

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 129

FRIDAY, 16 JUNE 1989

1 The House met, at 10 a.m., pursuant to adjournment. Madam Speaker (the Honourable Joan Child) took the Chair, and read Prayers.

2 **DEATH OF FORMER MEMBER (MR R. H. SHERRY):** Madam Speaker informed the House of the death, on 13 June 1989, of Mr Raymond Henry Sherry, a Member of this House for the Division of Franklin from 1969 to 1975.

As a mark of respect to the memory of the deceased all Members present stood, in silence.

3 **MESSAGES FROM THE SENATE:** Messages from the Senate were reported returning the following Bills without amendment:

15 June 1989—Message—

No. 424--Taxation Laws Amendment (No. 2) 1989.

No. 426--Income Tax Amendment (No. 2) 1988.

No. 427--Income Tax (Fund Contributions) 1988 (*without requests*).

No. 428--Income Tax Rates Amendment (No. 2) 1989.

No. 429--Income Tax Rates Amendment (No. 2) 1988.

No. 431--Supported Accommodation Assistance 1989.

No. 432--Aged or Disabled Persons Homes Amendment 1988.

4 **MESSAGE FROM THE SENATE—COMMUNITY SERVICES AND HEALTH LEGISLATION AMENDMENT BILL 1989:** The following message from the Senate was reported:

Message No. 430

Madam Speaker,

The Senate returns to the House of Representatives the Bill for "*An Act to amend laws relating to community services and health, and for related purposes*", and acquaints the House that the Senate has agreed to the Bill with the Amendments indicated by the annexed Schedule, in which Amendments the Senate requests the concurrence of the House of Representatives.

KERRY SIBRAA
President

The Senate,
Canberra, 15 June 1989

Ordered—That the amendments be taken into consideration, in committee of the whole House, forthwith.

In the committee

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE

No. 1—Page 1, subclause 2 (1), line 8, leave out “(7) and (8)”, insert “(7), (8), (9) and (10)”.

No. 2—Page 2, after subclause 2 (8), add the following new subclauses:

“(9) Subject to subsection (10), section 10 commences on a day to be fixed by Proclamation.

“(10) The day fixed by Proclamation for the commencement of section 10 shall be a day not earlier than the day immediately after the day on which the Senate, by resolution, having concluded debate on the report of the Senate Select Committee on Health Legislation and Health Insurance on section 10 of this Act, approves proposed new sections 3F, 3G and 3H of the *Health Insurance Act 1973* as contained in section 10 of this Act.”.

No. 3—Page 21, after clause 38, insert the following new clause:

Limitation of effect

“38A. (1) The amendments of the Principal Act contained in sections 37 and 38 of this Act shall, unless sooner repealed, cease to have effect on and from the day next following 30 June 1990.

“(2) On and from the day next following 30 June 1990 the provisions in the Principal Act amended by sections 37 and 38 of this Act shall revive in the form in which they exist on the day before the commencement of this Act.”.

No. 4—Page 33, after clause 50, insert the following new clause:

“50A. The Principal Act is amended by inserting the following section after section 138:

Telephone access to offices

“138A. The Minister shall direct the Secretary to make provision for the development of a service which will enable a person to make a telephone call to an office that is under the general control of the Secretary, at no greater cost than the cost of a local telephone call.”.

Ordered—That amendments Nos. 1, 2 and 4 be considered together before amendment No. 3.

On the motion of Dr Blewett (Minister for Community Services and Health), amendments Nos. 1, 2 and 4 were agreed to, after debate.

On the motion of Dr Blewett, amendment No. 3 was disagreed to, after debate.

Resolutions to be reported.

The House resumed; Mr Millar reported accordingly.

On the motion of Dr Blewett, the House adopted the report.

Dr Blewett moved—That Mr Lavarch, Mr L. J. Scott and the mover be appointed a committee to draw up reasons for the House of Representatives disagreeing to amendment No. 3 of the Senate.

Question—put and passed.

Dr Blewett, on behalf of the committee, brought up such reasons, which were circulated, and are as follows:

Reasons of the House of Representatives for disagreeing to amendment No. 3 of the Senate.

Senate amendment No. 3 is not acceptable because:

- (1) Appropriate Government consideration of the report of the Senate Select Committee on Health Legislation and Health Insurance, proper consultation with all interested professional organisations, industry bodies and the wider community, preparation and passing of legislation could not occur by 1 July 1990.
- (2) Uncertainty will be created for health funds with the result that the proposed benefits for contributors generally through lower and/or more

stable contribution rates will not occur. This continuing uncertainty will maintain the current disincentive to insure the aged.

- (3) The threat of a possible return to the current reinsurance arrangements will undermine the reinforcement of the community rating principle which the legislation is designed to achieve. The implications of the 'Sunset' provisions will mean significantly higher health insurance contributions for older Australians when the current reinsurance arrangements apply again after 1 July 1990.

On the motion of Dr Blewett, the committee's reasons were adopted.

