

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 92

TUESDAY, 15 OCTOBER 1991

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- 1 The House met, at 2 p.m., pursuant to adjournment. The Acting Speaker (Mr R. F. Edwards) took the Chair, and read Prayers.
 - 2 **QUESTIONS:** Questions without notice being asked—
Paper: Mr Staples (Minister for Aged, Family and Health Services) presented the following paper:
Implantable breast prostheses—Copy of circular letter, from Mr T. McPherson, Acting Director, Therapeutic Devices Branch, Therapeutic Goods Administration, to all breast implant sponsors, July 1991.
Questions without notice continued.
 - 3 **PAPERS:** The following papers were presented:
Advance to the Minister for Finance—
Statement for September 1991.
Supporting applications of issues from the Advance during September 1991.
Equal Employment Opportunity (Commonwealth Authorities) Act—Equal employment opportunity program—Australia Post—Report for 1990-91.
Industry Research and Development Act—Industry Research and Development Board—Report for 1990-91.
Public Service Act—Attorney-General's Department—Report for 1990-91.
Mr Costello, by leave, presented the following paper:
Trade Practices Commission—A revival for trade practices law and competition policy—Observations of Professor R. Baxt (former Chairman).
 - 4 **LEAVE OF ABSENCE TO MEMBER:** Mr Howe (Acting Prime Minister) moved—That leave of absence for the remainder of the budget period of sittings be given to Mr Sciacca (Parliamentary Secretary to the Minister for Social Security) on compassionate grounds because of family illness.
Question—put and passed.
 - 5 **LEAVE OF ABSENCE TO MEMBER:** Dr Hewson (Leader of the Opposition) moved—That leave of absence for one month be given to Mr Peacock on the ground of parliamentary business overseas.
Question—put and passed.
 - 6 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—DROUGHT IN EASTERN AUSTRALIA:** The House was informed that Mr Lloyd (Deputy Leader of the National Party of Australia) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The severity of extreme drought in eastern Australia and the Government's failure to adequately assist those suffering its devastation".

The proposed discussion having received the necessary support—
Mr Lloyd addressed the House.
Discussion ensued.
Discussion concluded.

7 MESSAGE FROM THE SENATE—CARRIAGE OF GOODS BY SEA BILL 1991:

Message No. 316, dated 10 October 1991, from the Senate was reported transmitting for the concurrence of the House a Bill for "*An Act relating to the carriage of goods by sea, and for related purposes*".

Bill read a first time.

Mr R. J. Brown (Minister for Land Transport) moved—That the Bill be now read a second time.

Papers: Mr R. J. Brown presented the following papers:

Carriage of Goods by Sea Bill 1991—

Explanatory memorandum.

Supplementary explanatory memorandum.

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

8 MESSAGE FROM THE SENATE—ELECTORAL AND REFERENDUM AMENDMENT BILL 1991:

Message No. 317, dated 10 October 1991, from the Senate was reported transmitting for the concurrence of the House a Bill for "*An Act to amend the 'Commonwealth Electoral Act 1918' and the 'Referendum (Machinery Provisions) Act 1984', and for related purposes*".

Bill read a first time.

Mr Baldwin (Minister for Higher Education and Employment Services) moved—That the Bill be now read a second time.

Paper: Mr Baldwin presented an explanatory memorandum to the Bill.

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

9 MIGRATION AMENDMENT BILL (NO. 2) 1991: Mr Hand (Minister for Immigration, Local Government and Ethnic Affairs), pursuant to notice, presented a Bill for an Act to amend the *Migration Act 1958*.

Bill read a first time.

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

Paper: Mr Hand presented an explanatory memorandum to the Bill.

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

10 EVIDENCE BILL 1991: Mr Duffy (Attorney-General), pursuant to notice, presented a Bill for an Act relating to the law of evidence, and for related purposes.

Bill read a first time.

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

Paper: Mr Duffy presented an explanatory memorandum to the Bill.

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

11 CASH TRANSACTION REPORTS AMENDMENT BILL 1991: Mr Duffy (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Cash Transaction Reports Act 1988*, and for related purposes.

Bill read a first time.

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

Paper: Mr Duffy presented an explanatory memorandum to the Bill.

