian jury is a fair mark and one that should have us say: 'Right, he has had his trial. That is the result. Let us put it aside and let us accept the jury's verdict upon him'.

I come now to some of the criticism made by the Treasurer (Mr Keating), whose rambling, incoherent discourse was a sad reflection on a man who seemed to have some kind of intellect and capacity to muster an argument, but who descended very quickly at the outset to the gutter. To elevate matters, I refer now to the Minister for Aviation. I am sorry he is not here because I listened with some surprise as, in a rather windy and pompous manner, he said that the Government had not anticipated, it seemed, and that it felt obliged to take this action and, for God's sake, that it thought the right honourable member for New England was demeaning the political process. What do Government supporters think they have been doing since they launched this censure motion, if not demeaning the political process and knowing that they were doing so? Did they not sit out there by themselves, have a talk, and say: 'We have got Sinclair this time. In any event, there are one or two things that we do not want to debate in the Parliament right now, so let's go for him'. There was no possibility that there would be a fair trial here or anything but, at the end of the day, a marshalling of the numbers after the tirade of sneers.

If that is the way the game is to be played here we will know what to expect. I doubt very much

that we will get any other kind of action or reaction from this Government until it learns to set a few standards in the conduct of its affairs. Therefore, let us not become too wound up by the flabby, pompous and empty statements that have been made here, regrettably, by the Minister for Aviation, who spoke as though it was more in sorrow than in anger that he had come here and found himself on his feet. The outcome has been decided; we all know that. These matters are devoid of principle, just as the way in which the Government has presented its argument has been utterly devoid of principle. There was never any chance of a fair consideration of the motion by this House. What the Government has done is destroy as far as it could the reputation of the right honourable member for New England. This whole censure motion is as devoid of principle as was the defence by the Prime Minister of the Special Minister of State.

Question put:

That the motion (**Mr Lionel Bowen's**) be agreed to.

The House divided.

(**Mr Speaker—Hon. Harry Jenkins**)

Ayes	70
Noes	50
Majority	20

AYES

Baldwin, P. J.
Beazley, K. C.
Beddull, D. P.
Bilney, G. N.
Blanchard, C. A.
Blewett, N.
Brown, John
Brown, Robert
Brumby, J. M.
Campbell, G.
Charles, D. E.
Charlesworth, R. I.
Child, J.
Chynoweth, R. L.
Cohen, B.
Cross, M. D.
Cunningham, B. T. (Teller)
Darling, E. E.
Duffy, M. J.
Edwards, Ronald
Everingham, D. N.
Fatin, W. F.
Free, R. V.
Fry, K. L.
Gayler, J.
Gear, G.
Gorman, R. N. J.
Griffiths, A. G.
Hand, G. L.
Hawke, R. J. L.
Hayden, W. G.
Hollis, C.
Howe, B. L.
Humphreys, B. C. (Teller)
Hurford, C. J.

Jones, Barry
Keating, P. J.
Kelly, R. J.
Kent, L.
Keogh, L. J.
Kerin, J. C.
Klugman, R. E.
Lindsay, E. J.
McHugh, J.
McLeay, Leo
Maher, M. J.
Mayer, H.
Mildren, J. B.
Milton, P.
Morris, Allan
Morris, Peter
Morrison, W. L.
Mounford, J. G.
O'Neil, L. R. T.
Punch, G. F.
Reeves, J. E.
Saunderson, J.
Scholes, G. G. D.
Scott, J. L.
Simmons, D. W.
Snow, J. H.
Staples, P. R.
Steedman, A. P.
Theophanous, A. C.
Tickner, R. E.
Uren, T.
Wells, D. McM.
West, S. J.
Willis, R.
Young, M. J.

NOES

Aderman, A. E.
Aldred, K. J.
Andrew, J. N.
Blunt, C. W.
Braithwaite, R. A.
Burr, M. A.
Cadman, A. G.
Cameron, Donald
Cameron, Ewen (Teller)
Cameron, Ian
Carlton, J. J.
Coleman, W. P.
Connolly, D. M.
Cowan, D. B.
Dobie, J. D. M.
Drummond, P. H.
Edwards, Harry
Fife, W. C.
Fisher, P. S.
Goodluck, B. J.
Groom, R. J.
Hall, Steele
Hawker, D. P. M.
Hicks, N. J. (Teller)
Hodgman, W. M.

Howard, J. W.
Hunt, R. J. D.
Katter, R. C.
Lloyd, B.
Lusher, S. A.
McArthur, F. S.
McGauran, P. J.
MacKellar M. J. R.
McVeigh, D. T.
Macphie, I. M.
Millar, P. C.
Moore, J. C.
Newman, K. E.
O'Keefe, F. L.
Peacock, A. S.
Porter, J. R.
Robinson, Ian
Rocher, A. C.
Ruddock, P. M.
Shipton, R. F.
Sinclair, I. McC.
Spender, J. M.
Tuckey, C. W.
White, P. N. D.
Wilson, I. B. C.

Question so resolved in the affirmative.

ADJOURNMENT

Mr SPEAKER—Order! It being 10.30 p.m., I propose the question:

That the House do now adjourn.

Mr Young—**Mr Speaker**, I require that the question be put forthwith without debate.

Question resolved in the negative.

PETITIONS

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

Chiropractic Services

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

The humble petition of certain citizens of Australia shows—

That, with the exception of the Australian Capital Territory and the Northern Territory, all State Parliaments have enacted chiropractic legislation.

That chiropractors provide a safe, effective and economical health care service that is complementary to medicine.

That the introduction of a Federally funded health care system restricted to the services provided almost exclusively by the medical profession restricts the freedom to select the health care practitioner of one's choice and does nothing to reduce the high cost of health care in Australia.

That a financial disadvantage will be incurred by those citizens utilizing chiropractic care, many of whom find that their health complaints do not respond satisfactorily to traditional approaches.

Your petitioners therefore pray that the House of Representatives in Parliament assembled ensures that chiropractic services are included in Medicare when it is introduced.

by Mr Adermann, Mr Andrew, Mr Beazley, Mr Bilney, Mr Blanchard, Dr Blewett, Mr Braithwaite, Mr Robert Brown, Mr Burr, Mr Ewen Cameron, Mr Ian Cameron, Mr Campbell, Mr Chynoweth, Mr Cohen, Mr Connolly, Mr Dobie, Mr Duffy, Dr Harry Edwards, Mr Fife, Mr Fisher, Mr Gayler, Mr Griffiths, Mr Groom, Mr Steele Hall, Mr Hawker, Mr Hicks, Mr Howard, Mr Humphreys, Mr Jacobi, Mr Kerin, Mr Mackellar, Mr Leo McLeay, Mr Morrison, Mr Peacock, Mr Porter, Mr Ian Robinson, Mr Ruddock, Mr Scholes, Mr Sinclair, Mr Spender, Mr Snow, Mr Uren, Mr White and Mr Wilson.

Petitions received.

Kangaroos

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

The petition of concerned people respectfully sheweth their desire to stop the commercial exploitation of the kangaroo.

Your petitioners therefore humble pray that your Honourable House re-apply the ban on the export of kangaroo products.

And your petitioners as in duty bound will ever pray.

by Mr Aldred, Mr Bilney, Mr Blanchard, Mr John Brown, Mr Robert Brown, Mr Ewen Cameron, Mr Charles, Mrs Child, Mr Chynoweth, Mrs Darling, Mr Ronald Edwards, Dr Harry Edwards, Mr Griffiths, Mr Groom, Mr Holding, Mr Hollis, Mr Humphreys, Mr Howard, Mrs Kelly, Mr Kent, Ms McHugh, Mr Ruddock and Mr Wilson.

Petitions received.

Education Funding

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled, the petition of the undersigned citizens, teachers and parents working in and for the interests of the pupils in government schools and colleges throughout Australia, respectfully sheweth that:

1. We deplore the unprincipled and self-interested attacks being orchestrated by minority sects and groups against the policies and person of the Commonwealth Minister for Education and Youth Affairs, the Hon. Senator Susan Ryan.

2. We fully support the Federal Government's actions in reducing funds for the wealthiest private schools, and in breaking the nexus between government and non-government school costs.

3. We endorse the Federal Government's principled opposition to the provision of 'base grants' to all non-government schools, as a positive step towards fulfilling their commitment of primary obligation to Australia's government schools.

4. We call upon the Federal Government however to recognise that its failure to create an adequate general recurrent resource base for government schools through providing increased recurrent grants, will undermine its

own Special Programmes and thus frustrate its own stated educational objectives of greater equity and participation.

5. We support the Federal Government's stated policy of entering into direct negotiations for joint agreements on these grants with State/Territory Governments, to ensure a planned programme of improvements in government schools throughout the coming decade.

And your petitioners as in duty bound will ever pray.

Mrs Child, Mr Free, Mr Fry, Mr Griffiths, Mr Groom, Mr Hawke, Mr Holding, Mrs Kelly, Mr Kerin, Ms McHugh, Mr Mildren, Mr Newman, Mr O'Keefe, Mr Punch and Mr Saunderson.

Petitions received.

Education Funding

The Honourable, the Speaker and Members of the House of Representatives of the Commonwealth of Australia in Parliament assembled:

The petition from parents representing the government schools in New South Wales respectfully showeth that:

1. They call on the Federal Government to re-affirm publicly that its primary obligation is to government schools.

2. They support the Federal Government's policy decision which have reduced funding to wealthy private schools and which have broken the nexus between government and non-government school costs.

3. They endorse the Federal Government's opposition to the provision of a 'base grant' to all non-government schools.

4. They ask that the Federal Government create a general recurrent resource base which is adequate for government schools through the provision of increased recurrent funding.

5. They call upon the Federal Government to negotiate agreements with State/Territory Governments which will ensure a planned programme of improvements to government schools throughout the coming decade.

And your petitioners as in duty bound will ever pray.

by Mr Baldwin, Mr Cohen, Mr Dobie, Dr Harry Edwards, Mr Fife, Mr Hicks, Mr Hollis, Mr Keating, Mrs Kelly, Mr Lusher, Ms McHugh, Mr Maher, Mr Peter Morris, Mr Morrison, Mr O'Keefe, Mr Punch, Mr Ian Robinson, Mr Ruddock, Mr Simmons, Mr Sinclair, Mr Snow and Mr Spender.

Petitions received.

National Life and Democratic Institutions

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

The humble petition of the undersigned citizens of Australia respectfully showeth:

That we, the loyal citizens of Australia firmly express our strong opposition to any proposals to remove or undermine the importance of the place of God and/or the Queen in our national life, and democratic institutions.

Your petitioners therefore humbly pray:

That the Parliament assembled reaffirm our nation's total dependence on God the Creator in accordance with our Australian Constitution, which commences with the words, "Humbly relying on the blessing of Almighty God", and the Standing Orders of both the Senate and the House of Representatives which prescribe that Parliament each day shall open with a special prayer to Almighty God and the Lord's Prayer.

We also call on the Parliament assembled to re-affirm our genuine loyalty to our Head of State, the Queen of Australia, Elizabeth II—'God save the Queen',

And your petitioners as in duty bound will ever pray.

by Mr Robert Brown, Mr Cohen, Mr Dobie, Mr Hunt, Mr Lusher, Dr Klugman, Mr Morrison, Mr Peacock, Mr Punch, Mr Ian Robinson, Mr Ruddock and Mr Simmons.

Petitions received.

Bank Account Debit Tax

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

The humble petition of the undersigned citizens of Australia respectfully sheweth—

We, as members of a School Parents' Club, object to legislation that calls for the payment of the Bank Debit Tax by a voluntary organisation working for the benefit of children in government schools.

Your petitioners therefore humbly pray that . . .

Exemption from the payment of Bank Debit Tax will be granted to School Parents' Clubs in government schools.

And your petitioners as in duty bound will ever pray.

by Mr Andrew, Mr Bilney, Mr Steele Hall, Mr Hurford, Mr Jacobi, Mrs Kelly, Mr Porter and Mr Wilson.

Petitions received.

Omega Base

To the Honourable the Speaker and members of the House of Representatives assembled. The humble petition of the undersigned citizens of Australia respectfully sheweth that . . .

1. Omega by sending low frequency signals, penetrating sea water enables hunter-killer submarines to establish their position and to launch a 'first strike' attack. Omega is also used by AWACs, the flying radar stations, and for other military purposes.

2. Omega is an important U.S. military base and a potential nuclear target. A nuclear attack on Omega would have a disastrous effect on Victoria and Melbourne.

3. Omega and other U.S. bases in Australia endanger, rather than protect us. They add a new unnecessary menace to a nuclear arms race that must be stopped, if we are to survive.

Your petitioners pray that members and the House assembled will close Omega.

by Mrs Child, Mr Kent and Mr Steedman.

Petitions received.

Human Rights in the Soviet Union

To the Honourable the Speaker and members of the House of Representatives in Parliament assembled:

The humble petition of certain citizens of Australia shows that the Soviet Union continues to violate human rights in Latvia. This is clearly demonstrated by the recent case of Janis Rozkalns, a practising Baptist who, on January 6, 1983, had his house forcibly entered into by K.G.B. agents searching for various religious publications. The K.G.B. confiscated 40 Bibles.

Mr Rozkalns was charged with 'anti-Soviet agitation and propaganda' and now faces a sentence of seven years deprivation of freedom plus five years internal exile.

Your petitioners therefore pray that the House of Representatives in Parliament assembled condemns the religious and human rights persecutions within the Soviet Union.

And your petitioners as in duty bound will ever pray.

by Mr Aldred.

Petition received.

Australia Day

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

The petition of certain electors of Australia shows—

that the 26th January, 1788, is the date of the first white settlement in Australia, and therefore marks the beginning of modern Australia,

and this event marks the most appropriate date on which to celebrate our national day.

Your petitioners therefore pray that the Parliament will determine that Australia Day is to be celebrated on the twenty-sixth day of January each year, and that a public holiday will be declared on that day, regardless of which day of the week is the 26th.

And your petitioners as in duty bound will ever pray.

by Mr Braithwaite.

Petition received.

Aircraft Noise at Launceston, Tasmania

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

Whereas the House of Representatives standing Committee on Environment and Conservation has sat in Launceston, Tasmania, and taken evidence on the problem of aircraft noise over that city, and

Whereas that evidence has established that a prima facie case does exist on the matter of encroaching aircraft noise on the lives of people living under the existing takeoff flight paths;

Your petitioners humbly pray that the Members of the House of Representatives in Parliament assembled;

Request the Standing Committee on Environment and Conservation to bring down an interim report on the matter of aircraft noise at Launceston, Tasmania as a matter of urgency, as;

- (a) The situation is becoming worse and, with the expected introduction of a Boeing 727 on the night freight services, the position will be come intolerable for those living under the northerly takeoff flight path.
- (b) There will be more jet aircraft flights at night than experienced in the day.
- (c) That the present measures planned by the Department of Aviation to alleviate the noise are totally inadequate and fail to recognise the basic causes of the problem.
- (d) The increasing noise problem affects the well being of the patients in five major hospitals, the aged in five aged home complexes and children in fourteen major schools and colleges, all under the mandatory flight path as laid down by the Department of Aviation.

And your petitioners as in duty bound will ever pray.

by Mr Burr.

Petition received.

1988 Olympic Games for the Disabled

To the Honourable the Speaker and Members of the House of representatives in Commonwealth Parliament assembled. The humble petition of the undersigned electors residents people who have a positive interest in the welfare and well being of disabled persons in Australia showeth that:

We request that the Australian Government do all such things as may be deemed proper and desirable to facilitate the staging of the 1988 Olympic Games for the Disabled within Australia providing as it would encouragement, support and enthusiasm for disabled athletes in Australia.

Your petitioners therefore pray that your Honourable House will support the respectful request of your petitioners as in duty bound will here pray.

by Mr John Brown.

Petition received.

Education Funding

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled. The petition of the undersigned citizens, parents and teachers working for and in the interest of the pupils in government schools and colleges throughout Australia, respectfully showeth that:

We support the Federal Government's determination to restore the community's confidence in public education.

We support the Federal Government's opposition to base grants to ALL non-government schools (a) by reducing funds to those schools already operating above community standards and (b) funding other schools according to need.

We support the Federal Government's policy of negotiations and planning with State/Territory Governments regarding joint programmes for improvements in Government schools in the next decade.

1. We ask that the Federal Government increase recurrent funding for Government schools as promised.

- 2. We ask that the Federal Government provide promised funding for special programmes to assist primary children with learning difficulties.

And your petitioners as in duty bound will ever pray.

by Mr Ian Cameron.

Petition received.

Broadcasting and Television Act

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

That because television and radio

- (a) affect our social and moral environment,
- (b) are family media watched and heard by many children at all times, and
- (c) present too much explicit violence and sex,

they therefore need stronger control than other media and the existing standards need stricter enforcement in both national A.B.C., and commercial sectors.

Your petitioners therefore humbly pray:

That the Australian Government will amend the Broadcasting and Television Act, in relation to both national and commercial broadcasters, to legislate

- (a) for adequate and comprehensive programs in the best interests of the general public,
- (b) for a "Dual System of Regulation" enforced by the Australian Broadcasting Tribunal by internal regulation and external control,
- (c) for an independent consumer body to represent the best interests of the general public, and
- (d) for immediate and effective penalties to be imposed for breaches of program and advertising standards.

And your petitioners as in duty bound will ever pray.

by Mr Cohen.

Petition received.

Sex Discrimination Legislation

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

- (a) that the Australian Government signed the United Nations Convention of the Elimination of all Forms of Discrimination Against Women in Copenhagen in 1980;
- (b) that the Convention came into force on 3 September, 1981;
- (c) that Australian women suffer serious disadvantage in employment, education, accommodation, membership of licensed clubs, provision of goods and services including service relating to banking, insurance and the provision of grants, loans, credit or finance;
- (d) that this disadvantage could be overcome by (i) making unlawful certain discrimination on the grounds of sex and marital status, (ii) eliminating discrimination on the ground of sex and marital

status and (iii) promoting affirmative action for women in employment;

Your Petitioners most humbly pray that the Parliament pass the Sex and Marital Status Discrimination Bill 1981.

And your petitioners as in duty bound will ever pray.

by **Mrs Darling.**

Petition received.

Australia's Foreign Policy

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled. The Petition of certain citizens of Australia shows that:

- (a) Too much Government Aid is given to serve Australia's Foreign Policy interests rather than to help the poor.
- (b) The needs and wishes of the poor are often ignored when projects are being selected and implemented.
- (c) Projects are often selected and designed to suit what Australia can provide rather than what the poor really need.
- (d) Technical inputs and expertise are emphasised at the expense of social factors.

Your petitioners therefore pray that the Australian Government should:

- (1) Reorient its aid program so that its principal aim is to eliminate chronic poverty in our region.
- (2) Choose recipient countries systematically on the basis of a/Need of the people; b/Likelihood of aid reaching the poorest and c/Australia's historical links and geographical position.
- (3) Choose TYPES of aid systematically on the basis of whether the recipient government has the commitment and ability to help the poorest in that country.

by **Mr Griffiths.**

Petition received.

Discrimination against Women

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

The Petition of the undersigned citizens of Australia respectfully sheweth that whereas the Government of Australia has signed the United Nations Covenant on Civil and Political Rights which in Article 23 (1) states that 'The family is the natural and fundamental group unit of society and is entitled to the protection by society and the State', and whereas the terms of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women would violate the above Article 23 (1).

We humbly pray the Government to refrain from ratifying the Convention on the Elimination of All Forms of Discrimination Against Women; believing that its implementation would result in:

- (1) Undue cost to the Nation at this time.
- (2) 'The elimination of any stereotyped concept of roles of men and women at all levels' as described in Part 3 Article 10 (c), being a disruption of traditional parental roles, is likely to result in emotional disturbances of childhood.

(3) The strong encouragements to mothers to join the workforce, with the provision of networks of creches and child care centres as outlined in Article 11 of the convention is likely to result in maternal deprivation and psychological disturbances among children with an increase in childhood psychiatric illnesses.

(4) The sexual role changing as recommended in Part 3 Article 10 (c) is likely to contribute to further marriage insecurity and breakdown.

And we pray you may be conscious of God's sovereign purpose for our Nation and your petitioners in duty bound will ever pray.

by **Mr Groom.**

Petition received.

Paterson's Curse

To the Honourable Speaker and Members of the House of Representatives of Australia.

The humble petition of the undersigned citizens of Australia respectfully requests that legislation be enacted to permit the biological control of the weed known as 'Patersons curse'.

The petitioners wish to express their most serious concern regarding the recent spread of this weed and the resultant loss in primary production.

by **Mr Hicks.**

Petition received.

Paterson's Curse

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

The petition of concerned people of the Electorate of Indi respectfully show their desire to stop the spread of Patersons Curse.

Your petitioners therefore humbly pray that Your Honourable House (the Government) act to implement the biological control of Patersons Curse.

And your petitioners as in duty bound will ever pray.

by **Mr Ewen Cameron and Mr Fife.**

Petitions received.

Macedonian Language

To the honourable the Speaker and Members of the House of Representatives assembled. The humble petition of the undersigned sheweth:

- (1) That the Macedonian language be used by Government Departments in multi-lingual publications.
- (2) That the petitioners urge the introduction of the Macedonian language as a Higher School Certificate (H.S.C.) subject in Secondary schools.
- (3) That the petitioners urge the introduction of the Macedonian language in tertiary institutions and that a course be introduced at Monash University in the Department of Slavic Languages.

Your petitioners, therefore, humbly request that Parliament take immediate action to implement the above measures.

And your petitioners as in duty bound will ever pray.

by Mr Kent.

Petition received.

Foreign Bases in Australia

To the honourable the Speaker and Members of the House of Representatives in Parliament assembled. The humble petition of certain citizens respectfully showeth:

That we citizens of Australia feel the threat of the nuclear arms race to our world, our children and our future.

That the threat of nuclear war in Australia is greatly increased by the presence of foreign bases.

That we affirm Pine Gap near Alice Springs is one such key foreign communications base, is a crucial link in the arms race, is used for locating targets and is therefore a prime target in the event of nuclear war.

That we support the national women's action to oppose the presence of Pine Gap and call for the removal of all foreign bases in Australia.

And your petitioners as in duty bound will ever pray.

by Mr Lindsay.

Petition received.

Townsville Region Water Supply

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

The petition of certain citizens of Australia shows that the additional water supply required for the Townsville region urban area over the next forty years should be obtained from the Burdekin River Dam system by pumping water from the Haughton main irrigation channel to the Ross River Dam, at an estimated cost of 31.19 million dollars (1981).

Your petitioners therefore pray that the Federal Government pay one half of the cost of construction of the pipeline and all works required to pump water from the Haughton main irrigation channel to Ross River Dam.

by Mr Lindsay.

Petition received.

'Oaks' Nursing Home, Queensland

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

The petition of certain citizens of Australia and electors of the Division of Darling Downs protest about the lack of Federal Government concern for people seeking admission to Nursing Homes and in particular the Government's failure to fund the 'Oaks' Nursing Home in Warwick.

Your petitioners therefore pray that the House of Representatives in Parliament assembled ensure that prompt action is taken to provide funds to the Queensland Department of Health for the 'Oaks' Nursing Home so that Private (Horwitz) Ward and the Children's Ward can be restored at the Warwick Hospital.

by Mr McVeigh.

Petition received.

Education Funding

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

We your humble petitioners do humbly pray that:

1. This government re-affirm its needs based funding policy for non-government schools and continue to pursue its mandate in this regard.
2. The government re-affirms its primary obligation to the needs of government schools.
3. We support the schools' commission and community Resource Standard as a basis for funding government schools.
4. The recommendations of the Australian Schools Commission in respect to the funding of non-government schools be accepted.

by Mr Maher.

Petition received.

Australian Capital Territory: Self-Government

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

That in November 1978 more than sixty-two per cent of the voters of the Australian Capital Territory in a Referendum rejected the introduction of Territorial Government or Local Government in the Australian Capital Territory.

That until the findings of the Commonwealth Grants Commission Inquiry into Australian Capital Territory finances have been made public and there has been a Referendum of the voters of the Australian Capital Territory as to their attitude to Territorial or Local Government.

Your petitioners most humbly pray that the Government take no further action or legislation in respect of Territorial or Local Government in the Australian Capital Territory.

And your petitioners as in duty bound will ever pray.

by Mr Mildren.

Petition received.

El Salvador and Nicaragua

To the Parliament of the Commonwealth of Australia. The humble petition of the undersigned citizens of Australia respectfully showeth:

In view of the increasing level of violence and the escalation of (officially admitted) US-sponsored covert and overt attacks against the people of Central America, particularly directed against Nicaragua, and noting the political solution proposed by the governments of France and Mexico to the civil war in El Salvador.

Therefore we humbly request that the government of the Commonwealth of Australia:

1. Recognise the Democratic Revolutionary Front/Farabundo Marti National Liberation Front (FDR/FMLN) of El Salvador as a representative political force.
2. Support, in any way possible, the call of the FDR/FMLN for a 'direct dialogue (with the government junta) without previous conditions, based on establishing peace and social justice in El Salvador'.
3. Support in the United Nations (and other international forums) the initiatives of the government of Nicaragua for 'direct negotiations with the

- United States government based on mutual respect and recognition of (the) right to self-determinate' to resolve the military conflict in the region.
4. Extend economic and humanitarian aid without strings to the governments of Nicaragua and Grenada for the purpose of economic and social reconstruction.
 5. Place all possible pressure on the government of the United States to unconditionally withdraw all US military forces and facilities in the region, to end its support for anti-Nicaraguan forces in Honduras and Costa Rica, and to end all aid to the Salvadoran junta.

And your petitioners as in duty bound will ever pray.

by Mr Milton.

Petition received.

Oath of Allegiance

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled. The humble petition of the undersigned citizens of Australia shows—

That the reference to God in the Oath of Allegiance be not deleted or removed. An alternative form of allegiance is presently available to those persons who may object to taking the form of oath containing the reference to God.

That deletion of the reference to God in the Oath of Allegiance will deny to persons who desire to make such an oath in the presence of God, the opportunity of exercising that right.

That Australia is recognized as a Christian Nation and as such, it is paramount that a continuing reference to God in the Oath of Allegiance be maintained so that our New Australian Citizens will be aware that Australia professes a Christian Way of Life.

Your petitioners therefore pray that the House of Representatives in Parliament assembled should ensure that the reference to God in the Oath of Allegiance as it is presently worded is not removed or deleted.

by Mr Moore.

Petition received.

Oath of Allegiance

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled. The petition of certain electors of Australia, Division of Dawson, shows—

that Australia is basically a Christian nation—as shown by figures from the last census.

that the Queen of Australia is recognised as head of Australia's Parliamentary System.

that no mandate has been sought from or given by the Australian people to alter our Oath of Allegiance, the proposal to amend the Citizenship Act not being publicised prior to the last Federal election.

that removal of references to God and the Queen is the first small, though significant, step towards Republicanism.

Your petitioners therefore pray that the Government does not remove references to God and the Queen from our Oath of Allegiance and that it be allowed to remain unchanged.

by Mr Braithwaite.

Petition received.

Great Barrier Reef: Oil Exploration

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled. The humble petition of citizens of the Commonwealth submits:

That off-shore oil exploration within the Great Barrier Reef Region constitutes a serious threat to the richest and most varied living system on earth.

Your petitioners request that your Honourable House will:

1. Prohibit oil exploration within the Great Barrier Reef Region,
2. Declare the entire Great Barrier Reef Region a Marine Park under the Federal Government's Great Barrier Marine Park Act 1975,
3. Provide the Great Barrier Reef Marine Park Authority with the staff and resources for effective management of the Region.

And your petitioners as in duty bound will ever pray.

by Mr Morrison.

Petition received.

Ministry of Peace and Nuclear Disarmament

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

1. The concerns which people around the World have for the increasing stockpiles of weapons of mass destruction;
2. The global concern that any nuclear exchange will inflict on humanity unimaginable death and suffering;
3. The vulnerability that Australians will face in any nuclear conflict between the major powers;
4. The public concern that Government should explore all avenues to ensure that the nuclear threat is eliminated.

Your petitioners therefore humbly pray that the Australian Parliament establish a Senate Select Committee on Nuclear Disarmament and Peace to investigate the creation of a Ministry of Peace and Nuclear Disarmament.

And your petitioners as in duty bound will ever pray.

by Mr Ruddock.

Petition received.

Telecom Australia's Manual Assistance Centre, Parkes

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled. The humble petition of the undersigned citizens of Australia respectfully sheweth that the proposal of Telecom Australia to close the Manual Assistance Centre at Parkes will severely disadvantage the Parkes community by:

- (i) the loss of current employment and future employment opportunities and consequent loss of income to the district
- (ii) the loss of a local 24 hour emergency service

- (iii) the loss of local knowledge and personalised service provided especially to the aged and disabled

Your petitioners therefore humbly pray that your Honourable House will call on the Government to halt the closure pending a full and open inquiry into the needs and desires of affected subscribers and the full economic and social effect of the closure on this district, rural telephone subscribers and Telecom Australia employees.

And your petitioners as in duty bound will ever pray.

by Mr Simmons.

Petition received.

Local Government (Personal Income Tax Sharing) Act

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled. The petition of certain citizens of Australia and elected representatives of local government in Australia shows—

That the general revenue grants to local government under personal income tax sharing entitlements announced in the August Budget rose by an average of 8.2 per cent compared with the 1982/83 Consumer Price Index increase of 11.2 per cent and the increase in grants to the States of 11.8 per cent.

That increased costs and additional responsibilities passed onto local government authorities by the Federal Government will create a severe financial burden for these authorities.

And remind the Federal Government of their pre-election commitment to allocate not less than the real value of the previous year's allocation in general revenue grants to local government.

Your petitioners therefore pray that the Government will amend the Local Government (Personal Income Tax Sharing) Act of 1976, to provide a real term minimum guarantee to local government general revenue sharing arrangements in 1983/84, and in future years.

by Mr Shipton.

Petition received.

Local Government (Personal Income Tax Sharing) Act

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

The petition of certain elected representatives and officers of Local Governments in Australia shows that General Revenue Grants to Local Government under Personal Income Tax Sharing entitlements have increased by 8.2 per cent in 1983/84 over 1982/83. The inflation rate over the same period was 11.2 per cent. The increase in grants to State Governments over the same period was 11.8 per cent. Increased demands are being made on Local Government Authorities to participate in Federal Government programs, e.g. Community Employment Program. The Labor Party made a pre-election commitment to allocate not less than the real value of the previous year's allocation in General Revenue Grants to Local Government.

Your petitioners therefore pray that the Government will amend the Local Government (Personal Income Tax Sharing) Act of 1976, to provide a real term minimum

guarantee to Local Government general revenue sharing arrangements in 1983/84, and in future years.

by Mr Adermann, Mr Andrew, Mr Braithwaite, Mr Ian Cameron, Mr Campbell, Mr Hicks, Mr Porter and Mr Wilson.

Petitions received.

Education Funding

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

The petition of the undersigned citizens of Australia respectfully showeth that your petitioners are gravely concerned at the reduction in the level of Government funds being allocated to certain non-government primary and secondary schools in Australia. This reduction means that the treatment by the Government of students attending certain non-government primary and secondary schools is less favourable when compared with students attending government primary and secondary schools. It also restricts the freedom available to people in choosing the type of education they desire for their children.

Your petitioners therefore humbly pray that the Federal Parliament will act to restore government funding to all non-government schools in Australia.

And your petitioners as in duty bound will ever pray.

by Mr Steedman.

Petition received.

Taxation: Home Purchasers' Payments

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

The humble petition of we, the undersigned citizens of Australia, respectfully showeth:

In the pursuance of justice and fair play, the government's taxation portion must be removed from the home purchasers time payments and transferred to a small levy or taxation deduction from all wages and income in all aspects, including the home purchasers and not this grossly unfair crippling procedure that exists today.

From the foundations to the last coat of paint, interest and inflation expectations are applied to the family homes with interest rates of unreasonable magnitude to the completed structure.

Truly, this is a national monetary obligation, particularly in as far as the home purchaser is concerned and a major cause of wage demands and the grass roots of inflation.

We therefore humbly pray that your House take urgent action to apply such a percentage levy or taxation.

by Mr Young.

Petition received.

Broadcasting Services, Gold Coast

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

The petition of certain citizens of Australia, electors of the Divisions of McPherson and Richmond, shows that the Australian Broadcasting Corporation does not provide a localised broadcasting service on the Gold Coast. All transmissions to the Gold Coast emanate from radio

station 4QR in Brisbane, Queensland, which prevents local contact with the Australian Broadcasting Corporation on the Gold Coast. The Australian Broadcasting Corporation does operate a 'summer time' radio station, designated as 4SO Gold Coast radio during the period mid-December to mid-February. We have found that this service has been of a great benefit, both from an entertainment, and more importantly, from a community service point of view.

Your petitioners therefore pray that the Australian Broadcasting Corporation implement a regular service on the Gold Coast, staffed by local residents who know and understand the area and that that service be located on the Gold Coast.

by Mr White.

Petition received.

Bank Account Debit Tax

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

The humble petition of the undersigned citizens of the State of Victoria sheweth our concern over the continuing taxation of Parents' Club bank accounts by way of the Bank Account Debit Tax.

Your petitioners therefore pray that—

Parent clubs being set up by Government Regulation in the State of Victoria (Regulation XLII) be recognised by the Australian Government as education auxiliaries, in the same way as are School Councils.

The Treasurer move immediately to exempt Parent Clubs from the tax in the same way as are School Councils.

Your petitioners, as in duty bound, will ever pray.

by Mr Hawker, Mr Holding, Mr Keating, Mrs Kelly, Mr Mildren, and Mr Peacock.

Petitions received.

Referendum: Increase in Numbers of Members and Senators in Parliament

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

The petition of certain undersigned citizens of South Australia, electors of the Division of Bonython, shows that the Government of Australia proposes to increase the members of the House of Representatives from 125 members to 148 members an increase of 23 members and to increase the members of the Senate from 64 members to 76 members, an increase of 13 members without consulting the citizens of Australia.

Your petitioners therefore pray that the Government extend to the people of Australia a democratic voice, by way of Referendum, before any further steps are taken in this matter.

Any your petitioners as in duty bound will ever pray.

by Dr Blewett.

Petition received.

Taxation: Superannuation Benefits

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

The petition of the undersigned concerned members of the State Superannuation Fund wish to respectfully sheweth that we object in the strongest possible terms to the introduction of the Government's proposed method of taxing lump sum superannuation benefits.

We humbly pray that the Government will not proceed to impose this unwarranted and unfair tax.

And your petitioners as in duty bound will ever pray.

by Mr Robert Brown.

Petition received.

Advertising of Alcohol

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

The humble petition of the citizens of Queensland respectfully show:

Last year, over 3,300 people died on Australian roads;

Alcohol is a factor in 50 per cent of road deaths;

Alcohol advertisements do not show the perils of driving after drinking alcohol;

Alcohol advertisements are glamorous and increase their effect on teenagers, indicating drinking alcohol as the social pastime;

Your petitioners therefore humbly pray the Parliament will legislate to ban the advertising of alcohol from commercial television and radio.

And your petitioners, as in duty bound, will ever pray.

by Mrs Darling.

Petition received.

Bank Account Debit Tax

To the Honourable the Speaker and Members of the House of Representatives of the Commonwealth of Australia in Parliament assembled. The petition of certain citizens of New South Wales respectfully sheweth that the Federal Government should have allowed Parents and Citizens Associations and other such bodies exemption from the Bank Accounts Debits Tax Administration Act.

Your petitioners therefore humbly pray that your honourable House will amend the Act to allow such bodies to be exempt from the tax and your petitioners, as in duty bound, will ever pray.

by Dr Harry Edwards.

Petition received.

Postal Services

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

The petition of certain residents of the Divisions of Fadden and Oxley shows that:

Concern is felt at the proposal of Australia Post to cease using Roadvale Post Office as a sorting/ delivery Office and to transfer these services to Boonah Post Office.

Your petitioners therefore pray that the Government will ensure that the current services offered by the Roadvale Post Office be retained.

by Mr Hayden.

Petition received.

Secondary School Allowances

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

The Petition of the undersigned in the area of North West Queensland respectfully sheweth:

The cost of providing secondary boarding schooling for remote area families is causing extreme difficulty for low income families, with many families (a) removing their children from school, (b) placing their children on secondary correspondence without any support services, (c) living in poverty well below the subsistence level.

Your petitioners therefore humbly pray that the Parliament of the Commonwealth of Australia will increase the Assistance for Isolated Childrens allowance for secondary boarding school students to allow low income remote area families the same rights to education as other families.

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

Petition received.

Export of Live Animals

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

The humble petition of the undersigned citizens of Victoria respectfully sheweth that your petitioners are outraged and disturbed by the exportation of live animals for slaughter to overseas.

1. That, as a people of a democratic society, we urge the Australian Government to ban the export of live animals for slaughter overseas.
2. That the export of live horses to Japan for slaughter for human consumption be banned on the grounds that it is cruel and unnecessary.

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

Petition received.

BEEF AND STEEL EXPORTS

Discussion of Matter of Public Importance

Madam DEPUTY SPEAKER (Mrs Child)—Mr Speaker has received a letter from the Deputy Leader of the National Party (Mr Hunt) proposing that a definite matter of public importance be submitted to the House for discussion, namely:

The confusion and concern caused by the Prime Minister's actions and statements in Japan and China about beef and steel exports.

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

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

Motion (by Mr Young) agreed to:

That business of the day be called on.

SEX DISCRIMINATION BILL 1983

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

Second Reading

Mr YOUNG (Port Adelaide—Special Minister of State) (10.40)—I move:

That the Bill be now read a second time.

I am pleased to be able to move the introduction of the Sex Discrimination Bill which the Government regards as a significant piece of legislative reform and an important element in the Government's overall interest in improving the status of women and in securing a more just and equitable Australian society.

The need for such a law is now widely understood and accepted. Throughout Australia women and men experience discrimination on the basis of their sex and their marital status. In three States there are avenues for redress of such discrimination. In other States and in the range of areas which are the responsibility of the Commonwealth there is no remedy. The result is economic and social disadvantage and a significant impediment to the exercise by Australians of fundamental rights and freedoms.

The objects of the Bill are to give effect to certain provisions of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women which the Government ratified last year; to eliminate discrimination on the ground of sex, marital status or pregnancy in the areas of employment, education, accommodation, the provision of goods, facilities and services, the disposal of land, the activities of clubs and the administration of Commonwealth laws and programs, and discrimination involving sexual harassment in the work place and in educational institutions; and to promote recognition and acceptance within the community of the principle of the equality of men and women.

Honourable members will be aware of the degree of interest and public discussion generated by the Bill since it was first introduced into this Parliament last June. Whilst there has been a considerable amount of misinformation spread about this legislation, the Government has been pleased to receive a great deal of useful and constructive comment and last year a revision of the legislation occurred to take account of these contributions.

Honourable members will recall that a major part of a private member's Bill on sex discrimination introduced into this Parliament in 1981 by the Minister for Education and Youth Affairs, Senator Ryan, concerned affirmative action

programs. That aspect of the 1981 Bill is not reflected in the legislation before the House today. The decision not to proceed with the affirmative action provisions of the earlier Bill does not represent any diminishing of the Government's commitment to the promotion of equal employment opportunities. Indeed the Government has already announced its intention to proceed with the implementation and up-grading of such programs within the Public Service. The Government will proceed to the issue of a Green Paper on affirmative action with a view to generating public discussion and understanding of the concept. In the course of this process further wide-ranging consultations with employer, employee and union groups will occur.

The Bill before the House follows the pattern established in anti-discrimination legislation which has been successfully operating for a number of years in South Australia, New South Wales and Victoria. Whilst this Bill is intended to apply throughout Australia the Government recognises that in these States the existing mechanisms have been successful in combating discrimination and the Government does not wish to interfere with their operations. Accordingly provision is made in the Bill to ensure the preservation of State anti-discrimination legislation dealing with matters dealt with in this Bill and to enable that legislation to operate concurrently with the Sex Discrimination Act. The Commonwealth in doing this also leaves the option open for other States to introduce their own legislation in this area.

I turn now to a more detailed description of the Bill. The Bill will cover both direct and indirect discrimination on the ground of sex, marital status or pregnancy. Direct discrimination occurs when there is a specifically directed policy or action which treats one group less favourably than another. Indirect discrimination occurs when a policy or practice, which on the face of it appears to be neutral or non-discriminatory, by its operations results in discrimination against one particular group of persons.

The Bill is to apply throughout Australia and in this regard relies on all available and appropriate heads of Commonwealth constitutional power. Thus, for example, the provisions of the Bill prohibiting discrimination will apply to the Commonwealth and all its instrumentalities; to discrimination by a foreign corporation, or a trading or financial corporation formed within the limits of the Commonwealth; to discrimination in the carrying on of the business of banking, other than State banking not extending beyond the limits of the State concerned and insurance other than

State insurance not extending beyond the limits of the State concerned; and to discrimination in the course of or in relation to trade and commerce inside Australia. The Bill is not to apply to persons employed by State government instrumentalities; however, it will have some application to persons employed by universities, colleges of advanced education and other tertiary education institutions. In addition, certain provisions of the Bill have effect in relation to discrimination against women to the extent that they give effect to the Convention on the Elimination of All Forms of Discrimination Against Women.

A considerable amount of misinformation has also been spread about this Convention. Australia became a party to the Convention last year, having signed it three years earlier. Ratification took place after a lengthy and detailed process of consultation between the Commonwealth and the States through the medium of the Meeting of Ministers on Human rights. It was only after this very careful examination that agreement was reached on ratification. The Government believes that ratification of the Convention is a most important step towards achieving social and economic justice for all Australians.

Commonwealth and State experience has shown that most discrimination occurs in the area of employment. The Bill makes unlawful discrimination against applicants for jobs and employees generally and also against persons who are commission agents or contract workers. The Bill will afford protection throughout Australia as far as is constitutionally possible and in this regard will provide protection not only for the Commonwealth's own employees but for other employees, such as employees of trading or financial corporations.

Persons who propose to form or who have formed partnerships of six or more, licensing and qualifying bodies, trade unions and other organisations registered under the Conciliation and Arbitration Act and employment agencies are similarly prohibited from discriminating on the ground of sex, marital status or pregnancy.

With regard to education, it will be unlawful for an educational authority to discriminate on the ground of sex, marital status or pregnancy against a person applying for admission as a student or against a student. Single sex educational institutions are exempted from the legislation.

The Bill also makes unlawful discrimination in the provision of goods and services, including services relating to banking insurance and the provision of loans, credit or finance, and services of

the kind provided by government authorities or local government bodies.

The Bill makes it unlawful for a club, the committee of management of a club or a committee member to discriminate on the ground of sex, marital status or pregnancy in relation to members or applicants for membership. A club is defined as an association of not less than 30 persons which provides and maintains its facilities from its funds and which sells or supplies liquor for consumption on its premises.

It will also be unlawful for a person who performs functions or exercises powers under Commonwealth laws or for the purposes of a Commonwealth program to discriminate on the ground of sex, marital status or pregnancy in carrying out such functions or powers.

