

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 12

THURSDAY, 23 AUGUST 1990

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- 1 The House met, at 10 a.m., pursuant to adjournment. Mr Speaker (the Honourable Leo McLeay) took the Chair, and read Prayers.
- 2 PETITIONS: The Clerk announced that the following Members had each lodged petitions for presentation, viz.:
- Mr Beddall, Mr Cobb, Mr Howard, Mr Lindsay, Mr MacKellar, Mr L. J. Scott, Mr Somlyay, Mr Taylor and Mr Truss, from 33, 18, 36, 16, 18, 347, 44, 2544 and 105 petitioners, respectively, praying that the United Nations Convention on the Rights of the Child not be ratified.
 - Mr Smith, from 29 residents of Tasmania, in similar terms.
 - Mr Anderson, Mr Cowan, Mr Dobie, Mrs Kelly, Mr Kerr and Mr Reith, from 94, 127, 5, 21, 246 and 23 petitioners, respectively, praying that policies be implemented to increase Australian aid, fight poverty, protect the environment and promote human rights.
 - Mr Cowan, Mr Dobie, Mr Filing, Mr Melham, Mr Rocher and Mr Tuckey, from 58, 23, 23, 23, 114 and 11 petitioners, respectively, praying for a twelve month moratorium followed by a referendum to enable the citizens of Australia to consider and decide whether the United Nations Convention on the Rights of the Child should be ratified.
 - Mr Filing (2 petitions), Mr Peacock, Mr Prosser and Mr Rocher (2 petitions) from 1305, 183, 1884, 3503, 1297 and 114 petitioners, respectively, in similar terms.
 - Mr Downer, Mr Lindsay, Mr Nehl and Mr Snow, from 12, 34, 24 and 24 petitioners, respectively, praying that an International Earth Repair Action Decade begin on 5 June 1990.
 - Mr Bradford and Mrs Sullivan, from 89 and 206 petitioners, respectively, praying that the basic pension be raised to 30 per cent of average weekly earnings and that certain other measures be taken to protect pensioners.
 - Mr Burr and Mr McGauran, from 77 and 63 petitioners, respectively, praying that the national flag not be changed except by a referendum.
 - Mr Connolly and Mr Ruddock, from 16 and 16 petitioners, respectively, praying that action be taken towards renegotiating the Treaty of Trianon (1920).
 - Mr Baldwin and Mr Wilson, from 10 and 206 petitioners, respectively, in similar terms.
 - Mr Cadman and Mr Truss, from 44 and 26 petitioners, respectively, praying that the Therapeutic Goods Regulations be rejected and a public inquiry held into the registration of the natural healing profession and regulation of natural therapeutic goods.

Mr Jenkins, Mr Wilson and Mr Johns made statements in connection with the report.

5 ENVIRONMENT, RECREATION AND THE ARTS—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS: Ms McHugh (Chairman) presented the following report:

Environment, Recreation and the Arts—Standing Committee—Tourism in the Indian Ocean Territories—Report, dated 9 August 1990.

Ordered to be printed.

Ms McHugh, Mr Webster and Mr Jenkins made statements in connection with the report.

6 TELECOMMUNICATIONS REFORM BILL 1990: Mr N. A. Brown, pursuant to notice, presented a Bill for an Act to amend the *Telecommunications Act 1989*, to provide for competition in telecommunications and to encourage the expansion of Australia's telecommunications infrastructure and industry.

Mr N. A. Brown made a statement in relation to the Bill.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting Thursday, in accordance with sessional order 104A.

7 VERY FAST TRAIN PROPOSAL: Mr Johns, pursuant to notice, moved—That this House:

- (1) seeks full public consultation on the costs and benefits of the Very Fast Train proposal currently being studied for construction between Sydney and Melbourne;
- (2) notes that inaccurate material describing the proposal is circulating in the community; and
- (3) ensure that an honest and open appraisal is made of the project.

Debate ensued.

Debate adjourned, and the resumption of the debate made an order of the day for the next sitting Thursday.