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

- 12 **EXCISE TARIFF AMENDMENT BILL 1991:** 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.
 Question—put and passed—Bill read a second time.
 Leave granted for third reading to be moved forthwith.
 On the motion of Mr Beddall (Minister for Small Business and Customs), the Bill was read a third time.
- 13 **CUSTOMS TARIFF AMENDMENT BILL (NO. 2) 1991:** 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—
 Question—put and passed—Bill read a second time.
 Leave granted for third reading to be moved forthwith.
 On the motion of Mr Beddall (Minister for Small Business and Customs), the Bill was read a third time.
- 14 **CUSTOMS TARIFF PROPOSAL:** Mr Beddall (Minister for Small Business and Customs) moved Customs Tariff Proposal No. 10 (1991).
 Debate adjourned (Mr McLachlan), and the resumption of the debate made an order of the day for the next sitting.
- 15 **RICE LEVY BILL 1991:** 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.
 Question—put and passed—Bill read a second time.
 Leave granted for third reading to be moved forthwith.
 On the motion of Mr Crean (Minister for Primary Industries and Energy), the Bill was read a third time.
- 16 **FAMILY LAW AMENDMENT BILL (NO. 2) 1991:** 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.
 Question—put and passed—Bill read a second time.
 Leave granted for third reading to be moved forthwith.
 On the motion of Mr Duffy (Attorney-General), the Bill was read a third time.
- 17 **NATIONAL CRIME AUTHORITY AMENDMENT BILL 1991:** 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.
 Question—put and passed—Bill read a second time.
 The House resolved itself into a committee of the whole.

In the committee

Clause 1 agreed to.

Clause 2—

Mr Wilson moved the following amendment: Page 2, after proposed subsection

(2) insert the following subsections:

“(2A) If the member is satisfied that a failure to include a notation in a summons or notice under this section would reasonably be expected to prejudice:

(a) the safety or reputation of a person; or

(b) the fair trial of a person who has been or may be charged with an offence; or

- (c) the effectiveness of an investigation; the member must include the notation in the summons or notice.
- (2B) If the member includes a notation in the summons or notice, the notation must be accompanied by a written statement setting out:
 - (a) the reasons for the inclusion of the notation; and
 - (b) the rights and obligations that the person who was served with, or otherwise given, the summons or notice has under sections 29B and 32.' ”.

Amendment negatived.

Clause agreed to.

Clauses 3 and 4, by leave, taken together, and agreed to.

Proposed new clause—

Mr Wilson moved—That the following new clause be inserted in the Bill:

Applications to Federal Court of Australia

“4A. Section 32 of the Principal Act is amended by inserting after paragraph (1)(c) the following paragraph:

‘(d) a person claims to be entitled to refuse to comply with the terms of a notation included in a summons or notice under section 29A;’ ”.

Proposed new clause negatived.

Remainder of Bill, by leave, taken as a whole, and agreed to.

Bill to be reported without amendment.

The House resumed; Mr Dubois reported accordingly.

On the motion of Mr Duffy (Attorney-General), the House adopted the report, and, by leave, the Bill was read a third time.

18 **HEARING SERVICES BILL 1991:** 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.

Question—put and passed—Bill read a second time.

Message from the Governor-General: Message No. 189, dated 9 October 1991, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Staples (Minister for Aged, Family and Health Services), the Bill was read a third time.

19 **ADJOURNMENT:** Mr Price (Parliamentary Secretary to the Prime Minister) moved—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 11 p.m.—The Acting Speaker adjourned the House until tomorrow at 10 a.m.

PAPERS: The following papers were deemed to have been presented on 15 October 1991:

Defence Act—Defence Force Remuneration Tribunal—Determination—1991—No. 11.

Great Barrier Reef Marine Park Act—Great Barrier Reef Marine Park Authority—Great Barrier Reef Marine Park—Cairns section zoning plan.

Lands Acquisition Act—Statement of lands acquired by agreement authorised under subsection 40(1).

Public Service Act—

Determinations—1991—Nos. 68, 89, 94, 95, 96, 259, 261, 262, 265, 267.
Parliamentary Presiding Officers’ Determination—1991—No. 14.

Quarantine Act—Quarantine (Exemption) Instrument—No. QE1/1991, 10 September 1991.

Superannuation Benefits (Supervisory Mechanisms) Act—Determination—1991—No. 10.

ATTENDANCE: All Members attended (at some time during the sitting) except Mrs Crosio, Mrs Darling*, Mr Gear*, Mr Hawke, Mr Holding, Mr Jones, Mr Kerin, Mr Lavarch, Mr McLeay, Mr Peacock*, Mr Rocher*, Mr Sciacca* and Mrs Sullivan.

*On leave

L. M. BARLIN
Clerk of the House of Representatives