The Bill provides for a number of exemptions, many of which are based on those contained in State sex discrimination legislation. An exemption which will be of particular interest to honourable members is that it is not to be unlawful for a person to discriminate against a woman on the ground of her sex in connection with employment, engagement in or appointment to the Defence Force in a position involving performance of combat or combat-related duties. However honourable members should know that a review is at present being undertaken of employment practices in the Defence Force, with a view to opening more positions to women.

I would also like to draw attention to the following exemptions. Clause 30 provides examples to illustrate the exemption provided for jobs for which it is a genuine occupational qualification to be of a particular sex. Clause 37 exempts acts and practices of religious bodies. Clause 38 provides for an exemption for certain practices in regard to employment and education in educational institutions conducted in accordance with the doctrines, tenets, beliefs or teachings of a particular religion or creed. Clause 42 exempts competitive sporting activities in which the strength, stamina or physique of competitors is relevant.

Some concern was expressed about whether the Bill would enable a woman to claim that a refusal to provide her with an abortion would amount to an act of discrimination. It was certainly never the Government's intention that this would be discrimination within the meaning of the Bill but to clarify this clause 32 was included. This provision exempts from the operation of Division 1 and 2 of Part II of the Bill the provision of services the nature of which is such that they can only be provided to members of one sex, for example, services such as abortions and vasectomies.

In drawing up these exemptions the Government was particularly concerned to make clear the importance it attaches to the need for a proper balance between various often competing rights. In addition to the exemptions spelt out in the legislation, there is also provision for applications to the Human Rights Commission for temporary exemptions. These exemptions can be granted for up to five years and are renewable.

Another feature of the Bill which has attracted much interest are the provisions dealing with sexual harassment. The Bill specifically makes unlawful discrimination involving sexual harassment in employment by employers or by co-workers and in education by members of staff.

The Bill does not attempt to deal with all forms of sexual harassment but only with sexual harassment which can be characterised as discriminatory in nature, in the sense that it is linked to a belief that a rejection of an unwelcome sexual advance, an unwelcome request for sexual favours or other unwelcome sexual conduct would disadvantage the person in relation to employment or educational studies. The Government will be considering how best to deal with other forms of sexual harassment and will be seeking the views of women's organisations on this matter.

Administration of the Bill is vested in the Human Rights Commission. The functions of the Commission will include holding inquiries into and making determinations on complaints; hearing applications for exemption from the Act; undertaking research and educational programs; and examination of existing and proposed legislation to ensure its consistency with the provisions of the Sex Discrimination Act.

The Bill establishes a Sex Discrimination Commissioner who is required to investigate and conciliate complaints of discrimination. The Commissioner will be empowered to obtain information and documents and to direct specified persons to attend a compulsory conference. Where the complaint cannot be resolved by conciliation, the Commissioner will refer the matter to the Human Rights Commission, which will inquire into the complaint. To this end the Commission can summon people to appear before it and may take evidence. Persons appearing before the Commissioner will be required to answer questions and produce documents but the Bill provides that information so obtained is not admissible in evidence against the person in any civil or criminal proceeding before a court. Persons appearing before the Commission are not required to answer questions or produce documents if the

answer or the production of the document might incriminate them.

After holding an inquiry, the Commission may either dismiss the complaint or, if it finds the complaint substantiated, make a determination, which may include a declaration that the respondent to the complaint should not continue or repeat the unlawful conduct, that the respondent should redress any loss or damage suffered by the complainant, or that the respondent should pay to the complainant damages by way of compensation for any loss or damage suffered by the complainant as a result of the act of discrimination. While such determinations are not binding on the parties, on the basis of the experience with similar State legislation, we anticipate that the majority of them will be accepted by the parties and acted upon in most instances. Where this does not happen the complainant or the Commission may seek an order from the Federal Court to enforce the Commission's determination. In order to ensure that complainants are not prevented from proceeding with complaints by reason of cost, the Bill makes provision for applications to the Attorney-General for assistance to be provided for matters before the Federal Court. Provision is also included in respect of reimbursement of expenses incurred by the successful party in proceedings before the Commission.

The Bill provides for the Commission to delegate all or any of its powers to a member of the Commission, a member of staff of the Commission or another person or body of persons. A similar power of delegation is conferred on the Sex Discrimination Commissioner in relation to inquiry into and conciliation of complaints. This delegation power will make it possible for the Government to work towards the establishment of co-operative arrangements with anti-discrimination bodies in the States. Such an arrangement already exists with Victoria in respect of the Human Rights Commission Act and the Racial Discrimination Act. In all States we will ensure that advice is available about the range of rights and remedies so that every complainant will be able to make an informed choice about the course of action most appropriate to his or her circumstances. The Government proposes to undertake a major information program throughout Australia to inform men and women of their rights and obligations under the legislation.

Finally I should make clear that the aim of the Bill is to ensure equality of opportunity for women and men through the elimination of unjust discrimination. The Bill does not interfere with religious or family values and will not force women

or men into roles they may not wish to undertake. I commend the Bill to the House.

Debate (on motion by Mr Ruddock) adjourned.

BILLS RETURNED FROM THE SENATE

The following Bills were returned from the Senate without amendment or requests:

- Conciliation and Arbitration Amendment Bill (No. 2) 1983
- States Grants (Education Assistance—Participation and Equity) Bill 1983
- States Grants (Schools Assistance) Bill 1983
- States Grants (Tertiary Education Assistance) Amendment Bill 1983
- Health Legislation Amendment Bill (No. 2) 1983
- Remuneration and Allowances Amendment Bill 1983
- Bounty (Room Air Conditioners) Amendment Bill 1983
- Prices Surveillance Bill 1983
- Postal and Telecommunications Amendment Bill 1983
- Industrial Research and Development Incentives Amendment Bill 1983
- Australian Industry Development Corporation Amendment Bill 1983
- Management and Investment Companies Bill 1983
- Steel Industry Authority Bill 1983
- Bounty (Steel Mill Products) Bill 1983
- Bounty (High Alloy Steel Products) Bill 1983
- Australian Shipping Commission Amendment Bill 1983
- Inter-State Commission Amendment Bill 1983
- Australian National Railways Commission Bill 1983
- Australian National Railways Commission (Transitional Provisions and Consequential Amendments) Bill 1983
- Radiocommunications Bill 1983
- Radiocommunications (Transitional Provisions and Consequential Amendments) Bill 1983
- Radiocommunications Taxes Collection Bill 1983
- Radiocommunications (Frequency Reservation Certificate Tax) Bill 1983
- Radiocommunications (Receiver Licence Tax) Bill 1983
- Radiocommunications (Temporary Permit Tax) Bill 1983
- Radiocommunications (Test Permit Tax) Bill 1983
- Radiocommunications (Transmitter Licence Tax) Bill 1983
- Export Finance and Insurance Corporation Amendment Bill 1983
- Life Insurance Amendment Bill 1983
- Insurance Amendment Bill 1983

ASSENT TO BILLS

Assent to the following Bills reported:

Companies and Securities Legislation (Miscellaneous Amendments) Bill 1983
 Representation Bill 1983
 Bank Account Debits Tax Legislation Amendment Bill 1983
 Public Accounts Committee Amendment Bill 1983
 Migration Amendment Bill 1983
 Director of Public Prosecutions Bill 1983
 Director of Public Prosecutions (Consequential Amendments) Bill 1983
 Conciliation and Arbitration Amendment Bill (No. 2) 1983
 Taxation Administration Amendment Bill 1983
 Telecommunications (Interception) Amendment Bill 1983
 States Grants (Education Assistance—Participation and Equity) Bill 1983
 States Grants (Schools Assistance) Bill 1983
 States Grants (Tertiary Education Assistance) Amendment Bill 1983
 Industrial Research and Development Incentives Amendment Bill 1983
 Australian Industry Development Corporation Amendment Bill 1983
 Management and Investment Companies Bill 1983
 Steel Industry Authority Bill 1983
 Bounty (Steel Mill Products) Bill 1983
 Bounty (High Alloy Steel Products) Bill 1983
 Australian Shipping Commission Amendment Bill 1983
 Remuneration and Allowances Amendment Bill 1983
 Insurance Amendment Bill 1983
 Radiocommunications Bill 1983
 Radiocommunications (Frequency Reservation Certificate Tax) Bill 1983
 Radiocommunications (Receiver Licence Tax) Bill 1983
 Radiocommunications Taxes Collection Bill 1983
 Radiocommunications (Temporary Permit Tax) Bill 1983
 Radiocommunications (Test Permit Tax) Bill 1983
 Radiocommunications (Transitional Provisions and Consequential Amendment) Bill 1983
 Radiocommunications (Transmitter Licence Tax) Bill 1983
 Export Finance and Insurance Corporation Amendment Bill 1983
 Health Legislation Amendment Bill (No. 2) 1983
 Australian National Railways Commission Bill 1983
 Australian National Railways Commission (Transitional Provisions and Consequential Amendments) Bill 1983
 Inter-State Commission Amendment Bill 1983
 Life Insurance Amendment Bill 1983
 Commonwealth Electoral Legislation Amendment Bill 1983
 Prices Surveillance Bill 1983
 Bounty (Room Air Conditioners) Amendment Bill 1983
 Postal and Telecommunications Amendment Bill 1983

JOINT COMMITTEE OF PUBLIC ACCOUNTS

Membership

Madam DEPUTY SPEAKER (Mrs Child)—Mr Speaker has received a message from the Senate acquainting the House that Senators

Dame Margaret Guilfoyle and Reynolds have been appointed to the Joint Committee of Public Accounts.

TAXATION (UNPAID COMPANY TAX) ASSESSMENT AMENDMENT BILL (No. 3) 1984

Bill returned from the Senate with amendments.

Ordered that consideration of the message be made an order of the day for the next sitting.

REFERENDUM (CONSTITUTION ALTERATION) AMENDMENT BILL 1983

Message received from the Senate returning the Bill and acquainting the House that the Senate insists upon the amendment disagreed to by the House.

Ordered that consideration of the message be made an order of the day for the next sitting.

COMMONWEALTH PARLIAMENTARY CONFERENCE—NAIROBI, 1983

Report

Mr FRY (Fraser)—by leave—Madam Deputy Speaker, I present the report of the Commonwealth of Australia Branch Delegation to the twenty-ninth Commonwealth Parliamentary Conference, held in Nairobi, Kenya, in October-November 1983.

Ordered that the report be printed.

House adjourned at 10.58 p.m.

NOTICES

The following notices were given:

Mr Kerin to present a Bill for an Act to amend the Wool Industry Act 1972.

Mr Peter Morris to present a Bill for an Act to amend the Shipping Registration Act 1981, and for related purposes.

Mr John Brown to present a Bill for an Act to amend section 4 of the Automatic Data Processing Equipment Bounty Act 1977.

Mr Duffy to present a Bill for an Act relating to the national telecommunications satellite system.

Mr Duffy to present a Bill for an Act to amend the Telecommunications Act 1975, the Postal Services Act 1975 and the Overseas Telecommunications Act 1946 in relation to the national telecommunications satellite system.

Mr Hurford to move—

That, in accordance with the provisions of the Public Works Committee Act 1969, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Construction

of accommodation for the Australian Broadcasting Corporation (Stage 1), Hobart, Tasmania

Mr Young to move—

That, unless otherwise ordered, the sessional orders adopted by the House on 8 December 1983 be amended as follows:

Adjournment and next meeting

Standing order 48A be amended to read—

48A. At 10.30 p.m. on each Monday, Tuesday and Thursday, at 7.30 p.m. on each Wednesday and at 4 p.m. on each Friday the Speaker shall propose the question—That the House do now adjourn—which question shall be open to debate; if the House is in committee at the time stated, the Chairman shall report progress and upon such report being made the Speaker shall forthwith propose the question—That the House do now adjourn—which question shall be open to debate. No amendment may be moved to this question:

Provided that—

- (a) if a division is in progress at the time fixed for interruption, the division shall be completed and the result announced;
- (b) if, on the question—That the House do now adjourn—being proposed, a Minister requires the question to be put forthwith without debate, the Speaker shall forthwith put the question;
- (c) a motion for the adjournment of the House may be moved by a Minister at an earlier hour;
- (d) any business under discussion and not disposed of at the time of the adjournment shall be set down on the Notice Paper for the next sitting, and
- (e) if the question—That the House do now adjourn—is negatived, the House or committee shall resume the proceedings at the point at which they had been interrupted:

Provided further that, if at 11 p.m. on a Monday, Tuesday and Thursday, at 8 p.m. on a Wednesday or at 4.30 p.m. on a Friday the question before the House is—That the House do now adjourn—the Speaker shall interrupt the debate, at which time—

- (f) a Minister may require that the debate be extended until 11.10 p.m., 8.10 p.m. or 4.40 p.m. as the case may be, to enable Ministers to speak in reply to matters raised in the preceding adjournment debate; at 11.10 p.m., 8.10 p.m. or 4.40 p.m., as the case may be, or upon the earlier cessation of the debate, the Speaker shall forthwith adjourn the House until the time of its next meeting, or
- (g) if no action is taken by a Minister under paragraph (f), the Speaker shall forthwith adjourn the House until the time of its next meeting.

Routine of business

Standing order 101 be amended to read—

101. The House shall proceed on the days indicated with its ordinary business in the following routine:

Monday and Tuesday

1. Giving notices.
2. Questions without notice.
3. Presentation of Papers.
4. Ministerial statements, by leave.
5. Presentation of petitions.
6. Matter of public importance.
7. Notices and orders of the day.

Wednesday, Thursday and Friday

1. Presentation of petitions.
2. Giving notices.
3. Notices and orders of the day.
4. Grievance debate or general business (*at 12.45 p.m. on Thursday only*).
5. Questions without notice (*at 2 p.m.*).
6. Presentation of papers.
7. Ministerial statements, by leave.
8. Matter of public importance.
9. Notices and orders of the day.

Question time

New standing order 101A be inserted—

101A. At 12.45 p.m. on each Wednesday and Friday the Speaker shall interrupt the business before the House in order that questions without notice can be called on at 2 p.m.:

Provided that—

- (a) if the House is in committee at the time stated, the Chairman shall report progress;
- (b) if a division is in progress at the time fixed for interruption, the division shall be completed and the result announced, and
- (c) the Speaker shall fix the time for the resumption of the debate on any business under discussion and not disposed of at the time of interruption.

Matter of public importance

Standing order 107 be amended by omitting “at least one hour before the time fixed for the meeting of the House” and substituting “not later than 12 noon on each sitting day”.

PAPERS

The following papers were deemed to have been presented on 28 February 1984:

Acts Interpretation Act—Statements relating to extension of specified period for presentation of periodic report—

Australian Dairy Corporation, report for year 1982-83.

Australian Wool Corporation, report for year 1982-83.

Commissioner for Superannuation and Superannuation Fund Investment Trust, reports for year 1982-83.

Air Force Act—Regulations—Statutory Rules 1983, No. 340.

Apple and Pear Stabilization Act—Regulation—Statutory Rules 1983, No. 324.

Audit Act—Regulation—Statutory Rules 1984, No. 4.

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposal for collection of information—1984—No. 1—Monthly survey of non-trade foreign receipts and payments.

Australian Capital Territory Representation (House of Representatives) Act—Regulations—Statutory Rules 1983, No. 314.

Australian National University Act—Statutes—

No. 170—Faculties (The Faculties) Amendment No. 18.

No. 171—Faculties (The Faculties) Amendment No. 19.

No. 172—Academic and Ceremonial Dress Amendment No. 10.

Australian War Memorial Act—Regulations—Statutory Rules 1983, No. 343.

Automatic Data Processing Equipment Bounty Act—Return for year 1982-83.

- Bounty (Agricultural Tractors) Act—**
 Regulations—Statutory Rules 1983, No. 345.
 Return for year 1982-83.
- Bounty (Bed Sheet) Act—**Return for year 1982-83.
- Bounty (Berry Fruits) Act—**Return for year 1982-83.
- Bounty (Books) Act—**Return for year 1982-83.
- Bounty (Commercial Motor Vehicles) Act—**Return for year 1982-83.
- Bounty (Drilling Bits) Act—**Return for year 1982-83.
- Bounty (Injection-moulding Equipment) Act—**Return for year 1982-83.
- Bounty (Metal-working Machine Tools) Act—**Return for year 1982-83.
- Bounty (Non-Adjustable Wrenches) Act—**Return for year 1982-83.
- Bounty (Paper) Act—**Return for year 1982-83.
- Bounty (Penicillin) Act—**Return for year 1982-83.
- Bounty (Printed Fabrics) Act—**Return for year 1982-83.
- Bounty (Refined Tin) Act—**Return for year 1982-83.
- Bounty (Room Air Conditioners) Act—**Return for year 1982-83.
- Bounty (Ships) Act—**Return for year 1982-83.
- Bounty (Steel Products) Act—**Return for year 1982-83.
- Bounty (Textile Yarns) Act—**Return for year 1982-83.
- Canberra College of Advanced Education Act—**
 Statute—No. 52—Courses and Awards Amendment (No. 2) 1983.
- Cocos (Keeling) Islands Act—**Ordinance 1983—No. 1—Local Government (Amendment).
- Commonwealth Banks Act—**Appointment certificate—Smith, S.E.
- Commonwealth Electoral Act—**Regulations—
 Statutory Rules 1984, No. 16
- Commonwealth Electoral Act and Referendum (Constitution Alteration) Act—**Regulations—Statutory Rules 1983, No. 313.
- Companies (Acquisition of Shares) Act—**
 Regulations—Statutory Rules 1983, No. 318.
- Companies Act—**Regulations—Statutory Rules 1983, No. 316.
- Companies (Fees) Act—**Regulations—Statutory Rules 1983, No. 317.
- Customs Act—**Regulations—Statutory Rules—
 1983—Nos. 327, 328, 329, 330, 331, 332.
 1984—Nos. 13, 18.
- Dairy Industry Stabilization Levy Act—**Regulation—
 Statutory Rules 1983, No. 347.
- Defence Act—**Determinations—
 1983—
 No. 29—Allowance for Loss on Sale of Vehicle.
 No. 30—Higher Duties Allowance and other Allowances.
 No. 31—Settling In and Settling Out Allowance.
 No. 32—In Port Allowance.
 No. 33—Woomera Allowance.
 No. 34—Broken Hill Allowance.
 No. 35—District Allowance, Recreation Leave, Recreation Leave Bonus and Long Service Leave.
 No. 36—Settling In and Settling Out Allowance.
 No. 37—Married Trainee's Allowance and other Allowances.
 No. 38—Extra Risk Allowance.
- 1984—
 No. 1—Trainee Leader's Allowance and Recreation Leave Bonus.
- No. 2—Language Proficiency Allowance.
- No. 3—District Allowance, Medical and Dental Officers—Refresher Training Bounty and Recreation Leave.
- No. 4—Flying and other Allowances.
- No. 5—Uniform Maintenance other Allowances, Insurance on Removal of Urgently Required Household Items and Recreation Leave.
- Defence Act, Naval Defence Act and Air Force Act—**
 Regulations—Statutory Rules 1983, No. 305.
- Defence Amendment Act—**Interim Determinations—Statutory Rules—
 1983—Nos. 300, 301, 302, 326, 333, 334, 335, 336, 337.
 1984—Nos. 1, 2, 11.
- Dried Fruits Levy Act—**Regulation—Statutory Rules 1983, No. 298.
- Excise Act—**Regulations—Statutory Rules—
 1983—No. 306.
 1984—No. 19.
- Export Control Act—**
 Export Control (Orders) Regulations—
 1983—No. 1—Meat Orders.
 1984—No. 1—Meat Orders (Amendment).
 Regulations—Statutory Rules 1983, No. 307.
- Federal Court of Australia Act—**
 Regulations—Statutory Rules 1983, No. 339.
 Rules of Court—Statutory Rules 1984, No. 9.
- Freedom of Information Act—**Regulations—Statutory Rules 1983, No. 338.
- Grain (Export Inspection Charge) Collection Act—**
 Regulation—Statutory Rules 1983, No. 308.
- Health Insurance Act—**
 Order under sub-section 6 (2), dated 11 January 1984.
 Regulations—Statutory Rules 1984, Nos 5, 6.
- High Court of Australia Act—**High Court of Australia—Directions—Building and Precincts—Conduct of Persons, dated 19 January 1984.
- Income Tax Assessment Act—**Regulations—Statutory Rules 1983, No. 319.
- Inter-State Commission Act—**Regulations—Statutory Rules 1984, No. 15.
- Lands Acquisition Act—**
 Land acquired for—
 Postal services—Wallsend, N.S.W.
 Telecommunication services—
 Bungendore, N.S.W.
 Doyalson, N.S.W.
 Gloucester, N.S.W.
 Ivanhoe, N.S.W.
 Lightning Ridge, N.S.W.
 MacCullochs Range, N.S.W.
 The Springs, N.S.W.
 Tottenham, N.S.W.
 Walgett, N.S.W.
 Wilcannia, N.S.W.
 Statements (6) of lands acquired by agreement authorised under sub-section 7 (1).
- Live-stock Slaughter Levy Act—**Regulations—
 Statutory Rules 1984, No. 7.
- Loan (Income Equalization Deposits) Act—**
 Regulations—Statutory Rules 1983, No. 348.
- Marriage Act—**Regulations—Statutory Rules 1984, No. 3.
- National Gallery Act—**Council of the Australian National Gallery—Report for year 1981-82—Erratum to paper presented on 24 May 1983.

- Naval Defence Act—Regulations—Statutory Rules 1983, No. 322.
- Navigation Act—Navigations (Orders) Regulations—1983—No. 25—Marine Orders, Part 2.
1984—No. 1—Marine Orders, Part 41.
- Nitrogenous Fertilizers Subsidy Act—Return for year 1982-83.
- Northern Territory Representation Act and Commonwealth Electoral Act—Regulations—Statutory Rules 1983, No. 315.
- Overseas Students Charge Act—Regulations—Statutory Rules 1983, No. 344.
- Patents Act—Regulations—Statutory Rules 1983, No. 325.
- Petroleum Retail Marketing Sites Act—Regulations—Statutory Rules 1983, No. 346.
- Phosphate Fertilizers Subsidy Act—Regulations—Statutory Rules 1983, No. 323.
Return for year 1982-83.
- Postal Services Act—Australian Postal Commission—By-Laws—Postal—1984—Amendment—No. 1.
- Poultry Industry Levy Collection Act—Regulations—Statutory Rules 1983, No. 309.
- Proclamations by His Excellency the Governor-General—Commonwealth Electoral Act—fixing 10 months for the purposes of section 23 of that Act.
- Commonwealth Electoral Legislation Amendment Act—fixing 21 February 1984 as the date on which that Act shall come into operation.
- Companies and Securities Legislation (Miscellaneous Amendments) Act—fixing 1 January 1984 as the date on which the provisions of that Act, other than the provisions of Part 1, shall come into operation.
- Conciliation and Arbitration Amendment Act (No. 2)—fixing 27 February 1984 as the date on which section 12 of that Act shall come into operation.
- Customs Amendment Act—fixing 21 December 1983 as the date on which sections 6 to 12 (inclusive), sections 15 to 18 (inclusive), subsection 19 (2), sections 20 to 24 (inclusive) and section 27 of that Act shall come into operation.
- Customs and Excise Amendment Act—fixing 22 December 1983 as the date on which sections 6, 8, 11, 13, 26, 27, 30, 31 and 53, and sub-sections 70 (1) and (2) of that Act shall come into operation.
- Dairy Industry Stabilization Levy Amendment Act—fixing 1 January 1984 as the date on which that Act shall come into operation.
- Director of Public Prosecutions Act—fixing 5 March 1984 as the date on which that Act shall come into operation.
- Freedom of Information Amendment Act—fixing 1 January 1984 as the date on which the provisions of that Act shall come into operation.
- Health Legislation Amendment Act—fixing 1 February 1984 as the date on which sections 5 and 7 of that Act shall come into operation.
- Health Legislation Amendment Act (No. 2)—fixing 1 February 1984 as the date on which Part III of that Act shall come into operation.
- Management and Investment Companies Act—fixing 1 February 1984 as the date on which that Act shall come into operation.
- Navigation Amendment Act—fixing 5 February 1984 as the date on which section 55 of that Act shall come into operation.
- Protection of the Sea (Civil Liability) Act—fixing 5 February 1984 as the date on which that Act shall come into operation.
- Protection of the Sea (Powers of Intervention) Act—fixing 5 February 1984 as the date on which that Act shall come into operation.
- Repatriation Legislation Amendment Act—fixing 23 December 1983 as the date on which section 4 of that Act shall come into operation.
- River Murray Waters Act—fixing 1 February 1984 as the date on which that Act shall come into operation.
- Public Service Act—Appointments—Department—Administrative Services—Donkersley, S. C.
Lawrence, C. C.
Aviation—Beaumont, A. C.
Employment and Industrial Relations—Burgoyne, G. E.
Gibbins, R. J.
Gollan, S. F.
Huggins, J. H.
Nehown, L. V.
Pryor, A. J.
Riehl, N. A.
Special Minister for State—Minards, B. R.
- Determinations—1983—Nos. 22, 23, 24, 25, 26, 27, 28, 29.
1984—Nos. 2, 3.
- Parliamentary Presiding Officers' Determinations—1983—Nos. 1, 2, 3, 4, 5.
- Regulations—Statutory Rules—1983—Nos. 297, 310, 311, 349.
1984—No. 14.
- Quarantine Act—Regulations—Statutory Rules 1983, No. 299.
- Remuneration Tribunals Act—Academic Salaries Tribunal—Determination and Report—Academic staff of the Australian National University and other bodies, dated 29 November 1983.
- Remuneration Tribunal—Determination—1983/15—Part-time holders of public offices.
- Sales Tax Assessment Acts (Nos. 1 to 9)—Regulations—Statutory Rules 1984, No. 8.
- Seat of Government (Administration) Act—Ordinances—1983—
No. 58—Radiation.
No. 59—Classification of Publications.
No. 60—Juries (Amendment) (No. 2).
No. 61—Legal Practitioners (Amendment).
No. 62—Legal Practitioners (Amendment) (No. 2).
No. 63—Schools Authority (Amendment)
No. 64—Health Professions Boards (Procedures) (Amendment).
No. 65—Health Commission (Amendment).
No. 66—Building (Amendment) (No. 2).
No. 67—Remand Centres (Amendment).
No. 68—Real Property (Amendment) (No. 2).
No. 69—Workmen's Compensation (Amendment).
1984—

No. 1—Motor Traffic (Amendment).

No. 2—Traffic (Amendment).

No. 3—Legal Aid (Amendment).

No. 4—Dangerous Goods.

Regulations—

1983—

No. 23 (Motor Omnibus Services Ordinance).

No. 24 (Remand Centres Ordinance).

No. 25 (Motor Traffic Ordinance).

No. 26 (Workmen's Compensation Ordinance).

No. 27 (Health Commission Ordinance).

1984—

No. 1 (Motor Omnibus Services Ordinance).

No. 2 (Classifications of Publications Ordinance).

No. 3 (Health Commission Ordinance).

Variation of plan of lay-out of City of Canberra and its environs, dated 11 January 1984.

Securities Industry Act—Regulations—Statutory Rules 1983, No. 303.

Ship Construction Bounty Act—Return for year 1982-83.

States Grants (Petroleum Products) Act—Amendment of the schedules to the subsidy schemes in relation to the States of—

New South Wales and Queensland, dated 5 December 1983.

New South Wales and Victoria, dated 12 December 1983.

New South Wales, Queensland, South Australia, Victoria and Western Australia, dated 25 January 1984.

New South Wales, Victoria, Queensland, South Australia, Western Australia and Tasmania, dated 21 December 1983.

New South Wales, Victoria, Queensland, South Australia and Tasmania, dated 16 February 1984.

Stevedoring Industry Levy Act—Regulations—Statutory Rules 1984, No. 12.

Student Assistance Act—Regulations—Statutory Rules

1983—No. 341.

1984—No. 17.

Superannuation Act—Regulations—Statutory Rules—1983—Nos. 320, 321, 342.

1984—No. 10.

Telecommunications Act—Australian Telecommunications Commission—By-laws—

Telecommunications (Charging Zones and Charging Districts)—Amendments Nos. 40, 41.

Telecommunications (Community Calls)—Amendment No. 32.

Telecommunications (Digital Data Charging)—Amendment No. 1.

Telecommunications (Staff)—Amendment No. 44.

Trade Marks Act—Regulations—Statutory Rules 1983, No. 312.

Wireless Telegraphy Act—Regulations—Statutory Rules 1983, No. 304.

ANSWERS TO QUESTIONS

The following answers to questions were circulated:

Compensation Claims for Repetitive Strain Injury: Department of Education and Youth Affairs
(Question No. 344)

Mr Ronald Edwards asked the Minister representing the Minister for Education and Youth Affairs, upon notice, on 23 August 1983:

REPETITIVE STRAIN INJURIES FOR THE YEARS 1978 to 1983

Year	Number of claims	Number accepted	Number not accepted	Number outstanding	Sex of claimant		Type of work performed resulting in injury
					Male	Female	
1978
1979	2	2	2	Typing Music teacher—piano
1980	..	2	2	2	Typing Writing
1981	..	11	10	1	..	4	3 Typing Cleaner Domestic Tool machining Engineering 4 Clerical/keyboard duties
1982	..	9	6	1	2	..	9 5 Typing 2 Clerical Laboratory duties Use of manual duplicating machine
1983	..	23	1	2	20	6	17 7 Typing 4 Clerical 5 Clerical/keyboard 2 Cleaners Carpenter Glass-blower Cook Music teacher Teacher—sporting activities

Compensation Claims for Repetitive Strain Injury: Department of Health
(Question No. 353)

Mr Ronald Edwards asked the Minister for Health, upon notice, on 23 August 1983:

Is the Minister able to provide an analysis of claims for compensation resulting from repetitive strain injury in the Minister's Department for each of the years 1978 to 1983.

Dr Blewett—The answer to the honourable member's question is as follows:

Year	No. of claims	No. settled	No. outstanding	No. disallowed	Sex of claimant	Type of work
A. Department of Health						
1978	2	2	1 x Female 1 x Female	Data processing duties Clerical duties
1979	4	4	1 x Female 2 x Female 1 x Female 4 x Female	Clerical duties Data processing duties Typing duties Data processing duties
1980	7	6	1	..		

Year	No. of claims	No. settled	No. outstanding	No. disallowed	Sex of claimant	Type of work
1981	15	15	2 x Female 1 x Male 11 x Female 1 x Male 3 x Female	Clerical duties Clerical duties Data processing duties VDU duties Clerical duties
1982	57	50	7	..	44 x Female 8 x Female 3 x Female 2 x Male 7 x Female 4 x Female	Data processing duties Clerical duties Typing duties Continuous heavy lifting Typing duties Clerical duties
*1983	31	26	5	..	19 x Female 1 x Female	Data processing duties Heavy lifting
B. Health Insurance Commission						
1978	3	3	3 x Female	Clerical duties
1979	Nil
1980	2	2	1 x Female 1 x Female	Clerical duties Data processing duties
1981	1	1	1 x Female	Clerical duties
1982	8	8	4 x Female 4 x Female	Clerical duties VDU duties
1983	5	4	1	..	4 x Female 1 x Female	VDU duties Clerical duties
C. Capital Territory Health Commission						
1978	Nil
1979	1	1	1 x Female	Clerical duties
1980	Nil
1981	3	3	1 x Female 1 x Female 1 x Female	Clerical duties Registered Nurse Linen Services Assistant
1982	6	6	2 x Female 2 x Female 1 x Female 1 x Male	Clerical duties Typing duties Child care assistant Printer
*1983	2	1	1	..	1 x Female 1 x Female	Pupil nurse aide Clerical duties
D. Commonwealth Serum Laboratories						
1978	1	1	1 x Male	Use of hand tools
1979	1	1	1 x Female	Pressing plungers into syringes
1980	1	1	1 x Female	Washing and scrubbing bottles and machines
1981	3	3	1 x Male 1 x Male 1 x Male	Use of hand tools Handling heavy frozen food Lifting and washing 4-20 litre bottles
1982	2	2	1 x Female 1 x Male	Opening and closing cold room door Repeated kneeling on concrete floor—maintenance work
*1983	Nil

* As at 30 June 1983.

Book Reviews on Australian Broadcasting Corporation Programs
(Question No. 365)

Mr Rocher asked the Minister for Communications, upon notice, on 23 August 1983:

What books were reviewed on each of the ABC programs (a) *First Edition*, (b) *Books and Writing* and (c) *Science Bookshop*, in any convenient recent twelve month period.

(a) *First Edition* (programs broadcast between 2 September 1982 and 1 September 1983).

Title	Author
<i>Under the Skin</i>	David Caute
<i>The Last of Days</i>	Moris Farhi
<i>The Autumn Fury—The Assassination of Sadat</i>	Mohamed Heikal
<i>Negotiating for Peace in the Middle East</i>	Ismail Fahmy
<i>Light on Pranayama</i>	B. K. S. Iyengar
<i>Light on Yoga</i>	B. K. S. Iyengar
<i>Right Wing Women</i>	Andrea Dworkin
<i>Bradman</i>	Michael Page
<i>The Yellow Rain Makers</i>	Grant Evans
<i>The Origin of Consciousness in the Breakdown of the Bicameral Mind</i>	Julian Jaynes
<i>Morrie Klutz and the Number One Record Company</i>	Dean Thomas
<i>In Search of Love and Beauty</i>	Ruth Prawer Jhabvala
<i>The World is Made of Glass</i>	Morris West
<i>My Friend Freud: An Intimate Memoir</i>	Raynor Soothill
<i>The Diary of a Good Neighbour</i>	Jane Sumers
<i>If I Should Die Before I Wake</i>	Michelle Morris
<i>Tomorrow and Tomorrow and Tomorrow</i>	Marjorie Barnard Eldershaw
<i>International Security in the South East Asian and South West Pacific Region</i>	T. B. Millar
<i>Timor: A People Betrayed</i>	James Dunn
<i>The Lost World of Irian Jaya</i>	Sue Galley and Friends
<i>Man and the Natural World—Changing Attitudes in England 1500-1800</i>	Keith Thomas
<i>A History of Women's Bodies</i>	Edward Shorter
<i>Japan in the Passing Lane</i>	Satoshi Kamata
<i>I Remember Hiroshima</i>	Stephen Kelen
<i>Australian Short Stories</i>	Bruce Pascoe
<i>Home Girls</i>	Olga Masters
<i>Hostages</i>	Fay Zwicky
<i>Headlocks and Other Stories</i>	Barry Hill
<i>The Penguin Book of Canadian Short Stories</i>	Victor Kelleher
<i>Africa and After</i>	Stephen Vizinczey
<i>An Innocent Millionaire</i>	Frank Cain
<i>The Origins of Political Surveillance in Australia</i>	Joan Coxsedge
<i>Rooted in Secrecy</i>	Emily Hope
<i>The Legend of Pope Joan</i>	Edited by Pat Holden
<i>Women's Religious Experience</i>	Robert Graves
<i>King Jesus</i>	Edited by Moira Robinsons
<i>Puffins for Parents Guide</i>	Joe Banner
<i>My Treatment</i>	Patricia Warren
<i>Elstree: The British Hollywood</i>	Howard Fast
<i>Max</i>	Michael Leapman
<i>Barefaced Cheek</i>	Ian Drury
<i>Hard Lines</i>	Edited by K. R. M. Short
<i>Film and Radio Propaganda in World War II</i>	John Russel Taylor
<i>Strangers in Paradise: the Hollywood Emigres 1983-1950</i>	D. M. Thomas
<i>Ararat</i>	Iris Murdoch
<i>The Philosopher's Pupil</i>	Alison Adburgham
<i>Silver Fork Society—Fashionable Life and Literature 1814-1840</i>	Paul Fussell
<i>The Boy Scout Handbook & Other Observations</i>	John McLaren
<i>A Nation Apart</i>	Colin Johnson
<i>Doctor Wooreddy's Prescription for Enduring the Ending of the World</i>	Joan Didion
<i>Salvador</i>	John Pilger and Anthony Barnett
<i>Aftermath: The Struggle of Cambodia and Vietnam</i>	Selim Nassib
<i>Beirut: Frontline Story</i>	

Title	Author
<i>Libyan Sandstorm</i>	John Cooley
<i>Edie</i>	Jean Stein
<i>Clinging to the Wreckage</i>	John Mortimer
<i>In Character—John Mortimer</i>	
<i>Real Men Like Violence</i>	Glen Lewis
<i>Australia's Commercial Media</i>	Bill Bonney and Helen Wilson
<i>The Media: Questions and Answers</i>	Henry Mayer, Pauline Garde and Sandra Gibbons
<i>This is the ABC</i>	Professor Ken Inglis
<i>The Political Economy of the Welfare State</i>	Ian Gough
<i>Social Inequality in Australian Society</i>	John Western
<i>Retreat from the Welfare State</i>	Adam Graycar
<i>The Cuts Machine</i>	David Hall
<i>Convict Society and Its Enemies</i>	J. B. Hirst
<i>Rebels & Radicals</i>	Edited by Eric Fry
<i>A Tolerable Good Success</i>	Monica Perrott
<i>The Antipodes Observed—Artists of Australia 1788-1850</i>	Cedric Flower
<i>Ancient Evenings</i>	Norman Mailer
<i>Political Terrorism</i>	Grant Wardlaw
<i>Social Protest, Violence & Terror in 19th & 20th Century Europe</i>	Edited by Mommseri and Hirschfeld
<i>Shadows from Wire</i>	Edited by Geoff Page
<i>Tim Page's Nam</i>	Tim Page
<i>Signal Driver</i>	Patrick White
<i>Netherwood</i>	Patrick White
<i>The Younger Australian Poets</i>	Edited by Robert Gray and Geoffrey Lehmann
<i>The New Australian Poet</i>	John Tranter
<i>Consolidation: The Second Paperback Poets Anthology</i>	Edited by Thomas Shapcott
<i>The Penguin Book of Modern Australian Verse</i>	
<i>The Observatory</i>	Dimitris Tsaloumas
<i>Cutting Green Hay</i>	Vincent Buckley
<i>Collected Poems</i>	Peter Porter
<i>Mrs Bottle Burps</i>	Robin Archer
<i>Gotcha!</i>	Robert Harris
<i>Shackleton</i>	Christopher Ralling
<i>Gender at Work</i>	Anne Game and Rosemary Pringle
<i>Your Job in the Eighties</i>	Ursula Huws
<i>Brothers</i>	Cynthia Cockburn
<i>Married to the Job—Wives' Incorporation in Men's Work</i>	Janet Finch
<i>The Teach Your Chicken to Fly Manual</i>	Trevor Weekes
<i>Health Business</i>	Pam Nathan and Dick Japanangka
<i>Gularabulu</i>	Paddy Roe and Stephen Muecke
<i>Dream Works—Strange New Stories</i>	Edited by David King
<i>Braided Lives</i>	Marge Piercy
<i>Dinner at the Homesick Restaurant</i>	Anne Tyler
<i>The Franklin: Not Just a River</i>	James McQueen
<i>Maldon</i>	Milton Lewis
<i>Dream Babies</i>	Christina Hardymont
<i>The Heartbreak of Motherhood</i>	Joyce Nicholson
<i>Nobody's Daughter</i>	Aviva Layton
<i>Dead Eye Dick</i>	Kurt Vonnegut
<i>Red Square</i>	Fridrikh Neznansky
<i>The Bride</i>	Bapsi Disha
<i>Berlin Alexanderplatz</i>	Alfred Doblin
<i>Mephisto</i>	Klaus Mann
<i>Australia's Constitution—Time for Change?</i>	Haddon Storey, John McMillan and Gareth Evans
<i>Too Much Order With Too Little Law</i>	Frank Brennan
<i>Reform the Law</i>	Michael Kirby
<i>Cured to Death</i>	Arabella Melville and Colin Johnson
<i>The years of Lyndon Johnson—The Path to Power</i>	Robert A. Caro
<i>Gallipoli Correspondent</i>	Dr Kevin Fewster
<i>Recollections of a Regimental Medical Officer</i>	Dr H. D. Steward
<i>Superpowers in Collision</i>	Noam Chomsky, Jonathan Steele and John Gittings
<i>The Little Drummer Girl</i>	John Le Carré
<i>Margaret Mead and Samoa</i>	Professor Derek Freeman
<i>The Nyungar Tradition</i>	Louis Tilbrook
<i>In The Active Voice</i>	Mary Douglas
<i>The Rise and Fall of Freddie Laker</i>	Howard Banks
<i>El Salvador—The Face of Revolution</i>	Robert Armstrong and Janet Schenk

Title	Author
<i>The Diamond Invention</i>	Edward Jay Epstein
<i>The Fiesta of Men</i>	Mark O'Connor
<i>Wildlife in the Home Paddock</i>	Roland Breckwoldt
<i>The Ironworkers</i>	Kate White and Robert Murray
<i>Colonial Casualties</i>	Kathryn Cronin
<i>Black Sheep</i>	Christopher Simon Sykes
<i>Belly Dancing</i>	Wendy Buonaventura
<i>The CND Story</i>	(Campaign for Nuclear Disarmament)
<i>Protest & Survive</i>	Edward Thompson
<i>Overkill</i>	John Cox
<i>The Church and The Bomb</i>	Owen Greene et al.
<i>London After The Bomb</i>	Dorothy Thompson (ed.)
<i>Over Our Dead Bodies—Women Against the Bomb</i>	John Ardagh
<i>France in the 80's</i>	Nyozekan Hasegawa
<i>The Japanese Character</i>	Matasaka Kosaka
<i>A History of Post War Japan</i>	Roger Pegrum
<i>The Bush Capital</i>	Zoe Fairbairns
<i>Stand We at Last</i>	Nancy Cato
<i>Forefathers</i>	Doris Lessing
<i>The Making of the Representative for Planet 8</i>	R. F. Holt
<i>The Strength of Tradition</i>	Andrew Lemon
<i>The Young Man from Home—James Balfour 1830-1913</i>	Edited by Jennifer Alfred and John Wilkes
<i>A Fractured Federation</i>	Richard Attenborough
<i>In Search of Gandhi</i>	Andrei Amalrik
<i>Notes of a Revolutionary</i>	Erica Jong
<i>Witches</i>	Peter King
<i>Australia's Vietnam</i>	Dr Penelope Russianoff
<i>Why do I think I am nothing without a Man</i>	Elizabeth Jolley
<i>Woman in a Lampshade</i>	William Boyd
<i>An Ice Cream War</i>	Bob Reece
<i>The Name of Brooke: the End of White Rajah Rule in Sarawak</i>	David Burke
<i>Full Steam</i>	David Burke
<i>Great Trains of Australia</i>	David Burke
<i>Changing Trains</i>	David Burke
<i>Cold War 2 and Australia</i>	Dennis Phillips
<i>Prime Ministers and Diplomats</i>	P. G. Edwards
<i>The Dunera Scandal</i>	Cyril Pearl
<i>The Left, the Right and the Jews</i>	W. D. Rubenstein
<i>A Mere Formality</i>	Barbara Howell
<i>White Mischief</i>	James Fox
<i>The Mind Stealers</i>	Samuel Chavkin
<i>The Diary of Beatrice Webb, Volume I—1873-1892</i>	Edited by Norman and Jeanne MacKenzie
<i>The Powers of the Press</i>	Martin Walker
<i>The Legal Resources Book</i>	Edited by Julian Gardner
<i>Sunny memories—Australians by the Seaside</i>	Lana Wells
<i>God's Grace</i>	Bernard Malamud
<i>The End of the World News</i>	Anthony Burgess
<i>Stuck</i>	Michele Turner
<i>Australian Welfare History—Critical Essays</i>	Edited by Richard Kennedy
<i>Satan—His Psychotherapy and Cure by the Unfortunate Dr Kassler JSPS</i>	Jeremy Leven
<i>Wildlife in the Suburbs</i>	Densey Cline
<i>What Animal is That? Australian Amphibians, Insects, Mammals, Reptiles and Spiders</i>	Harry Fraucu
<i>Seaside Gardening in Australia</i>	Marcelle Monfries
<i>A Simple Pleasure</i>	Frances Kelly
<i>The London Embassy</i>	Paul Theroux
<i>On the Black Hill</i>	Bruce Chatwin
<i>The Longest War</i>	Jacobo Timmerman
<i>The Arab Predicament</i>	Fouad Ajami
<i>Ralph Waldo Emerson</i>	Edited by Larvar Ziff
<i>Leslie Wilkinson—A Practical Idealist</i>	David Wilkinson
<i>Kitchen Sink and Swim</i>	Diedre Sanders & Jane Reed
<i>Sweet Freedom</i>	Anna Coote and Beatrix Campbell
<i>A Women's Work is Never Done</i>	Caroline Davidson
<i>India—A Travel Survival Kit</i>	Tony and Maureen Wheeler
<i>The Temple</i>	Maslyn Williams
<i>Eternal Tibet</i>	Phillipe Blanc
<i>The Victorian Girl</i>	Deborah Gorham