5 SUSPENSION OF SESSIONAL ORDER 101A—ROUTINE OF BUSINESS: Mr Beazley (Leader of the House), pursuant to notice, moved—That:

- (1) The House proceed at this sitting with its ordinary business in the following routine:

1. Notices and orders of the day.
2. Questions without notice (at 2 p.m.).
3. Presentation of papers.
4. Ministerial statements, by leave.
5. Matter of public importance.
6. Notices and orders of the day.

- (2) Sessional order 101A (interruption for question time) be suspended for this sitting.

Debate ensued.

Question—put and passed.

6 SUSPENSION OF SESSIONAL ORDER 48A AND STANDING ORDER 103: Mr Beazley (Leader of the House), pursuant to notice, moved—That sessional order 48A (adjournment of House) and standing order 103 (11 o'clock rule) be suspended for this sitting.

Question—put and passed.

7 INTERNATIONAL AVIATION—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER: The order of the day having been read for the resumption of the debate on the motion of Mr R. J. Brown (Minister for Land Transport and Shipping Support)—That the House take note of the paper (*presented on 15 June 1989*), viz.:

International aviation—Maximising the benefits—Ministerial statement, 15 June 1989—

Debate resumed.

Debate adjourned (Mr MacKellar), and the resumption of the debate made an order of the day for a later hour this day.

8 MESSAGE FROM THE SENATE: Message No. 433, dated 16 June 1989, from the Senate was reported acquainting the House that it had referred the following matter to the Joint Committee on Foreign Affairs, Defence and Trade for urgent consideration and report: The concept of Asia-Pacific regional economic co-operation and its application in a way that would best serve the interests of Australia and the region, including:

- (a) objectives and goals;
- (b) framework, form and level of co-operation, including the need for a formal regional arrangement;
- (c) suitable support mechanisms; and
- (d) Australia's part in any regional economic arrangement.

9 MESSAGE FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS: A message from His Excellency the Governor-General was announced informing the House that His Excellency, in the name of Her Majesty, had assented to the following Bills: 15 June 1989—Message No. 223—

Wheat Industry Fund Levy 1989.

Wheat Marketing 1989.

- 10 **PUBLICATIONS COMMITTEE—16TH REPORT:** Mr Jenkins (Chairman) presented the 16th Report from the Publications Committee (sitting in conference with the Publications Committee of the Senate). The report is as follows:

16TH REPORT

The Publications Committee has the honour to report that it has met in conference with the Publications Committee of the Senate.

The joint committee, having considered petitions and papers presented to the Parliament since 31 May 1989, recommends that the following be printed:

Aboriginal deaths in custody—Royal Commission—Report of inquiry into the death of Thomas William Murray.

Administrative Review Council—Report No. 32—Review of the Administrative Decisions (Judicial Review) Act: The ambit of the Act.

Audit Act—Auditor-General—Report on the audit of the Australian Wheat Board 1987-88.

Family Law Act—Australian Institute of Family Studies—Report for 1987-88.

Meteorology Policy Committee—Report for 1988.

States Grants (Nurse Education Transfer Assistance) Act—Transfer of nursing education from hospitals to the tertiary sector—Progress report, dated June 1989.

Taxation statistics 1986-87.

Conciliation and Arbitration Act—President of the Australian Conciliation and Arbitration Commission—32nd Report for year ended 13 August 1988—Corrigendum.

H. A. JENKINS
Chairman

16 June 1989

Mr Jenkins, by leave, moved—That the report be agreed to.

Question—put and passed.

- 11 **INTERNATIONAL AVIATION—MINISTERIAL STATEMENT—PAPER NOTED:** The order of the day having been read for the resumption of the debate on the motion of Mr R. J. Brown (Minister for Land Transport and Shipping Support)—That the House take note of the paper (*presented on 15 June 1989*), viz.:

International aviation—Maximising the benefits—Ministerial statement, 15 June 1989—

Question—put and passed.

- 12 **HIGHER EDUCATION—MINISTERIAL STATEMENT AND PAPERS—PAPERS NOTED:** The order of the day having been read for the resumption of the debate on the motion of Mr Dawkins (Minister for Employment, Education and Training)—That the House take note of the papers (*presented on 15 June 1989*), viz.:

Employment, Education and Training Act—National Board of Employment, Education and Training—Report by Task Force on Amalgamations, including the Board's comments—Amalgamations in higher education.

Supplementary funding decisions on higher education for the 1989-91 triennium—

Ministerial statement, 15 June 1989.

Statement by Mr Dawkins, Minister for Employment, Education and Training, dated June 1989—

Debate resumed.

Question—put and passed.

13 MESSAGE FROM THE SENATE—RESOURCE ASSESSMENT COMMISSION BILL 1989: The following message from the Senate was reported:

Message No. 442

Madam Speaker,

The Senate returns to the House of Representatives the Bill for "*An Act to establish a Resource Assessment Commission, and for related purposes*", and acquaints the House that the Senate has agreed to the Bill with the Amendments indicated by the annexed Schedule, in which Amendments the Senate requests the concurrence of the House of Representatives.

KERRY SIBRAA
President

The Senate,
Canberra, 16 June 1989

Ordered—That the amendments be taken into consideration, in committee of the whole House, forthwith.