8 CRIMES (PROTECTION OF AUSTRALIAN FLAGS) BILL 1990: The order of the day having been read for the second reading—

Mr Cobb moved—That the Bill be now read a second time.

Debate continued.

Debate adjourned, and the resumption of the debate made an order of the day for the next sitting Thursday.

9 GRIEVANCE DEBATE: Pursuant to the provisions of sessional order 106, the order of the day having been read—

Question proposed—That grievances be noted.

Debate ensued.

It being 1.45 p.m., the debate was interrupted in accordance with sessional order 106.

Question—That grievances be noted—put and passed.

10 MEMBERS' STATEMENTS: Members' statements were made.

11 QUESTIONS: Questions without notice being asked—

Paper: Mr Howe (Minister for Community Services and Health) presented the following paper:

Pharmaceutical Benefits Scheme—Letter, dated 22 August 1990, from Mr Staples, Minister for Aged, Family and Health Services, to Mr K. O'Connor, Privacy Commissioner, concerning the Government's intention to announce significant changes to the Pharmaceutical Benefits Scheme in the 1990 Federal Budget.

Questions without notice continued.

- 12 **AUDITOR-GENERAL'S REPORT—PUBLICATION OF PAPER:** Mr Speaker presented the following paper:
 Audit Act—Auditor-General—Audit report No. 1 of 1990-91—Department of the Arts, Sport, the Environment, Tourism and Territories—ACT Administration—to Self-Government Day.
 Mr Beazley (Leader of the House), by leave, moved—That:
 (1) this House, in accordance with the provisions of the *Parliamentary Papers Act 1908*, authorises the publication of audit report No. 1 of the Auditor-General for 1990-91; and
 (2) the report be printed.
 Question—put and passed.
- 13 **PAPER:** Mr Speaker presented the following paper:
 Reserve Bank Act—Reserve Bank of Australia—Report and financial statements, including the Auditor-General's Report and freedom of information statement, for 1989-90.
- 14 **PAPERS:** The following papers were presented:
 Aboriginal deaths in custody—Royal Commission—Reports—Inquiry into the death of—
 Nikira Mau (also known as William Kim Tabipa and William Kim Moore).
 Patrine Misi.
 Advance to the Minister for Finance for 1989-90—Statement of heads of expenditure and the amounts charged thereto pursuant to section 36A of the *Audit Act 1901*.
 Biological conservation of the south-east forests—Report by the Joint Commonwealth and New South Wales Scientific Committee, dated July 1990, to the Commonwealth Minister for Resources and the New South Wales Minister for Natural Resources.
 Meteorology Policy Committee—Report for 1989.
- 15 **BIOLOGICAL CONSERVATION OF THE SOUTH-EAST FORESTS—JOINT SCIENTIFIC COMMITTEE—REPORT—MOTION TO TAKE NOTE OF PAPER:**
 Mr Beazley (Leader of the House) moved—That the House take note of the following paper:
 Biological conservation of the south-east forests—Report by the Joint Commonwealth and New South Wales Scientific Committee, dated July 1990.
 Debate adjourned (Mr Fife), and the resumption of the debate made an order of the day for the next sitting.
- 16 **ABORIGINAL DEATHS IN CUSTODY—ROYAL COMMISSION—REPORTS—PUBLICATION OF PAPERS:** Mr Beazley (Leader of the House), by leave, moved—That this House, in accordance with the provisions of the *Parliamentary Papers Act 1908*, authorises the publication of the reports of the Royal Commission into Aboriginal Deaths in Custody of the inquiries into the deaths of—
 Nikira Mau (also known as William Kim Tabipa and William Kim Moore).
 Patrine Misi.
 Question—put and passed.
- 17 **PAPERS:** Mr Beazley (Leader of the House) presented the following papers:
 Petitions which are not in accord with standing and sessional orders of the House on the following subjects:
 Land Council, South East Arnhem Land (Mr Hawke, 800 petitioners).
 Banning of kangaroo exports (Mr Kerr, 4035 petitioners).