Title	Author
<i>The Feminine Ideal</i>	Deborah Gorham
<i>What Rough Beast</i>	The Sydney Labour History Group
<i>Schindler's Ark</i>	Thomas Keneally
<i>Worldly Goods</i>	Michael Korda
<i>A Model Childhood</i>	Christina Wolf
<i>Better Off in a Home</i>	Bill Smith
<i>Making Do</i>	Murray Walker
<i>The President's Child</i>	Fay Weldon
<i>Brother of the More Famous Jack</i>	Barbara Trapido
<i>One Continuous Picnic</i>	Michael Symons
<i>Natural Tucker</i>	John Downes
<i>In the Midst of Life</i>	Graeme Griffin & Des Tobin
<i>The Book of Australia</i>	Robert Wilson
<i>The Myth of Motherhood</i>	Elizabeth Badinter
<i>Sounds Real: Radio in Everyday Life</i>	C. S. Higgins & P. D. Moss
<i>Psycho Politics</i>	Peter Sedgwick
<i>The Voice of Experience</i>	R. D. Lang
<i>The Essential Earth Garden</i>	Keith and Irene Smith
<i>Living off Nature</i>	Judy Urquart
<i>The Spectacle of Empire</i>	Jan Morris
<i>Vassilieff and His Art</i>	Felicity St John Moore
<i>Dear Robertson</i>	Tony Barker
<i>The Ultimate Honesty, a Tribute to John K. Ewers</i>	Compiled by the Aust. Society of Authors, WA Bnch
<i>State, Capital and Resources in the North and West of Australia</i>	Edited by Elizabeth Harman, Brian Head
<i>Chronicle of a Death Foretold</i>	Gabriel Garcia Marquez
<i>Oxford Concise English Dictionary</i>	7th Edition
<i>A Liberal Nation</i>	Martin Simms
<i>Displacements</i>	Sneza Gunev
<i>Faith of our Fathers</i>	Spiro Zavos
<i>Our Earth</i>	Vasso Kalamaras
<i>Sir John Monash</i>	Geoffrey Searle
<i>A Moving Target</i>	William Golding
<i>Robert Graves—His Life and Works</i>	Martin Seymour Smith
<i>Let's Save Antarctica</i>	James Barnes
<i>The Samurai</i>	Shusako Endo
<i>A Pale View of Hills</i>	Kazuo Ishiguro
<i>Safety in Numbers—The Mysterious World of Swiss Banking</i>	Nicholas Faith
<i>The Who's Who of Australian Women</i>	Compiled by Andrea Lofthouse
<i>The Godmothers</i>	Sandi Hall
<i>Unemployment</i>	Jeremy Seabrook
<i>The Politics of Law Reform</i>	Stan Ross
<i>P D James Omnibus</i>	P D James
<i>The State of the Prison</i>	Mark Findlay
<i>The Prison Struggle</i>	George Zdenkowski and David Brown
<i>Quadrant—25 years</i>	Professor Ian Reid
<i>Helen Palmer's Outlook</i>	Edited by Doreen Bridges
<i>The Women's Weekly</i>	Denis O'Brien
<i>Yoogum Yoogum</i>	Lionel Fogarty
<i>Black Death, White Hands</i>	Paul Wilson
<i>Body, Land and Spirit</i>	Edited by Dr Janice Reid
<i>Far Country</i>	Dr Alan Powell
<i>Byron</i>	Frederick Raphael
<i>The Picturesque Prison—Evelyn Waugh and His Writing</i>	Jeffrey Heath
<i>Peter the Great</i>	Robert Massie
<i>Wundabar Country</i>	Jurgen Tampke
<i>Land and Politics in New Caledonia</i>	Alan Ward
<i>Sex, Politics and Society</i>	Jeffrey Weeks
<i>Sexism</i>	Louise Janssen-Jurreit
<i>Sister Kate</i>	Jean Bedford
<i>The Story of Harriet Bland</i>	Christobel Brown
<i>When Half is Whole—My Recovery from Stroke</i>	Lorna Hewson
<i>Hysterectomy</i>	Lorraine Dennisteen and Karl Wood
<i>The Monkey Puzzle</i>	John Gribbin and Jeremy Cheras
<i>The Ads that Made Australia</i>	John Bryden-Brown

Title	Author
<i>The Discovery of Australia</i>	T. M. Perry
<i>World View 1982</i>	Noel Tracy
<i>Alice Fell</i>	Emma Tennant
<i>One Priest's Life</i>	Terry Lane and Felix Donnelly
<i>Rockchoppers</i>	Edmond Campion
<i>Mr Santamaria and the Bishops</i>	Gerard Henderson
<i>The Decline and Fall of the Roman Church</i>	Malachi Martin
<i>J'Accuse</i>	Graham Green
(b) Books and writing (programs broadcast between 1.7.1982 and 30.6.1983).	
<i>The Teachers of Mad Dog Swamp</i>	Khaaman Khonkai
<i>Fire on the Mountain</i>	Anita Desai
<i>The North Wind</i>	John Morrison
<i>Firebird I: Writing Today</i>	(Ed) T. J. Binding
<i>Frictions</i>	(Eds) Anna Gibbs and Alison Tilson
<i>The Book of Laughter and Forgetting</i>	Milan Kundera
<i>Decade: Contemporary Western Australian Short Fiction</i>	(Ed) Ray Coffey
<i>Heardbirths, or the Germans are Dying Out</i>	Gunter Grass
<i>Black Raid</i>	Masuji Ibuse
<i>A Pale View of Hills</i>	Kazuo Ishiguro
<i>When the Wind Blows</i>	Raymond Briggs
<i>The Plains</i>	Gerald Murnane
<i>Sister Kate</i>	Jean Bedford
<i>Thoroughly Decent People</i>	Glen Thomasetti
<i>The Terms</i>	Jennifer Maiden
<i>Chronicle of a Death Foretold</i>	Gabriel Garcia Marquez
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Nursing Home Beds**(Question No. 390)**

Mr Leo McLeay asked the Minister representing the Minister for Social Security, upon notice, on 24 August 1983:

(1) How many projects were approved for funding under the (a) Aged or Disabled Persons Homes Act and (b) Aged or Disabled Persons Hostels Act for the period 2 February to 5 March 1983.

(2) How many of these projects were (a) hostels, (b) nursing homes, (c) independent living units, (d) day centres and (e) other projects and what was the number of beds in each project.

(3) What organisations received funding under the Acts.

(4) In what Federal electoral division is each project located.

(5) On what date was the original submission for each project received in the Department and what was the amount of each grant and contribution from each organisation.

(6) Can the Minister (a) advise the amount of any in-going payment (founder donation) to be paid by residents entering independent living units and hostel projects, (b) provide an estimate of the annual on-going cost incurred in future payments of nursing home benefits and deficit financing for nursing home benefits and (c) provide an estimate of the annual on-going cost incurred in payments of the personal care subsidy for hostels.

(7) Can the Minister say whether any special conditions are imposed regarding access to hostels and nursing home beds for people living in the community vis-a-vis those living in other accommodation controlled by the same organisation.

(8) Do any of the recipient organisations also conduct resident-funded or other accommodation projects without Commonwealth subsidy.

(9) Will recent approvals for nursing home projects be reviewed in line with Government policy to impose the strictest limits possible on increases in the number of nursing home beds.

Dr Blewett—The Minister for Social Security has provided the following answer to the honourable member's question:

(1) (a) 30; (b) Nil

(2) see attached table

(3) see attached table

(4) see attached table

(5) see attached table

(6) see attached table

(7) see attached table

(8) Yes, 12 organisations also conduct resident funded facilities. Details are contained in the attached table.

(9) As the approval for these projects was given quite some time ago, on a needs basis and, as the majority of these projects have since been constructed, and are or are about to become operational, it is not proposed to review these approvals.

Organisation	Location	No. add clients	Project type	Estimated grant 1982/83 \$		Electorate	Date of sub- mission	Organisa- tion con- tribution \$	Ongoing Cost		Special con- ditions	Resident funded facilities
				units	nursing & DCC units				Ingoing payment	Nursing Homes \$	Ongoing Costs PCS Approx \$	
NEW SOUTH WALES:												
1. Oberon Shire Council	Oberon	4	units	54,624	Calare	30.12.82	27,311	Nil	No
2. Daughters of Charity of St Vincent de Paul	Eastwood	17	nursing & DCC units	318,043	Dundas	23.12.82	294,875	Nil	152,000	No
3. Orange Legacy War Orphans Fund	Dubbo	15		126,000	Gwydir	4.1.83	114,290	Nil	Caters for Legacy Widows	No
VICTORIA:												
4. Warramunda Village	Kyabram	10	hostel	212,818	Murray	17.3.75	27,580	Nil	..	10,920	Nil	No
QUEENSLAND:												
5. Glad Tidings Tabernacle	Graceville	4	units	56,080	Ryan	5.6.82	93,960	Nil	Nil	No
6. Wondai District Home for the Aged	Wondai	8	units	122,433	Kennedy	24.2.82	61,216	Nil	Nil	
7. Hervey Bay Retirement Village	Torquay	12	hostel	102,000	Wide Bay	9.10.80	55,867	Nil	..	14,000	Nil	Yes
8. Sundale Garden Village	Nambour	8	nursing	27,376	Fisher	28.7.81	13,814	Nil	76,000	..	LGA preference	Yes
SOUTH AUSTRALIA:												
9. The Synod of the Diocese of the Anglican Church	Elizabeth East	51	nursing	750,000	Bonython	25.1.80	731,546	..	562,878°	..	Nil	No
10. Renmark District Hosp.	Renmark	12	hostel	145,200	Wakefield	13.11.75	72,600	5,000	..	14,000	LGA preference	No
11. Corporation of the City of Woodville	Hendon	70	hostel DCC nursing	1,181,400	Port Adelaide	16.12.80	763,223	6,000 single, 9,000 double (DCC)	475,742° (NH) 111,984° (DCC)	19,760	LGA preference	No
12. Resthaven	Marion	..	DCC	370,000	Hawker	9.6.80	193,024	..	175,343° (DCC)	Yes
13. Uniting Church Retirement Homes	Hove	30	nursing	438,613	Kingston	21.12.82	456,623	5,500*	427,075°	..	Nil	No
14. Waikerie District Hospital Inc.	Waikerie	..	DCC	67,400	Wakefield	24.4.80	33,700	Nil	LGA preference	No
15. Western Community Hospital Inc.	Henley Beach	30	nursing	420,600	Hindmarsh	27.6.77	476,360	Nil	373,387°	..	Nil	Proposal for units
16. Penola War Memorial Hospital	Penola	..	DCC	80,000	Barker	29.4.81	110,076	Nil	Nil	No
17. Minalton District Hospital	Minalton	12	hostel	15,000	Wakefield	9.5.79	9,895	Nil	..	18,720	Nil	No
18. Naracoorte Home for Aged	Naracoorte	9	hostel	114,900	Barker	10.4.80	378,551	5,000	..	3,120	Nil	No
19. Hamley Bridge	Henley	6	hostel units	95,000	Wakefield	27.6.78	130,059	8,000	..	2,340	Nil	No
20. District Council of Onkaparinga	Lobethal	4	hostel units	56,080	Wakefield	27.3.79	80,760	Nil	Nil	Yes
21. Moonta Jubilee Hospital	Moonta	8	nursing	50,000	Wakefield	21.2.80	26,480	Nil	116,233°	..	Nil	No
WESTERN AUSTRALIA:												
22. Australian Pensioners League WA Division	Geraldton	4	units	64,960	Kalgoorlie	24.7.75	29,488	Nil	Nil	Yes
23. Perth Jewish Aged Home Society	Yokine	16	hostel	224,000	Perth	25.6.75	103,108	Nil	..	24,960	Nil	Yes
24. Uniting Church	Maylands	5	hostel	70,000	Perth	17.6.81	52,497	Nil	..	7,800	Nil	Yes
25. Kojonup Shire Council	Kojonup	14	hostel	243,422	Forrest	2.12.76	121,296	Nil	..	21,840	Nil	No
26. Grand Lodge of WA Ancient Free & Accepted Masons	Geraldton	10	units	121,000	Kalgoorlie	18.3.75	70,267	Nil	Nil	Yes
27. Grand Lodge of WA Ancient Free & Accepted Masons	Albany	10	units	121,000	Forrest	27.6.75	73,528	Nil	Nil	Yes
28. Grand Lodge of WA Ancient Free and Accepted Masons	Busselton	10	units	121,000	Forrest	18.3.75	62,086	Nil	Nil	Yes
29. Swan Cottage Homes Inc.	Bentley	62	hostel	931,240	Tangney	20.3.80	552,907	Nil	..	96,720	Nil	Yes
30. Swan Cottage Homes Inc.	Bentley	..	DCC	53,934	Tangney	21.12.82	26,967	Nil	Nil	Yes

* Depending on ability to pay

° Actual approved budget deficits for 1983/84

Kangaroo Shooters: Regulations (Question No. 469)

Mr Blanchard asked the Minister for Home Affairs and Environment, upon notice, on 7 September 1983:

(1) What is the average (a) population of kangaroos and (b) number of kangaroos killed each year in Australia.

(2) What regulations apply to kangaroo shooters to ensure these animals are killed as painlessly as possible.

Mr Cohen—The answer to the honourable member's question is as follows:

(1) (a) Of the more common kangaroo species, population estimates are available for the red and grey kangaroos. The most recent overall population estimate for these species is 19.1 million in 1981. (b) The total number of kangaroos killed is not known although figures are available for the numbers of red and grey kangaroos commercially harvested over the past three years. They are as follows:

1980	1,830,018
1981	1,491,537
1982	1,946,200

(2) Following are relevant excerpts from the major State and Territory animal welfare legislation concerned with cruelty to animals. Except in the Australian Capital Territory where more stringent controls apply, the listed sections generally require that the destruction of animals which are not in a domesticated state, including such categories as pests, marsupials and vermin, be carried out without ill treatment or unnecessary pain.

New South Wales: Prevention of Cruelty to Animals Act 1979.

4. (2) For the purposes of this Act, a person commits an act of cruelty upon an animal if he unreasonably, unnecessarily or unjustifiably—

- (a) beats, kills, wounds, pinions, mutilates, maims, abuses, torments, tortures, terrifies or infuriates the animal;
- (b) over-loads, over-works, over-drives, over-rides or over-uses the animal;
- (c) exposes the animal to excessive heat or excessive cold; or
- (d) inflicts pain upon the animal.

(3) For the purposes of this Act, a person commits an act of aggravated cruelty upon an animal if he commits an act of cruelty upon the animal which results in—

- (a) the death, deformity or serious disablement of the animal; or
- (b) the animal being so severely injured, so diseased or in such a physical condition that it is cruel to keep it alive.

5. (1) A person shall not—

- (a) commit an act of cruelty upon an animal; or
- (b) where the person is a person in charge of an animal—authorise the commission of an act of cruelty upon the animal.

Penalty: \$1,000 or imprisonment for 6 months, or both.

(2) For the purposes of sub-section (1) (b), if a person in charge of an animal has failed at any time—

- (a) to exercise such reasonable care, control or supervision of the animal as would have prevented the commission of an act of cruelty upon the animal;
- (b) where pain has been inflicted upon the animal—to take such reasonable steps as would have alleviated the pain; or
- (c) where it has been necessary that the animal be provided with veterinary treatment for a period of time—to provide it with that treatment for that period,

that person shall be deemed to have authorised the commission, at that time, of an act of cruelty upon the animal.

6. (1) A person shall not commit an act of aggravated cruelty upon an animal.

24. In any proceedings for an offence against this Part or the regulations in respect of an animal, the person accused of the offence is not guilty of the offence if he satisfies the court before which the proceedings are being taken that the act or omission in respect of which the proceedings are being taken was done, authorised to be done or omitted to be done by that person . . .

(b) in the course of, and for the purpose of—

- (i) hunting, shooting, snaring, trapping, catching or capturing the animal; or
- (ii) destroying the animal, or preparing the animal for destruction, for the purpose of producing food for human consumption,

in a manner that inflicted no unnecessary pain upon the animal;

(c) in the course of, and for the purpose of, destroying the animal, or preparing the animal for destruction—

- (i) in accordance with the precepts of the Jewish religion or of any other religion prescribed for the purposes of this section; or
- (ii) in compliance with any duty imposed upon that person by or under this or any other Act; . . .

Victoria: Protection of Animals Act 1966:

4. (1) For the purposes of this Act a person commits an act of cruelty if—

- (a) he wounds, mutilates, tortures, overrides, over-drives, over-works, abuses, beats, worries, torments or terrifies an animal;
- (b) he knowingly overloads or overcrowds an animal;
- (c) he knowingly or negligently does or omits to do an act with the result that unnecessary, unreasonable or unjustifiable pain or suffering is caused to an animal;
- (d) he conveys, carries or packs an animal in such a manner or position as to subject the animal to unnecessary pain or suffering;
- (e) he knowingly or negligently works, rides, drives or uses an animal when it is unfit for the purpose;
- (f) he drives, conveys or kills an animal in any manner or position or circumstances involving unnecessary pain or suffering to the animal;
- (g) having the possession or custody of an animal which is confined or otherwise unable to provide for itself he omits to provide the animal with proper and sufficient food, drink and shelter;
- (h) being the owner of a dog which is habitually or usually tethered, or kept in close confinement he fails to exercise the dog for a reasonable time each day;
- (i) he sells, offers for sale, purchases, drives or conveys a calf which appears to be unfit by reason of weakness to be sold or purchased or to be driven or conveyed to its intended destination; or

- (j) he abandons an animal of a species ordinarily kept in a state of confinement or for a domestic purpose.
- (2) A person shall not commit an act of cruelty upon an animal. Penalty:

For a first offence—\$1,000 or imprisonment for three months;

For a second offence—\$2,500 or imprisonment for six months;

For a third or subsequent offence—\$5,000 or imprisonment for twelve months.

12. (1) Subject to sub-section (2) of this section the foregoing provisions of this Act shall not apply to any act done—

- (a) in the extermination of rabbits, foxes, wild dogs or vermin;
- (aa) in accordance with accepted farming practice;
- (b) in the hunting, snaring, trapping, shooting or taking of any animal not in a domestic state; or
- (c) in any experiment performed upon an animal for the purposes of scientific investigation or diagnostic procedure by—
 - (i) a legally qualified medical, dental or veterinary practitioner; or
 - (ii) a person holding a masters degree or a doctorate in the field of animal biology—

who is registered under the regulations made under this section or by a person acting under the direction or supervision of any person so registered.

- (2) the provisions of sub-section (1) of this section shall not have effect—

- (a) in any case of cruelty.

Queensland: Animals Protection Act 1925-1981:

3. Interpretation. In this Act, unless the context otherwise indicates, the following terms have the meanings set against them respectively, that is to say:

"Animal"—any animal or bird of whatsoever species whether in a natural or domestic state: The term includes any domestic or captive animal;

"Ill-treat" includes ill-treat, wound, mutilate, over-drive, over-ride, overwork, abuse, worry, torment, torture and cause any animal unnecessary pain or suffering; also overload or drive when overloaded, and overcrowded, and unreasonably beat or kick and "ill-treated", "ill-treating", and "ill-treatment" have corresponding meanings;

"Owner"—Used with reference to any animal includes not only the owner but also the lessee or borrower or other person whomsoever for the time being having or being entitled to the possession or custody or control or charge of the animal;

"Person"—Includes a body corporate;

"Pound" used in relation to the impounding or confining of animals, includes a place of any kind in which animals are confined under the impounding laws of Queensland; and "impounded" has the same correlative meaning,

"This Act"—This Act and all regulations made under this Act.

Any reference in this Act to any other Act shall be taken to include a reference to any later Act amending or in substitution for that other Act.

For what is "unnecessary" suffering, see *Cunningham v. Sparrow*, [1924] S.A.S.R. 17.

4. Offences of cruelty. (1) It shall be an offence against this Act for any person to—

- (a) Ill-treat or cause or procure or encourage to be ill-treated or be a party to ill-treating any animal; or
- (b) Being the owner of any animal, fail to provide that animal with sufficient suitable food or drink or, except where that animal is running at large or on a journey, shelter; or
- (ba) Being the owner of any animal, fail to provide treatment for injury, disease or illness with which that animal may at any time be afflicted;
- (c) encourage, aid, cause, procure, or assist at the fighting or baiting of any animal, or keep, use, manage, or act or assist in the management of any place for the purpose or partly for the purpose, of fighting or baiting any animal, or permit or suffer any place to be so kept, managed, or used, or receive, or cause or procure any person to receive money for the admission of any person to such place; or
- (d) Convey, carry, or pack, or cause to be conveyed, carried, or packed, any animal in such manner or position as to subject such animal to unnecessary pain or suffering; or in a case or crate that is not higher than and longer than such animal; or
- (da) Confine (otherwise than for the purpose of conveying, carrying or packing) any animal in such manner or position as to subject such animal to unnecessary pain or suffering;
- (e) Ride, drive, use, convey, or carry any animal which is unfit for such use or treatment; or
- (f) Being the owner of any dog habitually tied up or kept in close confinement, fail during every period of twenty-four hours either for a continuous period of at least two hours or for two separate periods of at least one hour each to exercise or to cause to be exercised that dog (for the purposes of this subparagraph "exercise" includes release, and exercise and release, and the term "exercised" has a corresponding meaning); or
- (g) Convey, carry, or pack, or cause to be conveyed, carried, or packed, any live poultry in a case, crate, coop, or other receptacle together with other poultry which is of different species; or
- (h) Except for medicinal or curative purposes administer any poison, drug, medicine, local anaesthetic, or noxious substance to any animal entered or about to be entered in any race or upon any racecourse, or upon any ground used for the coursing of dogs, or expose any poison, drug, medicine, or noxious substance with the intention that the same shall be taken, swallowed, injected, or inhaled in order to impede or affect the safety, endurance, speed, sense, health, or physical condition of any animal, or use or apply any galvanic or electric battery or other similar appliance upon or to any animal during its training for or before or after being entered for any race or upon any racecourse; or
- (i) Promote or take part in any shooting match (including, but without limiting the meaning of the term, any shooting competition or contest) wherein any animals are released from captivity for the purpose of shooting;

- (j) Except as provided in section 7 of this Act, dock the tail of any horse, crop the ears of any dog or operate on any dog to prevent it from barking;
- (k) Promote or take part in the coursing with a dog or dogs of any animal kept or released for the purpose of being coursed, or keep or have in his custody, possession, care or control at any place used for the training or racing of greyhounds any animal for the purpose of using it in connexion with such training or racing, or keep or have in his custody, possession, care or control at any other place any animal for the purpose of the training or racing of greyhounds;
- (l) Abandon any domestic or captive animal;
- (m) Keep for an unreasonable time any animal chained or tethered upon an unreasonably short or unreasonably heavy chain or cord;
- (n) Keep, sell or attempt to sell, except for the express purpose of being promptly slaughtered, or expose for sale any animal which is in such a condition that it is cruel to keep it alive or, having acquired such an animal, fail to have it promptly destroyed.

Any person guilty of an offence against this section shall be guilty of cruelty and shall be liable to a penalty not exceeding \$1,000 and not less than \$50 or to be imprisoned for any period not exceeding six months and for every day on which an offence under paragraph (c) is continued, to be additional penalty not exceeding \$50.

7. Exemptions. (1) Except as hereinafter provided, nothing in this Act shall render unlawful—

- (a) The slaughtering of any animal in any manner which may be necessary to comply with the requirements of the Jewish or other religion; or
- (b) The dehorning of cattle, or the castration, speying, ear-splitting, ear-marking, or branding of any animal, or the tailing of any lamb, where the operation is performed with a minimum of suffering to the animal operated upon; or
- (c) The extermination of rabbits, marsupials (not being protected under any law), dingoes, wild or stray dogs or cats, foxes, or vermin, or reptiles; or
- (d) The extermination or destruction of any animal under the authority of any Act, regulation, or by-law in force for the time being; or
- (f) Any vivisection or other experiment performed on any animal in accordance with regulations made by the Governor in Council for the humane conduct of such experiments, by any person who is (pursuant to such regulations) duly authorised by the Home Secretary to perform such experiments; or
- (g) Any operation of the nature of an inoculation or of a feeding experiment.

(2) The exemption in this section contained shall not take effect—

- (a) In any case of ill-treatment.

Western Australia: Prevention of Cruelty to Animals Act 1920-1958:

3. In this Act, except where the context otherwise requires—

- (a) the expression "animal" means any domestic or captive animal;
- (a) (i) the expression "cruelty" includes, without limiting the scope of the primary meaning

thereof, any act or omission referred to in section four of this Act;

- (f) "ill-treat" includes wound, mutilate, overdrive, over-ride, overwork, abuse, worry, torment, and torture; also knowingly overload and knowingly overcrowd, and unreasonably, wantonly, or maliciously beat;

4. (1) It shall be an offence against this Act for any person to—

- (a) ill-treat or cause or procure to be ill-treated or be a party to ill-treating any animal; or
- (b) fail to supply any domestic animal or captive animal other than those running at large with proper and sufficient food or water or sufficient protection against inclement weather; or
- (c) keep or use or act in the management of any place where fighting or baiting of any animals is permitted or allowed, or to receive money for the admission of any person to any such place; or
- (d) incite any animal to fight, or bait any other animal, or to encourage, aid, or assist thereat; or
- (e) convey, carry, or pack, or cause to be conveyed, carried, or packed, any animal in such manner or position as to subject or be likely to subject such animal to unnecessary pain or suffering; or
- (f) needlessly slaughter, or cause to be slaughtered, or needlessly mutilate any animal or subject such animal to unnecessary pain or suffering; or
- (g) ride, drive, use, convey, or carry any animal which is unfit, for such use or treatment; or
- (h) neglect, as the owner or person in charge, to reasonably exercise or cause to be exercised, at least once a day, any dog habitually chained up; or
- (i) convey, carry, or pack, or cause to be conveyed, carried, or packed, any poultry together with other poultry which is of different species; or
- (j) administer poison to any animal, or to expose any poisonous substance with the intent that the same shall be taken or swallowed by any animal, or to administer except for medicinal purposes, any poison, drug, medicine, or noxious substance to any animal entered or about to be entered in any race or upon any racecourse, or to expose any such poison, drug, medicine, or noxious substance with the intention that same shall be taken, swallowed, or inhaled with intent to impede or affect the safety, endurance, sense, health, or physical condition of such an animal; or
- (k) sell, offer, expose for sale, or give away any grain or seed which has been rendered poisonous except for bona fide use in agriculture; or
- (l) knowingly put or place upon any land or building, or cause or procure any person to put or place or be a party to the same, any poison or any fluid or edible matter not being sown seed, or grain which has been rendered poisonous; or
- (m) shoot pigeons released from traps; or
- (n) knowingly permit cruelty:

Provided in any proceedings under paragraphs (j), (k) and (l) of this section it shall be a defence that the poison was sold or placed by the accused for the purpose of destroying rats, mice, or other vermin, and that the accused took every reasonable precaution to prevent access thereto of dogs, cats, fowls, or other domestic animals.

Maximum penalty: \$200 or six months imprisonment, and an additional penalty of \$20 for every day on which an offence under paragraph (c) is continued.

South Australia: Prevention of Cruelty to Animals Act 1936-1973.

4. In this Act, unless the context or subject matter otherwise indicates or requires—

“animal” means every species of quadruped and every species of bird, whether in a natural or domestic state, and all other animals dependent upon man for their care or sustenance or in a state of captivity;

“constable” means police officer, police constable, and special constable;

“ill-treat” includes—

- (a) to wound, mutilate, overdrive, override, overwork, abuse, worry, torment, or torture; or
- (b) knowingly to overload or overcrowd; or
- (c) unreasonably, wantonly, or maliciously to neglect, beat, or cause unnecessary pain;

“trap” means any device equipped with spring-loaded jaws for seizing an animal by its leg, tail or snout, but does not include a rat trap or a mouse trap;

“vehicle” means every description of cart, wagon, truck, barrow, carriage, or other conveyance.

5. (1) Any person who—

- (a) ill-treats, or causes or procures to be ill-treated, any animal; or
- (b) wantonly or negligently fails to supply any animal with proper and sufficient food, or water, or as regards animals other than those running at large, or on a journey, with shelter; or
- (c) keeps, or uses, or acts in the management of any place for the purpose of fighting or baiting any animal, or permits or suffers any place to be so used; or
- (d) receives money for the admission of any other person to any place kept or used for the purpose of fighting or baiting any animal; or
- (e) incites any animal to fight, or baits any animal, or encourages, aids, or assists at the fighting or baiting of any animal; or
- (f) conveys, carries, or packs, or causes to be conveyed, carried, or packed, whether in or upon any vehicle or not, any animal in such a manner or position as to subject the animal to unnecessary pain or suffering; or
- (g) slaughters, or causes to be slaughtered, any animal in such a manner as to subject the animal to unnecessary pain or suffering; or
- (h) knowingly or wantonly rides, drives, uses, conveys, carries, or packs any animal which is unfit for such use or treatment or which is caused unnecessary pain by being ridden, driven, used, conveyed, carried, or packed; or
- (i) being the owner or person in charge of a dog that is habitually tied up or kept in close confinement, fails to exercise, or to cause to be exercised, the dog by releasing or walking the dog for a period of not less than one hour in any period of twelve hours; or
- (j) conveys, carries, or packs, or causes to be conveyed, carried, or packed, any poultry in any coop or receptacle together with any other poultry which is of different species; or
- (k) connives with another in doing any of the above acts,

shall be guilty of an offence against this Act and liable to a penalty not exceeding two hundred dollars or imprisonment for any term not exceeding six months.

27. (1) Except as hereinafter provided, nothing in this Act contained shall apply to any act done—

- (a) in the extermination of rabbits, marsupials, wild dogs, foxes, or vermin; or
- (b) in the extermination or destruction of any animal under the authority of any Act, regulation, or by-law in force for the time being; or
- (c) in the hunting, snaring, trapping, shooting, or capturing of any animal not in a domestic state; or
- (d) in any experiment or vivisection performed upon any animal by any legally qualified medical practitioner or veterinary surgeon or practitioner, or any officer appointed by the Governor for the purposes of scientific investigation; provided that the Governor may, from time to time, make regulations for the registration of those persons who shall be permitted to perform such experiments or vivisection, and for the humane conduct of their operations; or
- (e) in any operation of the nature of an inoculation or of a feeding experiment.

(2) The exemption contained in sub-section (1) shall not take effect—

- (a) in the case of ill-treatment.

Tasmania: Cruelty to Animals Prevention Act 1925:

5. (1) Any person who does any act or omits any duty whereby unnecessary suffering is caused, or likely to be caused, to any animal shall be deemed guilty of cruelty to such animal.

(2) Without limiting the generality of sub-section (1), but subject to the provisions of sub-section (3), the following acts and omissions shall constitute cruelty to the animal concerned, namely:

- (a) Flogging it with unnecessary severity;
- (b) Overworking, overloading, or overdriving it;
- (c) Using or working it so as to cause, or be likely to cause unreasonable suffering to it;
- (d) Conveying, carrying, or transporting, or detaining it in any place in such manner or position, or under such conditions as to cause, or be likely to cause, to it unnecessary pain or suffering;
- (e) Failing to supply it with sufficient food and water fit for its consumption, or, while being conveyed, carried or transported, failing to supply it with such food and water at least once in every 24 hours;
- (f) Failing to exercise, or cause to be exercised, reasonably any animal usually chained;
- (g) Except for medicinal or curative purposes or for the purposes of scientific research, administering to it any drug or any toxic or noxious substances;
- (h) Except for the purposes of scientific research, wilfully and unreasonably administering to it any poisonous or injurious drug or substance;
- (i) For the purposes of, or in connection with, any sport or public performance, using upon it or applying to it any galvanic or electric battery or other like appliance;
- (j) Abandoning any animal of a species that is ordinarily kept in a state of confinement or for domestic purposes;
- (k) Any other act or omission causing, or likely to cause, it suffering, which might, with reasonable care, be avoided.

- (3) Nothing in this section shall render unlawful—
 (a) the hunting of wild animals not in captivity;
 (aa) The use of any device or appliance which is commonly used or which would be generally accepted for driving, leading or guiding domestic animals; or
 (b) the branding, earmarking, castrating, spaying, shearing, clipping, dehorning of, or other similar operations upon, domestic animals; or
 (c) the trapping or poisoning or killings of pests or wild animals,
 in any case in which any such act is done in a usual and reasonable manner and without causing excessive suffering: Provided always that any person who sets, or causes or procures to be set, any trap, or snare or other device for the purpose of catching any wild animal, or which is so placed as to be likely to catch any wild animal, shall inspect, or cause some competent person to inspect, the trap, snare or device at reasonable intervals of time and at least once every day between sunrise and sunset, except in the case of licensed hunters and trappers of kangaroo, wallaby, and opossum, who shall inspect their snares every 48 hours, weather permitting, and, if any person shall fail to comply with this provision, he shall be liable to a fine of \$6.

**Northern Territory: Prevention of Cruelty to Animals
Act 1978:**

4. ILL-TREATING ANIMALS

- (1) Any person who—
 (a) ill-treats, or causes or procures to be ill-treated, or causes unnecessary pain to any animal;
 (b) wantonly or negligently fails to supply any animal with proper and sufficient food or water, or in the case of animals other than those running at large or in a journey, with shelter;
 (c) keeps, uses or acts in the management of any place for the purpose of fighting or baiting any animal, or permits or suffers any place to be used;
 (d) receives money for the admission of any other person to any place kept or used for the purpose of fighting or baiting any animal;
 (e) incites any animal to fight, or baits any animal, or encourages, aids or assists at the fighting or baiting of any animal;
 (f) conveys, carries or packs, or causes to be conveyed, carried or packed, whether in or upon any vehicle or not, any animal in such a manner or position as to subject the animal to unnecessary pain or suffering;
 (g) slaughters, or causes to be slaughtered, any animal in such a manner as to subject the animal to unnecessary pain or suffering;
 (h) knowingly or wantonly rides, drives, uses, conveys, carries or packs any animal which is unfit for such use or treatment or which is caused unnecessary pain by being ridden, driven, used, conveyed, carried or packed;
 (j) neglects, as the owner or person in charge, to exercise reasonably, or cause to be exercised, at least once a day, any dog habitually chained up;
 (k) conveys, carries or packs, or causes to be conveyed, carried or packed, any poultry in any coop or receptacle together with any other poultry which is of different species; or
 (l) connives with another in doing any of the above acts,

shall be guilty of an offence.

Penalty: 200 dollars or imprisonment for 6 months.

21 EXEMPTIONS

(1) Except as hereinafter provided, nothing contained in this Ordinance shall apply to any act done in any of the following cases:

- (a) In the extermination of rabbits, marsupials, wild dogs, foxes or vermin;
- (b) In the extermination or destruction of any animal under the authority of any laws for the time being in force in the Territory;
- (c) In the hunting, snaring, trapping, shooting or capturing of any animal not in a domestic state;
- (d) In any experiment or vivisection performed upon any animal by any legally qualified medical practitioner or veterinary practitioner, or any officer authorized by the Minister, for the purposes of scientific investigation; or
- (e) In any operation of the nature of an inoculation or of a feeding experiment.

(2) Nothing contained in sub-section (1) shall apply in any case where an animal is ill-treated, or pain is unnecessarily caused to any animal, by any person.

Australian Capital Territory: Prevention of Cruelty to Animals Ordinance 1959.

5. (1) for the purpose of this Ordinance, a person commits an act of cruelty upon an animal if—

- (a) he wounds, mutilates, tortures, overrides, over-drives, overworks, abuses, worries, torments or terrifies an animal;
- (b) he knowingly overloads or overcrowds an animal;
- (c) he unreasonably, wantonly, or maliciously, neglects or beats an animal or causes unnecessary pain to an animal;
- (d) he knowingly or negligently does an act or omits to do an act which results in pain, suffering or distress to an animal;
- (e) he keeps or uses a place for the purposes of fighting or baiting an animal, acts in the management of such a place or permits or suffers a place to be used;
- (f) he encourages, aids or assists at the fighting or baiting of an animal;
- (g) he conveys, carries or packs an animal in such a manner or position as to subject the animal to unnecessary pain or suffering;
- (h) he knowingly or negligently works, rides, drives or uses an animal when it is unfit for such a purpose;
- (i) he, being the keeper of an animal, fails to provide the animal with proper and sufficient food, drink and shelter;
- (j) he, being the keeper of an animal which is habitually chained up or kept in close confinement, neglects to exercise the animal daily and reasonably;
- (k) he promotes or takes part in a shooting match or competition in which animals are released from captivity for the purposes of that match or competition;
- (l) he releases an animal from captivity for the purpose of enabling himself or another person to shoot at that animal or shoot at an animal so released;

- (m) he uses or applies or causes to be used or applied, a galvanic or electric battery or other similar appliance upon or to an animal during its training for or before or after being entered for a race upon a racecourse;
- (n) he administers a poisonous or injurious drug or a poisonous or injurious substance to an animal or causes such a drug or substance to be taken by an animal;
- (o) he, being the keeper of an animal, abandons the animal; or
- (p) he docks, or causes to be docked, the tail of a horse in such a manner so as to leave less than thirteen joints in the tail.

(2) A person shall not commit an act of cruelty upon an animal.

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

6. (1) For the purposes of this Ordinance, a person commits an act of aggravated cruelty upon an animal if he commits an act of cruelty upon an animal that results in the death, deformity or serious disablement of the animal.

(2) A person shall not commit an act of aggravated cruelty upon an animal.

Penalty: Four hundred dollars or imprisonment for two years.

(3) An offence against this section is punishable on summary conviction.

7. The last two preceding sections of this Ordinance do not apply to any act done—

- (a) in killing an animal in accordance with the provision of the Nature Conservation Ordinance 1980;
- (b) in killing an animal specified in the schedule*;
- (ba) in killing a rabbit or an animal that is a noxious animal within the meaning of the Rabbit Destruction Ordinance 1919;
- (bb) in hunting, snaring, trapping, shooting or taking a rabbit or an animal that is a noxious animal within the meaning of the Rabbit Destruction Ordinance 1919.
- (c) in an experiment or vivisection performed on an animal for the purposes of scientific investigation in accordance with conditions, if any, determined by the Minister of State for Health by a person, or by a person acting under the direction, control and supervision of a person, who—
 - (i) is a legally qualified medical or veterinary practitioner, or being a graduate of a university, is engaged in biological research; and
 - (ii) is authorized by the Minister of State for Health, to perform experiments and vivisections on animals.

* Black rat, Brown rat, House mouse.

Bishopsgate Insurance Company (Question No. 476)

Mr Jacobi asked the Minister representing the Attorney-General, upon notice, on 8 September 1983:

(1) Has the Attorney-General's attention been drawn to the Press statement of 18 August 1983, following the

Bishopsgate Insurance Company collapse and the disappearance of company director Mr Andrew Stathis.

(2) In view of the fraudulent transactions involved in this particular collapse, will the Attorney-General discuss with the Minister for Foreign Affairs and the Attorney-General of New South Wales, the following questions (a) how did a Mr Stathopoulos obtain a passport in the name of Andrew Stathis while the court was holding his own passport, (b) what was the reason for the long delay in bringing him to trial, almost 3 years after his committal on drug charges at Cowra, New South Wales, and (c) why was he allowed to become a director of this company and other companies while drug charges were still pending.

(3) Is it a fact that Commonwealth Immigration officials at Sydney Airport had found that Stathopoulos had left this country using a Greek passport; if so, will the Attorney-General consult with the Minister for Immigration and Ethnic Affairs with a view to investigating this deficiency.

(4) In view of the enormity of fraudulent transactions in this company's collapse, and the enormity of the tax loss as revealed in the Costigan Report and the McCabe-Lafranchi report, will the Attorney-General take immediate steps to revert to the policy which applied prior to the statement of the former Minister for Foreign Affairs on March 1979 (*Hansard*, page 709), that the Minister for Foreign Affairs could withhold, or have withdrawn, passports if State Corporate Affairs Commissions or company officers reported that an investigation was in progress, if not, why not.

(5) Has his attention been drawn to a Press report in the *Australian* on 25 August 1983 that Mr Stathis was made a bankrupt in 1981.

(6) If Mr Stathis was made a bankrupt, is the Attorney-General able to say, and will he give an assurance that there has been no breach of Section 227 (1) of the Companies (New South Wales) Code which provides that a person who is insolvent or is declared insolvent cannot act as a director of a company without leave of a court.

Mr Lionel Bowen—The Attorney-General has provided the following answer to the honourable member's question:

(1) I am aware of several reports about the collapse of the Bishopsgate Insurance Company and of the disappearance of Mr Stathis that appeared in the press on 18 August 1983.

(2) As indicated below the questions in regard to which the honourable member has suggested I have discussions do not raise issues falling within the responsibility of the Commonwealth Government and the discussions he has proposed would therefore not be appropriate.

In regard to question (a), only one Australian passport has been issued to Mr Andrew Stathis and I understand that it is in the custody of the New South Wales authorities. It appears that Mr Stathis left Australia on a Greek passport (see answer to Part (3) below).

In regard to question (b), any delay in bringing Mr Stathis to trial is a matter for the New South Wales Government.

In regard to question (c), if a person has been convicted of certain offences, the Companies Act 1981 prohibits that person, except with the leave of the Supreme Court, from being a director of a corporation for a period of five years

from the date of such conviction or if he was sentenced to imprisonment after his release from prison. The Companies Act 1981 does not, however, prohibit a person from being a director of a corporation where such a person has been charged with certain offences but not yet convicted. I should also mention that as Bishopsgate Insurance is incorporated in Victoria any question of a contravention by Mr Stathis under the Companies (Victoria) Code is more directly a concern of the Victorian Attorney-General.