In the committee

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE

No. 1—Page 5, clause 14, paragraph (b), line 5, insert "the Australian Heritage Commission," after "of".

No. 2—Page 5, after subclause 16 (1), insert the following new subclause:

"(1A) Before the Minister refers a resource matter to the Commission, the Minister shall:

- (a) consult with the governments of the States; and
- (b) take reasonable steps to consult with persons who are, in the opinion of the Minister, interested in the resource matter."

No. 3—Page 9, after clause 30, insert the following new clause:

Australian Heritage Commission to give evidence

"30A. Where a matter relating to the national estate, within the meaning of the *Australian Heritage Commission Act 1975*, is relevant to an inquiry, the Australian Heritage Commission shall give evidence about the matter to the inquiry."

No. 4—Page 10, clause 37, lines 26 to 29, leave out the clause, insert the following clause:

Allowances to persons giving evidence

"37. (1) A person who appears at a hearing because of a notice under subsection 36 (1) is entitled to be paid such allowances for the person's travelling and other expenses as are prescribed.

"(2) If the Chairperson considers it appropriate, a person who appears at a hearing to give evidence or produce documents (otherwise than because of a notice under subsection 36 (1)) may be paid such allowances for the person's travelling and other expenses as are prescribed.

"(3) If the Chairperson considers it appropriate, a person who gives evidence to, or produces documents at, an inquiry may be:

- (a) paid such remuneration as is prescribed for the performance of work involved in collecting and preparing the evidence or documents; or
 - (b) reimbursed such expenses, or compensated for such losses, as were reasonably incurred in collecting and preparing the evidence or documents;
- or both.

"(4) Money payable under this section is to be paid by the Commonwealth."

No. 5—Page 17, clause 55, line 37, leave out "not", insert "neither in derogation of nor".

No. 6—Page 18, subclause 56 (3), line 9, leave out "within 25 sitting days", insert "within 15 sitting days".

No. 7—Page 19, SCHEDULE 1, leave out principles 1, 2 and 3, insert the following principles:

“1. There should be an integrated approach to conservation (including all environmental and ecological considerations) and development by taking both conservation (including all environmental and ecological considerations) and development aspects into account at an early stage.

“2. Resource use decisions should seek to optimise the net benefits to the community from the nation’s resources, having regard to efficiency of resource use, environmental considerations, ecological integrity and sustainability, ecosystem integrity and sustainability, the sustainability of any development, and an equitable distribution of the return on resources.

“3. Commonwealth decisions, policies and management regimes may provide for additional uses that are compatible with the primary purpose values for the area, recognising that in some cases both conservation (including all environmental and ecological considerations) and development interests can be accommodated concurrently or sequentially, and, in other cases, choices must be made between alternative uses or combinations of uses.”

No. 8—Page 19, SCHEDULE 2, leave out “Long title:”, insert “Title:”.

On the motion of Mr Beazley (Minister for Defence), the amendments were agreed to, after debate.

Resolution to be reported.

The House resumed; Mr Mildren reported accordingly.

On the motion of Mr Beazley, the House adopted the report.

14 **MESSAGE FROM THE SENATE:** Message No. 441, dated 16 June 1989, from the Senate was reported returning the Community Services and Health Legislation Amendment Bill 1989 and acquainting the House that the Senate does not insist upon its amendment No. 3 disagreed to by the House.

15 **SPECIAL ADJOURNMENT:** Mr Beazley (Leader of the House) moved—That the House, at its rising, adjourn until Tuesday, 15 August 1989, at 2 p.m., unless otherwise called together by Madam Speaker or, in the event of Madam Speaker being unavailable, by the Chairman of Committees.

Question—put and passed.

16 **LEAVE OF ABSENCE TO ALL MEMBERS:** Mr Beazley (Leader of the House) moved—That leave of absence be given to every Member of the House of Representatives from the determination of this sitting of the House to the date of its next sitting.

Question—put and passed.

17 **ADJOURNMENT:** Mr Beazley (Leader of the House) moved—That the House do now adjourn.

Question—put and passed.

And then the House, at 4.17 p.m., adjourned until Tuesday, 15 August 1989 at 2 p.m., in accordance with the resolution agreed to this day.

PAPER: The following paper was deemed to have been presented on 16 June 1989:

Proclamation by His Excellency the Governor-General fixing 30 June 1989 as the date on which section 15 of the *Defence Service Homes Amendment Act 1988* shall come into operation.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Adermann, Mr I. M. D. Cameron, Mr Carlton, Mr Charles, Mr Cobb,

Mr Cohen, Mr Cross, Mr Cunningham, Mrs Darling, Mr Duffy, Mr R. F. Edwards, Mr Goodluck, Mr Grace, Mr Griffiths, Mr Hawke, Dr Hewson, Mr Holding, Mr Hollis, Mr Howe, Mr Jull, Mr Katter, Mr Keating, Mr Lloyd, Mr Miles, Mr Moore, Mr A. A. Morris, Mr P. F. Morris, Mr Prosser, Mr Simmons, Mr Snowdon and Mr White.

A. R. BROWNING
Clerk of the House of Representatives