18 **TRANSPORT, COMMUNICATIONS AND INFRASTRUCTURE—STANDING COMMITTEE:** The House was informed that the Government Whip had nominated Mr Gorman to be a member of the Standing Committee on Transport, Communications and Infrastructure in place of Mr Lee.

19 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—TELECOMMUNICATIONS REFORM:** The House was informed that Mr N. A. Brown had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "Public concern at the Government's inability to make decisions on telecommunications reform".

The proposed discussion having received the necessary support—
Mr N. A. Brown addressed the House.

Discussion ensued.

Mr Beazley (Leader of the House) moved—That the business of the day be called on.

Question—put.

The House divided (the Deputy Speaker, Mr R. F. Edwards, in the Chair)—

AYES, 71

Mr Baldwin	Mr Elliott	Mr Johns	Mr Price
Mr Beazley	Ms Fatin	Mr Jones	Mr Punch
Mr Beddall	Mr Ferguson	Mrs Kelly	Mr Scholes
Mr Bevis	Mr Fitzgibbon	Mr Kerin	Mr Sciacca
Mr Bilney	Mr Gayler	Mr Kerr	Mr J. L. Scott
Dr Blewett	Mr Gear*	Mr Langmore	Mr L. J. Scott
Mr Breton	Mr Gibson	Mr Lavarch	Mr Simmons
Mr R. J. Brown	Mr Gorman	Mr Lee	Mr Snow
Mr Campbell	Mr Grace*	Mr Lindsay	Mr Snowdon
Dr Charlesworth	Mr Griffiths	Ms McHugh	Mr Staples
Mr Courtice	Mr Hand	Mr Mack	Dr Theophanous
Ms Crawford	Mr Holding	Mr Martin	Mr Tickner
Mr Crean	Mr Hollis	Mr Melham	Mr Walker
Mrs Crosio	Mr Howe	Mr A. A. Morris	Mr West
Mrs Darling	Mr Hulls	Mr P. F. Morris	Mr Willis
Mr Dawkins	Mr Humphreys	Mr Newell	Mr H. F. Woods
Mr Dubois	Mrs Jakobsen	Mr O'Keefe	Mr Wright
Mr Duffy	Mr Jenkins	Mr O'Neil	

NOES, 60

Mr Aldred	Mr Cowan	Mr Jull	Mr Rocher
Mr Anderson	Mr Dobie	Dr Kemp	Mr Ronaldson
Mr Andrew*	Mr Downer	Mr Lloyd	Mr Ruddock
Mrs Bailey	Dr H. R. Edwards	Mr McArthur	Mr B. C. Scott
Mr Beale	Mr Fife	Mr McGauran	Mr Shack
Mr Bradford	Mr Filing	Mr MacKellar	Mr Sharp
Mr Braithwaite	Mr T. A. Fischer	Mr McLachlan	Mr Sinclair
Mr Broadbent	Mr P. S. Fisher	Mr Miles	Mr Smith
Mr N. A. Brown	Mr Ford	Mr Moore	Mr Somlyay
Mr Burr	Mrs Gallus	Mr Nehl	Mrs Sullivan
Mr Cadman	Mr Goodluck	Mr Nugent	Mr Taylor
Mr Cameron	Mr Hall	Mr Prosser	Mr Truss
Mr Carlton	Mr Halverson	Mr Reid	Mr Webster
Mr Charles	Mr Hawker	Mr Reith	Mr Wilson
Mr Costello	Mr Hicks*	Mr Riggall	Dr R. L. Woods

* Tellers

And so it was resolved in the affirmative.

20 **PUBLIC WORKS COMMITTEE—REFERENCE OF WORK—JINDALEE OVER-THE-HORIZON-RADAR:** Mr Beddall (Minister representing the Minister for Administrative Services), pursuant to notice, moved—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: Jindalee Over-The-Horizon-Radar.

Mr Beddall presented plans in connection with the proposed work.

Debate ensued.

Question—put and passed.

- 21 **CUSTOMS TARIFF PROPOSALS:** Mr Beddall (Minister for Small Business and Customs) moved Customs Tariff Proposals Nos. 4 and 5 (1990).