(3) The Minister for Immigration and Ethnic Affairs has been advised that records held by his Department show no recent departure movement for Andrew Stathis, an Australian citizen, but record that a person named Andreas Stathopoulos, holding a Greek passport, departed Sydney on 4 August 1983 bound for Tokyo.

The Migration Act and regulations do not provide powers for immigration inspectors to prevent a person leaving Australia. Those officers do not have direct access to departure alert lists maintained by police authorities at international airports. Responsibility for ensuring that persons under order not to leave Australia do not leave Australia rests with the Australian Federal Police. Immigration officers only became aware of Mr Stathopoulos' departure from a subsequent examination of departmental departure records. This examination was initiated by the Department's Central Office.

Persons who have dual citizenship often have two passports. If travelling on a foreign passport their Australian citizenship would not necessarily be known, especially when different names are on each passport.

(4) I refer the honourable member to the answer given by the Acting Prime Minister to a question identical in substance, on 29 November 1983 (Question No. 300 Hansard House of Representatives page 3023).

(5) I have been unable to find any report in *The Australian* on 25 August 1983 that Mr Stathis was made bankrupt in 1981. My attention has, however, been drawn to a report in that newspaper on 23 August 1983 which refers to the bankruptcy of Mr Stathis. The facts are that a sequestration order was made against Andrew Stathopoulos on 2 March 1981. The bankruptcy, however, was annulled by order of the Federal Court of Australia on 3 August 1981 on the grounds that the sequestration order ought not to have been made because of a defect in service of the bankruptcy petition. The original bankruptcy petition was restored to the list for re-hearing on 1 September 1981 and was ultimately dismissed on 9 November 1981.

(6) The relevant provision at the time that the sequestration order was made against Mr Stathopoulos was section 117 of the New South Wales Companies Act 1961 and the question of any possible contravention of that provision falls within the responsibility of the New South Wales Government. Section 227 (!) of the Companies (New South Wales) Code came into operation after the bankruptcy order against Mr Stathopoulos had been annulled.

Shipping Industry: Crawford Report

(Question No. 488)

Mr Hunt asked the Minister for Transport, upon notice, on 13 September 1983:

Will he provide details of the progress that has been made in the implementation of the recommendations of the Crawford Report to revitalise the Australian Shipping industry since the program was approved by the previous Government.

Mr Peter Morris—The answer to the honourable member's question is as follows:

The following action has been taken to implement the recommendations of the Crawford Report:

Recommendations 1, 2 (a), 2 (c) and 4: The fiscal concessions proposed in these recommendations are incorporated in the Income Tax Assessment Act No. 5, 1983. This legislation was introduced into Parliament on 7 December. Provision for five year accelerated depreciation for ships ordered or purchased after 19 July 1982 was introduced as part of general tax measures in July 1982.

Recommendation 2 (b): A customs tariff proposal was introduced into Parliament on 17 August 1982 which retrospectively abolished the 2 per cent Customs Revenue Duty on imported ships as of 20 July 1982.

Recommendation 3: This recommendation which provided further review of fiscal benefits enables action to be taken at a future time.

Recommendation 5: This recommendation called for development of an industry manpower policy. The Task Force established to review the Crawford Report in 1982 agreed on procedures for establishing manning levels for ships for which financial assistance is sought. It also reviewed the question of implementing effective dispute settling procedures which should be further pursued by the industry. Action has been taken to expand training facilities at the Australian Maritime College.

Recommendation 6: The question of cif sales raised by this recommendation is currently under examination.

Recommendation 7: The Maritime Industry Council of Australia, a consultative body of shipowners and unions, has been established.

National Heritage Programs

(Question No. 518)

Mr Connolly asked the Minister for Home Affairs and Environment, upon notice, on 14 September 1983:

(1) What additional programs have been developed by the Government to improve public awareness and involvement in conservation and preservation of Australia's national heritage.

(2) What amount will these programs cost.

(3) Have the States been involved in co-ordinating these programs so as to minimise duplication.

Mr Cohen—The answer to the honourable member's question is as follows:

(1) The Commonwealth Government is involved in conservation and preservation of Australia's national heritage through a number of bodies. The most important of these from a public awareness viewpoint are the Department of Home Affairs and Environment, the Australian Heritage Commission, the Australian National Parks and Wildlife Service and the Great Barrier Reef Marine Park Authority. Other bodies also have a role as part of wider

responsibilities. These include the Australian War Memorial, the Museum of Australia, the Australian Bicentennial Authority, the National Library of Australia, the Australian National Gallery and the Australian Archives. Programs for each of these bodies follow:

Department of Home Affairs and Environment (DHAE)

In 1982-83 it was decided to conduct a 'one-off' information program on nature conservation to encourage the community to act more responsibly towards Australia's unique natural heritage. The program, which cost \$560,000, was completed in 1982-83.

With the exception of that 'one-off' program, the allocation in the DHAE budget for 1983-84 for improving public awareness and involvement in environment matters has increased to \$123,000 from \$80,000 in 1982-83. This increase will be directed towards a greater Commonwealth contribution for World Environment Day in 1984, the production of materials such as classroom guides, leaflets and audio-visuals, and promoting awareness and understanding of the document 'A National Conservation Strategy for Australia' agreed to at a June 1983 conference. In addition to these specific projects, public education, information and involvement will be enhanced through increased allocations for other programs which have significant public awareness elements. These include the National Estate Grants Program (\$2.77m in 1983-84, up 26 per cent from 1982-83), grants to voluntary conservation organisations (\$640,000, up 78 per cent), grants to the National Trusts (\$453,000, up 74 per cent), and the National Tree Program (\$500,000, up 2 per cent).

Australian Heritage Commission (AHC)

The AHC's budget allocation for information and advertising expenses relating to heritage matters increased from \$49,000 in 1982-83 to \$221,000 in 1983-84. Activities and proposals under consideration for 1983-84 as a result of increased funding include production of leaflets, posters, videos and other information material as well as the presentation of displays and exhibitions around Australia.

Australian National Parks and Wildlife Service (ANPWS)

The Government is supporting five new programs by the ANPWS all of which contain a major component to improve public awareness and involvement in this field. Together they will cost \$656,000 in 1983-84. The programs are helping Aboriginal people in nature conservation on their land, raising conservation awareness among non-English speaking migrants, preserving remnant natural communities in rural areas, implementation of a national contingency plan for whale strandings and providing assistance to the States and Territories for conservation of nationally significant parks and reserves and wildlife species.

Great Barrier Reef Marine Park Authority (GBRMPA)

GBRMPA has budgeted for increased spending in 1983-84 in all its education and information activities including formal education, extension services, community education, library services and the publications program, together with an expanded program of public participation in the development of zoning plans for sections of the Great Barrier Reef Marine Park. It is estimated that expenditure will increase from \$613,000 in 1982-83 to \$745,000 in 1983-84.

Australian War Memorial (AWM)

The AWM is Australia's most visited museum or art gallery and is the second most popular single building international tourist destination in Australia (behind the Sydney Opera House). Expenditure by the AWM in 1983-84 on public programs will rise by approximately 6 per cent to \$345,000. This will include display of the Memorial's collections and services and promotion to the visiting public.

Museum of Australia

On 5 May 1983, I tabled in Parliament the Report 'The Plan for the Development of the Museum of Australia'. The Report, which was accepted in principle by the Government, described a national museum whose major themes include the history of Aboriginal people, the history of Australia since 1788, and the interaction of people with the Australian environment. One of the Museum's functions under its legislation is to disseminate information on these themes and the Report makes it clear that the Museum will aim for maximum public awareness of, and participation in, its activities.

Australian Bicentennial Authority (ABA)

The task of the ABA is to co-ordinate the celebrations for the Bicentenary in 1988. In undertaking that task, the ABA consults extensively with the Australian community. One of the general areas within the Bicentennial program comprises educational and information activities including an inquiry into Australian studies programs in schools which would lead to a deeper appreciation among young Australians of their heritage and Australia's path in the future. Expenditure by the ABA in 1983-84 on publicity is estimated at \$339,000 an increase of approximately \$125,000 over the 1982-83 expenditure.

National Library of Australia

The National Library maintains and develops the national collection of library material, including a comprehensive collection of library material relating to Australia and the Australian people. The general public is informed of the services that the National Library provides and the range of material available in the national collection by the use of showcases and static displays. The cost of these in 1983-84 is estimated at \$30,000 as against approximately \$10,600 in 1982-83.

Australian National Gallery (ANG)

The ANG develops, maintains and exhibits the national collection of works of art including Australian art. Public relations and information activities are conducted by the ANG to foster within the community an appreciation of its aims and objectives. Expenditure on advertising and promotion in 1983-84 is estimated at \$286,000, a decrease of approximately \$6,000 from the 1982-83 figure. The reason for this reduction in expenditure is that special programs were required in 1982-83 because of the opening of the Gallery in October 1982. This was the Gallery's first year of operation.

Australian Archives

The Australian Archives is the central agency which specialises in matters relating to the broad management of the records of the Commonwealth Government. Although Archives does not conduct a public relations program *per se*, it provides access to Commonwealth

records to members of the public as well as reference and other services.

(2) The cost in 1983-84 of the new programs and the increases in existing programs noted in (1) above is approximately \$2.2m.

(3) The States and Territories are consulted wherever possible to avoid duplication of effort and to ensure maximum effectiveness of programs.

South West Tasmania: Tourism**(Question No. 519)**

Mr Connolly asked the Minister for Home Affairs and Environment, upon notice, on 14 September 1983:

What arrangements have been made with the Tasmanian Government for (a) a sharing of costs, (b) provision of trained personnel such as rangers, and (c) the management of increased tourism to the south-west Tasmania World Heritage Area during the summer of 1983-84.

Mr Cohen—The answer to the honourable member's question is as follows:

- (a) Discussions are expected to commence shortly with the Tasmanian Government in relation to long-term management arrangements for the World Heritage Area. The funding issue will be considered as part of those arrangements.
- (b) Provision of trained personnel in the long-term will be addressed in the negotiations on long-term management arrangements.
- (c) On 3 November 1983 the Prime Minister wrote to the Premier, Mr Gray, offering an amount of \$500,000 as a contribution to the costs of implementation of a summer program involving additional rangers and appropriate support.

Translator Station at Orange, New South Wales**(Question No. 545)**

Mr Simmons asked the Minister for Communications, upon notice, on 20 September:

(1) When was the initial application made for a licence to operate a translator station in Orange, New South Wales, by 2MCE-FM, Bathurst.

(2) Can he provide background information to explain the delay in the issue of a licence to 2MCE-FM.

(3) Can he say when the station can reasonably expect to receive approval to provide this much needed service to the people of Orange.

Mr Duffy—The answer to the honourable member's question is as follows:

(1) 2MCE-FM, a radio group within Mitchell College of Advanced Education, submitted their initial proposal for an FM translator station at Orange in July 1977.

(2) At that time there was no provision in the Broadcasting and Television Act 1942 to license translators. The Act was amended in 1980 and the college re-submitted its proposal for a translator station in September 1980.

The proposal progressed slowly due to my Department's planning backlog.

(3) The final planning proposal has been prepared by my Department and I will now be inviting applications for a translator licence to service Orange. It should also be borne in mind that, although I am responsible for inviting licence applications, it is the Australian Broadcasting Tribunal that subsequently grants the licence.

Aircraft Navigation: Use of Satellites**(Question No. 566)**

Mr Jacobi asked the Minister for Aviation, upon notice, on 22 September 1983:

(1) Is he able to say whether (a) the American NOAA-E satellite system has a search-and-rescue application and (b) 2 Soviet satellites have similar functions.

(2) Will he investigate the feasibility of using satellites to provide a warning service to civilian aircraft which may stray off course into closed airspace of high political or military sensitivity.

(3) Is it a fact that (a) a satellite can be designed to observe areas of high sensitivity and detect civilian aircraft entering these areas, (b) civilian aircraft can be fitted with transponders of the IFFT type to make them visible to satellite sensors (c) transponders can be designed to trigger a warning device on the aircraft which alerts the crew to the fact that their aircraft is approaching sensitive airspace and (d) a satellite can be designed to trigger the transponder if it observes an aircraft entering sensitive airspace.

(4) Is he able to say whether the technological capabilities required for the provision of a warning service are available to the major industrial powers including the United States of America and the Soviet Union; if so, can he state whether this service, via cooperation between the USA and the USSR, as with NOAA-E type search satellites, would represent a positive step in the wake of the destruction of KAL Flight 007.

(5) Can he state whether this type of warning system, if in place at the time, could have prevented the loss of KAL Flight 007 and also the Air New Zealand flight which hit Mount Erebus some years ago.

(6) What measures were taken by the International Civil Aviation Organisation to improve interception procedures after the shooting down of a Libyan airliner over the Sinai in 1972.

(7) Which member nations of the International Civil Aviation Organisation (a) implemented these measures and to what extent and (b) did not implement these matters.

Mr Beazley—The answer to the honourable member's question is as follows:

(1) There are currently two USSR satellites and one USA satellite in orbit carrying transponders for search-and-rescue (SAR) purposes. I understand that Canada, France, USA and USSR are participating in an experimental satellite aided search-and-rescue project called COSPAS/SARSAT.

The objective of the project is to demonstrate the ability of low altitude polar orbit satellites carrying special transponders to detect and locate distress signals generated by Emergency Location Beacons (ELB's) and Emergency Position Indicating Radio Beacons (EPIRB's) carried on some aircraft and marine vessels. Existing beacons operate on the international distress frequencies of 121.5/243

MHz and a new experimental beacon is being developed in the 406 MHz band.

The detection and location is accompanied by relaying, via satellite, distress signals received by the satellite COSPAS/SARSAT transponder to ground stations which are able to calculate the position of the beacon. A number of ground stations are understood to be located in the countries mentioned above.

(2) My Department has an ongoing commitment to evaluate any new development in civil aviation systems, including those using satellite techniques, which could provide warning of aircraft straying off defined flight paths. The potential applications of satellite systems for navigation and surveillance are being studied by most aviation authorities world-wide, but it is expected to be some years before any such systems come into common use.

(3) and (4) I would not be surprised if an aircraft transponder based satellite system could be designed for the purpose suggested by Mr Jacobi, but officers of my Department are not aware of any such system being developed for civil aviation.

The United States Defence Department is currently developing a global positioning system called NAVSTAR which is not, however, based on the use of aircraft transponders. Rather, it is a passive system which requires that suitable on-board receivers are carried by aircraft to receive and decode radio signals emitted by a constellation of purpose-built orbiting satellites to determine the aircraft's position. This system is not expected to be fully operational until 1988 and civil use of what is essentially a defence-oriented system has not yet been resolved. My Department is closely watching developments in this area and, in fact, the performance of a prototype receiver has recently been investigated by my Department.

The alternative global navigation system is the OMEGA system which utilises radio signals from eight ground based transmitting stations. This system became fully operational in 1982 with the commissioning of the Australian station, but its accuracy is much inferior to that envisaged for the NAVSTAR system. It can, however, be used to limit accumulation of errors that can occur with on-board inertial navigation systems (INS) that are used on aircraft such as the Boeing 747. Some international air carriers currently utilise such a configuration.

As the cause of the diversion of KAL Flight 007 from its prescribed route has not as yet been determined, it is possible only to speculate as to what type of system, if any, may have prevented this tragedy. My Department will monitor any developments that occur internationally with regard to this incident including the investigations being undertaken by the International Civil Aviation Organisation.

(5) As no such system is in operation for civil aviation, any such statement would be speculation.

(6) The International Civil Aviation Organisation (ICAO) instituted an investigation into the shooting down of the Libyan Airliner over the Sinai on 21 February 1973, and the question of interception of aircraft was also the subject of study by the Air Navigation Commission. An amendment to Annex 2 (Rules of the Air) to the Chicago Convention was introduced in 1975 which outlined procedures to be adopted, including signals to be used, in the event of interception.

(7) Member nations of ICAO which do not wish to implement the various standards which the Organisation develops may register their inability or unwillingness to comply with these Standards. Of the present 150 members of ICAO only Uganda, Hungary and Turkey have indicated they do not consider themselves bound by aspects of the interception procedures which have been developed.

Pensioner Assets Test

(Question No. 592)

Mr Mildren asked the Minister representing the Minister for Social Security, upon notice, on 6 October 1983:

Will the Minister indicate what the pensionable status of a married couple over the age of 65 years, who do not own a home, boat or caravan, but who rent a home unit, own a small car and normal household furniture and have cash assets of \$55,000 will be according to the assets test announced in the 1983-84 Budget.

Dr Blewett—The Minister for Social Security has provided the following answer to the honourable member's question:

While the details of the income and assets test have yet to be finally determined it is likely that a couple as described would have the maximum rate of pension payable to a married couple at the time of introduction of the test reduced by \$1,325 per annum (\$662.50 each).

Immigration: Filipino Brides

(Question No. 602)

Mr Lloyd asked the Minister for Immigration and Ethnic Affairs, upon notice, on 11 October 1983:

(1) Has his attention been drawn to allegations of an immigration racket in Victoria involving Filipino brides, whereby contact is made with potential Australian grooms through advertisements in the Melbourne weekend press.

(2) Is it a fact that (a) Filipino girls are being brought to Australia on tourist visas, (b) marriages are then arranged for a fee of \$800-\$2,000, (c) the girls gain permanent residency after marriage and are able to avoid health checks for such diseases as tuberculosis and (d) respondents to the advertisements are warned not to contact the Department.

(3) What action is being taken to investigate these advertisements and attempts by individuals and organisations to circumvent Australian immigration policy.

Mr West—The answer to the honourable member's question is as follows:

(1) I am not aware of the specific allegation to which the honourable member refers.

(2) (a) to (d) In the absence of specific knowledge of these matters I am not able to confirm the accuracy of the assertions. I am advised that agencies in various States are promoting introductions between Australian males and females in or from overseas countries but that my Department does not have evidence of offences under the Migration Act.

(3) The activities of marriage brokers have come to the notice of my Department from time to time. Departmental officers have counselled a number of agencies about immigration aspects of their activities.

I have emphasised to my Department that all allegations or suspicions of organised malpractice are to be investigated vigorously. My Department provides me with a monthly update of all matters under investigation and the progress achieved on them.

Persons who have evidence that marriages are being arranged for the primary purpose of gaining residence in Australia in circumvention of migration policy and procedures, especially if this is part of an organised racket, are invited to contact the Regional Director, Department of Immigration and Ethnic Affairs in the nearest capital city, the Assistant Secretary, Investigations Branch, Department of Immigration and Ethnic Affairs, Canberra or write to the Secretary of the Department. If details of suspected offences to which the honourable member refers are provided to me I will ensure that the matter is investigated.

Pharmaceutical Benefits List: Allergy-Free Formulas

(Question No. 603)

Mr Lloyd asked the Minister for Health, upon notice, on 11 October 1983:

Is it a fact that serious disadvantage has been caused to parents of children requiring allergy-free formulas by recent action of his Department to remove these products from the Pharmaceutical Benefits List; if so, what action will he take to correct this situation.

Dr Blewett—The answer to the honourable member's question is as follows:

I am pleased to inform the honourable member that the food supplement products Pregestimil, Glucose Nutramigen and Lofenalac are again available as pharmaceutical benefits from 1 December 1983. They were removed from the benefits list when the manufacturer, Bristol-Myers, through its Mead Johnson Division, unilaterally increased the prices of these items by nearly sixty per cent.

These unilaterally declared price increases were, in my opinion, excessive and completely unreasonable. The Government had not been prepared to pay the prices that Bristol-Myers originally demanded and had been left with no other alternative than to delist the products from the Schedule, thus removing the Government subsidy.

It is particularly unfortunate that families which already had the burden of caring for sick children were made to suffer even more by the imposition of such a severe financial burden.

However, following detailed discussions I have had with its representatives, Bristol-Myers has now agreed to substantially reduce its prices. Consequently, I arranged for these products to be relisted as pharmaceutical benefits from 1 December 1983.

Australian Broadcasting Corporation: Radio Producer, Adelaide Studios

(Question No. 605)

Mr Lloyd asked the Minister for Communications, upon notice, on 11 October 1983:

(1) Has his attention been drawn to (a) problems within the Australian Broadcasting Corporation over the replacement of a radio drama producer at its Adelaide studios, (b) the fact that the matter has been going on for over 12 months and (c) the concern of the South Australian Government over the delays in appointing someone to the position.

(2) Does he support the ABC management's decision not to appoint a radio drama producer; if so, how does he reconcile this with the Government's expressed support for local drama content in Australian media.

Mr Duffy—The answer to the honourable member's question is as follows:

(1) (a) Yes.

(b) Yes.

(c) No.

(2) I am advised by the ABC that careful consideration has been given to this question. The decision by ABC management not to make this appointment represents a proper use of the statutory powers of the Corporation in employment matters. The question of my support does not therefore arise.

Telephone Handsets

(Question No. 608)

Mr Lloyd asked the Minister for Communications, upon notice, on 11 October 1983:

(1) What protection or guarantee does the Australian consumer have over imported telephone handsets, purchased from electronic gadget shops, not conforming to Australian standards.

(2) If no adequate protection or standards exist what is being done to overcome this deficiency.

Mr Duffy—The answer to the honourable member's question, based on advice from the Australian Telecommunications Commission, is as follows:

(1) Consumers could seek redress under Commonwealth and State consumer protection legislation in these circumstances. For example, under the Trade Practices Act, goods must be fit for the purpose for which they are sold.

Telecom's powers are limited to prohibiting the connection to the telephone network of private equipment which does not meet Telecom's specified standards. Telecom has no power to prohibit the importation or sale of equipment which does not conform to those standards.

Equipment which has been submitted to Telecom for approval and which meets its standards is required to be labelled with a permit number. This can be used by a customer to help identify that the equipment is satisfactory for connection to a telephone service.

(2) Telecom is satisfied that its existing standards are adequate. However, as mentioned in my reply to your

earlier question on this matter (No. 268) Telecom is concerned about the problem of telephones being sold which do not meet these standards. This matter is being considered further by Telecom and the relevant departments.

Tariff Protection: Telecommunications Equipment

(Question No. 610)

Mr Lloyd asked the Minister for Communications, upon notice, on 11 October 1983:

Further to question No. 292 (a) what types of equipment and (b) at what annual value for each type does Telecom Australia import duty free under customs item 85.13.

Mr Duffy—The answer to the honourable member's question, based on advice from the Australian Telecommunications Commission, is as follows:

(a) and (b) The equipment types within customs item 85.13 which will be imported by Telecom Australia in 1983-84 are as follows:

Equipment	Estimated value
Keyphones	\$ 28m
Telephones (handset type)	9m
Telephones (other)	5m
Modems	.87m
Teletypewriter Equipment	.23m

Australian Broadcasting Corporation: Programs

(Question No. 650)

Mr Goodluck asked the Minister for Communications, upon notice, on 20 October 1983:

(1) Has his attention been drawn to remarks of the Deputy Chairman of the Australian Broadcasting Corporation, Ms Wendy McCarthy, relating to masturbation training programs for teenagers and the teaching of the subject in schools, when discussing one of the subjects in a book she has edited.

(2) If so, will he take action to ensure that the ABC is truly representative of ordinary Australians and not of apparently wayout, trendy, extremist groups in our society.

Mr Duffy—The answer to the honourable member's question is as follows:

(1) I am advised by the ABC that Ms McCarthy asserts that the report in the *Daily Telegraph* of her comments on this matter was inaccurate and misleading. I am not aware of Ms McCarthy's actual remarks on the occasion.

(2) I remind the honourable member that the membership of the Board of the Australian Broadcasting Corporation was considered by a bi-partisan committee of Parliament prior to the appointments being made.

Temporary Employees: All Departments

(Question Nos. 666-672 and 674-693)

Mr Ruddock asked all Ministers, upon notice, on 2 November 1983:

How many (a) males and (b) females have been engaged in the Minister's Department and any statutory authorities reporting to the Minister, as temporary employees under the Community Employment Program, from the date of assent to the Public Service Amendment Act 1983, 7 October 1983, to 31 October 1983.

Mr Willis—The honourable member has asked identical questions of all Ministers, as indicated by the above question numbers. The following answer to the honourable member's questions is provided on behalf of all Ministers with their concurrence, except for the Minister for Resources and Energy who answered separately on 17 November 1983, *Hansard* page 2945:

Department of Housing and Construction: 32 males, 88 females.

All other departments and statutory authorities reporting to Ministers: Nil.

Exotic Pine Plantations

(Question No. 698)

Mr Snow asked the Minister for Primary Industry, upon notice, on 2 November 1983:

(1) Is he able to say to what extent, in hectares, is each State still committed to clearing native forest to accommodate exotic pine plantations.

(2) Are New South Wales clearing programs continuing on a pre-planned basis; if so, which plantations are to be expanded in native forest areas.

(3) Did the 1974 Forwood Conference recommend planning for self-sufficiency in Australian softwood production to take the pressure off native forest; if so, is this recommendation still relevant in light of the very large areas on the Australian continent which have been planted to pine.

(4) What quantities of softwood of a species already available from Australian plantations, for example *Pinus radiata*, are being imported.

(5) Was an export pulp-mill planned for Brewongle, New South Wales, in 1980 which necessitated the clearing of a further 16,000 ha for the establishment of pine to support the mill.

(6) What tonnage of processed or other softwood is being (a) exported and (b) exported from New South Wales.

(7) Has his attention been drawn to a 1977 statement by a former Minister for Primary Industry, Mr Sinclair, that the Commonwealth has no control over plantings if funded by a State, or by private interests; if so, does he take a similar view.

(8) Does the Government propose to stop the clearing of native forests for their replacement by pine; if so, how.

Mr Kerin—The answer to the honourable member's question is as follows:

(1) I am aware that the States do clear some native forest areas to accommodate pine plantations but I understand that the extent varies from year to year, depending upon the availability of previously cleared land and Government finances.

(2) I understand that New South Wales softwood planting programs are aimed at developing efficient, integrated forest products industries at the regional levels; again, the availability of cleared land influences the extent of land clearing necessary to maintain plantation development.

(3) The 1974 Forwood Conference recommended planning for self sufficiency for forest products in Australia, taking into account timber production from native forests and softwood plantations as well as exports and imports. At that time, there was an emphasis placed on expansion of softwood resources to take pressure off native forests and bridge the gap between anticipated demand and production from the native forests.

In the light of increasing competition from softwood imports, the concept of national self sufficiency is no longer regarded as practicable, but considerable importance is placed on the need to develop regional forest areas capable of supporting efficient integrated forest products industries which can compete with overseas manufacturers.

At 31 March 1982, approximately 712,000 hectares of land had been planted to pine. This represents less than 2 per cent of the total forest area and less than 0.1 per cent of the land area of Australia.

(4) In the year ended 30 June 1982, Australia imported the following quantities of softwood timber of species represented in domestic plantations:

Douglas Fir	497,666 cubic metres
Radiata	136,305 cubic metres

(5) I understand that studies were undertaken to examine the feasibility of establishing a pulp mill in New South Wales based upon the softwood resources of the Bathurst/Orange forests. I am not aware of any clearing undertaken specifically with that proposal in mind.

(6) Softwood exports from Australia in the year ended 30 June 1982 amounted to 8,968 cubic metres, of which 949 cubic metres originated in New South Wales.

(7) I am aware that previous governments have expressed the view that land management is the responsibility of State governments, particularly where Commonwealth funds are not involved.

As Chairman of the Australian Forestry Council I am particularly concerned to ensure that my ministerial colleagues with State forestry responsibilities are aware of this Government's attitudes on forestry issues and that full consideration is given to proposals to ensure that they are in the best long term interests of all concerned. In this context, the Australian Forestry Council at its last meeting authorised its Standing Committee to prepare a draft forest policy for consideration by Council.

(8) My Department is currently developing proposals aimed at management of Australia's forest resources in a way that will facilitate meeting future demand while ensuring that our resources, particularly native forests, are sustained in the long term. The proposals being developed will need to be put to Australian Forestry Council for consideration.

Untimed Local Calls

(Question No. 711)

Mr Lloyd asked the Minister for Communications, upon notice, on 8 November 1983:

What is the longest radial distance from the central telephone exchanges of each of the capital cities of Australia where subscribers connected to that exchange can make an untimed local call to other subscribers connected to the same exchange.

Mr Duffy—The answer to the honourable member's question, based on advice from the Australian Telecommunications Commission, is as follows:

I understand the honourable member's question is intended to refer to the distances over which local call access is available in the capital cities. Local call access is available in each capital city between subscribers connected to exchanges in the capital city charging zone and the outer metropolitan charging zones. In Sydney and Melbourne, the radial distance is 40 km from the General Post Offices, while in the case of Brisbane, Adelaide, Perth and Hobart the distance involved is 32 km.

Overseas Telecommunications Commission: Surcharge on International Calls

(Question No. 714)

Mr Lloyd asked the Minister for Communications, upon notice, on 8 November 1983:

(1) Is the Overseas Telecommunications Commission about to impose a \$2 surcharge on operator connected international calls; if so, what is the justification for this surcharge.

(2) Is it a fact that there is already a higher charge for operator assisted international calls and all additional work is carried out by telephonists employed by Telecom Australia and the revenue from the proposed surcharge will go to the OTC..

Mr Duffy—The answer to the honourable member's question is as follows:

(1) and (2) On 15 December 1983, the Overseas Telecommunications Commission announced that a proposed \$2 surcharge on operator-connected overseas calls where ISD/CCR is available would not proceed.

Telephone Exchanges

(Question No. 715)

Mr Lloyd asked the Minister for Communications, upon notice, on 8 November 1983:

(1) How many (a) exchanges throughout Australia are currently manual and (b) subscribers are connected to each exchange.

(2) What is the timetable, region by region, for conversion of these manual exchanges to automatic.

Mr Duffy—The answer to the honourable member's question, based on advice from the Australian Telecommunications Commission, is as follows:

(1) At the end of June 1983, there were 735 manual exchanges throughout Australia and there was a total of

35,622 subscribers connected to those exchanges. If the honourable member requires details of the number of subscribers on exchanges in a particular area, perhaps he might care to contact the Managing Director, Telecom Australia, who would be pleased to supply the information for him.

(2) The Commission's aim is to complete its rural and remote area conversion programme by 1990. However, the extent of its programme in the years ahead will be dependent upon the resources which can be allocated to the task. The following exchanges have been converted or are programmed for conversion to automatic in 1983-84:

NEW SOUTH WALES—Airlands, Annalan, Baldry, Balladoran, Baradine, Boggabri, Boree Creek, Brettie, Cassilis, Chakola, Cockburn, Condobolin, Cooma, East Marowie, Edgeroi, Eumungerie, Ganmain, Giro, Gunawyle, Gungal, Gwabegar, Kenebri, Kingstown, Kundabung, Leefield, Lightning Ridge, Limbri, Melbergen, Matong, Mungery, Mowbola Tank, Neville, Newton Boyd, OBX Creek, Pack Saddle, Purlewangah, Putty, Rowena, Silverton, Spring Ridge, Stephens Creek, Sunny Corner, Tolarno, Tallebung, The Rock, Trundle, Trunkey Creek, Tuena, Tullymorgan, Turill, Warapurra, Wards River, Weabonga, Werunda, Wilcannia, Woondooma, Yarrabandai, Yuma.

VICTORIA—Berriwillock, Culgoa, Murtoa, Pooncarie.

QUEENSLAND—Augathella, Binjour, Blackall, Bogandilla, Boolboonda, Boobyan, Cloyna, Comet, Darr, Drillham, Drumsleed, Dulacca, Eidsvold, Euluma, Fairyland, Glen Geddes, Gonjulla, Julatten, Kumbia, Kunwarara, Macrossan, Milgela, Molloy, Monto, Moolboolaman, Mt Coolon, Mt Morgan, Obil Bil, Palm Island, Pikedale, Prairie, Ravenswood, Rockybar, Sellheim, Tambo, Thursday Island, Windera, Winton, Wongongera, Yacamunda.

SOUTH AUSTRALIA—Auburn, Blanchtown, Hollett, Iron Knob, Karkoo, Quorn, Spalding, Wirrulla, Yaninee.

WESTERN AUSTRALIA—Balldonia, Balldonia Rocks, Caiguna, Cocklebiddy, Eucla, Fraser Range, Goongarie, Kitchener, Kookynie, Madura, Maitland, Marvel Loch, Menzies, Moonera, Morapoi, Mundrabilla, Turdun, Yerilla, Yuna, Yundamindra.

Countrywide Calling: Zone Arrangement

(Question No. 718)

Mr Lloyd asked the Minister for Communications, upon notice, on 8 November 1983:

Have subscribers to the telephone exchanges at (a) Mundine, (b) Lundavra, (c) Bungunya, (d) Bungunya North and (e) Toobeah lost their untimed local call access to Goondiwindi since the introduction of countrywide calling on 1 October 1983; if so, is the countrywide calling zone arrangement being reviewed to overcome this problem.

Mr Duffy—The answer to the honourable member's question, based on advice from the Australian Telecommunications Commission, is as follows:

No. Following a review of the countrywide calling scheme in the Goondiwindi area, customers served by the Mundine, Lundavra and Toobeah exchanges retained their untimed local call access to Goondiwindi.

Customers served by the Bungunya and Bungunya North exchanges did not have untimed local call access to the Goondiwindi exchange prior to the introduction of countrywide calling.

FM Radio

(Question No. 719)

Mr Lloyd asked the Minister for Communications, upon notice, on 8 November 1983:

(1) Is it a fact that currently there are only 2 commercial FM radio stations in Melbourne.

(2) Has it been decided to allow 3 stations.

(3) Are applications open for a 3rd licence; if so (a) are there any outstanding applications and (b) when will the licence be granted.

Mr Duffy—The answer to the honourable member's question is as follows:

(1) Yes. The two commercial FM radio stations in Melbourne are 3EON and 3FOX.

(2) No. The Government's present priority is to introduce new commercial FM services in non-metropolitan areas of Australia.

(3) No. Applications are not open for a third commercial FM radio licence in Melbourne.

Datel Charges

(Question No. 723)

Mr Lloyd asked the Minister for Communications, upon notice, on 9 November 1983:

Were Datel charges increased with effect on 1 October 1983; if so, (a) is it advertised that the average increase is 15 per cent, (b) have short-haul line charges in fact increased between 40 per cent and 80 per cent, (c) on what criteria were increases based and (d) are the increases on short-haul Datel lines in line with the cost of the provision of the service.

Mr Duffy—The answer to the honourable member's question, based on advice from the Australian Telecommunications Commission, is as follows:

Yes.

(a) No.

(b) Yes, for the 1200 bit/s full duplex Datel Service. However, the charges for the various Datel Services include modem rental as well as the line charge. Taken together, the increases in charges for short distance Datel Services ranged from 4.9 per cent to 32.8 per cent. It is estimated that there will be a 6 per cent increase in earnings for these services in a full year.

(c) Telecom studies have shown that short distance leased lines have been underpriced for many years. These results were confirmed by a study conducted by international consultants.

(d) No. The current charges fall short of recovering provisioning, maintenance and operating costs associated with short distance leased lines.

Walter Burley Griffin Memorial

(Question No. 731)

Mr Ruddock asked the Minister for Territories and Local Government, upon notice, on 9 November 1983:

(1) Did the National Capital Development Commission (NCDC) conduct a competition for the design of a memorial to Mr Walter Burley Griffin, the American architect responsible for the original design concept of Canberra.

(2) Was the memorial to be built on Mount Ainslie and estimated to cost up to \$100,000 in 1975 values.

(3) Was the NCDC to be responsible for the construction of the memorial and the winner of the competition to be invited to take part in the preparation of the working drawings and a finished design.

(4) Was the competition judged by eminent United States of America architect and town planner, Mr Edmund Bacon, a Fellow of the Australian National University and authority on the life and work of Mr Griffin.

(5) Were Mr Peter Harrison and the Commissioner of the NCDC also judges.

(6) Was the competition won by Mr Paul M. Cope Jun. and Mr H. Mather Lippincott Jun. of Philadelphia, USA.

(7) Was the prize money of \$9,500 for the best design, paid; if so, to whom.

(8) What work has been carried out by NCDC and the architects on the working drawings and a finished design.

(9) Is it a fact that no construction work has commenced on the memorial; if so, why.

(10) Has the memorial been left in abeyance for some 8 years notwithstanding the international competition.

(11) Did the Commissioner of the NCDC announce on radio recently that the Commission had decided to shelve indefinitely plans for a memorial; if so, does this mean that (a) there is now no intention to erect a memorial or (b) at some future date, another competition will be held to design another memorial to be placed upon another site; if not, what does the Commission propose.

Mr Uren—The answer to the honourable member's question is as follows:

I am informed by the National Capital Development Commission that—

(1) The NCDC conducted a two-stage competition for the design of a memorial to commemorate the centenary of the birth of Walter Burley Griffin, and to coincide with celebrations for the 200th Anniversary of American Independence Day. The sponsors of the competition were the Canberra National Memorials Committee and the Commissioner-General of United States Bicentennial Activities. The competition was conducted over the period November 1975 to February 1976.

(2) The site for the memorial was to be on the summit of Mount Ainslie, Canberra, and the cost estimate for construction of the memorial was not to exceed a total of \$115,000 at February 1976 values.

(3) The NCDC was to be responsible for the construction of the memorial and the winning entry was to receive the commission for design of the memorial work.

(4) and (5) The competition judging panel consisted of:

Mr Edmund Bacon, an eminent American Architect/Town Planner.

Mr Peter Harrison, a Fellow of the Australian National University and an authority on the life and work of Griffin.

Mr Tony Powell, Commissioner of the National Capital Development Commission.

(6) Yes.

(7) The prize money of \$2,500 was paid to the competition winners.

(8) The partnership of Paul M. Cope Jr. and H. Mather Lippincott Jr. has completed working drawings which are held by the Commission.

(9) No construction work has commenced. On 16 March 1976, the then Minister for the Capital Territory announced that the Government had decided that construction should be deferred in the light of other priority demands for funds.

(10) Yes.

(11) (a) The Commissioner of the NCDC has stated publicly that the proposal would not proceed until there was some support from Government, the House of Assembly or the community generally for the project.

(b) no consideration has been given to the design process to be adopted.

Closed Captioning Services

(Question No. 739)

Mr Lloyd asked the Minister for Communications, upon notice, on 10 November 1983:

Are 'closed captioning' services to be extended from these currently provided in Sydney, Brisbane and Melbourne to other centres; if so, (a) what other centres are being contemplated for this service and (b) what is the timetable of introduction for these centres.

Mr Duffy—The answer to the honourable member's question is as follows:

Consideration is being given to the possible extension of the closed caption service provided by the Australian Broadcasting Corporation. A report on the technical and financial implications inherent in any further extension is being prepared for me and I shall not be in a position to make a decision until I have received that report.

A number of commercial television stations are providing a closed caption service. The extension of closed caption services provided by these stations and its introduction by others are matters for individual licensees.

Community Employment Program

(Question No. 742)

Mr Simmons asked the Minister for Employment and Industrial Relations, upon notice, on 10 November 1983:

Can he provide details of (a) designations, and (b) salary levels of all staff employed to administer the community employment program in the New South Wales Office of Special Employment.

Mr Willis—The answer to the honourable member's question is as follows:

The New South Wales Office of Special Employment is a State Government authority responsible to the Minister for Public Works, the Hon. L J. Ferguson, MLA, Deputy Premier. The information sought in respect of State Government staff is not available to the Commonwealth and should be sought from the New South Wales State Government.

As at 13 December 1983, 22 officers of the Department of Employment and Industrial Relations are involved in the administration of the community employment program in NSW and a further 8 area project officers from the Department are working throughout the State providing advice assistance to potential sponsors in the development of project proposals.

Australian Bicentennial Road Development Fund: Electoral Division of Diamond Valley (Question No. 743)

Mr Staples asked the Minister for Transport, upon notice, on 15 November 1983:

What sum have each of the local government authorities in the Electoral Division of Diamond Valley received from the Commonwealth (a) in the various categories of the Australian Bicentennial Road Development Fund and (b) for other roads programs in each year since 1980-81 and (c) what is the estimated sum for each year to 1988-89.

Mr Peter Morris—The answer to the honourable member's question is as follows:

The Commonwealth provides funds for roads to municipalities in Victoria through three sources—

1. The Australian Bicentennial Road Development Trust Fund Act 1982
2. The Roads Grant Act 1981
3. The Jobs on Local Roads (JOLOR) Program as part of the Community Employment Program (CEP).

Australian Bicentennial Road Development (ABRD) Program

Local Roads

Under the ABRD program funds are provided to municipalities for construction works on local roads.

Estimated total entitlements to municipalities situated in the Electoral Division of Diamond Valley for the year 1982-83 to end of 1988 are shown below. These entitlements are based on a projected total national expenditure of \$2500m on all road categories over the same period. However until such time as revenues become more definite councils are being advised to limit their cash expenditure on local roads to 80 per cent of their total estimated entitlement.

Municipalities in Diamond Valley electorate	**Estimated entitlements 1982-83 to 1988
*Shire of Diamond Valley	\$ 220,000
*City of Doncaster and Templestowe	417,500
*Shire of Eltham	176,500
*City of Heidelberg	292,300

*Part of municipality in Diamond Valley Electorate

**Cash expenditure limited to 80 per cent until revenues more accurately determined

Arterial Roads

Under the ABRD program urban arterial projects are also required to be approved by me for funding. In the ABRD urban arterial roads program one project in this Electorate has been approved

duplication of Heidelberg-Eltham Road between Greensborough Road and Crew Street at a cost of \$1m.

Roads Grants Act Program

Under the Roads Grants Act program, the allocations for works on local roads to each municipality in the Diamond Valley Electorate are shown below for the years 1980-81 to 1983-84. Allocations beyond 1983-84 have not yet been decided.

Approved allocations under Roads Grants Act

Municipalites in Diamond Valley electorate	1980-81	1981-82	1982-83	1983-84
*Shire of Diamond Valley	293,250	189,550	224,850	242,025
*City of Doncaster and Templestowe	79,975	184,335	2,910	1,500
*Shire of Eltham	55,530	73,980	67,120	71,450
*City of Heidelberg	500	20,500	27,000
Percentage Federal funds	63.2	64.5	61.8	63.7

These allocations are comprised of Federal and State funds which are not separable by individual municipality. However, the overall percentage of these funds, on a Statewide basis, is as shown at the bottom of the table.

*Part of municipality in Diamond Valley Electorate

Note: Municipalities also benefit significantly from arterial road funds provided under the Roads Grants Act. However, there is no requirement under this Act for arterial roads projects to be submitted for my approval. States are only required to provide details of projects on which Federal funds have been spent following end of

financial year. Victoria has not yet provided details for 1982-83.

JOLOR Program

The Commonwealth has also allocated \$16.7m to Victoria for road works in 1983-84 under the JOLOR

program as part of the Community Employment Program (CEP).

Each municipality in Victoria will be allocated \$26,670 as a base grant. The balance of \$11.046m will be distributed for approved projects, determined on the basis of—

- established road needs
- special regional employment needs
- energy and economic savings offered by the proposed programs.

Commonwealth Employees Compensation

(Question No. 745)

Mr Ruddock asked the Minister representing the Minister for Social Security, upon notice, on 15 November 1983:

(1) Did the Administrative Review Council, in its report of 27 June 1983, indicate to the Attorney-General that the grave defect with respect to Commonwealth compensation is delay.

(2) Has the Government accepted the recommendations of the Administrative Review Council that (a) the Compensation (Commonwealth Government Employees) Act 1971 be amended (i) to require the Commissioner for Employees' Compensation to determine a claim as soon as practicable, but in any case, within 60 days of lodgement of a claim with the Commissioner and (ii) to provide that the Commissioner is deemed to have made a determination adverse to the claimant if a claim has not been determined on expiration of the prescribed time limit, (b) to provide for the Commissioner to be the respondent in proceedings for review of his determinations and (c) if the Commissioner is made the respondent in review proceedings in accordance with its recommendation 2, modification of the Administrative Appeals Tribunal Act 1975 effected by sections 65 (6), (7), (8) and (9) of the Compensation (Commonwealth Government Employees) Act would be unnecessary and should be repealed.

(3) If so, when is it anticipated that legislation will be introduced to amend the Act.

Dr Blewett—The Minister has provided the following answer to the honourable member's question:

(1) The Administrative Review Council's Report indicated that the Council's attention had been drawn to a number of problems relating to the question of both primary and review decision making in relation to Commonwealth compensation. The Council noted that these problems included delays in primary decision making.

(2) and (3) The Government has not yet taken any decisions based upon the various recommendations of the Report. Those recommendations, together with issues of practical administration and legal policy relevant to their implementation are currently being studied in detail by officers of the Attorney-General's Department and the Department of Social Security with a view to enabling an early assessment of the Report by the Government. The 60 day time limit recommended by the Council to apply to the determination of claims by the Commissioner for Employees' Compensation is directed to delays being experienced in settling compensation claims. I have been well aware of these delays for some time and am supporting the

Commissioner's efforts, as outlined in his annual report for 1982-83, to introduce changes to bring the claims processing work under the direct control of his own staff. This will result in greater processing efficiency, accurate and uniform determinations and payments, and avoidance of unnecessary delays.

Mailing Arrangements During Canberra Mail Strike: Department of the Prime Minister and Cabinet

(Question No. 754)

Mr Ruddock asked the Prime Minister, upon notice, on 16 November 1983:

Did the Minister's Department and any agencies reporting to the Minister put in place alternative mailing arrangements during the recent Canberra mail strike; if so, what was the extra cost in each case.

Mr Hawke—The answer to the honourable member's question is as follows:

I am informed that arrangements were made by the Department of the Prime Minister and Cabinet and by some agencies responsible to me to have urgent material which may have been delayed by the strike delivered by alternative means. Organisations involved and the approximate extra cost incurred were:

	\$
Department of the Prime Minister and Cabinet	113
Public Service Board	688
Australian Science and Technology Council	200
Office of National Assessments	14
Australian Council for Inter-Government Relations	15
Auditor-General's Office	Nil
Commonwealth Ombudsman	Nil

Mailing Arrangements During Canberra Mail Strike: Department of Trade

(Question No. 755)

Mr Ruddock asked the Minister for Trade, upon notice, on 16 November 1983:

Did the Minister's Department and any agencies reporting to the Minister put in place alternative mailing arrangements during the recent mail strike; if so, what was the extra cost in each case.

Mr Lionel Bowen—The answer to the honourable member's question is as follows:

My Department and the Export Development Grants Board—the only statutory body reporting to me which has a Canberra office—have advised me that no special arrangements were entered into during the recent Canberra mail strike which resulted in extra costs being incurred. Under normal circumstances the Department operates a bag service to its Regional Offices in each capital city for intra-Departmental mail and for priority or classified information. During the mail strike this service was utilized to include general interstate mail. Material sent from Central Office but destined for state addresses was forwarded by the Regional Office through Australia Post services. A slight increase in freight charges was incurred, but this was offset by a reduction in volume to essential correspondence only.

Material destined for the Canberra region was affected more than any other and, although considerable disruption was caused to departmental operations, overall there was a slight reduction in mail charges for the period.

Mailing Arrangements During Canberra Mail Strike: Department of Immigration and Ethnic Affairs

(Question No. 760)

Mr Ruddock asked the Minister for Immigration and Ethnic Affairs, upon notice, on 16 November 1983:

Did the Minister's Department and any agencies reporting to the Minister put in place alternative mailing arrangements during the recent Canberra mail strike; if so, what was the extra cost in each case.

Mr West—The answer to the honourable member's question is as follows:

During the Canberra mail strike, my Department put in place arrangements to facilitate the delivery of some urgently needed mail; the extra cost of such arrangements was approximately \$80. No alternative mailing arrangements were put in place by agencies reporting to me.

Mailing Arrangements During Canberra Mail Strike: Department of Resources and Energy

(Question No. 761)

Mr Ruddock asked the Minister representing the Minister for Resources and Energy, upon notice, on 16 November 1983:

Did the Minister's Department and any agencies reporting to the Minister put in place alternative mailing arrangements during the recent Canberra mail strike; if so, what was the extra cost in each case.

Mr Barry Jones—The Minister for Resources and Energy has provided the following answer to the honourable member's question:

The following alternative arrangements were made:

Victorian Regional Office, Dandenong—Mail to Canberra was sent by overnight courier services. Cost involved was \$91.

Australian Safeguards Office, Sydney—Services of the foreign diplomatic bag delivery service to Canberra were utilised. No extra cost was involved.

Division of National Mapping, Belconnen, Australian Capital Territory—Outgoing mail was posted via Murrumbateman, New South Wales. Costs involved were the salary of the Division's courier and hire and petrol costs for the courier's vehicle, estimated at \$70.

Snowy Mountains Hydro-electric Authority, Cooma, New South Wales—Bypassed the Canberra Mail Exchange by either sending mail via its internal mail bag system to its regional office in Talbingo and then through Wagga for clearing, or by overnight carrier to Sydney for posting, utilising the Snowy Mountains Engineering Corporation security bag. No extra cost was involved.

No alternative arrangements were made by the following offices:

Central Office, Canberra, A.C.T.

Bureau of Mineral Resources, Canberra, A.C.T.

Australian Atomic Energy Commission, Lucas Heights, N.S.W.

Joint Coal Board, Sydney, N.S.W.

River Murray Commission, Canberra, A.C.T.

The Pipeline Authority, Canberra, A.C.T.

Mailing Arrangements During Canberra Mail Strike: Attorney-General's Department

(Question No. 764)

Mr Ruddock asked the Minister representing the Attorney-General, upon notice, on 16 November 1983:

Did the Minister's Department and any agencies reporting to the Minister put in place alternative mailing arrangements during the recent Canberra mail strike; if so, what was the extra cost in each case.

Mr Lionel Bowen—The Attorney-General has provided the following answer to the honourable member's question:

No alternative mailing arrangements were made by my Department and the agencies under my control during the recent mail strike in Canberra. Existing overnight courier services were used for delivery to each State Office. Some extra costs may have been involved but it is not possible to identify such costs.

Mailing Arrangements During Canberra Mail Strike: Department of Finance

(Question No. 766)

Mr Ruddock asked the Minister for Finance, upon notice, on 16 November 1983:

Did the Minister's Department and any agencies reporting to the Minister put in place alternative mailing arrangements during the recent Canberra mail strike; if so, what was the extra cost in each case.

Mr Dawkins—The answer to the honourable member's question is as follows:

Approximately 3,500 pay cheques were distributed to payees by delivery through their departments instead of being posted.

Some cheques were subsequently posted through State offices. Overall there was a saving to my Department of approximately \$870 in postage. Although there were minor costs involved in effecting these savings they cannot readily be separately identified.

Mailing Arrangements During Canberra Mail Strike: Department of Aviation

(Question No. 769)

Mr Ruddock asked the Minister for Aviation, upon notice, on 16 November 1983:

Did the Minister's Department and any agencies reporting to the Minister put in place alternative mailing arrangements during the recent Canberra mail strike; if so, what was the extra cost in each case.

Mr Beazley—The answer to the honourable member's question is as follows:

Alternative mailing arrangements due to the recent Canberra mail strike were undertaken within the Department of Aviation.

The Department provides an internal mail bag system to and from its regional offices by means of Government freight contractors. Extended use was made of this service and departmental mail received from Canberra for posting to external addresses was despatched by regional office staff at their local Post Office.

Qantas and Trans Australia Airlines used their own internal mail distribution system and urgent material to and from Canberra was delivered by courier.

The implementation of these arrangements entailed minimal additional costs to the Department and its agencies.

Mailing Arrangements During Canberra Mail Strike: Department of Special Minister of State

(Question No. 770)

Mr Ruddock asked the Special Minister of State, upon notice, on 16 November 1983:

Did the Minister's Department and any agencies reporting to the Minister put in place alternative mailing arrangements during the recent Canberra mail strike; if so, what was the extra cost in each case.

Mr Beazley—The answer to the honourable member's question is as follows:

As my Department's mailing arrangements and costs are being borne by the Department of Administrative Services, the Department was not subject to any additional costs which may have been incurred through alternative mailing arrangements during the recent Canberra mail strike.

Where agencies within my portfolio made use of existing facsimile equipment, or inter-office bag services it is not possible to separate and identify additional costs from the normal operating costs of these services.

Those agencies which did incur additional costs are:

- (a) Australian Electoral Office—\$1,281.28
- (b) Remuneration Tribunal—\$100.

Mailing Arrangements During Canberra Mail Strike: Department of Science and Technology

(Question No. 775)

Mr Ruddock asked the Minister for Science and Technology, upon notice, on 16 November 1983:

Did the Minister's Department and any agencies reporting to the Minister put in place alternative mailing arrangements during the recent Canberra mail strike; if so, what was the extra cost in each case.

Mr Barry Jones—The answer to the honourable member's question is:

No alternative mailing arrangements were introduced by either the Department of Science and Technology or any statutory authority within my portfolio. There was however some increase in the use of existing courier services. The estimated extra cost was:

- (i) Department of Science and Technology—\$830
- (ii) CSIRO—\$780.

Mailing Arrangements During Canberra Mail Strike: Department of Territories and Local Government

(Question No. 780)

Mr Ruddock asked the Minister for Territories and Local Government, upon notice, on 16 November 1983:

Did the Minister's Department and any agencies reporting to the Minister put in place alternative mailing arrangements during the recent Canberra mail strike; if so, what was the extra cost in each case.

Mr Uren—The answer to the honourable member's question is as follows:

The Department of Territories and Local Government made no alternative mailing arrangements during the recent Canberra mail strike. However, to expedite delivery after the strike, rates notices were delivered to regional post offices at a cost of approximately \$30.

Countrywide Calling Zone Arrangement

(Question No. 795)

Mr Lloyd asked the Minister for Communications, upon notice, on 16 November 1983:

Will subscribers on the Anabanch exchange/Belvedere Concentrator exchange lose their access to an untimed local call through the introduction of countrywide calling; if so, will the new zoning arrangement be reviewed to overcome this anomaly.

Mr Duffy—The answer to the honourable member's question, based on advice from the Australian Telecommunications Commission, is as follows:

Countrywide calling will not be introduced into the Belvedere area until suitable charging equipment becomes available during 1984-85. At the time Belvedere customers will lose their untimed local call access.

The situation has been reviewed but it has not been found practical to make any changes to the proposed arrangements in the Belvedere area.

Assistance to Private Business by Department of Finance

(Question No. 802)

Mr Braithwaite asked the Minister for Finance, upon notice, on 16 November 1983:

(1) What (a) financial, (b) technical and (c) other forms of assistance, are available from the Minister's Department, to private business.

(2) What (a) is the contact point, and (b) requirements have to be met to qualify, for each form of assistance.

Mr Dawkins—The answer to the honourable member's question is as follows:

(1) No direct assistance is available to private business from the Department of Finance.

(2) Not applicable.

Assistance to Private Business by Department of Transport (Question No. 803)

Mr Braithwaite asked the Minister for Transport, upon notice, on 16 November 1983:

(1) What (a) financial, (b) technical and (c) other forms of assistance, are available from the Minister's Department, to private business.

(2) What (a) is the contact point and (b) requirements have to be met to qualify, for each form of assistance.

Mr Peter Morris—The answer to the honourable member's question is as follows:

1 (a) The only financial assistance provided to private business by the Department of Transport is through the Tasmanian Freight Equalisation Scheme (TFES). Assistance under the Scheme in 1982-83 amounted to \$27,252,560.

(b) Technical advice is available through the Department's Marine Operations Division on maritime matters within the Federal Government's jurisdiction; and through the Office of Road Safety which provides assistance regarding compliance with Australian Design Rules to local and overseas motor vehicle manufacturers, component firms and private individuals.

(c) The Office of Road Safety also provides advice on designs and proposals put forward by companies and individuals concerning design rules and road safety publicity campaigns.

The Bureau of Transport Economics, a professional research body, undertakes independent studies and investigations to assist the Commonwealth Government in formulating policies relating to air, road, rail and sea transport.

The Bureau's secondary function is to assist State and local governments, Commonwealth and State instrumentalities and the private sector to identify and address transport problems.

The Shipping Advisory Service offers assistance by providing advice on overseas shipping services to individual exporters. Details of all line shipping services operating out of Australia, including shipping companies, vessel types and sailing schedules as well as indicative freight rates, are available to exporters.

2 (a) The contact points are:

- (i) for the Tasmanian Freight Equalisation Scheme: Assistant Director, Tasmania, Department of Transport, P.O. Box 1269N, Hobart, Tasmania, 7000
- (ii) for maritime matters: First Assistant Secretary, Marine Operations Division, Department of Transport, Belconnen Offices, Chan Street, Belconnen, A.C.T., 2617
- (iii) for road safety matters: First Assistant Secretary, Road Safety Division, Department of Transport, P.O. Box 594, Civic Square, A.C.T., 2608

(iv) the Bureau of Transport Economics: The Director,

Bureau of Transport Economics,
P.O. Box 501,
Civic Square, A.C.T., 2608

(v) for the Shipping Advisory Service:
all Department of Transport Regional Offices

(b) Tasmanian Freight Equalisation Scheme assistance is provided by way of direct payment to persons who incur the costs of carriage of eligible cargoes by sea between Tasmania and the mainland. Eligible cargoes include specified non-bulk Tasmanian goods for use or sale on the mainland and approved non-bulk raw materials and equipment produced on the mainland for use in Tasmania's mining, manufacturing, agricultural, forestry and fishing industries.

Advice in relation to maritime matters is available free, upon request.

The Office of Road Safety provides free, upon request, technical assistance on compliance with Federal and State Government regulations.

The Director of the BTE, in agreeing to provide informal technical assistance ensures that it is only of a technical nature, does not bestow a commercial advantage upon a particular organisation and serves to promote improved techniques for transport systems' operations. At the formal level, the referral to the BTE of a request for technical assistance is usually by way of a request to undertake a specified investigation. According to the Charter of the BTE such requests are dealt with as appropriate.

The Shipping Advisory Service provides advice free, upon request.

Assistance to Private Business by Department of Aviation (Question No. 805)

Mr Braithwaite asked the Minister for Aviation, upon notice, on 16 November 1983:

(1) What (a) financial, (b) technical and (c) other forms of assistance, are available from the Minister's Department, to private business.

(2) What (a) is the contact point and (b) requirements have to be met to qualify, for each form of assistance.

Mr Beazley—The answer to the honourable member's question is as follows:

(1) (a) and (b) See Table.

(1) (c) Nil.

(2) (a) Regional Directors in each of the Regions of the Department of Aviation, the addresses are as follows:

New South Wales Region, P.O. Box 409, Haymarket, N.S.W. 2000.

Victoria/Tasmania Region, G.P.O. Box 1733P, Melbourne, Vic. 3001.

Queensland Region, P.O. Box 600, Fortitude Valley, Qld 4006.

South Australia/Northern Territory Region, G.P.O. Box 2270, Adelaide, S.A. 5001.

Western Australia Region, G.P.O. Box X2212, Perth, W.A. 6001.

(2) (b) See Table.

Form of assistance	To whom available	Requirements
Financial	Private business proprietors of aerodromes open for public use and licensed under the Air Navigation Act and Regulations.	<p>Proprietor may be eligible for Commonwealth financial assistance by way of grants for up to one half of the costs of approved maintenance and operating activities, provided the aerodrome:</p> <ul style="list-style-type: none"> (i) is used regularly for airline passenger services; or (ii) has been used for at least twelve months and is to continue to be used for regular public transport passenger services operated under a Supplementary Airline Licence or other relevant provisions of the Air Navigation Regulations.
Financial	<p>Subsidies available for certain air services:</p> <ul style="list-style-type: none"> (i) to remote areas of Australia to assist with the health, communication, education, food and basic needs of remote communities. 	<p>Air services to remote areas of Australia are designed to guarantee a minimum level of services throughout the year. A minimum level of service is considered to be a once weekly service by a small single or twin-engined aircraft. All proposals for remote air service subsidy should meet the following broad criteria:</p> <ul style="list-style-type: none"> there is insufficient demand for the present service; weather conditions render a port(s) inaccessible by road for a significant part of the year; there are educational, welfare and medical reasons for needing a regular service; port(s) in question is (are) not within one hour's comfortable drive from a centre of population at which basic economic and social necessities are catered for; port(s) is (are) not within 60 kilometres of and easily accessible to another aerodrome.
Technical	<p>Private proprietors, in common with all present and intending proprietors of all classes of civil aerodromes, from the smallest Authorised Landing Area to full international airports technical advice available on all aspects of the safe development, maintenance and operation of their aerodrome.</p>	<p>Self-explanatory</p>
	<p>Private proprietors, lessees and licensees of businesses operated on Commonwealth civil aerodromes</p>	<p>technical advice available on aviation safety aspects of their businesses.</p>
	<p>The technical advice provided does not extend to carrying out designs or other tasks appropriately the responsibility of proprietors, but does include alerting proprietors to the need for consideration of related matters, such as environmental factors, in addition to the normal reviews of the proposals to ensure their compliance with safety requirements, and to the provision of inspectorial services related to aviation safety at aerodromes licensed under the Air Navigation Act and Regulations.</p>	

Defence Ministerial Directives

(Question No. 824)

Mr Spender asked the Minister for Defence, upon notice, on 17 November 1983:

Will he make available the ministerial directives issued to the (a) Secretary, Department of Defence, (b) Chief of Defence Force Staff, (c) Secretary and the CDFS jointly, (d) Chief of Naval Staff, (e) Chief of General Staff and (f) Chief of Air Staff; if not, why not.

Mr Scholes—The answer to the honourable member's question is as follows:

The principal directives were published in the final report of the Defence Review Committee which was tabled in the House on 10 November 1982 (*Hansard*, Wednesday, 10 November 1982, page 2970). If the honourable member would like copies of all the directives, I would be pleased to make them available to him.

The directives are currently under review in the light of the report of the Defence Review Committee.

Aussat Pty Ltd

(Question No. 830)

Mr Lloyd asked the Minister for Communications, upon notice, on 29 November 1983:

Will the Telecommunications Act have to be amended to allow Telecom Australia to purchase 25 per cent of the shareholding in Aussat Pty Ltd; if so, when will these amendments be introduced into the House of Representatives.

Mr Duffy—The answer to the honourable member's question is as follows:

Yes. Amendments to the Telecommunications Act are planned for the autumn 1984 parliamentary sittings.

Wage Pause

(Question No. 831)

Mr Lloyd asked the Minister for Employment and Industrial Relations, upon notice, on 29 November 1983:

Is it a fact that in Victoria the award for lady hairdressers was increased by 7.6 per cent and 4.6 per cent on 19 September and 6 October 1983, respectively, which has actually yielded a rise of 12.7 per cent because of the compounding effect of the 2 awards; if so, is this a breach of the wage pause arrangement; and, if so, what is being done to correct the breach.

Mr Willis—The answer to the honourable member's question is as follows:

Rates of pay for ladies' hairdressers were increased by 7.6 per cent from 19 September 1983 as a result of a decision in the Industrial Commission of Victoria. This increase was equivalent to the final instalment in the application of the 'Metal Industry Standard' to this industry. Increases consistent with the Metal Industry Standard were provided for under the terms of Principle 1 of the Wage Pause Principles set out by both Federal and State Commissions. The 7.6 per cent increase brought the total post-indexation wage increases received to between \$33 and \$42 per week depending upon the classification level,

as compared with the metal industry tradesman-fitter increase of \$39 per week. The form of increase—percentage rather than flat—was supported by the employers.

The 4.3 per cent increase effective from 6 October 1983 was the State wage increase granted by the State Industrial Commission in its decision of 20 October 1983 in line with the earlier national wage case decision. On 15 October 1983, the Australian Hairdressers, Wigmakers and Hair Workers Employees Federation gave the no extra claims commitment as required by the wage principles as a precursor to the 4.3 per cent increase.

All increases have been ratified by the Victorian Industrial Commission as being in line with its wage principles. Against this background there has been no breach of the wage pause guidelines or the guidelines that are currently in operation.

Australian Salmon

(Question No. 832)

Mr Cowan asked the Minister for Primary Industry, upon notice, on 29 November 1983:

Is he able to say whether (a) research has shown that there is a decline in the species of commercial fish both offshore and in rivers along Australia's eastern coastline and (b) professional fishermen have voiced concern as to the serious decline in the number of Australian salmon (*Arripis trutta*) which come up the coast in vast schools and are netted at Eden and Ulladulla, New South Wales, for canning purposes; if so, will he indicate what measures are being taken to restore stocks of this species.

Mr Kerin—The answer to the honourable member's question is as follows:

(a) Along Australia's eastern coastline there are six major fisheries:

- (i) a prawn trawl fishery extending from New South Wales to Torres Strait
- (ii) the south east trawl fishery concentrated off New South Wales
- (iii) a tuna fishery based on tropical and temperate species
- (iv) an inshore, State-based multispecies fishery which changes with emphasis from north to south. The Australian salmon fishery is a component of this fishery.
- (v) the oyster fishery
- (vi) the abalone fishery

Management of the inshore fishery and the oyster and abalone fisheries is the responsibility of individual States while the other three fisheries are managed co-operatively by both the Commonwealth and State fisheries authorities.

- (i) In respect of the prawn trawl fishery, which is distributed along the entire length of the Queensland coast and down as far south as Port Stephens, New South Wales, the rapid increase in fishing capacity which has occurred in recent years has raised concern amongst fisheries administrators.

While the catch per vessel figures have declined in recent years there is no biological concern for stocks as the decline largely reflects the increasing number of vessels operating along the eastern coastline.

In a joint press release of 8 June 1983 the Commonwealth, Queensland and New South Wales

Governments announced that the number of vessels in the east coast prawn trawl fishery would be limited for a period of 12 months.

This is an interim measure during which time further information on the fishery will be collected, following which discussions will be held with the fishing industry on the future management of the fishery.

- (ii) The main south east trawl grounds are distributed from the New South Wales central coast south to eastern Bass Strait.

Presently, there is no major biological concern for the status overall of the stock in the trawl fishery. However, the situation is being closely monitored and a workshop, comprising State and Commonwealth fisheries representatives, is being planned for March 1984 to further assess the situation.

In recent years the State and Commonwealth Governments have been concerned at the increasing catching capacity which is concentrated in specific regions in the south east trawl fishery. If the increase in the number of vessels is not contained, it may threaten stocks in the longer term. A draft management plan has been prepared by Commonwealth and State fisheries authorities. The plan was released for public comment on 16 January 1984 with a view to the introduction of new management arrangements later in 1984.

- (iii) Several species of tuna are distributed along Australia's eastern coastline. Both yellowfin and bigeye tuna are found in northern waters, while southern bluefin tuna and albacore occur in the south and south east regions.

Southern bluefin tuna is the major tuna species fished in the Australian Fishing Zone. The east coast component of the southern bluefin resource is part of a southern Australia wide distribution which is fished domestically in New South Wales, South Australia and Western Australia and by a licensed Japanese fleet in the AFZ. The Japanese also fish for the species in international waters. In addition New Zealand has established a small fishery for the species in its waters.

Advice from the CSIRO Division of Fisheries Research has indicated that a substantial reduction in the parental biomass has occurred with fishing over time which may effect the long term commercial viability of the fishery through a reduction in recruitment. Agreement has been reached between Australia, Japan and New Zealand on the state of the southern bluefin stocks. The three countries have held discussions on international management of the fishery and pending agreement on a comprehensive plan, Australia and Japan have agreed to restrain any further growth in their catches of southern blufin tuna.

A management plan for the Australian domestic southern blufin tuna fishery has been introduced which incorporates catch quotas, minimum fish size limits, a continuation of entry arrangements for purse seiners and some restrictions on vessel operations.

- (iv) The multispecies inshore fisheries, of which Australian salmon, *Arripis trutta*, is a component, is under the control of the relevant State fisheries authorities. Advice from both Victorian and New South Wales fisheries authorities indicates that on

the east coast the Australian salmon is not under any direct biological threat. However, over the last 5 years the total catch has been reduced to a level which is stable but lower than in previous years. This is consistent with a developed fishery. Wide yearly fluctuations in total catch do occur but no long term trends are evident. CSIRO, Division of Fisheries Research has suggested that, as with the western subspecies of the Australian salmon, environmental conditions may strongly influence spawning and reproductive success, and hence stock size.

(v), (vi) The oyster and abalone fisheries are closely monitored and regulated by the State authorities.

- (b) I am not aware that fisherman have voiced any concern over the state of the eastern subspecies of the Australian salmon stock although, as management of the fishery is the responsibility of the States, they would be more likely to contact the relevant State authorities.

Indian Ocean: Soviet Naval Ships

(Question No. 862)

Mr Jacobi asked the Minister for Defence, upon notice, on 29 November 1983:

(1) Will he bring up to date the information given in answer to question No. 160 (*Hansard*, 23 August 1983, pages 103-4) concerning the movement of Soviet naval ships in the (a) Indian Ocean, (b) north, west and south Pacific, (c) Persian Gulf, (d) Gulf of Oman, (e) Gulf of Aden, (f) Arabian Sea, (g) Red Sea, (h) Eastern Mediterranean and (i) Black Sea.

(2) Can he indicate whether (a) there has been an increase in the sophistication of Soviet naval vessels in the north-west quadrant; if so, what are the details, (b) Egypt has completed its huge program of expansion to increase the capacity of the Suez Canal to accommodate oil tankers up to 370,000 DWT, in its aim to win back the tanker traffic lost during the closure of the Suez Canal between 1967 and 1973, (c) oil tanker traffic will increase in this region in the next few years; if so, can he give an estimate of (i) oil tanker tonnage and (ii) the number of ships likely to use the Suez Canal over the next few years and (d) increased oil tanker traffic through the Suez Canal will increase the strategic significance of Bab-el-Mandeb.

(3) Is he able to say how many (a) naval and (b) merchant vessels transit (i) Bab-el-Mandeb and (ii) the Straits of Hormuz (A) each day and (B) each year.

(4) In view of the increasing geo-political and strategic importance of the region, will he reconsider the appointment of military attaches to appropriate diplomatic missions in the Middle East, as recommended by the 1976 report of the Joint Committee on Foreign Affairs and Defence.

(5) Further to his answer to question No. 160 (2) can he now say whether significant development for Soviet naval purposes has occurred at Dahlak Island, Aden, Socotra or at the Bay of Turbah.

Mr Scholes—The answer to the honourable member's question is as follows:

1. (a) Monthly class/day figures of Soviet naval and naval-associated ships which operated in the Indian Ocean during the period 1st May 1983—31st October 1983 are shown in the following table:

SOVIET NAVAL ACTIVITY INDIAN OCEAN (SHIP DAYS) MAY 1983—OCT 1983

	May	June	July	Aug.	Sept.	Oct.
Aircraft Carrier						
KIEV
Cruisers						
KARRA	16	31
KRESTA
Destroyers						
KASHIN	31	17
MOD KOTLIN	6	30	36
Frigates						
KRIVAK	31	30	31	46	60	58
RIGA	30	30	10
Submarines						
NOVEMBER	8	30	23
ECHO II	19	31
VICTOR
FOXTROT	15	30	24
Minesweepers						
T-58
NATYA	62	50	31	53	30	31
YURKA	8	11	..
Landing Ships						
ALLIGATOR	62	50	31	28
ROPUCHA	13	31	30	31
Auxiliaries						
TUGS	62	60	62	47	60	46
OILERS	42	69	62	77	84	67
REPAIR SHIPS	31	30	31	31	30	31
SUB TENDERS	31	30	31	55	30	31
MERCHANT TANKERS	49	51	62	36	30	40
MISCELLANEOUS	204	159	175	155	150	142
Others						
OCEANOGRAPHIC	67	30	31	77	56	79
HYDROGRAPHIC	55	60	34	4	..	29
INTELLIGENCE COLLECTORS	57	40	31	31	30	15

- (b) (i) Details not available—see answer to Question No. 160.
2. (a) More modern warships and other naval vessels are being assigned to the Soviet Pacific Fleet, which provides most of the ships for Soviet Indian Ocean deployments. Since 1979 the Soviet Pacific Fleet has received its first aircraft carrier (KIEV class), its first KARA class guided missile cruiser, its first IVAN ROGOV class landing ship, and its first VICTOR III class nuclear-powered attack submarine. Each of these classes provides a significant improvement in capability over earlier classes, and ships from each class have operated in the Indian Ocean since 1979.
- (b) Egypt has completed the first phase of the Suez Canal expansion project enabling the passage of tankers up to 370,000 dwt empty or in ballast and up to 150,000 dwt when fully laden.
- (c) In the present state of the international oil market, prediction of trends in tanker traffic cannot be made with confidence.
- (d) Bab-el-Mandeb is already a strategically important strait. An increase in oil tanker traffic through it need not materially alter its relative significance.
3. (a) No.
- (b) According to international shipping statistics Bab-el-Mandeb and the Strait of Hormuz are each transited by about 45 merchant ships a day and about 16,000 in a year.
4. The question of whether military attaches should be appointed to appropriate diplomatic missions in the Middle East is kept under review. While the general strategic significance of the Middle East area is appreciated, permanent representation there does not have a level of priority that would warrant appointment of resident military attaches at present.
5. The information given in response to your question No. 4641 (*Hansard*, 24 August 1982, pages 879-80) and No. 2193 (*Hansard*, 18 August 1982, pages 678-9) concerning developments at Dahlak Island, Aden, Socotra Island, and the Bay of Turbah remains current.

Public Transport Authority for the Australian Capital Territory (Question No. 869)

Mr Ruddock asked the Minister for Territories and Local Government, upon notice, on 29 November 1983:

(1) Has consideration been given to the establishment of a public transport authority for the Australian Capital Territory.

(2) Is the question of a public transport authority still under examination or has it been deferred to enable the House of Assembly to determine future administrative arrangements for public transport in Canberra after the granting of self-government.

(3) Is it a fact that his Department is still responsible for the provision of public transport in the Australian Capital Territory; if so, (a) has consideration been given to the establishment of an advisory committee on public transport, (b) what is the likely composition of the committee and (c) what terms of reference would the committee have.

Mr Uren—The answer to the honourable member's question is as follows:

(1) and (2) A recent report from the Australian Capital Territory House of Assembly suggested that a decision on the establishment of a public transport authority should more properly await the introduction of self-government for the Territory.

(3) Yes. The Canberra public bus service, locally known as ACTION, is operated by my Department;

- (a) I have agreed to the establishment of an ACTION liaison committee to advise on public bus services.
- (b) The composition of the committee is two representatives each from the Australian Capital Territory House of Assembly and Australian Capital Territory Trades and Labour Council, together with one representative each from the Department of Territories and Local Government, National Capital Development Commission and the community.
- (c) The proposed committee is likely to have the following terms of reference:

To advise the Minister for Territories and Local Government on such matters affecting ACTION's operations as might be referred by the Minister, the Assembly and the public.

The committee is to be a consultative link between the Minister, the Assembly and the community. It is to ensure that the community has access to Government on the planning and functioning of Canberra's bus system.

In particular it is expected to advise on such matters as the promotion of ACTION and other matters of community concern such as passenger convenience, comfort and fare collection arrangements.

United Nations Security Council

(Question No. 876)

Dr Everingham asked the Minister for Foreign Affairs, upon notice, on 30 November 1983:

(1) Has his attention been drawn to an opinion expressed by several nations that certain areas of decision-making in the United Nations Security Council should not be subject to the rule of unanimity according to Chairman Nabil Elaraby of the United Nations Charter Committee in United Nations document L/2483.

(2) If so, is he able to say whether the committee's report as adopted by the General Assembly document A/AC 182/L.34, was described by some members of the working group as a sound basis for enhancing Security Council effectiveness and by others as undermining the Charter and the existence of the United Nations.

(3) What has Australia done to remove from the Security Council and Article 2 of the United Nations Charter, the United Nations reliance on nations to determine their own rights in international disputes using unrestrainable sovereign powers of national leaders.

(4) Will the Government educate citizens in the need for international arms control, arbitration and enforcement of international law on national officials and the need for a popular demand of such controls if nations are to survive the world arms race.

(5) Has Australia reminded United Nations delegates of Simon Bolivar's words on the outside of the Secretariat building '*una sola nación cubriendo el universo: la federal*' as a goal without which the United Nations and most nations must soon perish.

Mr Hayden—The answer to the honourable member's question is as follows:

(1) There have been numerous proposals to this effect from time to time.

(2) I am unable to confirm this but I have no reason to doubt that it is so.

(3) To secure these objectives it would be necessary to amend the Charter of the United Nations. Any proposal to this end would require widespread support from member states of the organisation, including the five permanent members of the Security Council. In existing circumstances such a degree of support would not be forthcoming. Nevertheless, as a matter of policy Australia could support constructive proposals for reform of the Charter.

(4) Since coming to office the Government has given high priority to questions of peace, disarmament and arms control and has increased the amount of material made available to the public on these issues. As far as schools and school curriculums are concerned, the Minister for Education and Youth Affairs has informed me that there is growing support among a variety of organisations for the inclusion of peace studies in educational programs.

(5) No, but Dr Everingham's interest in Simon Bolivar's words has been noted.

Construction of the New Parliament House: Use of Off-White Cement

(Question No. 883)

Mr Simmons asked the Minister for Territories and Local Government, upon notice, on 30 November 1983:

Is off-white cement being used at any stage during the construction of the new Parliament House; if so what are the details.

Mr Uren—The answer to the honourable member's question is as follows:

The structure of the new Parliament House is being constructed of reinforced concrete using grey cement which is poured on the site. For aesthetic reasons, off-white cement is being used as a cladding for the exterior of the Senate and House of Representatives buildings and the front of the main entry as either prepared pre-cast panels or specially laid panels of in situ concrete.

The supplier of off-white cement for the project is the Portland Blue Circle Company which is located at

Portland near Bathurst, within the honourable member's electorate.

National Videotex Service: Prestel Compatible Systems

(Question No. 885)

Mr Lloyd asked the Minister for Communications, upon notice, on 1 December 1983:

What videotex systems other than Prestel are Prestel compatible as required by the Telecom Australia tender for a national public access videotex service.

Mr Duffy—The answer to the honourable member's question, based on advice from the Australian Telecommunications Commission, is as follows:

Offers have been called by Telecom for a national videotex service that is compatible with Prestel.

Offers closed on 19 January 1984 and the bids will be examined to determine the best system to meet Telecom's requirements.

Standards for Children's Television

(Question No. 886)

Mr Lloyd asked the Minister for Communications, upon notice, on 1 December 1983:

(1) If the recently released draft standards for children's television issued by the Australian Broadcasting Tribunal are adopted, what penalties for breaches or contravention are to be incorporated in the standards.

(2) What actions can he or the Australian Broadcasting Tribunal take in the event of the standards being contravened.

Mr Duffy—The answer to the honourable member's question, based on advice received from the Australian Broadcasting Tribunal, is as follows:

(1) Penalties for breaches or contraventions of any of the Tribunal's Standards are not specified in the Standards themselves.

(2) The Broadcasting and Television Act contains provisions which enable the Tribunal, in the case of breaches or contraventions of the standards arising, to consider the matter in the context of the station's licence renewal. Should the Tribunal consider the breaches serious enough, it may renew the licence for less than the maximum term of three years or attach special conditions to the licence requiring the licensee to maintain particular care in the area involved and to report to the Tribunal periodically on the matter.

Countrywide Calling Scheme: Local Call Fees in Remote Areas

(Question No. 889)

Mr Lloyd asked the Minister for Communications, upon notice, on 1 December 1983:

Is it a fact that many people in remote areas will be charged 30c for a 4 minute local call under the countrywide calling scheme; if so, which groups will be affected.

Mr Duffy—The answer to the honourable member's question, based on advice from the Australian Telecommunications Commission, is as follows:

Under the community access 80 scheme, Telecom provided a call access rate of one meter pulse (currently 15c) each 3 minutes and this was designated a community call. There has been some confusion of this community call with an untimed local call which has never been suggested as a rate applicable over vast distances.

The countrywide calling scheme built on community access 80 by applying the community call rate to a wider range of calls including calls to a service town and for calls to other exchanges in the same extended zone, resulting in many cases in a reduction in call charges.

Since a four minute call would involve the application of two meter pulses, the charge would be 30c but of course for this amount the caller would also have 6 minutes of usable time.

Mr Justice Kirby: Comments on Child Sex

(Question No. 895)

Mr Goodluck asked the Minister representing the Attorney-General, upon notice, on 1 December 1983:

(1) Has the Attorney-General's attention been drawn to comments allegedly made by the Chairman of the Australian Law Reform Commission, Mr Justice Michael Kirby, reported in *The Australian* on 11 November 1983, (a) concerning the question of whether children aged 10 having sex together should be legally and socially recognised as a matter of genuine community debate and (b) that a survey has shown that 22 per cent of children aged between 11 and 14 engaged in regular sexual activity.

(2) If so, is the Attorney-General able to say whether (a) the reports are correct and (b) Justice Kirby's statements on this subject reflect the views of the Law Reform Commission.

(3) What sum has been allocated by the Law Reform Commission for Justice Kirby's (a) travel and accommodation and (b) personal assistance including press and secretarial assistance in 1983-84.

(4) Has the Attorney-General's attention been drawn to alleged comments by Justice Kirby when he launched a book edited by Mrs Wendy McCarthy teaching about sex; if so, does he agree with those comments.

Mr Lionel Bowen—The Attorney-General has provided the following answer to the honourable member's question:

(1) Yes.

(2) (a) The reports are inaccurate in suggesting that Mr Justice Kirby was advocating freer sexual activity for the young. He referred to the results of a major survey on sexuality among the young and suggested that the community needed to face up to the facts and undertake necessary legal and social reforms.

(b) The paper delivered on 5 November 1983 made clear Mr Justice Kirby's statements on this subject and reflect his personal views and do not reflect the views of the Law Reform Commission. One aspect of this matter, the right of privacy of young persons, was canvassed in the

Commission's report on privacy which was tabled on 14 December 1983.

(3) (a) No funds are specifically allocated to the Law Reform Commission for Mr Justice Kirby's travel and accommodation. In accordance with normal procedure an amount was appropriated for travel by the Commission members and staff within Australia. When Mr Justice Kirby travels on Commission business he is entitled to a travelling allowance at the rates determined by the Remuneration Tribunal. As a general rule, however, reimbursement is obtained from organisations and bodies to which Mr Justice Kirby delivers speeches for the cost of travel and, generally, accommodation where that is also involved.

(b) Mr Justice Kirby has a personal secretary and a judge's associate with salaries of \$21,382 and \$20,683 respectively. There is no press officer for the Commission. I am informed that Mr Justice Kirby prepares all his own speeches without research assistance.

(4) Yes and yes.

Telecom Australia Videotex Tender

(Question No. 896)

Mr Lloyd asked the Minister for Communications, upon notice, on 1 December 1983:

(1) What does the Telecom Australia videotex tender document mean by requiring the successful system to enable the gateway to connect videotex terminals built to other recognised standards, and connect these through to EDB's meeting those same particular standards, using separate groups of incoming ports if necessary.

(2) Does its meaning include (a) either through the public switched telephone network or by leased lines, DDS or Austpac, to incorporate videotex standards, other than Prestel compatible, to be included in the Telecom system, or (b) in any way prevent private companies using leased line, DDS or Austpace, to provide a closed or public access system in competition with Telecom.

Mr Duffy—The answer to the honourable member's question, based on advice from the Australian Telecommunications Commission, is as follows:

(1) The Telecom Australia videotex tender document does not stipulate this as a requirement. The document asked tenderers to comment on the possible enhancement of the tendered system to enable videotex terminals of standards other than Prestel to be connected through the gateway to data bases of the same particular standards.

(2) This particular stipulation of the tender document aims to establish the ability of the tendered system to connect terminals, using videotex standards other than Prestel, to the gateway facility of the Telecom videotex system for connection to data bases compatible with the particular terminals. It is not intended to prevent private companies providing systems in competition to Telecom.

Research Programs: National Biotechnology Program

(Question No. 900)

Mr Milton asked the Minister for Science and Technology, upon notice, on 1 December 1983:

(1) Has he requested his Department to monitor the implications for research projects under its responsibility, referred to in this reply to a question without notice on the national biotechnology program on 29 November 1983, in which he referred to bacteria thriving at a temperature of 350 degrees celsius at a depth of 2650 metres in the Pacific Ocean.

(2) Can he confirm that the sophisticated equipment which the Australian National Animal Health Laboratory has installed to prevent exotic diseases from entering or escaping from its laboratories, will be able to control the activities of such unusual organisms.

Mr Barry Jones—The answer to the honourable member's question is as follows:

(1) The research programs supported under the national biotechnology program research grants scheme are expected to be reviewed following the first year of operation of the scheme. This and subsequent reviews will examine the progress of the research programs, whether stated objectives are being met and determine the implications of the research in terms of national scientific, technological, economic and social objectives.

In addition, each research program will be regularly monitored to ensure satisfactory progress is being made as a pre-condition to the continued funding of the programs.

(2) Yes. The microbiological security systems in ANAHL, described by ASTEC as 'probably equal to, or better than, that of any other animal disease laboratory in the world', were designed to cope with exotic disease organisms, which are relatively susceptible to heat. However, they would also be effective against these very unusual organisms if for any reason it was decided to handle them in ANAHL. The air filtration system is designed to filter out even the smallest viruses, which are many times smaller than bacteria and the incinerators which are used to dispose of these filters and any other material contaminated with organisms operate at 900 degrees celsius. This treatment would certainly destroy these organisms.

They would also probably be destroyed by the chemical disinfectants used for certain decontamination procedures but would not be destroyed at the temperatures used to treat sewage and other liquid effluents. However, if the organisms were handled in ANAHL they would only be manipulated in areas where they could not gain access to the sewage treatment system.

Tasmania: Fisheries

(Question No. 901)

Mr Hodgman asked the Minister for Trade, upon notice, on 1 December 1983:

(1) Is it a fact that at the meeting of the Australia-USSR Mixed Commission on Trade and Economic Co-operation in Moscow in early October 1983, discussions took place on both the Soviet floating dock proposal and proposed joint Soviet fishing venture in Tasmanian waters.