Debate adjourned (Mr Peacock), and the resumption of the debate made an order of the day for the next sitting.

- 22 **PRIVILEGE—STATEMENT BY MR SPEAKER:** Mr Speaker referred to the matter raised on Tuesday, 21 August 1990, by Mr Peacock regarding statements in an article in the *Sydney Morning Herald* of 14 July 1990. Mr Speaker stated that in so far as the question of privilege and contempt was concerned he was of the opinion that a *prima facie* case, such as would cause him to accord precedence to a motion in respect of the matter, had not been made out.

- 23 **COMMONWEALTH SERUM LABORATORIES (CONVERSION INTO PUBLIC COMPANY) BILL 1990:** The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—*And on the amendment moved thereto by Mr Smith, viz.—* That all words after “That” be omitted with a view to substituting the following words: “whilst not opposing the passage of this limited Bill, the House is of the opinion that:

- (1) CSL should be fully privatised immediately; and
- (2) there should be a full and complete divestment of all the Commonwealth interest and control in CSL as is proposed by this Bill”—

Debate resumed.

Amendment negatived.

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

The House resolved itself into a committee of the whole.

In the committee

Bill, by leave, taken as a whole.

On the motion of Mr Howe (Minister for Community Services and Health), the following amendment was made, after debate: Clause 14, page 16, before proposed section 65 insert the following section:

“Annual return

‘64A. (1) Where CSL:

- (a) lodges an annual return in accordance with section 263 of the *Companies Act 1981*; or
- (b) lodges a similar annual return in accordance with another law of the Commonwealth;

CSL must, as soon as practicable after doing so, give the Minister a copy of the return together with a copy of each document (if any) lodged with the return.

‘(2) The Minister is to cause a copy of the return and of each of the documents to be laid before each House of the Parliament within 15 sitting days of that House after their receipt.’”.

Bill, as amended, agreed to.

Bill to be reported with an amendment.

The House resumed; Mrs Sullivan reported accordingly.

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

- 24 **EXTRADITION AMENDMENT BILL 1990:** The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—
 Debate resumed.
 Mr Ruddock was granted leave to continue his remarks when the debate is resumed.
 Debate adjourned, and the resumption of the debate made an order of the day for a later hour this day.
- 25 **POSTPONEMENT OF ORDER OF THE DAY:** Ordered—That order of the day No. 4, government business, be postponed until a later hour this day.
- 26 **APPROPRIATION BILL (NO. 1) 1990-91—BUDGET DEBATE:** The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—
 Debate resumed.
 Debate adjourned (Mr Sciacca—Parliamentary Secretary to the Minister for Social Security), and the resumption of the debate made an order of the day for a later hour this day.
- 27 **SOCIAL WELFARE LEGISLATION (PHARMACEUTICAL BENEFITS) AMENDMENT BILL 1990:** Mr Staples (Minister for Aged, Family and Health Services), pursuant to notice, presented a Bill for an Act to amend the *National Health Act 1953*, the *Social Security Act 1947* and the *Veterans' Entitlements Act 1986*.
 Bill read a first time.
 Mr Staples moved—That the Bill be now read a second time.
Paper: Mr Staples presented an explanatory memorandum to the Bill.
 Debate adjourned (Dr R. L. Woods), and the resumption of the debate made an order of the day for the next sitting.
- 28 **SOCIAL SECURITY AND VETERANS' AFFAIRS LEGISLATION AMENDMENT BILL (NO. 2) 1990:** Mr Howe (Minister for Community Services and Health), pursuant to notice, presented a Bill for an Act relating to social security and veterans' affairs.
 Bill read a first time.
 Mr Howe moved—That the Bill be now read a second time.
Paper: Mr Howe presented an explanatory memorandum to the Bill.
 Debate adjourned (Mr Peacock), and the resumption of the debate made an order of the day for the next sitting.
- 29 **SELECTION COMMITTEE—REPORT:** Mr R. F. Edwards (Chairman) presented the report of the Selection Committee relating to the program of business prior to 12.30 p.m. on Thursday, 13 September 1990.
- 30 **APPROPRIATION BILL (NO. 1) 1990-91—BUDGET DEBATE:** The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—
 Debate resumed.
 Debate adjourned (Mr Langmore), and the resumption of the debate made an order of the day for a later hour this day.
- 31 **AUSTRALIAN CAPITAL TERRITORY—JOINT COMMITTEE—REPORT:** Mr Langmore (Chairman) presented the following report:
 Australian Capital Territory—Joint Committee—Report on proposals for variations 1990/1 to the plan of layout of the City of Canberra and its environs, dated 20 August 1990.
 Ordered to be printed.