(2) Did these discussions take place with the full authority of the Government.

(3) Has he (a) had any consultations with the Tasmanian Government on these issues and (b) received a telex from the Premier of Tasmania in which he expressed his serious concern.

Mr Lionel Bowen—The answer to the honourable member's question is as follows:

I refer the honourable member to the answer I gave in the House on 1 December 1983 (*Hansard* pages 3168-9).

Governor-General: Constitutional Powers

(Question No. 902)

Mr Blanchard asked the Minister representing the Attorney-General, upon notice, on 6 December 1983:

In view of the recent action of the Governor-General of Grenada in inviting the United States of America to intervene in the internal affairs of Grenada through the use of United States military forces, can the Attorney-General give an assurance that the Governor-General of Australia cannot unilaterally invite foreign troops into Australia.

Mr Lionel Bowen—The Attorney-General has provided the following answer to the honourable member's question:

Constitutionally, the Governor-General of Australia cannot unilaterally invite foreign troops into Australia contrary to the will of the Government of the day.

Cost of Increasing Standard Rate Pensions

(Question No. 907)

Dr Klugman asked the Minister representing the Minister for Social Security, upon notice, on 6 December 1983:

What is the estimated cost of increasing all current standard rate (a) age pensions including wives, (b) invalid pensions including wives, (c) widows' pensions and (d) supporting parents' benefits to the level of 25 per cent average weekly earnings.

Dr Blewett—The Minister for Social Security has provided the following answer to the honourable member's question:

The estimated full year cost of increasing all standard rate pensions to 25 per cent of average weekly earnings, with married rate remaining in the existing relationship to the standard rate is

- (a) age pensions (incl. wives) \$260m
- (b) invalid pensions (incl. wives) \$60m
- (c) widows' pensions \$40m
- (d) supporting parents' benefits \$35m

These estimates are based on average weekly earnings for June quarter 1983, pension rates current from May 1983, and numbers of pensioners at 30 June 1983.

June quarter 1983 is the latest quarter in which a pension increase occurred and for which AWE statistics are available.

The costs are gross costs for existing pensioners only. They make no allowance for persons who may become eligible for pension as a result of the change or for any additional revenue which may result from taxation of the additional payments.

Pensions: Means Test Legislation

(Question No. 909)

Mr Ewen Cameron asked the Minister representing the Minister for Social Security, upon notice, on 6 December 1983:

(1) How many pensioners aged 70 years and over have had their pensions discontinued as a result of the income means test legislation.

(2) What is the total saving in cost through discontinuation of these pensions.

Dr Blewett—The Minister for Social Security has provided the following answer to the honourable member's question:

(1) The age pensions of some 55,000 persons aged 70 and over were discontinued on payday 3 November 1983, the date of commencement of the new income test on persons aged 70 or more. These included some 14,000 persons who had disclosed incomes precluding payment, some 27,000 who had returned review forms without disclosing their incomes and about 13,000 who had failed to return their forms by 3 November 1983. If any of these 13,000 later return their forms and are found eligible to receive a pension, their entitlement will be restored.

(2) It is estimated that age pension outlays have been reduced by some \$145m in a full year as a result of the discontinuation of these pensions.

It should be noted that, in addition, 32,000 pensioners had their pension decreased as a result of the new income test. The estimated reduction in outlays as a result of the decrease in these pensions is some \$35m in a full year.

Aboriginal Arts Board

(Question No. 923)

Mr Hunt asked the Minister for Home Affairs and Environment, upon notice, on 7 December 1983:

Are all members of the Aboriginal Arts Board, including the Chairman, required to be appointed on a part-time basis.

(2) Is the current Chairman of the Aboriginal Arts Board (a) appointed and (b) paid as a part-time Chairman.

Mr Cohen—The answer to the honourable member's question is as follows:

(1) Yes.

(2) (a) The current Chairman of the Aboriginal Arts Board was appointed by me pursuant to sub-section 22 (4) of the Australia Council Act 1975.

(b) The Australia Council has advised that, as the current Chairman of the Aboriginal Arts Board is a full-time government employee, he does not receive a stipend from the Australia Council for performing his duties as Chairman of the Aboriginal Arts Board. Travelling allowance to enable the Chairman to attend meetings of the Board, to consult with clients, and to conduct work associated with the Board's activities is paid by the Australia Council.

Commonwealth Employment Program Grants in Division of Murray: Department of Immigration and Ethnic Affairs

(Question No. 931)

Mr Lloyd asked the Minister for Immigration and Ethnic Affairs, upon notice, on 7 December 1983:

Has the Minister's Department, or statutory authorities for which he is responsible, (a) made or (b) plans to make, an application for Commonwealth employment program grants for employment creation in the electoral division of Murray; if not, why not.

Mr West—The answer to the honourable member's question is as follows:

None of the projects administered by the Department of Immigration and Ethnic Affairs under the Commonwealth employment program is confined to particular electoral divisions. However, in keeping with the goals of the program, it is expected that the employment generating effects will be concentrated in those areas most severely affected by unemployment. Information is not available to show the distribution across Commonwealth electoral divisions of the places of residence of persons who have been engaged under CEP projects administered by my Department or who will be engaged over the remainder of 1983-84.

Commonwealth Employment Program Grants in Division of Murray: Department of Foreign Affairs

(Question No. 933)

Mr Lloyd asked the Minister for Foreign Affairs, upon notice, on 7 December 1983:

Has the Minister's Department, or statutory authorities for which he is responsible, (a) made or (b) do they plan to make, an application for Commonwealth employment program grants for employment creation in the electoral division of Murray; if not, why not.

Mr Hayden—The answer to the honourable member's question is as follows:

Neither the Department of Foreign Affairs, nor any statutory authority for which I am responsible, has made or plans to make such an application, as none of these bodies has cause to employ anyone in the electoral division of Murray.

Commonwealth Employment Program Grants in Division of Murray: Department of Education and Youth Affairs

(Question No. 934)

Mr Lloyd asked the Minister representing the Minister for Education and Youth Affairs, upon notice, on 7 December 1983:

Has the Minister's Department, or statutory authorities for which he is responsible, (a) made or (b) do they plan to make, an application for Commonwealth employment program grants for employment creation in the electoral division of Murray; if not, why not.

Mr Dawkins—The Minister for Education and Youth Affairs has provided the following answer to the honourable member's question:

(a) No

(b) No

As none of the agencies in the Education and Youth Affairs portfolio has an office in the electoral division of Murray, there is no infrastructure to provide for job creation projects.

Commonwealth Employment Program Grants in Division of Murray: Attorney-General's Department

(Question No. 935)

Mr Lloyd asked the Minister representing the Attorney-General, upon notice, on 7 December 1983:

Has the Minister's Department, or statutory authorities for which he is responsible (a) made or (b) do they plan to make, an application for Commonwealth employment program grants for employment creation in the electoral division of Murray; if not, why not.

Mr Lionel Bowen—The Attorney-General has provided the following answer to the honourable member's question:

Neither the Attorney-General's Department nor the statutory authorities for which the Attorney-General is responsible have offices in the electoral division of Murray.

Commonwealth Employment Program Grants in Division of Murray: Department of Defence

(Question No. 936)

Mr Lloyd asked the Minister for Defence, upon notice, on December 1983:

Has the Minister's Department, or statutory authorities for which he is responsible, (a) made or (b) do they plan to make, an application for Commonwealth employment program grants for employment creation in the electoral division of Murray; if not, why not.

Mr Scholes—The answer to the honourable member's question is as follows:

Department of Defence establishments in the electoral division of Murray are small Army Reserve depots. My Department does not presently have any proposals for these establishments that meet community employment program guidelines.

Commonwealth Employment Program Grants in Division of Murray: Department of Science and Technology

(Question No. 946)

Mr Lloyd asked the Minister for Science and Technology, upon notice, on 7 December 1983:

Has the Minister's Department, or statutory authorities for which he is responsible, (a) made or (b) do they plan to make, an application for Commonwealth employment program grants for employment creation in the electoral division of Murray; if not, why not.

Mr Barry Jones—The answer to the honourable member's question is as follows:

There has been no application made, nor are there any plans to make an application for Commonwealth employment program grants for employment creation in the electoral division of Murray by the Department or statutory authorities within the Science and Technology portfolio. This is because the portfolio has no operational representation within that electoral division.

Commonwealth Employment Program Grants in Division of Murray: Department of Home Affairs and Environment

(Question No. 948)

Mr Lloyd asked the Minister for Home Affairs and Environment, upon notice, on 7 December 1983:

Has the Minister's Department, or statutory authorities for which he is responsible, (a) made or (b) do they plan to make, an application for Commonwealth employment program grants for employment creation in the electoral division of Murray; if not, why not.

Mr Cohen—The answer to the honourable member's question is as follows:

No applications or plans for applications have been made for Commonwealth employment program (CEP) grants in the electoral division of Murray. None of the organisations in my portfolio is located in Murray and, therefore, it would be extremely difficult to meet the requirement under the CEP guidelines regarding supervision of participants.

The organisations within my portfolio have nevertheless been active in encouraging community groups in all electoral divisions to apply for CEP funds. I draw the honourable member's attention to my statement of 30 August 1983 on 'Community Employment and Australia's Heritage' in which I urged voluntary organisations and local and State government authorities to apply for grants under the CEP.

Commonwealth Employment Program Grants in Division of Murray: Department of Aboriginal Affairs

(Question No. 949)

Mr Lloyd asked the Minister for Aboriginal Affairs, upon notice, on 7 December 1983:

Has the Minister's Department, or statutory authorities for which he is responsible, (a) made or (b) do they plan to make, an application for Commonwealth employment program grants for employment creation in the electoral division of Murray; if not, why not.

Mr Holding—The answer to the honourable member's question is as follows:

Aboriginal projects approved for CEP grants in the electoral division of Murray, Victoria, are:

Baroona Farm—Echuca

Establishment of Community Vegetable Garden, Tree Planting and Fencing.

Total cost—\$23,122.

Rumbulara Aboriginal Co-operative Ltd—Mooroopna

Employment/Training of 2 Aboriginal Family Aides.

Total cost—\$30,464.

Australian Broadcasting Corporation Program 'Kampuchea After the Apocalypse'

(Question No. 954)

Mr Lloyd asked the Minister for Foreign Affairs, upon notice, on 7 December 1983:

(1) Has he or any of his senior departmental officers, received complaints from the Royal Thai Embassy regarding a recent Australian Broadcasting Corporation *Four Corners* program, entitled 'Kampuchea After the Apocalypse'.

(2) If so, (a) is he concerned at what the Thai Embassy regarded as selective, heavily biased and edited interviews with Thai Government officials and (b) what action did he take, or is prepared to take, to ensure that the program was an accurate account.

Mr Hayden—The answer to the honourable member's question is as follows:

(1) No, neither I nor any of my senior departmental officers have received complaints from the Royal Thai Embassy regarding a recent Australian Broadcasting Corporation *Four Corners* program, entitled 'Kampuchea After the Apocalypse'. Both the Department and our Embassy in Bangkok have, however, received copies of the letter of complaint sent by the Thai Permanent Secretary for Foreign Affairs, addressed to the producer of the program.

(2) The responsibility for the ABC falls outside my portfolio and would be the responsibility of the Minister for Communications.

Anti-Terrorist Exercise at Woomera

(Question No. 960)

Mr Scott asked the Minister for Defence, upon notice, on 7 December 1983:

(1) What was the purpose of the top secret, anti-terrorist exercise that was held at Woomera, South Australia between 24 and 28 November 1983.

(2) Were members of ASIS and ASIO involved in the exercise along with the Australian Army and members of the South Australian Police 'Star Force'.

(3) Did the exercise involve the United States satellite communications base at Nurrungar, near Woomera.

(4) Was the exercise prompted by the recent protests by women at Pine Gap.

Mr Scholes—The answer to the honourable member's question is as follows:

(1) To exercise counter-terrorist operating procedures.

(2) The exercise involved members of the Australian Army and the South Australian Police Force. In accordance with longstanding practice, the involvement of intelligence agencies is neither confirmed nor denied.

(3) No.

(4) No.

Royal Australian Navy Personnel Joining Royal Navy

(Question No. 963)

Mr Hollis asked the Minister for Defence, upon notice, on 8 December 1983:

Has his attention been drawn to an article in the *Canberra Times* which claimed that Royal Australian Navy personnel who join the Royal Navy could be guilty of treason or other offences against common law; if so, is he able to say whether this claim has any substance.

Mr Scholes—The answer to the honourable member's question is as follows:

My attention was drawn to an article in the *Canberra Times* of 1 December 1983 which suggested that RAN personnel who join the Royal Navy would be committing offences.

I am not able, of course, to give a legal opinion in answer to a question. However, I am not aware that any provisions of Commonwealth law would be transgressed by ex-RAN personnel in joining the Royal Navy.

Fleet Intermediate Maintenance Activity

(Question No. 969)

Mr Baldwin asked the Minister for Defence, upon notice, on 8 December 1983:

(1) Can he indicate what scope there will be for civilian participation in the Fleet intermediate maintenance activity centred at the Garden Island Dockyard, New South Wales.

(2) When can a result on this matter be expected from the negotiations taking place currently between the dockyard management and unions.

Mr Scholes—The answer to the honourable member's question is as follows:

(1) The Fleet intermediate maintenance activity (FIMA) is a purely uniformed, shore-based but mobile, organisation designed to provide intermediate level technical support to the Fleet. Such an organisation has existed for many years, under different titles at various locations. Management of these diverse elements, sited at naval bases around Australia, has recently been brought under the control of the Fleet Commander to make the best and most efficient use of these valuable resources. The title of this consolidated organisation is FIMA.

The uniformed (FIMA) and civilian (dockyards) staffs are complementary organisations engaged in intermediate level and depot level work respectively. There is therefore no requirement for civilian participation in FIMA.

(2) To put the second part of the honourable member's question precisely in perspective it should be noted that there are no negotiations as such taking place between the dockyard management and the unions on the composition of FIMA because, as explained, FIMA is not a dockyard activity. Officers of my Department have, however, kept both the dockyard management and unions fully informed on the development of FIMA and multi-lateral discussions are continuing on how best these two complementary organisations (ie the dockyard and FIMA) can operate together at Garden Island after construction of the new Fleet base area at Woolloomooloo. FIMA is, of

course, currently operating within the dockyard area under existing arrangements.

Activities at Communications Facilities in Australia

(Question No. 970)

Mr Baldwin asked the Minister for Defence, upon notice, on 8 December 1983:

Has the Government (a) taken steps to ascertain the nature of activities at those foreign or jointly controlled communications facilities in Australia with possible strategic nuclear significance, (b) implemented any measures to ensure that these facilities will not be used in hostilities without Australia's consent, particularly in regard to the transmission of a nuclear firing order and (c) obtained advice as to the importance of these facilities for verification of treaties for the limitation of strategic nuclear arms.

Mr Scholes—the answer to the honourable member's question is as follows:

(a) The Government is aware of the nature of the activities at all communications facilities in Australia with possible strategic nuclear significance.

(b) I draw the honorable member's attention to the statement I tabled in the House on 3 November in which I stated that, with the implementation of new arrangements at the Naval Communication Station at North West Cape, the Government is satisfied that Australia's sovereignty in the operation of this joint facility will be adequately protected. The nature of the arrangements in force at all other joint Defence facilities is such that the Government is satisfied that use of the facilities could not involve Australia in hostilities without Australia's consent.

(c) Yes.

Commonwealth Employment Service: Wanneroo

(Question No. 972)

Mr Blanchard asked the Minister for Employment and Industrial Relations upon notice, on 8 December 1983:

(1) Is it a fact that there is no Commonwealth Employment Service office in the shire of Wanneroo which has a population of 108,000 residents; if so, why has an office not been established in the shire.

(2) Has planning commenced for the establishment of an office.

(3) Has his Department had discussions with other Commonwealth departments concerning the possibility of a joint office.

Mr Willis—The answer to the honourable member's question is as follows:

(1) Presently, there is no CES office in the shire of Wanneroo. Residents of the shire receive CES services through a CES office located at Balga. Whilst my Department recognises that it is desirable to have a CES office within the shire, this has not been possible due to a lack of suitable accommodation.

(2) Planning for the establishment of a CES office in the shire of Wanneroo commenced some time ago. Past advertising by the Department of Administrative Services

(DAS), on behalf of the CES, has failed to identify either suitable premises or a suitably located development site within the shire. DAS will continue, however, to seek suitable accommodation, which will provide improved access to the majority of job seekers in the shire.

(3) My Department has had discussions with the Department of Social Security which has indicated that it is interested in establishing a joint office with the CES at Whitfords, within the shire of Wanneroo.

DAS have advised my Department that no other Commonwealth Department has an interest in obtaining accommodation in the area at present.

Funds for Road Programs in Division of Moore

(Question No. 973)

Mr Blanchard asked the Minister for Transport, upon notice, on 8 December 1983:

(1) What sum has each of the local government authorities in the electoral division of Moore received from the Commonwealth (a) in the various categories of the Australian Bicentennial Road Development Fund and (b) for other road programs, in each year since 1980-81.

(2) What is the estimated sum for each year to 1988-89.

Mr Peter Morris—The answer to the honourable member's question is as follows:

(1) and (2) The Commonwealth provides funds for roads to councils in Western Australia through three sources:

- (i) The Australian Bicentennial Road Development Trust Fund Act 1982.
- (ii) The Roads Grants Act 1981.
- (iii) The Jobs on Local Roads (JOLOR) Program as part of the Community Employment Program (CEP).

Australian Bicentennial Road Development (ABRD) Program

Local Roads

Under the ABRD program funds are provided to councils for construction works on local roads.

Estimated total entitlements to councils situated in the electoral division of Moore for the years 1982-83 to 1988-89 are shown below. These entitlements are based on a projected total national revenue of \$2,500m for all road categories over the same period. However, until such time as the level of actual revenue accruing to the trust fund becomes more definite councils have been advised to limit their expenditure on local roads to 80 per cent of their total estimated entitlement.

Estimated ABRD Local Roads Entitlements**

Councils in Moore Electorate	1983-84 to 1987-88				Total
	1982-83	\$ per year	\$ per year	\$ per year	
Shire of:					
Chittering	12,000	23,000	12,000	139,000	
Coorow	18,000	34,000	17,000	205,000	
Dandaragan	32,000	62,000	31,000	373,000	
Gingin	20,000	38,000	19,000	229,000	
*Kalamunda	23,000	44,000	22,000	265,000	
*Mundering	16,000	30,000	15,000	181,000	
*Swan	24,000	46,000	23,000	277,000	
Wanneroo	58,000	113,000	57,000	680,000	
	203,000	390,000	196,000	2,349,000	

*Only part of shire in Moore electorate.

**Cash expenditure limited to 80 per cent until revenues more accurately determined.

Arterial Roads

Under the ABRD program urban and rural arterial projects are also required to be approved by me for funding. Of the six urban arterial projects so far approved three fall partly within the electorate of Moore.

The local government authority area in which these projects partly fall is the shire of Wanneroo.

Details are:

- (i) construction of stage 5 of the Mitchell Freeway costing \$16.25m
- (ii) construction of Hepburn Avenue from Cockman Road to Wanneroo Road costing \$282,000

- (iii) construction of Hepburn Avenue from Marmion Avenue to West Coast Highway costing \$484,000.

All of the above funding on arterial roads is scheduled to be expended in 1983-84 with the exception of funding on the Mitchell Freeway which will cover the years 1983-84-1985-86. A total of \$4m is expected to be spent on the Mitchell Freeway this financial year.

Roads Grants Act Program

Under the Roads Grants Act program, the allocations for works on local roads to each council in the Moore Electorate are shown below for the years 1980-81 to 1983-84. Allocations beyond 1983-84 have not yet been decided.

Councils in Moore Electorate	Approved local road allocations under Roads Grants Act			
	1980-81	1981-82	1982-83	1983-84
Shire of Chittering	\$ 79,760	\$ 90,830	\$ 92,470	\$ 99,350
Shire of Coorow	135,330	137,920	122,710	131,190
Shire of Dandaragan	217,960	237,190	198,760	210,890
Shire of Gingin	123,650	143,000	133,540	147,320
*Shire of Kalamunda	119,870	130,750	148,210	157,100
*Shire of Mundaring	85,270	93,010	100,940	107,000
*Shire of Swan	129,690	141,460	151,760	160,860
Shire of Wanneroo	287,070	313,130	376,830	399,440
	1,178,600	1,287,290	1,325,220	1,413,150

*Part of shire in Moore electorate.

Councils also benefit significantly from arterial road funds provided under the Roads Grants Act. However, there is no requirement under this Act for arterial road projects to be submitted for my approval. States are only required to provide details of projects on which Federal funds have been spent following the end of the financial year. Western Australia has not yet provided details for 1982-83.

Details for 1980-81 and 1981-82 are provided below:

Councils in Moore Electorate	Amount expended on arterial roads under Roads Grants Act	
	1980-81	1981-82
Dandaragan Shire	\$..	\$ 1,083,000
*Kalamunda Shire	1,780,000	298,000
*Mundaring Shire	178,000	157,000
*Swan Shire	289,000	374,000
Wanneroo Shire	514,000	314,000

*Part of shire in Moore electorate.

JOLOR Program

The Commonwealth has also allocated \$7.1m to Western Australia for road works in 1983-84 under the JOLOR program as part of the Community Employment Program (CEP).

Each council in Western Australia will be allocated \$24,500 as a base grant. The balance of \$3,694,500 will be distributed for approved projects, determined on the basis of—

- established road needs
- special regional employment needs
- energy and economic savings offered by the proposed programs.

Dried Tree Fruit Industry

(Question No. 976)

Mr Andrew asked the Minister for Primary Industry, upon notice, on 8 December 1983:

(1) Has his attention been drawn to the threat to the Australian dried tree fruit industry posed by the imports of dried tree fruits from South Africa.

(2) What action does the Government propose to take to allow the efficient, but labour intensive Australian industry to compete.

Mr Kerin—The answer to the honourable member's question is as follows:

(1) Representations on the subject have been made to me by the Australian Dried Fruits Association.

(2) A 10 per cent tariff protection already applies to the dried tree fruits industry. The Association has been advised that further assistance would depend on the outcome of an inquiry to the Industries Assistance Commission or the Temporary Assistance Authority. To justify such an inquiry the industry would need to provide some evidence that its viability is already being affected by, or that there is clear threat of injury from, imports.

Excluding prunes, which are not supplied by South Africa, total imports of dried tree fruits from that country for the year 1982-83 were 282 tonnes equivalent to about 8 per cent of Australian production. In the same year Australian consumption of like fruit increased by 729 tonnes, about 25 per cent up on the previous year.

The level of imports of dried tree fruit will continue to be monitored by my Department.

Excise Duty on Fortifying Spirit

(Question No. 977)

Mr Andrew asked the Minister representing the Minister for Industry and Commerce, upon notice, on 8 December 1983:

(1) When will the Australian Customs Service promulgate to winemakers the details of record keeping that will satisfy the Collector of Customs with regard to claims for refunds, remissions and drawbacks of excise on 2J spirit.

(2) Will the refund, remission or drawback be made at the excise rate current at the time of redistillation or export.

Mr John Brown—The Minister for Industry and Commerce has provided the following answer to the honourable member's question:

(1) and (2) Claims for refund, remission and drawback of excise duty on fortifying spirit may be allowed. Provision for these claims is contained in the Excise Act and Regulations.

For Customs control purposes wine fortifiers are required to maintain records of all movements of fortifying spirit including details of receipt, delivery, usage and stocks.

Generally, the normal commercial records and documents maintained by fortifiers will be adequate to meet Customs requirements for the purposes of refund and drawback claims.

Where a claim for refund or drawback is lodged, the amount payable will be the actual duty paid on the quantity of spirit used in the fortification process.

From time to time, departmental officers meet with various organisations representing users and producers of fortifying spirit. Such a meeting with the Australian Wine and Brandy Producers Association was held in Adelaide on 14 December 1983.

Joint Dairy Industry Consultative Committee (Question No. 983)

Mr Lloyd asked the Minister for Primary Industry, upon notice, on 8 December 1983:

What are the (a) specific decisions and (b) details of those decisions which were reached at the Australia-New Zealand dairy industry Joint Industry Consultative Committee recently held in Melbourne.

Mr Kerin—The answer to the honourable member's question is as follows:

The Joint Dairy Industry Consultative Committee (JICC) is an industry committee comprised of representatives of the Australian dairy industry and the New Zealand Dairy Board. The Government is not represented on the Committee although officials of the Department of Primary Industry and the Department of Trade attend as observers.

The leader of the Australian delegation, Mr M. Vawser, Chairman of the Australian Dairy Corporation, has provided me with a report on the outcome of its meeting in Melbourne on 9 November 1983. The following extract from his report summarises the main matters discussed and the decisions taken by the Committee.

The meeting demonstrated the significant progress which has been made in the relationship between the Australian and New Zealand dairy industries since April, 1982. The exchange of views was very frank and any concerns were discussed in detail with specific remedial action being amicably agreed.'

An overview of the discussions is set out below:

1. New Zealand's Access to the Australian Market

The access arrangements on cheese are developing smoothly, apart from an apparent price disturbance in one variety. The New Zealand Dairy Board (NZDB) will investigate this matter.

The Australian delegation also tabled its concern about the increasing import of powders, casein and ice cream from New Zealand. With respect to powders and casein, the matters will be investigated by the NZDB. There are indications that the problems may be less significant than at first anticipated, given the nature of the statistics and the particular product specifications applying, which are not satisfied from local sources.

So far as ice cream is concerned, the New Zealand delegation was not aware of the increase in low priced

exports of this product to Australia and pledged action. It was noted that the New Zealand scheme of export incentives for ice cream and like products may be the problem.

2. Export Pricing

Views were exchanged concerning the difficult international trading conditions and it was agreed that close liaison must be maintained between NZDB and Corporation officers aimed at preventing unilateral action which might lead world prices down sharply, particularly with respect to butter exports.

3. Japan Market

Both delegations expressed continued disquiet concerning strong price competition from European suppliers of cheese and casein.

The importance of the Japan market was acknowledged, particularly for cheese. It was mutually agreed that where possible the competition should be met head on. There will continue to be liaison between Australia and New Zealand aimed at persuading the EEC to alter the export restitutions applying to cheese exported to Japan.

4. Quota Arrangements

To ensure a satisfactory price level through 1984, there was recognition by both delegations of a need for continuing liaison on the level of the minimum import prices for cheese entering the EEC.

5. USA Casein and Whey Protein Market

Problems concerning United States opposition to whey protein imports were noted.

Mr Vawser concluded his report by noting that the discussions were conducted on a most harmonious and objective basis and that the spirit of the memorandum of understanding is being observed by both sides.

Commercial Television: Advertising Time

(Question No. 989)

Mr Lloyd asked the Minister for Communications, upon notice, on 8 December 1983:

(1) Is he able to say whether the Australian Broadcasting Tribunal considered the potential adverse economic consequences that its draft proposal that advertising time per hour be reduced in the prime time period on commercial television would have on commercial stations.

(2) If so, (a) by what amount did the Tribunal calculate advertising charges would have to rise to cover the reduction and (b) was this potential exercise tested with advertisers to check the effect of the proposal.

Mr Duffy—The answer to the honourable member's question, based on information supplied by the Australian Broadcasting Tribunal, is as follows:

(1) The draft advertising time standards do not necessarily affect the amount of advertising which may be televised in prime viewing time between 6 p.m. and 10 p.m. The current standards provide for a maximum of 13 minutes of advertising between 6 p.m. and 7 p.m., and 11 minutes in the hours between 7 p.m. and 10 p.m. This totals 46 minutes between 6 p.m. and 10 p.m. The draft standards provide, among other things, for a limit of 50 minutes of non-program matter, including advertisements, between 6 p.m. and 10 p.m. It will be seen therefore that the present allowance of 46 minutes can be

accommodated within the draft proposed limit of 50 minutes. No doubt if the full 46 minutes of advertising were to be televised, some reduction in other non-program matter, for example, program promotions may have to be made in order to stay within the 50 minute limit.

This however would be a decision for the station to make as part of the increased flexibility offered by the draft standards.

(2) As explained no reduction in advertising is necessarily involved.

Radio Interference by Computers and Solid-State Switching Systems

(Question No. 994)

Mr Lloyd asked the Minister for Communications, upon notice, on 8 December 1983:

(1) Is he able to say whether it is possible to purchase computers in Australia which do not meet the recently upgraded United States of America interference standard and which could be a source of radio interference not specified in the Radio Communications Bill 1983.

(2) Are solid-state switching systems another potential source of interference, if so, what action will be taken to prevent such radio interference.

Mr Duffy—The answer to the honourable member's question is as follows:

(1) Yes. The Radiocommunications Act 1983, which has yet to be proclaimed, defines a 'transmitter' in terms which would include computers within the definition.

My Department is working with the Standards Association of Australia on formulating an Australian standard for 'Interference From Electronic Data Processing Equipment'. This standard would control the permissible level of radiation of interference from computers and it is intended that the standard would be at least equal to the United States requirements in all of its parameters.

(2) Yes. Prescribed limits of interference radiating from solid state switching systems are specified in Australian Standard AS1054-1973, 'Electromagnetic Interference Limits and Measurements for Semi-conductor Control Devices'. These limits will become mandatory when this Australian standard is incorporated as an instrument under the Radiocommunications Bill.

In the meantime incidences of excessive radio interference caused by equipment or component failure are normally brought to the attention of my Department on receipt of an interference complaint. The fault is normally rectified by the equipment owner/operator after being contacted and advised of the problem by my Department.

New Zealand Government: Export Incentive Schemes

(Question No. 996)

Mr Lloyd asked the Minister for Trade, upon notice, on 8 December 1983:

(1) Has his attention been drawn to reports or has he been officially notified that the New Zealand Government may be attempting to negotiate its commitments to end its various export incentive schemes.

(2) Will any such attempt affect the Closer Economic Relations agreement whereby New Zealand incentives are to be phased out between 1984 and 1987.

Mr Lionel Bowen—The answer to the honourable member's question is as follows:

(1) My attention has been drawn to such reports but there has been no notification from the New Zealand Government regarding re-negotiation of its commitments to Australia.

(2) The commitments in respect of the removal of New Zealand export incentives referred to in the reports relate to the General Agreement on Tariffs and Trade (GATT) as well as the Australia New Zealand Closer Economic Relations—Trade Agreement. Should New Zealand's GATT commitments result in the removal of its export incentive in advance of the timetable provided for in the Closer Economic Relations—Trade Agreement this will of course apply also to trans-Tasman trade. If these other commitments are re-negotiated the requirement under the Trade Agreement with Australia that performance based export incentives be phased out by 1987 across the Tasman commencing with a 50 per cent cut in 1985, still stands.

Overseas Telecommunications Commission: Travel Consultant

(Question No. 1001)

Mr Shipton asked the Minister for Communications, upon notice, on 8 December 1983:

(1) Has the Overseas Telecommunications Commission (Australia) advertised for a senior travel consultant.

(2) Is it within the power of the Commission to employ a senior travel consultant.

Mr Duffy—The answer to the honourable member's question, based on advice received from the Overseas Telecommunications Commission (Australia), is as follows:

(1) Yes.

(2) Yes. Within OTC the official designation of the position advertised is 'Travel Officer'. The term 'Senior Travel Consultant' was used in the advertisement as that term has a clearly understood meaning in the travel industry.

Frequencies for Satellite Broadcasting

(Question No. 1002)

Mr Lloyd asked the Minister for Communications, upon notice, on 8 December 1983:

(1) Has Australia been allocated specific frequencies for direct broadcasting by satellites by the International Telecommunications Union; if so, what action is being taken to ensure that only these channels will be used in Australia for DBS.

(2) Can these frequencies be used with DOMSAT 1, 2, and 3 to be launched between 1985-1988 or will they only be effective with the next generation of satellites with high powered transponders.

(3) If the former, can they be used with the 30 watt transponder in national beam configuration or in spot or state beam on the Domsats.

Mr Duffy—The answer to the honourable member's question is as follows:

(1) The International Telecommunications Union (ITU) has allocated the following frequency bands for the Broadcasting Satellite Service in Region 3 which includes Australia.

620-790 MHz
2500-2690 MHz
11.7-12.2 GHz
12.5-12.75 GHz
22.5-23 GHz
40.4-42.5 GHz
84-86 GHz

In each of these bands there is also an equal primary allocation to another type of service. For example 620-790 MHz is shared with terrestrial broadcasting (UHF TV) and 2500-2690 MHz with fixed and other systems such as point-to-point tropospheric scatter links.

In the frequency band 11.7-12.2 GHz Australia has been allocated specific combinations with 36 frequencies in two orbital positions as part of a total plan for the utilisation of this band within the Asia-Pacific Region (Region 3). Provision is also available within this plan for variations and additions.

Action taken to ensure that only these seven frequency bands will be used in Australia for broadcasting satellite systems is shown in the Australian Table of Frequency Allocations (ATFA) which lists bands which may be used for this type of service. The ATFA is on sale through the Australian Government Publishing Service, and I commend it to all honourable members.

(2) and (3) AUSSAT 1, 2, and 3 comprise a multiple use satellite system which will operate in the band 12.25-12.75 GHz, part of which (12.5-12.75 GHz) is available for the Homestead and Community Broadcasting-Satellite Service which is limited to 'community' reception with a limited power flux density by ITU Regulations. This band is not covered by the allotment plan referred to in my answer to Question 1.

Community reception in Australia includes reception at any individual homesteads where a dish of sufficient size is installed.

The next generation satellite has not yet been planned or designed and no indications can be given at this stage as to which frequency band would be employed for direct broadcasting-satellite purposes. All of the bands referred to in my answer to Question 1 would be available for broadcasting-satellite purposes subject to compatibility with existing services or transfer of those services to other bands. Use of frequencies above 40 GHz would also be subject to development of the necessary technology.

Demonstration: Pine Gap

Mr Beazley—On 17 November 1983 (*Hansard*, page 2873) Mr Steedman asked me the following question without notice:

Under what powers and for what purpose did members of the Australian Federal Police approach the management of a Canberra private charter company last week demanding to know the names of six women who chartered an aircraft to fly to Alice Springs to participate in the women's protest against the United States spy base at Pine Gap.

The answer to the honourable member's question is as follows:

I am advised that Australian Federal Police (AFP) members spoke to the chief pilot, Fairburn Aviation Services, for the purpose of clarifying information that had been received by the AFP that persons had chartered aircraft in Canberra and that they intended to fly the aircraft into restricted airspace on 11 November 1983.

The AFP were concerned about the proposed penetration of the restricted airspace and the problems which could ensue if this took place. Upon receiving advice from the Chief Pilot that the two hired aircraft were to be flown by pilots employed by Fairburn Aviation Services, thereby ruling out the possibility of a penetration of restricted airspace occurring, AFP inquiries were terminated. The names of the charter parties or persons that may have been travelling on the aircraft were offered to the AFP by the charter company.

Fluoride

(Question No. 388)

Dr Everingham asked the Minister for Health, upon notice, on 24 August 1983:

(1) Has his attention been drawn to the article 'Fluoridation—are the dangers resolved?' in *New Scientist*, 5 May 1983, pages 286-7, by Geoffrey Smith.

(2) Is he able to say whether (a) Sweden's Karolinska Institute developed a reliable F ion blood test in 1976-77 which demonstrated surges of concentration to hazardous levels with recommended dose levels, (b) blood levels of 0.2 ppm cause serious dental fluorosis in rats which are several times less sensitive to fluoride than humans, (c) levels of 0.3 ppm retard rat growth and 1 ppm cause serious toxic effects, (d) children aged below 3 years frequently swallow 0.5 mgs of F ion from toothpaste, (e) some dental and child health authorities recommend prenatal and infant fluoride doses several times that now recommended by the World Health Organisation, (f) blood F ion levels reach 1 ppm 30 minutes after topical gel treatment, (g) children living near an aluminium smelter ingest 2 mgs of F ion per day with unfluoridated water and (h) reconstituted infants foods using fluoridated water contain up to 100 times the F ion levels of breast milk.

Dr Blewett—The answer to the honourable member's question is as follows:

(1) Yes.

(2) Information concerning (a), (b) and (c) was provided by Professor Bertil Fredholm of Sweden's Karolinska Institute.

(a) The Karolinska Institute can measure accurately the fluoride ion concentration in blood. The recommended levels of intake of fluoride do not result in toxic plasma levels.

(b) Steady state blood plasma levels of 0.2 parts per million of fluoride may cause enamel fluorosis in rats. However, recommended fluoride doses for children will never result in these very high steady state plasma levels.

(c) A steady state plasma fluoride level of one part per million is toxic. However single plasma peaks at this level are not toxic although such peaks may cause reversible polyuria.

(d) Studies have shown that, in some cases, pre-school children may ingest small but significant quantities of fluoride from toothpaste.

(e) The World Health Organisation has not made a recommendation concerning the level of pre-natal and infant fluoride supplements, but supports the use of fluoride supplements for infants and children.

(f) A blood level of one part per million of fluoride could be reached for a short period following topical treatment with a fluoride gel if a significant quantity of the material was swallowed. In applying fluoride gels and solutions to the teeth efforts are made to prevent or limit the ingestion of the material. As stated in paragraph (c) above, a single plasma peak of one part per million of fluoride is not toxic.

(g) It is possible that some children living near some aluminium smelters may ingest 2 mgs of F ion per day. However, the level of intake of fluoride by children living near an aluminium smelter would depend on a number of factors including the control of the emissions from the smelting process, local climatic conditions and the degree of dependence on locally grown foodstuffs.

(h) Infant dietary formula re-constituted with fluoridated water would contain about 12 times—not 100 times—the fluoride content of human milk. A recent report of the United Kingdom Department of Health and Social Security, entitled 'Artificial feeds for the young infant' indicated that there is a considerable margin of safety when this amount of fluoride is ingested by the infant. Human milk contains negligible amounts of fluoride, less than 0.1 part per million.

Queensland Trans Australia Airlines Terminals: Staff

(Question No. 569)

Mr Wells asked the Minister for Aviation, upon notice, on 4 October 1983:

(1) Is it a fact that due to a shortage of groundstaff (a) there are still long queues at a number of Queensland TAA terminals and (b) on occasions, one traffic officer has to handle ticketing for a whole flight.

(2) If so, is there any action he can take to improve this situation.

Mr Beazley—The answer to the honourable member's question is as follows:

(1) (a) Trans-Australia Airlines has advised that, while at peak times on certain flights there is queuing, this is not due to a shortage of groundstaff and any queuing is for a short duration only. TAA has also advised that its staffing standards in Queensland are the same as apply elsewhere in the TAA network.

(b) TAA has advised that, in Queensland outports, seat allocations for passengers boarding a flight at that port would be handled by one traffic officer, and that this has been the practice for many years.

(2) Any upgrading of TAA service standards in Queensland terminals is of course a matter for TAA's commercial judgment. TAA would of course be aware of the importance of service standards being maintained as high as possible.

Mental Health: Expenditure by Department of Health

(Question No. 586)

Mr Blanchard asked the Minister for Health, upon notice, on 5 October 1983:

What amount was spent by his Department on mental health, as distinct from intellectual handicap, in each State in the areas of (a) research, (b) public education, (c) accommodation, (d) day activities, (e) sheltered workshops and (f) voluntary organisation projects such as crisis telephone services, in 1982-83.

Dr Blewett—The answer to the honourable member's question is as follows:

(a) During 1982-83, the following funds were provided from programs administered by my Department.

	\$
Australian Capital Territory	316,301*
New South Wales	274,202
Victoria	129,007
Queensland	49,695
South Australia	75,179
Western Australia	20,925
Tasmania	19,476
	<hr/>
	884,785

*National Health and Medical Research Council, Social Psychiatry Research Unit.

(b) to (f) No expenditure was incurred under these categories. However, my Department made a grant of \$38,110 to the Australian National Association for Mental Health for the continued funding of the national secretariat.

In the Australian Capital Territory, the Capital Territory Health Commission, which administers health services, spent the following during 1982-83:

	\$
(a) research	4,900
(b) public education	24,200
(c) accommodation	2,924,400
(d) day activities	3,400
(e) sheltered workshops
(f) voluntary organisation projects	11,360
	<hr/>
Total	2,968,260

Mailing Arrangements during Canberra Mail Strike: Department of Education and Youth Affairs

(Question No. 763)

Mr Ruddock asked the Minister representing the Minister for Education and Youth Affairs, upon notice, on 16 November 1983:

Did the Minister's Department, and any agencies reporting to the Minister, put in place alternative mailing arrangements during the recent Canberra mail strike; if so, what was the extra cost in each case.

Mr Dawkins—The Minister for Education and Youth Affairs has provided the following answer to the honourable member's question:

With the exception of the Canberra School of Art, no alternative mailing arrangements were made by my Department or agencies within my portfolio during the mail strike. The Canberra School of Art made two special trips to Yass New South Wales to get urgent mail out of the Australian Capital Territory. The total cost was \$64.08.

Assistance to Private Business by Attorney-General's Department

(Question No. 801)

Mr Braithwaite asked the Minister representing the Attorney-General, upon notice, on 16 November 1983:

(1) What (a) financial, (b) technical and (c) other forms of assistance, are available from the Minister's Department, to private business.

(2) What (a) is the contact point and (b) requirements which have to be met to qualify, for each form of assistance.

Mr Lionel Bowen—The Attorney-General has provided the following answer to the honourable member's question:

(1) Assistance available to private business includes:

legal and financial assistance under section 170 of the Trade Practices Act 1974 in cases involving hardship;

legal assistance under section 69 of the Administrative Appeals Tribunal Act 1975 in cases involving hardship which fall within the Tribunal's jurisdiction (such as decisions relating to customs, export development grants and commencement grants under the Industrial Research and Development Incentives Act 1976);

technical advice on a variety of matters for which the Department is responsible is available in the form of pamphlets, details of which are contained in the '*Commonwealth Government Directory Volume 2: FOI statements—Attorney-General's portfolio*'; and

officers of the Department may be made available to address meetings on matters such as administrative law reforms, international trade law, copyright law, and the companies and securities industry legislation insofar as it relates to the Australian Capital Territory.

(2) (a) All requests for assistance should in the first instance be addressed to:—

The Secretary,
Attorney-General's Department,
Robert Garran Offices,
National Circuit,
BARTON A.C.T. 2600

(b) The criteria to be satisfied when seeking assistance under the Trade Practices Act 1974 and the Administrative Appeals Tribunal Act 1976 are contained in those Acts. In all other cases, there are no special requirements that have to be met in order to qualify for assistance.

Defence Equipment and Personnel

(Question No. 822)

Mr Spender asked the Minister for Defence, upon notice, on 17 November 1983:

Will he bring up to date the answers to:

- (a) House of Representatives Questions Nos 4963 (*Hansard*, 8 December 1982, pages 3177-8), 5032 (*Hansard*, 23 September 1982, page 1888), 5256 (*Hansard*, 8 December 1982, pages 3167-8) and 5569 (*Hansard*, 8 December 1982, pages 3155-6);
- (b) House of Representatives Question No. 5036 (*Hansard*, 26 October 1982, pages 2582-3) and also provide an estimate in similar terms of the impact of FFG construction at Williamstown over the next 8 calendar and financial years, and (c) Senate Questions Nos 2956 (*Hansard*, 10 November 1982, page 2177), 2957 (*Hansard*, 19 October 1982, page 1597), 2958 (*Hansard*, 19 November 1982, page 2643), 2959 (*Hansard*, 27 October 1982, page 1917), 2962 (*Hansard*, 13 October 1982, pages 1422-3), 2964 (*Hansard*, 19 October 1982, page 1597) and 2965 (*Hansard*, 21 October 1982, pages 1779-80).

Mr Scholes—I note that the honourable member has separately asked the Ministers responsible to update House of Representatives Questions Nos 4963, 5256 and 5036 and Senate Question No. 2965 (see Question Nos 913, 914 and 915, House of Representatives *Notice Paper* number 47 of 7 December 1983, page 2732). The answers to those parts of the question for which I have responsibility are as follows:

House of Representatives Question No. 5032 (*Hansard*, 23 September 1982, page 1888)

1. As advised in the answer to Question No. 5032, there were 10,561 positions and 9,647 personnel transferred to the Department of Defence Support as at 7 May 1982. The transfer of personnel increased by 87 making a total of 9,734 as at 1 July 1982.

Changes to Administrative Arrangements Order effective 11 March 1983 returned the Defence Science and Technology Organisation elements to the Department of Defence. These comprised 4,624 positions and 4,263 personnel.

Since this date a further transfer of 141 positions and 113 personnel from the Department of Defence to the Department of Defence Support has occurred.

The nett transfer from the Department of Defence to the Department of Defence Support as at 31 October 1983 has therefore been 6,078 positions and 5,584 personnel.

- 2. Of the 6,078 positions transferred, 2 were Second Division, 516 were Third Division, 1,827 were Fourth Division and 3,733 were non-Public Service Act positions.
- 3. There were 2,345 permanent and 3,733 temporary positions transferred.

4. Details of the organisational elements from which the transfers were made since 1 July 1982 together with the establishment/staffing statistics are included in the following table.

ADDITIONAL POSITIONS/PERSONNEL TRANSFERRED FROM DEFENCE TO DEFENCE SUPPORT—PERIOD 1 JULY 1982—31 OCTOBER 1983

Organisation element	Establishment				Staffing as at 31.10.83				
	Division			Non-PSA	Total	Perm.	Temp.	NDA	Total
	2nd	3rd	4th						
Miscellaneous elements transferred to Defence Support as a consequence of transfers of major elements									
1. HQ East Australia Area (Medical Centre Garden Island Dockyard)	..	1	2	..	3	1	2	..	3
2. Regional Office New South Wales (Security)	2	1	..	3	1	1
Regional Office Victoria (MGS Branch)	1	1	..	2
3. Naval Replenishment Supply Authority New South Wales	5	..	5
4. Organisation and Manpower Resources Division Australian Capital Territory	3	3	3	3
5. Financial Services and Internal Audit Division	1	1	1	1
6. Personnel Administration and Policy Division	1	1
7. Civil Industrial Branch Australian Capital Territory	5	5
8. Navy Store Depot Williamstown (Victoria)	42	76	..	118	97	8	..	105
Total	56	85	..	141	103	10	..	113

House of Representatives Question No. 5569
(*Hansard*, 8 December 1982, pages 3155-6).

(1) (a) and (b)—

State	Service Personnel	Civilian Personnel
	as at 30 June 1983	as at 30 June 1983
New South Wales	24,055	5,563
Victoria	15,809	7,251
Queensland	14,189	1,556
South Australia	2,832	3,581
Western Australia	3,186	352
Tasmania	296	120
Australian Capital Territory	3,683	4,114
Northern Territory	1,243	97
Overseas and on ships	7,591(a)	1,278(b)

(a) Includes 5,646 Navy personnel posted to ships.

(b) Includes 1,134 locally engaged civilians overseas.

(2) Operational Forces and their direct logistic support 31,245.

Senate Question No. 2956 (*Hansard*, 10 November 1982, page 2177):

(1) Expenditure on military research and development since 1975-76 is estimated as follows:

Year	Expenditure
	\$m
1975-76	103.5
1976-77	108.9
1977-78	117.9
1978-79	114.1
1979-80	119.2

(2) The above include actual expenditures for the Defence Science and Technology Organisation and estimated expenditure by the Services on research and development activities conducted within their normal operations. The amount for 1982-83 takes account of the transfer of Defence Science laboratories from the Department of Defence Support to the Department of Defence in March 1983 and where practicable, other structural and classification adjustments.

During 1982-83 there were about 600 separate tasks being undertaken on Defence research and development. The general categories under which most research and development resources are utilised have been reclassified. These categories together with the approximate extent of the bulk of current resource usage as a percentage of expenditure are as follows:

- Research—16 per cent
- Defence technology development—41 per cent
- Advanced engineering and problem solving—39 per cent
- Management—4 per cent.

Senate Question No. 2957 (*Hansard*, 19 October 1982, page 1597):

The proportions of defence expenditure in Australia and overseas as published in annual Defence reports together with an estimate of those for 1983-84 are as follows:

Year	Proportion of Defence expenditure		Year	Actual Defence outlay	Price deflator 1982-83=100	Defence outlay in 1982-83 prices
	Australia	Overseas				
1970-71	82.4	17.6	1976-77	\$m		\$m
1971-72	86.6	13.4	1977-78	2,190	57.5	3,809
1972-73	87.1	12.9	1978-79	2,386	62.3	3,830
1973-74	90.9	9.1	1979-80	2,616	66.4	3,940
1974-75	92.5	7.5	1980-81	3,019	72.8	4,147
1975-76	89.9	10.1	1981-82	3,550	80.3	4,421
1976-77	85.0	15.0	1982-83	4,134	89.7	4,609
1977-78	85.7	14.3		4,782	100.0	4,782
1978-79	83.8	16.2				
1979-80	82.2	17.8				
1980-81	83.3	16.7				
1981-82	88.9	11.1				
1982-83	83.5	16.5				
1983-84 (estimate)	79.9	20.1				

Senate Question No. 2959 (*Hansard*, 27 October 1982, page 1917):

The following table shows actual defence outlays since 1964-65 and their relationship to Budget outlays and gross domestic product. Defence outlays reflect some classification adjustment made by the Government in the 1983-84 Budget.

Senate Question No. 2958 (*Hansard*, 19 November 1982, page 2643):

The following table shows defence outlays since 1964-65, a price deflator as measured by the implicit price deflator for non farm gross domestic product using 1982-83 as the base and defence outlays in estimated 1982-83 prices. Defence outlays reflect some classification adjustments made by the Government in the 1983-84 Budget.

Year	Actual Defence outlay	Price deflator 1982-83=100	Defence outlay in 1982-83 prices		
				\$m	\$m
1964-65	583	21.9	2,662		
1965-66	711	22.7	3,132		
1966-67	912	23.4	3,897		
1967-68	1,065	24.3	4,383		
1968-69	1,100	25.3	4,348		
1969-70	1,044	26.7	3,910		
1970-71	1,091	28.3	3,855		
1971-72	1,157	30.1	3,844		
1972-73	1,227	32.0	3,834		
1973-74	1,332	36.4	3,659		
1974-75	1,635	44.4	3,682		
1975-76	1,863	51.7	3,603		

Year	Defence outlay	Defence outlay as a proportion of Budget outlays		Defence outlay as a proportion of GDP
		\$m	Per cent	
1964-65	583	12.9	2.9	
1965-66	711	14.1	3.4	
1966-67	912	16.2	4.0	
1967-68	1,065	17.1	4.4	
1968-69	1,100	16.6	4.0	
1969-70	1,044	14.2	3.4	
1970-71	1,091	13.5	3.2	
1971-72	1,157	12.8	3.1	
1972-73	1,227	12.0	2.9	
1973-74	1,332	10.9	2.6	
1974-75	1,635	9.2	2.6	
1975-76	1,863	8.5	2.6	
1976-77	2,190	9.1	2.6	
1977-78	2,386	8.9	2.6	
1978-79	2,616	9.0	2.6	
1979-80	3,019	9.5	2.6	
1980-81	3,550	9.8	2.7	
1981-82	4,134	10.0	2.8	
1982-83	4,782	9.8	3.0	

Senate Question No. 2962 (*Hansard*, 13 October 1982, pages 1422-3):

DEPARTMENT OF DEFENCE PERSONNEL STRENGTHS 1982-83 AND RELATIONSHIP TO CIVILIAN LABOUR FORCE

End financial year	Civilian personnel*	Volunteer uniformed personnel			National servicemen	Total personnel	Percentage of total** labour force
		Navy	Army	Air Force			
1982-83	23,628	17,198	33,072	22,512	..	96,410	1.37

* Excludes locally engaged civilians supporting military deployments overseas.

** Total labour force is derived from the Australian Bureau of Statistics June estimate of civilian labour force plus the addition of Defence Force uniformed personnel.

Senate Question No. 2964 (*Hansard*, 19 October 1982, page 1597):

The proportions of defence expenditure on equipment and stores made in Australia and overseas as published in the annual Defence reports together with an estimate for 1983-84 are as follows:

PROPORTION OF DEFENCE EXPENDITURE ON EQUIPMENT AND STORES

Year	Australia	Overseas
	per cent	per cent
1970-71	56.7	43.3
1971-72	65.8	34.2
1972-73	61.2	38.8
1973-74	64.1	35.9
1974-75	64.1	35.9
1975-76	56.0	44.0
1976-77	43.1	56.9
1977-78	47.3	52.7
1978-79	46.2	53.8
1979-80	47.5	52.5
1980-81	50.4	49.6
1981-82	64.0	36.0
1982-83	50.2	49.8
1983-84 (estimate)	43.3	56.7

Note: The above proportions include expenditures on capital equipment and replacement equipment and stores for the Defence Forces, the Defence Central administration and other departments where applicable. Capital expenditures in respect of the special purpose B707 aircraft are excluded.

Fluoride

(Question No. 899)

Mr Milton asked the Minister for Health, upon notice, on 1 December 1983:

(1) Has his attention been drawn to an article which appeared in the magazine *Simply Living*, volume 2, number 1, entitled 'Fluoride the Frightening Facts' which claims that there are a succession of demonstrable errors and faults in the report of the Victorian Committee of inquiry into the effects on humans of fluoridation of water supplies, tabled in September 1980.

(2) Has his attention been drawn to the 1979 findings of a Canadian ministerial advisory committee in Quebec, on the fluoridation of water supplies, which has revealed that there is a marked correlation between increased cancer mortality and artificial fluoridation of public water supplies.

(3) Is it a fact that there is a conflict between the findings of the Canadian advisory committee and the Victorian committee of inquiry: if so, will he ask his Department to investigate the conflicting views with a view to informing the Australian public of the potential dangers, or otherwise, of mass fluoridation.

Dr Blewett—The answer to the honourable member's question is as follows:

(1) Yes. The Committee of Inquiry into the Fluoridation of Victorian Water Supplies, which strongly supported fluoridation of water, based its report on a detailed examination of published literature and submissions

which were invited through the media. I am confident of the Committee's findings which have been accepted by the Victorian Government, concerning the safety and effectiveness of fluoridation of water. I draw attention to the statement on page 206 of the Committee's report:

'Assertions that fluoridation of water at recommended levels has toxic, carcinogenic, mutagenic, teratogenic, or allergenic effects on humans are not supported by sound, scientific evidence.'

(2) Yes. The report by the Advisory Committee on Fluoridation of Water Supplies by the Ministry of Environment, Quebec, November 1979, referred to studies which were alleged to show an association between cancer mortality and the fluoridation of water. This allegation has been shown to be incorrect by extensive epidemiological studies in the United States of America, Canada, United Kingdom, New Zealand and Australia. Furthermore, the International Agency for Research on Cancer reported in 1982 that there was no association between cancer and fluoridation.

(3) The findings of the Advisory Committee on Fluoridation of Water Supplies in Quebec (1979) are in conflict with those of the Victorian Committee of Inquiry. However, I must emphasise that fluoridation of water is supported by a wide range of health authorities including the World Health Assembly of the World Health Organisation, the Canadian Ministry of National Health and Welfare and the Australian National Health and Medical Research Council. Fluoridation has continued in Quebec, while some 8,500,000 Canadian people use fluoridated water.

My Department maintains a continuing overview of issues concerning fluoridation. The safety and effectiveness of fluoridation are well documented and the procedure has the long-standing support of governments in many countries including Australia, Canada, New Zealand, United Kingdom and the United States of America. In the circumstances a public pronouncement by the Federal Government is not appropriate at this time.

Commonwealth-State Advisory Committee on the Educational Use of Communications Technology

(Question No. 981)

Mr Lloyd asked the Minister representing the Minister for Education and Youth Affairs, upon notice, on 8 December 1983:

(1) What is the purpose of the Commonwealth-State advisory committee on the educational use of communications technology.

(2) With regard to the committee (a) who are the members and whom do they represent, (b) how often does it meet and (c) what has it achieved so far.

Mr Dawkins—The Minister for Education and Youth Affairs has provided the following answer to the honourable member's question:

(1) (a) To recommend to State and Commonwealth Ministers for Education a balanced program of trials in the use of communications technology in education and arrangements for evaluation of the program, within approved funding limits.

(b) In formulating a balanced program of trials, to give relevant attention to:

(i) ways of improving existing services, as well as development of new educational services that exploit the special features of communications technology.

(ii) the summary of needs identified by the working party on the educational use of a communication satellite.

(c) To advise on:

(i) to the extent possible, the longer term implications for education systems of developments stimulated or indicated by the trials program, e.g. curriculum and administrative/financial implications.

(ii) general developments in the use of communications technology in education.

(d) To inform educators of the progress of the trials program and promote a greater understanding of the possible applications of communications technology in education.

(e) To liaise with relevant communications authorities and organisations, including those developing the Australian domestic communications satellite system, on matters relevant to the Committee's tasks.

(2) (a) (i) Official Members: (Officers of education departments and authorities representing the Commonwealth, States and Territories as indicated)

Commonwealth	Mr J. Burnett (Chairman)
New South Wales	Mr R. King
Victoria	Mr T. King
Queensland	Mr J. Kitt
South Australia	Mr C. Dunnett
Western Australia	Mr R. Rodgers
Tasmania	Mr G. Foster
Northern Territory	Mr J. Kirk
Australian Capital Territory	Mr P. Miles

(ii) Consultant Members: Mr P. McNally, Deputy Director, Darling Downs Institute of Advanced Education. Dr P. White, Lecturer, Centre for Educational Communication and the Media, La Trobe University.

(b) The advisory committee has met six times since its formation in October 1982.

(c) (i) Funded nine projects in its program of educational trials.

(ii) Facilitated a study of the use of the Australian domestic satellite by the School of the Air at Mt Isa.

(iii) Sponsored the production of a resource guide on communications technology for Australian educators.

(iv) Supported the production and distribution of an educational technology newsletter.

Channel 7 Television—Exclusive Rights to Sporting Events

(Question No. 990)

Mr Lloyd asked the Minister for Communications, upon notice, on 8 December 1983:

(1) Did he recently criticise the Channel 7 television network for holding exclusive rights to the televising of the Davis Cup semi-final and the Hardie 1000 on the same day.

(2) Is he able to say whether Channel 7 wanted to broadcast the Davis Cup telecast but felt obliged to stay with the motor racing because of obligations to the Prime Minister who was present at the Hardie event.

Mr Duffy—The answers to the honourable member's questions are as follows:

(1) In my speech at the opening of my Department's conference held in Canberra on 16 and 17 November 1983, I noted the situation in which the Channel 7 television network had exclusive rights to both the Davis Cup tennis and the Hardie 1000 motor race held on the same day. I noted this as an example of my general concern that television viewers could be disadvantaged if commercial networks adopt the practice of purchasing exclusive rights to more than one major sporting event where such events are conducted concurrently.

(2) Mr E. F. Thomas, General Manager of Channel 7, Sydney, has informed me that a major factor in the Channel 7 decision to schedule the Hardie race was an undertaking to the Prime Minister that there would be live coverage throughout Australia. The point of my comments, however, was not that the station chose to give one sport preference over another. I made my comments to highlight the problem when other stations in the same city are prevented from showing a popular event simply because of an exclusive agreement.

Alcohol Abuse Problems

(Question No. 999)

Mr Milton asked the Minister for Health, upon notice, on 8 December 1983:

(1) Has his attention been drawn to the recommendations of the commissioners of the Aboriginal Development Commission, contained in the recently published booklet entitled: *Views of the Commissioners on alcohol related problems and the advertising of alcoholic beverages*.

(2) Will he ask his Department, in collaboration with the Australian Bureau of Statistics and appropriate authorities in each State and the Northern Territory, to arrange for the collation, presentation and publication of comprehensive statistical data on the magnitude and nature of alcohol abuse problems in Australia and each of the States, as recommended by the Commissioners.

(3) Will he ensure this data includes the presentation of a comprehensive analysis of the costs and benefits of alcohol production, sales and the problems associated with its abuse; if not, why not.

(4) Will he produce, with other Ministers, proposals for ways and means of dealing with the problems of alcohol abuse with the objective of bringing about an overall reduction in the consumption of alcohol and associated problems, as recommended by the Commissioners.

Dr Blewett—The answer to the honourable member's question is as follows:

(1) Yes. In this connection, I am awaiting a report from the inter-departmental committee which was established by the Minister for Aboriginal Affairs, in response to a request from the Prime Minister, to investigate the feasibility of the recommendations contained in that document in terms of their likely impact on the alcoholism problem and any difficulties in implementation. My Department was represented on that committee.

(2) and (3) My Department is currently updating and expanding a publication—first published in 1979—entitled *Alcohol in Australia—A Summary of Related Statistics*. This publication will include chapters on the Economics of Alcohol; Alcohol Consumption and Expenditure; and Morbidity, Mortality and Other Social Costs of Alcohol. It is expected that the updated publication will be available early this year. Appropriate statistical data from the Australian Bureau of Statistics are incorporated in each chapter.

(4) There are already policies in place at Commonwealth and State levels to promote responsible attitudes to alcohol consumption. Indeed, at their 1981 conference, Australian Health Ministers established a National (Standing) Committee on Alcohol which has wide-ranging terms of reference including the examination of the use and abuse of alcohol and related problems, with particular attention to preventive efforts, trends in alcohol consumption and treatment and rehabilitation.

I am advised that many of the recommendations of the commissioners of the Aboriginal Development Commission are in accord with the policies of the National (Standing) Committee on Alcohol. However, when the report I referred to earlier has been received I shall certainly arrange for this, and the commissioners' report, to be considered by the National Committee.

Scullin Health Centre, Australian Capital Territory

(Question No. 326)

Dr Klugman asked the Minister for Health, upon notice, on 23 August 1983:

(1) How many private fee for service (a) medical practitioners and (b) dentists have head rooms in the Scullin Health Centre, Australian Capital Territory, for each of the last five years.

(2) What floor space and facilities including staff are provided for these practitioners.

(3) What has been the estimated cost to the Australian Capital Territory Health Commission of providing the Centre for each of the last five years.

(4) What have the practitioners paid the Australian Capital Health Commission each year for the facilities and services provided.

Dr Blewett—The answer to the honourable member's question is as follows:

(1) (a) Four full-time.

(b) Two full-time.

(2) Floor space: Medical practitioners 50m² each, Dentists 74m² each.

Facilities: Medical records service, telephone switchboard service (inward calls only), telephone answering system (after hours), general reception service, pathology collection service, security electronic alarm system, toilet facilities, cleaning, fuel, light and power.

Staff: Three clerical assistants who spend approximately 80 per cent of their time supporting medical practitioner's private practices.

(3)—

1978-79	92,421
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1979-80	83,661
1980-81	95,160
1981-82	125,286
1982-83	133,283

Note: These figures are total figures for the cost of providing the Health Centre and include salaries and associated costs for two physiotherapists and one social worker based at the Centre.

(4) A total of \$11,400 per annum.

Compensation Claims for Repetitive Strain Injury: Department of Communications (Question No. 354)

Mr Ronald Edwards asked the Minister for Communications, upon notice, on 23 August 1983:

Is the Minister able to provide an analysis of claims for compensation resulting from repetitive strain injury in the Minister's Department for each of the years 1978 to 1983.

Mr Duffy—The answer to the honourable member's question is as follows, based on advice from the Department of Communications and the statutory authorities within the Communications portfolio:

Department of Communications: (a) Number of compensation claims: One (1980); (b) Number of claims settled: One; (c) Sex of claimant: Female; (d) Type of work performed: Typing.

Australian Broadcasting Tribunal: (a) Number of compensation claims: One (1982); (b) Number of claims settled: One; (c) Sex of claimant: Female; (d) Type of work performed: Writing by hand minute taker at meetings.

Special Broadcasting Service: There have been no claims for compensation resulting from repetitive strain injury during 1978-1983.

AUSSAT: There have been no claims for compensation resulting from repetitive strain injury during 1978-1983.

Australian Broadcasting Corporation: (a) Number of compensation claims: 1978-79—2, 1979-80—1, 1980-81—1, 1981-82—4, 1982-83—5, Total—13; (b) All claims have been settled. (c) Sex of claimants: 1978-79—1 male, 1 female; 1979-80—1 male; 1980-81—1 male; 1981-82—1 male, 3 female; 1982-83—1 male, 4 female. (d) Type of work: Typing—5; data processing—keyboard operation—1; Playing musical instrument—4; Film camera operating—3.

Overseas Telecommunications Commission: (a) Number of compensation claims: 1981—1, 1982—1, Total—2; (b) Number of claims settled—1 (1981); Number outstanding—1; (c) Sex of claimants—female; (d) Type of work—lifting and carrying—1; Repetitive drawing—1.

Australian Postal Commission: (a) Number of compensation claims—1978—4; 1979—14; 1980—45; 1981—71; 1982—108; 1983—141 (to 31 August 1983); Total—383. (b) Number of claims settled—1978—4; 1979—14; 1980—45; 1981—71; 1982—106; 1983—63 (to 31 August 1983); Total—1—303. Number of claims outstanding—1982—2; 1983—78 (to 31 August 1983); Total—80. (c) Sex of claimants: Male 157, female 226. (d) Type of work performed—Mail sorting 185; Manual

handling 97; Keyboard 53; Hand stamping 12; Clerical 12; Cleaning 8; Operating vehicles/equipment 16. Total 383.

Australian Telecommunications Commission

Telecom Australia has advised that owing to the nature of its computerised accidents and compensation statistical recording system it is not possible to provide precise details of compensation claims resulting from repetitive strain injury. However, details of incidents involving repetitive strain injuries together with the number of claims actually settled since 1 July 1978 are as follows. It should be appreciated that a compensation claim does not necessarily eventuate from every reported incident and for this reason, it is not possible to provide details of claims outstanding.

(a) Number of incidents	Number of claims settled
1978-79 1	1
1979-80 6	5
1980-81 38	30
1981-82 122	88
1982-83 171	115
1983-84 63 31.12.83	21
Total 401	260

(b) Sex—81 males, 320 females; Sex—50 males, 210 females

(c) Type of work performed:		
Administrative keyboard	199	123
Telephone operating	86	59
Lines work	37	22
Technical duties	19	14
Trade workshops	53	37
Others	7	5

United Nations: Australian Membership

(Question No. 361)

Mr Rocher asked the Minister for Foreign Affairs, upon notice, on 23 August 1983:

(1) What is the cost of Australian membership of the United Nations.

(2) What are Australia's contributions to (a) the United Nations Organisation Regular Budget, (b) the budgets of the International Labour Organisation, Food and Agriculture Organisation, United Nations Educational, Scientific and Cultural Organisation, and each of the other agencies and (c) any other financial contributions for the year 1983.

(3) What is the cost of maintaining Australian representatives, including support staff, accommodation, travel, et cetera, at (a) New York, (b) Geneva, (c) Paris and (d) Vienna.

(4) What are Australia's contributions to, or the cost of participation in, United Nations peacekeeping and observer forces.

Mr Hayden—The answer to the honourable member's question is as follows:

(1) The cost of Australian membership of the United Nations includes its assessed contributions to the regular budget of the United Nations Organisation, to the budgets of the specialised agencies, and to other bodies within the United Nations system. These are detailed in (2) below.

(2) (a) Australia's contribution to the United Nations' regular budget in 1983 was \$US9,237,061.

(b) Australia's assessed contributions in 1983 to the regular budgets of specialised agencies and to other bodies and funds established by the United Nations are listed below, amounts are in the currency of contribution:

ILO	\$US2,245,592
FAO	\$US3,946,656
UNESCO	\$US3,604,796
IAEA	\$US1,313,306
IMO	\$US51,052
UPU	SF437,500
ITU	SF3,178,800
ICAO	\$US469,286
GATT	SF660,150

FAO, Regional Animal Production and Health Commission for Asia, the Far East, and South-West Pacific

International Agency for Research on Cancer

UNEP-CITES

UNESCO—Convention for the Protection of World Cultural and Natural Heritage

WMO

WHO

WIPO

Committee to Eliminate Racial Discrimination

.....

(c) Australia also makes voluntary contributions to multilateral organisations including the United Nations specialised agencies and other bodies and funds established by the United Nations for their various programs. These are not costs arising from Australia's obligation through its membership of the United Nations to pay its assessed contribution to the regular budgets of the organisation and its specialised agencies. Budget Paper No. 9 provides details of those contributions in this category which are determined within the total of Australia's annual aid program. Other contributions in this category in 1982 and 1983 from Department of Foreign Affairs appropriations were:

IAEA nuclear safeguards assistance program—\$A201,710

United Nations peace and disarmament activities—\$A50,000.

(3) The salary and administrative appropriations of the Department of Foreign Affairs include provision for the cost of common service functions on behalf of all federal departments maintaining representatives attached to overseas missions administered by the department. The costs for the financial year 1982-83 provided below do not include the salary and/or specialised administrative costs for staff of other federal departments. They include accommodation costs which are met from the appropriations of the Department of Administrative Services.

(a) New York	
(1) Consulate-General	\$A1,512,995
(2) Permanent Mission to the United Nations	\$A1,554,689
(b) Geneva	\$A2,346,210
(c) Paris	
(1) Australian Embassy	\$A2,995,010
(2) Delegation to OECD	\$A220,037
(3) Delegation to UNESCO	\$A149,614
(d) Vienna	\$A1,800,605

Note: The Embassy in Paris and the Consulate-General in New York are not multilateral posts. Nor has the Delegation to OECD any connection with the United Nations. Vienna performs bilateral functions through its accreditation to the governments of Austria and Hungary, as well as multilateral functions.

(4) Australia's contribution in 1983 to United Nations peacekeeping and observer forces was:

United Nations Peacekeeping Force in Cyprus	\$A1,021,000 for 1982-83 (cost of maintaining police contingent in Cyprus).
United Nations Disengagement Observer Force	\$US100,000 (1983 regular voluntary contribution to cost of the force)
United Nations Interim Force in Lebanon	\$US540,506 (1.12.82-30.11.83) \$US2,127,616 (19.12.82-18.10.83)

There is also some indirect financial support for the United Nations in the form of Australian Defence Force personnel serving in India and Pakistan (United Nations Military Observer Group) and the Middle East (United Nations Truce Supervisory Organisation). The salaries of these personnel and their support costs are funded from Department of Defence appropriations. In respect of 1982-83 these are estimated to have been:

- a \$A.151,000 for UNMOGIP
- b \$A.352,000 for UNTSO

Water Fluoridation

(Question No. 384)

Dr Everingham asked the Minister for Health, upon notice, on 24 August 1983:

(1) Has his attention been drawn to case No. GD4585-78, Allegheny County Court of Common Pleas, 16 November 1978, in which the opinion of Judge Flaherty, now Justice Flaherty of the Pennsylvania Supreme Court, United States of America, is in favour of plaintiffs against water fluoridation, a decision reversed on appeal but not on factual grounds, and still on appeal.

(2) Will he make the judgment and successive appeal judgments in this case and in case No. 68E 128 direct appeal to the Illinois Supreme Court between Illinois Pure Water Committee, Inc. et al. and director of the Department of Public Health of the State of Illinois et al., available promptly, when practicable, in the Parliamentary Library.

Dr Blewett—The answer to the honourable member's question is as follows:

(1) Yes. However, this case is no longer under appeal. On 3 March 1983 the Supreme Court of Pennsylvania denied the petition for allowance of appeal, so that the West View Water Authority will continue to fluoridate the water supply.

(2) The following papers have been placed in the Parliamentary Library:

- (a) The judgment by Judge Flaherty of the Allegheny County Court of Common Pleas dated 16 November 1978, ruling against the addition of fluoride to the water supply by the West View Water Authority, Pennsylvania.

(b) The judgment by Judge Williams of the Commonwealth Court of Pennsylvania, dated 9 March 1982, reversing the ruling by Judge Flaherty.

(c) The decision by the Supreme Court of Pennsylvania dated 3 March 1983, disallowing an appeal against Judge Williams' ruling.

(d) In response to the honourable member's question of 18 August 1982 (Question No. 4830) copies of the following papers in respect of the appeal to the Illinois Supreme Court, case No. 68E 128, were placed in the Parliamentary Library:

- (i) The judgment by Judge Ronald Niemann dated 24 February 1982 that the fluoridation statute in Illinois was unconstitutional.
- (ii) A copy of advice of the decision of the Illinois Supreme Court dated 23 March 1982 granting a stay of Judge Niemann's order.
- (iii) Copies of submissions to the Illinois Supreme Court by the Plaintiffs (the Illinois Pure Water Committee et al.), the Defendants (the Department of Public Health of the State of Illinois, et al.) and the American Dental Association.

A decision by the Illinois Supreme Court is not expected before April 1984.

Trade Practices Act: Unconscionable Contracts

(Question No. 409)

Mr Lloyd asked the Minister representing the Attorney-General, upon notice, on 6 September 1983:

(1) Will the Attorney-General (a) give consideration to enacting a Contracts Review Act, concerning unconscionable contracts, such as building contracts, (b) give consideration to removing the favourable endorsement of the Trade Practices Commission upon Master Builders' Victorian Contracts, containing Scott v. Avery arbitration clauses and also being contracts of adhesion, (c) consult with the Treasurer, with regard to having removed the favourable endorsement of the Commonwealth Savings Bank Administration upon Master Builders' N.S.W. Contracts for the reason expressed in (b), (d) instigate a Committee of Review, with consumer representatives being included in the membership, to investigate and review unconscionable contracts such as building contracts and (e) give consideration to overviewing all trade practices contracts endorsements, both past and future, in the interests of justice.

(2) If the Attorney-General will not undertake to act on any of the requests referred to in Part (1) what is the reason, in each case.

Mr Lionel Bowen—The Attorney-General has provided the following answer to the honourable member's question:

(1)—

- (a) The Minister for Home Affairs and Environment, who has portfolio responsibility for the consumer protection provisions of the Trade Practices Act, has under consideration inclusion of a provision relating to relief from unconscionable conduct,

which would, *inter alia*, include certain building contracts.

(1) and (2)—

- (b) I assume that the reference by the honourable member to an endorsement by the Trade Practices Commission (TPC) is a reference to an authorisation under the Trade Practices Act granted by that body to the agreement between members of the Master Builders Association of Victoria (MBAV) to use the MBAV standard form building contract. An authorisation by the TPC does not represent endorsement of an agreement; it rather represents a determination by the TPC in the exercise of its statutory duty that the agreement results in an overall benefit to the public that outweighs the detriment to the public constituted by any lessening of competition.

I am not empowered under the Trade Practices Act to vary or withdraw an authorisation given by the TPC.

With regard to the question of *Scott v. Avery* clauses, I refer the honourable member to clause 45 of the Commercial Arbitration Bill 1981 that was introduced into the Victorian Parliament in December 1981. The effect of that provision will be to exclude *Scott v. Avery* clauses in an arbitration agreement or any other agreement and to ensure that such clauses in future will be construed only as an agreement to arbitrate. The Commercial Arbitration Bill is now at an advanced stage of examination within the Standing Committee of Attorneys-General following the receipt of public submissions. If the members of the Standing Committee agree to recommend to their respective Governments that legislation modelled on the Victorian Bill should be enacted in each State and Territory, there would be no need for the Commonwealth to specifically regulate *Scott v. Avery* clauses under any other legislation, such as the Trade Practices Act.

Any criticism of the TPC's authorisation of the MBAV contracts on the ground that they are contracts of adhesion would also need to take account of the fact that the contracts leave significant gaps for completion after negotiation between the parties.

(1)—

- (c) The Treasurer has responsibility for the Commonwealth Savings Bank, and I will communicate with him having regard to the considerations mentioned in (b) above.

(1) and (2)—

- (d) The Minister for Home Affairs and Environment has advised that, in light of the current review of the Trade Practices Act, it is not necessary at this time to instigate a committee of review for the purpose of investigating unconscionable contracts.

(1) and (2)—

- (e) Again, I assume that the honourable member is referring to authorisations granted by the TPC under the Trade Practices Act. I consider that the TPC has performed and will continue to perform its

proper statutory functions in determining authorisation applications, and that accordingly it is unnecessary to review previous authorisation decisions or to oversight future decisions.

Telephone Subscribers: Effects of Countrywide Calling Policy (Question No. 607)

Mr Lloyd asked the Minister for Communications, upon notice, on 11 October 1983:

Is it a fact that groups of telephone subscribers are being disadvantaged by the recently introduced countrywide calling policy, if so, (a) what are the details and (b) what is being done to assist these groups.

Mr Duffy—The answer to the honourable member's question, based on advice from the Australian Telecommunications Commission, is as follows:

For parts (a) and (b):

The countrywide calling scheme was introduced to help overcome the problems associated with provision of service in sparsely settled areas. The main factors involved in this development are the need:—

for Telecom to proceed with its rural and remote area automatic conversion program in a timely manner;

for larger zones to limit expenditure on zone identification equipment which in turn will provide customers with access to a reasonable number of people at lower call charges than would have been applicable if the previous zoning principles had been applied;

to keep community access arrangements intact. Apart from local call arrangements, the community call rate, 15c for three minutes, will apply to all calls within an extended zone, many of which exceed 10,000 square kilometres. This is the lowest rate which could reasonably apply throughout such huge areas.

The honourable member would be aware that Telecom has made a number of modifications to the scheme since its introduction on 1 October 1983. For example, those subscribers still on manual exchanges in extended zones will retain local call access to their service town until the automatic conversion takes place and calls between extended zones, where the radial distance is within 25-50 km, will now be charged at the community rate of 15c for three minutes. This was previously 30c for three minutes under countrywide calling. In addition, Telecom has made many changes to extended zone boundaries so that customers are given the most favourable calling conditions practicable.

Overall, the benefits of the countrywide calling scheme to many thousands of country subscribers, existing and potential, by way of earlier provision of improved facilities, and in some cases substantially reduced charges, are of great significance to country areas.

Commercial Radio Licences (Question No. 627)

Mr Lloyd asked the Minister for Communications, upon notice, on 13 October 1983:

Will he instruct the Australian Broadcasting Tribunal, when considering applications for supplementary or

independent commercial radio licences, to include in the criteria for viability the additional market fragmentation created by the second Australian Broadcasting Corporation regional radio network.

Mr Duffy—The answer to the honourable member's question is as follows:

The Australian Broadcasting Tribunal is not subject to instructions of the Minister for Communications on such matters.

The Broadcasting and Television Act 1942 requires that, when considering the grant of a supplementary or independent licence, the Tribunal shall have due regard to the need for commercial viability in the area to be served and for the duration of the licence.

Duplication of Federal Highway between Goulburn and Canberra

(Question No. 633)

Mr Ruddock asked the Minister for Transport, upon notice, on 18 October 1983:

(1) Is it a fact that (a) the duplication of the Federal Highway between Goulburn, New South Wales, and Canberra is unlikely to be completed in time for the bicentennial celebration in 1988, (b) planning by the National Capital Development Commission is advanced to ensure that duplication of the highway within the Australian Capital Territory to the New South Wales border has been included in the NCDC works program for 1983 and (c) notwithstanding grants by the bicentennial roads program, duplication of the highway between Canberra and Goulburn might not now be completed until 1990.

(2) If so, (a) are there any acceptable reasons for this delay, (b) is the delay likely to occur because the level of funding under the bicentennial roads program for New South Wales is insufficient to meet the 1988 target, (c) is the program for bicentennial road spending in New South Wales established by the New South Wales Government and (d) is there any action that the Commonwealth Government can take to ensure that the duplication of the highway is completed in time for the opening of the new Parliament House in 1988.

Mr Peter Morris—The answer to the honourable member's question is as follows:

1 (a), 1 (c), 2 (a), 2 (b), 2 (d). The current position in regard to the duplication of the Federal Highway between Goulburn, New South Wales and Canberra is that I have advised the New South Wales Minister for Roads that construction to a four-lane standard is to be completed. Whether it will be completed by 1988, the bicentennial year, is dependent on a number of factors, the most important of these being movements in construction costs, decisions as to future funding after the expiration of the current Roads Grants Act in 1985, the speedy resolution of possible environmental issues, and finally planning, design and engineering capacity constraints. Despite these uncertainties, the following major projects are expected to be completed or substantially under way by 1988:

- (i) construction of the Collector bypass, first of dual carriageways.
- (ii) construction between Geary's Gap and Sutton interchange, first of dual carriageways.

(iii) construction and pavement rehabilitation between the junction with the Hume Highway and Willow Tree Creek.

(iv) pavement rehabilitation between Collector and Geary's Gap.

(1) (b) The responsibility for the National Capital Development Commission rests with the Minister for Territories and Local Government and this question should be directed to him.

(2) (c) The Australian Bicentennial Trust Fund Act 1982 authorises the Federal Minister for Transport to approve or vary projects submitted by the States for inclusion in the Australian bicentennial road development program. For national roads, the Act also provides for the Minister to determine the allocations between States.

Countrywide Calling: Fee Structure

(Question No. 716)

Mr Lloyd asked the Minister for Communications, upon notice, on 8 November 1983:

(1) What changes have been made to the fee structure of countrywide calling since its introduction.

(2) What was the justification for each change.

Mr Duffy—The answer to the honourable member's question, based on advice received from the Australian Telecommunications Commission, is as follows:

(1) and (2) I refer the honourable member to my reply to Question No. 607.

Long-Distance Calls from Public Telephone Boxes

(Question No. 724)

Mr Lloyd asked the Minister for Communications, upon notice, on 9 November 1983:

Are trunk calls made from public telephone boxes without STD facilities charged a surcharge for operator connection and rated at the full day rate irrespective of what time of the day the call is made; if so, (a) is this a fair service for public telephone users and (b) will he take appropriate action to remove this anomaly for people who have no choice when making long-distance calls from public telephone boxes.

Mr Duffy—The answer to the honourable member's question, based on advice from the Australian Telecommunications Commission, is as follows:

No. The prescribed tariff does not provide for a surcharge for operator connection in such circumstances and the charges are those applicable for the time of day the call is made.

Telecom Australia: Rental Line Charges

(Question No. 737)

Mr Lloyd asked the Minister for Communications, upon notice, on 10 November 1983:

Have there been increases of up to 200 per cent in Telecom Australia rental line charges in industries such as

the security and fire alarm services; if so, (a) on what basis were the increases made and (b) by what justification have the charges been increased by so much.

Mr Duffy—The answer to the honourable member's question, based on advice from the Australian Telecommunications Commission, is as follows:

Yes. However, for existing customers Telecom has set a limit of 50 per cent on the amount by which the price of any one leased line service will increase in 1983-84. Furthermore, in some situations there have been significant price reductions.

Referring to (a) and (b), studies undertaken with the assistance of international consultants have shown that short distance private lines have been substantially underpriced and do not yield a commercial level of return; in fact, these lines are still, even after the 1 October 1983 tariff increases, being subsidised by longer distance trunk leased lines. By way of comparison, charges for short distance private lines leased by overseas telecommunications organisations with similar cost structures to Telecom are considerably higher than Telecom's new tariffs.

Whilst conscious of the severity of the increases in certain cases, Telecom studies indicated that the revised charges are essential to improve the economic viability of this area of its operations.

Australian Capital Territory Ordinances

(Question No. 746)

Mr Ruddock asked the Minister for Territories and Local Government, upon notice, on 15 November 1983:

(1) Which of the 1983 Australian Capital Territory Ordinances; Seat of Government (Administration) (Amendment), Interpretation (Amendment), Juries (Amendment), Public Assemblies (Repeal), Fireworks

(Amendment), Rates (Amendment), Parole Orders (Transfer), Criminal Injuries Compensation, Rates (Amendment) (No. 2), Motor Omnibus Services (Amendment), Motor Traffic (Amendment), Roads and Public Places (Amendment), Sale of Motor Vehicles (Amendment), Money Lenders (Amendment), Motor Traffic (Amendment) (No. 2), National Exhibition Centre Trust (Amendment), Building (Amendment), Motor Traffic (Amendment) (No. 3), Hawkers (Amendment), Dog Control (Amendment), Weights and Measures (Amendment), Money Lenders (Amendment) (No. 2), Sewerage Rates (Amendment), Crimes (Amendment), Chiropractors Registration, Machinery (Amendment), Flammable Liquids (Amendment), Lakes (Amendment), Building and Services (Amendment), Architects (Amendment), Scaffolding and Lifts (Amendment), Pounds (Amendment), Water Rates (Amendment), Racecourses (Amendment), Sale of Motor Vehicles (Amendment) (No. 2), Registration of Deeds (Amendment), Adoption of Children (Amendment), Nature Conservation (Amendment), Lotteries (Amendment), Crimes (Amendment) (No. 2), Wills (Amendment), Cemeteries (Amendment), Careless Use of Fire (Amendment), Canberra Theatre Trust (Amendment) (No. 2), Milk Authority (Amendment), Canberra Commercial Development Authority (Amendment), Mental Health, and Casino Control, were made (a) with or (b) without the support of the Australian Capital Territory House of Assembly.

(2) In each case, was the opinion of the House of Assembly sought (a) before or (b) after the delegated legislation was made.

Mr Uren—The answer to the honourable member's question is as follows:

(1) and (2) The following table provides the relevant information.

Ordinance	Question (1)		Question (2)	
	(a)	(b)	(a)	(b)
Seat of Government (Admin) (Amdt)		This Ordinance relates to departmental name change, after election		
Interpretation (Amdt)		This Ordinance relates to departmental name change, after election		
Juries (Amdt)	Yes	..	Before	..
Public Assemblies (Repeal)	Yes	..	Before	..
Fireworks (Amdt)	Yes	..	Before	..
Rates (Amdt)	Yes	..	Before	..
Parole Orders (Transfer)	..	No	..	After
Criminal Injuries Compensation	Yes	..	Before	..
Rates (Amdt) (No. 2)	Yes	..	Before	..
Motor Omnibus Services (Amdt)	Yes	..	Before	..
Motor traffic (Amdt)	Yes	..	Before	..
Roads and Public Places (Amdt)	Yes	..	Before	..
Sale of Motor Vehicles (Amdt)	Yes	..	Before	..
Money Lenders (Amdt)	Yes	..	Before	..
Motor Traffic (Amdt) (No. 2)	Yes	..	Before	..
National Exhibition Centre Trust	..	No	..	After
Building (Amdt)	Noted by Assembly 24.10.83		After*	..
Motor Traffic (Amdt) (No. 3)	Noted by Assembly 24.10.83		After*	..
Hawkers (Amdt)	Noted by Assembly 24.10.83		After*	..
Dog Control (Amdt)	Noted by Assembly 24.10.83		After*	..