32 PUBLICATIONS COMMITTEE—1ST REPORT: Mr Gorman (Chairman) presented the 1st Report from the Publications Committee (sitting in conference with the Publications Committee of the Senate). The report is as follows:

1ST 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 30 November 1989, recommends that the following be printed:

Advance Australia Logo Protection Act—Advance Australia Foundation—Report for 1988-89.

Australian National University Act—Australian National University—Report for 1989.

Broadcasting Act—Australian Broadcasting Tribunal—Report—TV violence in Australia, dated January 1990—

Vol. 1—Decisions and reasons.

Vol. 2—Research findings.

Vol. 3—Summary of submissions.

Vol. 4—Conference and technical papers.

Budget related papers 1990-91—

No. 4—Australia's overseas aid program.

No. 5—Women's budget statement.

No. 7—Science and technology budget statement.

House of Representatives Committee of Members' Interests—Report on the operations of the committee, including the minutes of proceedings, for 1989.

Defence Act—Army and Air Force Canteen Service Board of Management—Report for period 31 January 1989 to 29 January 1990.

Fisheries Act—Northern Territory Fisheries Joint Authority—Report for the period ending 31 December 1989.

Industries Assistance Commission—Report—Concessional entry of aluminised steel for use in mufflers and exhaust systems, dated 21 September 1989 (No. 421).

Industry Commission Act—Industry Commission—Reports—

No. 1—Pulp and paper: Bleaching and the environment, dated 21 May 1990.

No. 2—Paper Recycling—Interim Report, dated 21 May 1990.

Public Service Act—Department of the Prime Minister and Cabinet—Report for 1989-90.

Royal Australian Air Force Veterans' Residences Act—Royal Australian Air Force Veterans' Residences Trust—Report for 1988-89.

Rural Industries Research Act—Oilseeds Research Council—Annual Report 1988-89.

Services Trust Funds Act—

Royal Australian Air Force Welfare Trust Fund—Report by the Trustees for 1989.

Royal Australian Navy Relief Trust Fund—Report by the Trustees for 1989.

RUSS GORMAN
Chairman

23 August 1990

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

Question—put and passed.

33 APPROPRIATION BILL (NO. 1) 1990-91—BUDGET DEBATE: The order of the day having been read for the resumption of the debate on the question—

That the Bill be now read a second time—

Debate having been resumed by Dr Catley—

34 **ADJOURNMENT NEGATIVED:** It being 10.30 p.m. the question was proposed—
That the House do now adjourn.

Debate ensued.

Question—put and negatived.

35 **SPECIAL ADJOURNMENT:** Mr Bilney (Minister for Defence Science and
Personnel) moved—That the House, at its rising, adjourn until Tuesday,
11 September 1990, at 2 p.m., unless Mr Speaker fixes an alternative day
or hour of meeting.

Question—put and passed.

36 **ADJOURNMENT:** Mr Bilney (Minister for Defence Science and Personnel)
moved—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 11 p.m.—Mr Speaker adjourned the House
until Tuesday, 11 September 1990, at 2 p.m., in accordance with the
resolution agreed to this day.

PAPERS: The following papers were deemed to have been presented on 23 August
1990:

Civil Aviation Act—Civil Aviation Regulations—Civil Aviation Orders—
Parts—

20—Amendments, dated 17 and 20 August 1990.

101—Amendment, dated 17 August 1990.

ATTENDANCE: All Members attended (at some time during the sitting) except Mr
Sawford.

A. R. BROWNING

Clerk of the House of Representatives