Ordinance	Question (1)		Question (2)	
	(a)	(b)	(a)	(b)
Weights and Measures (Amdt)	Noted by Assembly 24.10.83		After*	
Money Lenders (Amdt) (No. 2)	Yes ..	Before	..	
Sewerage Rates (Amdt)	Forwarded to Assembly 1.12.83		After*	
Crimes (Amdt)	Yes ..	Before	..	
Chiropractors Registration	Yes ..	Before	..	
Machinery (Amdt)	Forwarded to Assembly 1.12.83		After*	
Flammable Liquids (Amdt)	Forwarded to Assembly 1.12.83		..	
Lakes (Amdt)	Forwarded to Assembly 1.12.83		After*	
Building and Services (Amdt)	Forwarded to Assembly 1.12.83		After*	
Architects (Amdt)	Forwarded to Assembly 1.12.83		After*	
Scaffolding and Lifts (Amdt)	Forwarded to Assembly 1.12.83		After*	
Pounds (Amdt)	Forwarded to Assembly 1.12.83		After*	
Water Rates (Amdt)	Forwarded to Assembly 1.12.83		After*	
Racecourses (Amdt)	Forwarded to Assembly 1.12.83		After*	
Sale of Motor Vehicles (Amdt) (No. 2)	Forwarded to Assembly 1.12.83		After*	
Registration of Deeds (Amdt)	Forwarded to Assembly 1.12.83		After*	
Adoption of Children (Amdt)	Forwarded to Assembly 1.12.83		After*	
Nature Conservation (Amdt)	Forwarded to Assembly 1.12.83		After*	
Lotteries (Amdt)	Forwarded to Assembly 1.12.83		After*	
Crimes (Amdt) (No. 2)	Yes ..	Before	..	
Wills (Amdt)	Yes ..	Before	..	
Cemeteries (Amdt)	Yes ..	Before	..	
Careless Use of Fire (Amdt)	Yes ..	Before	..	
Canberra Theatre Trust (Amdt) (No. 2)	Yes ..	Before	..	
Milk Authority (Amdt)	Yes ..	Before	..	
Canberra Commercial Dev. Auth. (Amdt)	Noted by Authority 25.10.83**		After	
Mental Health	Assembly agreed that referral of this legislation was not necessary			After
Casino Control	No	..		

* In keeping with normal practice those Ordinances forming part of the federal Budgetary package were not to be put to the Australian Capital Territory House of Assembly for consideration before being made.

** The amending legislation was drafted in accordance with a recommendation of the Australian Capital Territory House of Assembly on 10 May 1983.

Mailing Arrangements During Canberra Mail Strike: Department of Communications (Question No. 776)

Mr Ruddock asked the Minister for Communications, upon notice, on 16 November:

Did the Minister's Department, and any agencies reporting to the Minister, put in place alternative mailing arrangements during the recent Canberra mail strike; if so, what was the extra cost in each case.

Mr Duffy—The answer to the honourable member's question is as follows:

(a) The Canberra Office of my Department arranged for some urgent mail to be sent via the normal overnight courier service to either the Sydney or Melbourne offices for dispatch. No extra cost was incurred through this process.

(b) The Brisbane State Office arranged for two urgent articles to be transported via overnight air express at a cost of approximately \$9.

(c) No other alternative arrangements were made within the Department.

Australia Post

Australia Post did not put in place alternative mailing arrangements during the Canberra mail strike.

Telecom Australia

Alternative mailing arrangements were made during the recent Canberra mail strike for the transmission of urgent material. The approximate extra cost involved was \$155.

Overseas Telecommunications Commission (Australia)

During the Canberra mail strike the Australia Post express service was used on twelve occasions as an alternative mailing arrangement. The additional costs incurred by using this service totalled \$82.78.

Australian Broadcasting Corporation

Nil.

Australian Broadcasting Tribunal

Nil.

Special Broadcasting Service

Nil.

AUSSAT

Nil.

Mailing Arrangements During Canberra Mail Strike: Department of Defence Support
(Question No. 781)

Mr Ruddock asked the Minister for Defence Support, upon notice, on 16 November 1983:

Did the Minister's Department, and any agencies reporting to the Minister, put in place alternative mailing arrangements during the recent Canberra mail strike; if so, what was the extra cost in each case.

Mr Howe—The answer to the honourable member's question is as follows:

Yes, alternative mailing arrangements were made and the extra cost amounted to \$612.52 which represents:

	\$
Priority paid items	147.00
Extra overnight courier services	<u>465.52</u>
	612.52

Countrywide Calling: Zone Arrangement

(Question No. 794)

Mr Lloyd asked the Minister for Communications, upon notice, on 16 November 1983:

Have subscribers on the telephone exchanges at (a) Barrington and (b) Weilmoringle lost access to untimed calls since the introduction of countrywide calling on 1 October 1983; if so, is the countrywide calling zone arrangement being reviewed to overcome this problem.

Mr Duffy—The answer to the honourable member's question, based on advice from the Australian Telecommunications Commission, is as follows:

With the introduction of countrywide calling, customers served by the Barrington and Weilmoringle telephone exchanges retained local call access to customers on their own exchanges. However, Barrington customers lost local call access to the Ennionia exchange and Weilmoringle customers lost local call access to the Goodooga and Bow Creek exchanges.

The honourable member would be aware that a general review of the countrywide calling scheme has been carried out and a number of modifications made. However, it has not been found practicable to restore the lost local call access referred to above.

Inter-Departmental Committees: Department of Administrative Services

(Question No. 852)

Mr Leo McLeay asked the Minister for Administrative Services, upon notice, on 29 November 1983:

(1) What interdepartmental committees (a) does the Minister's Department and (b) do instrumentalities under the Minister's control (i) participate in and (ii) chair.

(2) What is the subject matter of these committees' inquiries.

Mr John Brown—The answer to the honourable member's question is as follows:

(1) and (2) The first column lists the names of the inter-departmental committees chaired by the Department of Administrative Services or instrumentalities under my control. The second column states the subject matter(s) of these committees' inquiries. The third column lists those interdepartmental committees on which the Department of Administrative Services or instrumentalities under my control participate.

Interdepartmental Committees Chaired by the Department of Administrative Services or Instrumentalities under the control of the Minister for Administrative Services	Subject matter of those Interdepartmental Committees Chaired by the Department of Administrative Services or instrumentalities under the control of the Minister for Administrative Services	Interdepartmental Committees on which the Department of Administrative Services or instrumentalities under the control of the Minister for Administrative Services participate
Interdepartmental Committees for Advising Departments on Preference Matters	Provides advice on the Government's preference policy and on individual preference cases referred for Ministerial consideration	Interdepartmental Committee on Information Policy Interdepartmental Committee on Constitutional Development (NT)
Interdepartmental Committee on Motor Transport	Develop advice on the efficient and economic use of motor transport services by Departments and non-business enterprises authorities	Interdepartmental Committee on Energy Conservation in Commonwealth Buildings
Interdepartmental Committee on Food and Beverage Services Pricing Policy	Reviews policy in respect of services provided for Commonwealth employees	Location of Australian Government Employment (LAGE) Committee
Food Services Projects Committee	Examines and reports on proposals for new food services and modifications to existing food services	Interdepartmental Committee on Australian Public Service Housing Scales and Standards Interdepartmental Furniture Committee Commonwealth Co-ordinating Group on Mapping Charting and Surveying

Interdepartmental Committees Chaired by the Department of Administrative Services or Instrumentalities under the control of the Minister for Administrative Services	Subject matter of those Interdepartmental Committees Chaired by the Department of Administrative Services or instrumentalities under the control of the Minister for Administrative Services	Interdepartmental Committees on which the Department of Administrative Services or instrumentalities under the control of the Minister for Administrative Services participate						
Standing Interdepartmental Committee on Government Printing and Publishing (SIDCHOPP)	To advise Minister for Administrative Services on policy matters relating to Commonwealth printing and publishing and provide a point of reference from which AGPS can seek guidance and advice. As an advisory body committee has no executive, enforcement or arbitral role	Policy Committee on Conditions of Overseas Service Operational Committee on Conditions of Overseas Service						
Overseas Property Committee	To provide a forum for client consultation, advise on the formulation of the programs and policies covering the range of overseas property activities.							
National Health and Medical Research Council (Question No. 867)								
Mr Ronald Edwards asked the Minister for Health, upon notice, on 29 November 1983:								
DISTRIBUTION OF NHMRC FUNDS FOR 1984 FOR ITS MAJOR GRANTING SCHEMES (\$m)								
Scheme	N.S.W.	Vic.	Qld	S.A.	W.A.	Tas.	A.C.T.	Total
Projects	7.852	8.280	1.764	3.571	2.021	.199	.365	24.053*
Programs828	2.586	.646	.473	4.533
Institutes	7.700	7.700
Units308	.263	..	.554	1.125
	8.680	18.566	2.410	4.352	2.284	.199	.919	37.411
Training and miscellaneous (national)								5.424
								42.835

* rounded.

The large amount of funding to Victoria is attributable to the fact that there are three Institute grants, to the Walter and Eliza Hall Institute, the Howard Florey Institute and the Baker Medical Research Institute.

The award of NHMRC grants is recommended on the basis of scientific excellence, as assessed by independent peer review, irrespective of geographical location. The geographical distribution of NHMRC funds reflects the historical concentration of medical research of high quality in Melbourne.

Sale of Food Items: Australian Capital Territory (Question No. 871)

Mr Ruddock asked the Minister for Health, upon notice, on 29 November 1983:

(1) Is it proposed to introduce an ordinance for the Australian Capital Territory to prevent the sale of food items for which the use, by date, has expired.

(2) Has his attention been drawn to allegations that the Australian Capital Territory, due to the lack of legislation to outlaw the practice, is subject to dumping of food items which cannot be sold elsewhere in Australia; if so, (a) have drafting instructions for an ordinance to deal with this practice been completed and (b) by what date is it anticipated that it will be (i) submitted to the House of Assembly and (ii) proclaimed.

Dr Blewett—The answer to the honourable member's question is as follows:

(1) No. New comprehensive food legislation for the Australian Capital Territory is being developed which will include provisions requiring food items to be labelled with a use-by-date but it will not be an offence to sell food beyond the use-by-date.

This date is only intended to act as a guide to consumers on the relative freshness of food and should not be confused with sell-by dating required in respect of certain short life foods, such as milk.

This new food legislation is based on the model food act agreed to by Australian Health Ministers in conference. The model act is intended to bring about uniform legislation throughout Australia and it has already been adapted for enactment in Queensland.

(2) Yes, but I have only received one letter in recent times suggesting that the dumping of food items which have expired use-by-dates is occurring in the Australian Capital Territory. The Capital Territory Health Commission, which is responsible for food inspection services in the Territory, is aware that a very small number of supermarkets may on occasion offer for sale 'out of date specials' but the Commission has no evidence of any large scale or significant deliberate dumping of food items. If customers are concerned about the condition of any food item they have bought with an expired use-by-date it is possible for the food to be tested by the Commission's Public Health Laboratory. If the food is found to be unfit for human consumption, legal action may be taken under existing legislation against the person who sold the food.

I am advised that drafting instructions have been completed for an ordinance and associated food standards and it is anticipated that the legislation will be referred to the Australian Capital Territory House of Assembly this year.

The date of proclamation cannot be determined at this stage as it will depend on the Assembly's consideration of the proposed ordinance and the subsequent completion of the ordinance by the Commission.

Australian Broadcasting Corporation

(Question No. 888)

Mr Lloyd asked the Minister for Communications, upon notice, on 1 December 1983:

(1) Will the Australian Broadcasting Corporation use the ENG equipment purchased seven or eight years ago at a cost of \$10-15m.

(2) Is it a fact that this equipment has been virtually unused since purchase.

(3) Will second or third generation equipment be purchased at a cost of \$30m; if so, what will happen to the older equipment.

Mr Duffy—The answer to the honourable member's question, based on advice from the Australian Broadcasting Corporation, is as follows:

(1) Most of the equipment the ABC is and will be using for ENG was purchased less than 4 years ago. The ENG equipment in service or about to go into service cost less than \$2m (including equipment in overseas offices).

(2) Most of this equipment has been used in various program applications since purchase, although only a small proportion of it for news gathering operations.

(3) Newer equipment will not be purchased in large quantities until there is a clear choice and funds are available. It is expected that a clearer choice than is possible now will be evident within the next year.

The cost of replacing existing ENG equipment is currently estimated at \$4m. Replaced equipment, if economical to maintain at that stage, will be deployed in less demanding situations. Expansion of electronic facilities to eventually replace equivalent film-based facilities used for

news and current affairs programs together with refinements to bring all such facilities to full state-of-the-art flexibility and performance is expected to cost approximately a further \$4m at current prices.

Telecom Australia: Engineering Staff

(Question No. 890)

Mr Lloyd asked the Minister for Communications, upon notice, on 1 December 1983:

(1) Is Telecom Australia centralising engineering staff from regional centres; if so (a) does the proposal relate only to Victoria and (b) which regional centres will be affected.

(2) If not, can he reassure engineers, based outside capital cities, that they are safe in their present positions.

Mr Duffy—The answer to the honourable member's question, based on advice from the Australian Telecommunications Commission, is as follows:

Telecom has recently conducted major reviews of the Engineering Department in New South Wales and Queensland and is currently reviewing the Engineering Department in Victoria. Reviews of all other State engineering departments will follow.

In New South Wales and Queensland the new organisation groupings will improve Telecom's ability to give specific engineering attention to the telecommunications needs of regional areas. These changes will lead to a greater amount of decentralisation of external plant construction activities. There will however be some centralisation of the more complex high technology work.

While the principles applied in the New South Wales, Queensland and Victorian reviews are identical, inevitable differences in such factors as physical size, growth rates, population, telephone dispersions and network complexity will lead to some variations between the solutions finally adopted by each State.

At this stage the review in Victoria is not finalised and discussions with staff and staff associations are continuing.

An assurance has been given to staff that any changes will be implemented in such a manner that no staff member will be relocated against his or her will.

New South Wales Solicitors: Payment of Fees

(Question No. 891)

Mr Simmons asked the Minister representing the Attorney-General, upon notice, on 1 December 1983:

What are the reasons for the lengthy delays in the payment of fees for professional services for solicitors in New South Wales undertaking work for Australian Legal Aid.

Mr Lionel Bowen—The Attorney-General has provided the following answer to the honourable member's question:

During the debate on the Family Law Amendment (Legal Aid Costs) Bill 1983 on 5 October 1983 (*Hansard*, pages 1175-6) Senator Harradine asked whether there was any delay in the payment of accounts by the Australian Legal Aid Office to private solicitors in New South Wales and Tasmania. As to the position in New South Wales, I said that, where an account that did not require

any clarification was submitted to the Sydney ALAO, it would normally be paid within four weeks and that, where a similar account was submitted to a regional office, the time taken was in the order of six to eight weeks. I also said that this 'average' time could vary significantly in the context of a more complex matter involving more complex costing exercises for the office.

Since I made those remarks, the increased demands that have been made on legal aid in the past few months have led to a steady increase in accounts being received. I am informed that the average time, now taken, for an account to be paid is six weeks, when submitted to the Sydney ALAO, and between nine and fourteen weeks when submitted to a regional office. This increased delay is, of course, undesirable. The reasons for the delays can be summarised as follows:

the increased volume of accounts received;

difficulties which have occurred in recruiting suitably qualified and experienced clerical and support staff to assist in the clearing of accounts;

the unsatisfactory nature of many accounts submitted by solicitors—of all accounts currently outstanding in the New South Wales ALAO, at least 50 per cent are subject to requisitions because the amounts claimed are not clear, they exceed the ALAO scale or, in the case of disbursements, they are not supported by necessary documentary evidence; and

the need to comply with audit and finance regulations.

I might mention that the only complaints received in this regard recently have concerned firms of solicitors who have had dealings with the Newcastle regional office of the ALAO. That office was experiencing special problems late last year and I understand that particular efforts have since been made to overcome its difficulties.

It is anticipated that the difficulties that have been experienced by the ALAO in New South Wales, regarding payment of accounts will be significantly alleviated by the increase in legal aid support staff which was announced in the 1983-84 Budget, and which will be employed progressively by the ALAO in the early part of the current year. In addition, in the context of the restructuring of the Attorney-General's Department, consideration is being given to whether the organisational arrangements presently existing can be streamlined to expedite the payment of accounts.

Herbicide Spray 2,4,5-T

(Question No. 898)

Mr Milton asked the Minister for Health, upon notice, on 1 December 1983:

(1) Has his attention been drawn to the decision of the Victorian State Labor Parliamentary Caucus on 29 November 1983, to ban the use of the herbicide spray 2,4,5-T in Victoria in view of the health danger involved.

(2) Can he confirm that no Commonwealth department or authority used the herbicide spray 2,4,5-T in any State or Territory of Australia.

Dr Blewett—The answer to the honourable member's question is as follows:

(1) I am aware that the Victorian State Labor Parliamentary Caucus has recommended to ban the use of the herbicide 2,4,5-T in Victoria. However, the Victorian

Government has not initiated any legislative action to prohibit the herbicide's use but has referred the issue to the Victorian Agricultural and Domestic Chemicals Review Committee for evaluation.

(2) As there has been no ban on 2,4,5-T in Australia by any regulatory authority, Commonwealth departments and agencies are free to use the compound for those purposes that have been approved.

The continued use of 2,4,5-T is consistent with advice from the National Health and Medical Research Council which as recently as its Ninety-sixth Session in October 1983 considered that there was no reason to amend its current recommendations on 2,4,5-T, namely, that:

- recommended safety precautions followed in the handling of pesticides should provide adequate protection to all persons exposed to 2,4,5-T in its manufacture and use.
- 2,4,5-T containing more than 0.01 ppm of TCDD should not be permitted for use as a herbicide in Australia.
- there should be a maximum residue limit of 0.002 ppm of 2,4,5-T permitted in water.

Public Servant Accommodation Costs

(Question No. 908)

Dr Klugman asked the Minister for Administrative Services, upon notice, on 6 December 1983:

Further to the reply to my Question No. 4693 (*Hansard*, 8 December 1982, page 3175) what is the estimated accommodation cost per public servant in rented office accommodation in rented office accommodation in (a) the central business district of Sydney, (b) Parramatta, (c) Liverpool and (d) Fairfield.

Mr John Brown—The answer to the honourable member's question is as follows:

The estimated accommodation cost per Commonwealth public servant in rented accommodation at the locations listed is:

Location	Cost per officer per annum
(a) Sydney CBD	\$ 2,223
(b) Parramatta	1,513
(c) Liverpool	1,521
(d) Fairfield	1,246

These figures are based on (i) average rentals currently being paid by the Commonwealth in these locations, and (ii) an average space allocation of 15 square metres per officer. The figures do not take account of fitout costs, electricity charges, rates and taxes, cleaning, after hours use of air-conditioning or any restoration costs.

Importation of Military Equipment and the Overseas Budget Deficit

(Question No. 913)

Mr Spender asked the Minister for Finance, upon notice, on 7 December 1983:

Will he bring up to date the answer to Senate Question No. 2965 (*Hansard*, 21 October 1982, pages 1779-80). Question No. 2965 sought the following information from the then Treasurer, Mr Howard:

- (1) The value of imports of military equipment in each financial year since 1969-70.
- (2) The Commonwealth's overseas deficit in each financial year since 1969-70.
- (3) the proportion of imports of military equipment in the overseas deficit in each financial year since 1969-70.

Mr Dawkins—The answer to the honourable member's question is as follows:

Figures previously provided for the financial years 1979-80 and 1981-82 have been revised. The table below provides information, updated as necessary, for the financial years 1979-80 to 1982-83 inclusive.

Financial year	Imports of military equipment and stores (1)	Commonwealth's overseas budget deficit (2)	(1)/(2)
1979-80 . .	\$m 228	\$m 1,467	15.5
1980-81 . .	490	1,556	31.5
1981-82 . .	287	1,468	19.6
1982-83 . .	456	1,991	22.9

The series for imports of military equipment and stores (compiled on a statistical balance of payments basis) has again been provided by the Australian Bureau of Statistics and the series for the overseas budget deficit is from the 1983-84 Budget documents.

Cautionary comments included in the response to Question No. 2965 about drawing any significance from the relative movements in the two series of information in any particular year are equally pertinent to these updated figures.

Report on Australian Defence Procurement: Inter-departmental Committee
(Question No. 914)

Mr Spender asked the Minister for Administrative Services, upon notice, on 7 December 1983:

Will he bring up to date the answer to House of Representatives Question No. 4963 (*Hansard*, 8 December 1982, pages 3177-8).

Mr John Brown—The answer to the honourable member's question is as follows:

The answer given in December 1982 in response to House of Representatives Question No. 4963 of August 1982 remains unchanged except that the Committee's report is now expected to be published in 1984.

Commonwealth Employment Program Grants: Department of Trade
(Question No. 926)

Mr Lloyd asked the Minister for Trade, upon notice, on 7 December 1983:

Has the Minister's Department, or statutory authorities for which he is responsible, (a) made or (b) plans to make, an application for Commonwealth employment program grants for employment creation in the electoral division of Murray; if not, why not.

Mr Lionel Bowen—The answer to the honourable member's question is as follows:

- (a) No.
- (b) My Department is based in Canberra with regional offices in each State capital and sub-offices in Darwin and Townsville and it is proposed to establish new regional sub-offices in Newcastle, Wollongong and Geelong early in 1984.

The work of the Department is such that it does not allow it to readily branch out into areas away from the major business and industrial areas of each State. Officers of my Department are having discussions with officers of the Department of Employment and Industrial Relations to examine whether scope exists for my Department's participation in the scheme in the locations where it has offices.

Similarly I do not expect that an application will be made by any of the statutory authorities within my portfolio.

Commonwealth Employment Program Grants: Department of Resources and Energy

(Question No. 932)

Mr Lloyd asked the Minister representing the Minister for Resources and Energy, upon notice, on 7 December 1983:

Has the Minister's Department, or statutory authorities for which the Minister is responsible, (a) made or (b) plans to make, an application for Commonwealth employment program grants for employment creation in the electoral division of Murray; if not, why not.

Mr Barry Jones—The Minister for Resources and Energy has provided the following answer to the honourable member's question:

In the electoral division of Murray, the towns of Rushworth and Leitchville are to receive grants of \$41,000 and \$166,000 respectively for approved projects under the country towns water supply improvement program associated with the community employment program.

Commonwealth Employment Program Grants: Department of Finance
(Question No. 937)

Mr Lloyd asked the Minister for Finance upon notice, on 7 December 1983:

Has the Minister's Department, or statutory authorities for which he is responsible, (a) made or (b) plans to make, an application for Commonwealth employment

program grants for employment creation in the electoral division of Murray; if not, why not.

Mr Dawkins—The answer to the honourable member's question is as follows:

(a) No.

(b) No.

My Department has examined the guidelines for the Commonwealth employment program and has concluded bearing in mind the functions and responsibilities allotted to the Finance portfolio that there are no projects for which it could apply for grants for employment creation in the electoral division of Murray.

**Commonwealth Employment Program Grants:
Department of Primary Industry**
(Question No. 939)

Mr Lloyd asked the Minister for Primary Industry, upon notice, on 7 December 1983:

Has the Minister's Department, or statutory authorities for which he is responsible, (a) made or (b) plans to make, an application for Commonwealth employment program grants for employment creation in the electoral division of Murray; if not, why not.

Mr Kerin—The answer to the honourable member's question is as follows:

(a) No.

(b) The responsibilities of my Department and the relevant statutory authorities for which I have authority do not lend themselves to employment creation opportunities under the Commonwealth employment program.

**Commonwealth Employment Program Grants:
Department of Aviation**
(Question No. 940)

Mr Lloyd asked the Minister for Aviation, upon notice, on 7 December 1983:

Has the Minister's Department, or statutory authorities for which he is responsible, (a) made or (b) plans to make, an application for Commonwealth employment program grants for employment creation in the electoral division of Murray; if not, why not.

Mr Beazley—The answer to the honourable member's question is as follows:

The Department of Aviation has not made, nor plans to make, an application for Commonwealth employment program grants for employment creation in the electoral division of Murray.

Out of \$20m made available to all Government departments for maintenance projects which fall within the Commonwealth employment program guidelines, \$2m has been allocated to my Department.

These projects will be carried out at Government aerodromes by the Department of Housing and Construction on my Department's behalf. There are no Government aerodromes in the electoral division of Murray.

**Commonwealth Employment Program Grants:
Department of Administrative Services**

(Question No. 944)

Mr Lloyd asked the Minister for Administrative Services, upon notice, on 7 December 1983:

Has the Minister's Department, or statutory authorities for which he is responsible, (a) made or (b) plans to make, an application for Commonwealth employment program grants for employment creation in the electoral division of Murray; if not, why not.

Mr John Brown—The answer to the honourable member's question is as follows:

I am assuming that the honourable member's question refers to the Commonwealth component of the community employment program. In this context the answer is that while my Department is in the process of putting forward proposals for job creation projects under the Commonwealth component of the community employment program those proposals would not impact on employment creation in the electoral division of Murray.

**Commonwealth Employment Program Grants:
Department of Health**
(Question No. 945)

Mr Lloyd asked the Minister for Health, upon notice, on 7 December 1983:

Has the Minister's Department, or statutory authorities for which he is responsible, (a) made or (b) plans to make, an application for Commonwealth employment program grants for employment creation in the electoral division of Murray; if not, why not.

Dr Blewett—The answer to the honourable member's question is as follows:

(a) and (b) No application for Commonwealth employment program grants for employment creation in the electoral division of Murray has been made by my Department or the statutory authorities within my portfolio.

The honourable member may, however, be aware that my Department has the carriage of the largest single project under the Commonwealth component of the community employment program, the \$4.8m mosquito eradication campaign in northern Australia. This project, directed towards eradicating the dengue fever vector, *Aedes aegypti*, will provide employment opportunities for up to 301 unemployed persons who are particularly disadvantaged, or who have been unemployed in the long term.

**Commonwealth Employment Program Grants:
Department of Veterans' Affairs**
(Question No. 950)

Mr Lloyd asked the Minister representing the Minister for Veterans' Affairs, upon notice, on 7 December 1983:

Has the Minister's Department, or statutory authorities for which he is responsible, (a) made or (b) plans to make, an application for Commonwealth employment program grants for employment creation in the electoral division of Murray; if not, why not.

Mr Holding—The Minister for Veterans' Affairs has supplied the following answer to the honourable member's question:

Neither the Department of Veterans' Affairs nor any statutory authorities within the Veterans' Affairs portfolio has made an application for Commonwealth employment grants for employment creation in the electoral division of Murray. There are at present no plans to make such an application. There are no Department of Veterans' Affairs establishments in the division of Murray.

**Commonwealth Employment Program Grants:
Department of Territories and Local Government**

(Question No. 951)

Mr Lloyd asked the Minister for Territories and Local Government, upon notice, on 7 December 1983:

Has the Minister's Department, or statutory authorities for which he is responsible, (a) made or (b) plans to make, an application for Commonwealth employment program grants for employment creation in the electoral division of Murray; if not, why not.

Mr Uren—The answer to the honourable member's question is as follows:

(a) No.

(b) No; My Department has no responsibility in respect of community employment program matters in Victoria.

Audit Arrangements for Norfolk Island

(Question No. 957)

Mr Ruddock asked the Prime Minister, upon notice, on 7 December 1983:

(1) Did the Deputy Auditor-General visit Norfolk Island during November 1983 to discuss the matter of an agreement between the Government of Norfolk Island and the Auditor-General.

(2) If so, (a) were procedural arrangements for the audit of the accounts of the Territory finalised during those discussions and (b) what are the audit arrangements.

Mr Lionel Bowen—The answer to the honourable member's question is as follows:

(1) Yes.

(2) (a) Yes.

(2) (b) The arrangements for the audit of public accounts of Norfolk Island pursuant to Section 63 of the Norfolk Island Act 1979 are as follows:

1. The Auditor-General shall draw the attention of the Executive Member to any matters arising out of the inspection and audit that, in the opinion of the Auditor-General, are of sufficient importance to justify his doing so. Such communication will be in addition to representations, whether in writing or otherwise, that the Auditor-General's staff may have made to the Chief Administrative Officer.

2. The Executive Member shall, as soon as practicable after 30 June in each year, prepare financial statements in respect of that year for such accounts and in such form as

is determined by the Executive Member and shall transmit those statements to the Auditor-General for audit.

3. The Auditor-General shall examine the statements and shall prepare and transmit to the President of the Legislative Assembly a report stating:

- (a) Whether in his opinion the financial statements are based on proper accounts and records
- (b) Whether the statements are in agreement with the accounts and records
- (c) Whether in his opinion the receipt, expenditure and investment of moneys and the acquisition and disposal of assets during the year have been in accordance with the relevant legislation
- (d) Whether the financial statements of the business undertakings reflect fairly the financial affairs of those undertakings
- (e) whether the statement of balances of the revenue funds, the trust fund and the loan fund correctly state the financial result of each fund,

and containing such further information and explanations as the Auditor-General considers desirable.

4. The President shall lay the Auditor-General's report on the financial statements before the Legislative Assembly within two sitting days of the receipt of the report by him.

Army Training Schedule

(Question No. 961)

Mr Simmons asked the Minister for Defence, upon notice, on 8 December 1983:

(1) Is it necessary to have 26-27 days of training to reach the Army efficiency level.

(2) Is this training schedule based on a calendar year, financial year or some other time period.

(3) What is the anticipated level of intake in the Army Reserve in 1983-84.

(4) Will all (a) Army Reservists have the opportunity of reaching the minimum level of training efficiency of 26-27 days and (b) experienced recruits have an opportunity to use their basic training through an acceptable number of training days; if so, can he indicate what the number of training days will be for experienced recruits at various standards of training.

Mr Scholes—The answer to the honourable member's question is as follows:

(1) In accordance with Australian Military Regulations 486, 503 and 507 and for the purposes of Section 50 (1) of the Defence Act 1903, the Chief of the General Staff has determined that to be entitled to be classified 'efficient' an officer or soldier of the Active Army Reserve is to attend training and parades as follows:

- (a) for members other than members of supplementary reserve units:
 - (1) 26 days, comprising 14 days continuous training and 12 days home training;
 - (2) in the case of members of a special conditions unit, 26 days continuous training;
 - (3) in the case of members of a university regiment, 26 days continuous training, or 26

- days, comprising 14 days continuous training and 12 days home training;
- (4) in the case of members of a specialist unit; or officers on the staff of the Department of Defence, or officers on the staff of a command, formation, or group headquarters, or employed on administrative or instructional duties in a designated training organisation, where it is not practicable or desirable for any such member or officer to attend 14 days continuous training, 26 days, comprising such periods of continuous and home training as are directed by the proper military authority;
- (b) for members of supplementary reserve units 14 days continuous training.

(2) The Army Reserve training year is defined in Australian Military Regulations as 1 July to 30 June.

(3) Depending on natural wastage, it is likely that a recruit intake of between 6,000 and 7,000 will be necessary in 1983-84 to maintain the authorised strength of 30,000. There has been no change in the authorised strength of the Army Reserve since 1981.

(4) Separate allocation of training days is not made to Army Reserve soldiers at varying levels of training. Allocations are made to unit commanders to provide for the training of all soldiers under their command. Adequate numbers of training days have been provided in 1983-84 for all soldiers to attend the minimum period required for efficiency purposes and to attend for additional periods required for more advanced training.

Australia Council Grants

(Question No. 967)

Mr Coleman asked the Minister for Home Affairs and Environment, upon notice, on 8 December 1983:

(1) What amount did the Australia Council grant to the literary magazines, (a) *Quadrant*, (b) *Meanjin*, (c) *Overland*, (d) *New Poetry*, (e) *Poetry Australia*, (f) *Southerly*, (g) *Westerly*, (h) *Australian Literary Studies* and (j) *Australian Book Review*, in 1982-83.

(2) What amount is estimated to be granted to each magazine in 1983-84.

Mr Cohen—The answer to the honourable member's question is as follows:

The Australia Council has provided the following information:

(1) Australia Council grants in the 1982-83 financial year to the magazines listed were as follows:

(a) <i>Quadrant</i>	Towards payment of contributors and other costs July-December 1982	\$ 14,500
	Towards payment of contributors and other costs January-December 1983	31,000
(b) <i>Meanjin</i>	Towards payment of contributors and other costs July-December 1982	8,695
	Towards payment of contributors and other costs January-December 1983	19,300

	\$
(c) <i>Overland</i> Towards payment of contributors and other costs July-December 1982	9,200
Towards payment of contributors and other costs January-June 1983	8,250
(d) <i>New Poetry</i>	· · ·
(e) <i>Poetry Australia</i> Towards payment of contributors and other costs July-December 1982	6,214
Towards payment of contributors and other costs January-June 1983	6,125
(f) <i>Southerly</i> Towards payment of contributors and other costs July-December 1982	8,234
Towards payment of contributors and other costs January-December 1983	16,400
(g) <i>Westerly</i> Towards payment of contributors and other costs July-December 1982	8,000
Towards payment of contributors and other costs January-December 1983	17,650
(h) <i>Australian Literary Studies</i> Towards payment of contributors and other costs January-December 1982	5,500
Towards payment of contributors and other costs January-June 1983	3,250
(i) <i>Australian Book Review</i> Towards payment of contributors and other costs July-December 1982	12,000
Towards payment of contributors and other costs January-December 1983	24,000

(2) The budget allocated by the Literature Board for the calendar year January-December 1984 under its program of support for literary magazines is \$240,000. The Literature Board has to date approved the following grants for the 1983-84 financial year:

	\$
(a) <i>Quadrant</i> —January-June 1984	13,250
(b) <i>Meanjin</i> —January-June 1984	10,000
(c) <i>Overland</i> —July 1983-June 1984	17,250
(d) <i>New Poetry</i> —October 1983-June 1984	8,225
(e) <i>Poetry Australia</i> —July 1983-June 1984	12,875
(f) <i>Southerly</i> —January-June 1984	9,000
(g) <i>Westerly</i> —January-June 1984	8,700
(h) <i>Australian Literary Studies</i> —July 1983-June 1984	6,825
(i) <i>Australian Book Review</i> —January-June 1984	13,200

European Economic Community: Export Subsidies

(Question No. 982)

Mr Lloyd asked the Minister for Primary Industry, upon notice, on 8 December 1983:

What action is being taken to extend the arrangements with the European Economic Community to significantly reduce the export subsidy on cheddar, blue vein, edam and gouda cheese to (a) other varieties of cheese from the EEC and (b) similar varieties of cheese from other European Countries which also receive export subsidies.

Mr Kerin—The answer to the honourable member's question is as follows:

- (1) Under the present arrangements finalised in November 1983, the EC has agreed to ensure that the Australian market is not disrupted by subsidised EC cheese imports. A wide range of cheeses, in addition to cheddar, blue vein, edam and gouda, are already subject to the arrangement (e.g. colby, monterey, cantal, cheshire, wensleydale, lancashire, larney, double gloucester, havarti, danbo, fontal, fontina, fynbo, maribo, samso, tilst). In fact the vast majority of EC cheeses exported to Australia which receive export subsidies are included in the arrangement. The Australian Dairy Industry Conference—ADIC—were closely involved in all stages of the negotiations and have welcomed the resulting arrangement.
- (b) The major area of concern to the Australian industry in recent years has been the rapidly increasing imports of heavily subsidised cheeses from the EC. However, it is open to the Australian industry, if it considers that imports of subsidised cheeses from other European countries are causing injury, to initiate countervailing duty action against such imports. In fact ADIC has assured the EC that they will take action in such circumstances. Any action initiated by the industry would be dealt with as expeditiously as possible by the Government, in accordance with the appropriate procedures.

Australian Broadcasting Corporation

(Question No. 992)

Mr Lloyd asked the Minister for Communications, upon notice, on 8 December 1983:

(1) Has his attention been drawn to comments made recently by the Minister for Social Security criticising an Australian Broadcasting Corporation program and its presenter for the views expressed on that program.

(2) How does this criticism compare with his oft-quoted statement of an independent ABC, and his refusals to comment on or criticise aspects of ABC programming and staffing.

Mr Duffy—The answer to the honourable member's question is as follows:

(1) Yes.

(2) The honourable member would appreciate that both the Minister for Social Security's comments and the question which prompted them included a suggestion that a particular ABC radio program could have included an opportunity for an alternative view to have been expressed on the issue of the assets test. I believe that it is not unreasonable for honourable members and senators to be able to exercise the same rights as all Australians to express a view on matters which may have been raised in ABC programs as long as it is clearly recognised that the Corporation itself makes the final decisions about which programs go to air and who appears on them.

New Zealand Lamb Exports to Australia

(Question No. 997)

Mr Lloyd asked the Minister for Primary Industry, upon notice, on 8 December 1983:

(1) What arrangements are made between the Australian Meat and Live-stock Corporation and any Commonwealth departments and their New Zealand counterparts, prior to any New Zealand lamb being exported to Australia.

(2) Is he able to say whether it is possible to export lamb from New Zealand without the approval or knowledge of the New Zealand Meat Producers Board.

(3) How much lamb has been imported from New Zealand in (a) 1982 and (b) 1983 to date.

(4) Is he able to say whether this lamb has been subsidised by the supplementary minimum price scheme, or any other form of New Zealand Government subsidy, either direct or indirect.

(5) Has any New Zealand lamb been sold in Australia stamped with brands supplied by the New South Wales Department of Agriculture or any other department or authority; if so, was it necessary for such brands to be supplied to New Zealand for the sale of lamb to Australia.

Mr Kerin—The answer to the honourable member's question is as follows:

(1) The New Zealand Meat Producers Board—NZMPB—gave an assurance to the Australian Meat and Live-stock Corporation—AMLC—in March 1983 that any future exports of lamb or beef to Australia would be only to meet genuine market shortages. In addition the NZMPB has undertaken to discuss any further exports with the AMLC prior to shipment. This undertaking was reaffirmed at a further meeting in June 1983 between the AMLC and the NZMPB.

(2) The NZMPB extended control over all export lamb and mutton in October, 1982; the beginning of the 1983 season. Under these arrangements the NZMPB buys in all export lamb and mutton at the price levels set by the New Zealand Government under its supplementary minimum price scheme and arranges the export of the meat itself or through nominated agents. The scheme is currently expected to operate until the end of the 1984 season. On this basis I understand that the NZMPB is aware of all exports of lamb and mutton from New Zealand.

(3) Statistics are not presently collected which would enable a breakdown of imports between lamb and mutton.

Imports of sheepmeat from New Zealand over the following financial year periods have been:

1981-82—82 tonnes

1982-83—445 tonnes

In the first five months of 1983-84, 955 tonnes of New Zealand sheepmeat have entered Australia.

It would appear from the low unit value of imports that New Zealand has been shipping to Australia mainly mutton for manufacturing.

(4) The New Zealand High Commission has advised that the price of any lamb sold in Australia will not be subsidised through the New Zealand Government's supplementary minimum price scheme.

I am advised that a number of indirect forms of subsidy are available to all New Zealand farmers, including lamb producers. These include measures related to fertilizers, noxious plants, pests and diseases, natural disasters, transport, taxation and stabilisation.

(5) The requirements relating to the entry of lamb into New South Wales are provided for in the New South

Wales Meat Industry Act, 1978, and the issue of branding of lamb from New Zealand comes under the jurisdiction of the State of New South Wales.

The New South Wales Department of Agriculture has advised that New South Wales has over a number of years provided its lamb brand to States and Territories in Australia and to New Zealand. The reason given for this action was that under the New South Wales Meat Inspection and Stamping Regulation, 1978, product can only be sold in that State as lamb if it is branded in accordance with the State's requirements. I am advised that New South Wales originally found it necessary to provide its lamb brand to New Zealand abattoirs that exported lamb to Australia so that the brand could be applied at the point of slaughter. This avoided the impractical situation of branding lamb arriving in Australia from New Zealand after it had been packaged.

It should be noted, however, that the New South Wales lamb brand does not carry any reference to New South Wales, bearing only the word 'lamb' to avoid the possibility of misrepresentation by other sheepmeats.

I am advised that the New South Wales Department of Agriculture has closely examined this issue and on the basis of legal advice has sought the return of the State's lamb brands from New Zealand and some Australian States. New South Wales will now accept lamb branded under other States, or New Zealand's requirements where such requirements include the branding of the lamb.

Australia Council Grants

(Question No. 1000)

Mr Coleman asked the Minister for Home Affairs and Environment, upon notice, on 8 December 1983:

What amount is the Australia Council expected to grant to (a) *Australasian Drama Studies*, (b) *Australian Short Story Magazine*, (c) *Brave New World*, (d) *Ethnic Magazine*, (e) *Neos*, (f) *Northern Perspective*, (g) *Social Alternatives*, and (h) *Words and Visions* in 1983-84.

Mr Cohen—The answer to the honourable member's question is as follows:

The Australia Council has provided the following information:

The Literature Board of the Australia Council has to date approved the following amounts to be paid in the 1983-84 financial year to the literary magazines listed in the question. The amounts in each instance cover the period January-June 1984:

	\$
(a) <i>Australasian Drama Studies</i>	2,421
(b) <i>Australian Short Story Magazine</i>	5,000

	\$
(c) <i>Brave New World</i>	1,500
(d) <i>Ethnic Magazine</i>	6,000
(e) <i>Neos</i>	1,000
(f) <i>Northern Perspective</i>	500
(g) <i>Social Alternatives</i>	2,000
(h) <i>Words and Visions</i>	1,500

Ethylene Dibromide

Mr Kerin—On 5 October 1983 (*Hansard*, page 1357) the honourable member for Lilley, Mrs Darling, asked me, as Minister for Primary Industry, the following question without notice:

Firstly, in view of claims that the fumigant (ethylene dibromide) has caused cancer, sterility and birth defects in laboratory animals, will he investigate the potential health risk to Australians in its continued use?

Secondly, what action will be taken to ensure that consumers and growers using the fumigant are, until such time as the results of his investigations are known, not placed at risk?

The following is the answer to the honourable member's question:

An interim reply has already been given in the House of Representatives *Hansard*, page 1357, 5 October 1983 in which I advised that relevant committees of the National Health and Medical Research Council have had ethylene dibromide—EDB—under review for some time.

I also advised that my Department was aware of the situation and was reviewing it, including the use of alternative treatments, as a matter of urgency in conjunction with other authorities with legal responsibilities in this area.

I promised to advise the House and the honourable member of the position as soon as the evidence had been reviewed.

I am now able to report that the National Health and Medical Research Council has completed its review and has issued a news release recommending that use of EDB as a fumigant be phased out except where operator exposure can be prevented. The release went on to recommend a number of other regulatory measures designed to minimise or eliminate exposure.

Subsequently, a media release on agricultural use of EDB was made from my own office. It expresses strong support for the recommendations made by the National Health and Medical Research Council, and urges their adoption by State Departments of Agriculture—Primary Industries. It also supports and encourages the development of alternative treatments where these are needed to expedite the proposed phasing-out operation.