

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 115

WEDNESDAY, 25 MARCH 1992

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

2 **SUSPENSION OF STANDING AND SESSIONAL ORDERS—PRIVATE MEMBERS' BUSINESS NOTICE:** Mr Reith (Deputy Leader of the Opposition) moved—That so much of the standing and sessional orders be suspended as would prevent notice No. 3, private Members' business, given for Wednesday, 25 March 1992, relating to a motion of censure of the Minister for Finance, being called on and considered forthwith.

Question—put and passed, with the concurrence of an absolute majority.

3 **MINISTER FOR FINANCE—MOTION OF CENSURE:** Mr Reith (Deputy Leader of the Opposition) moved—That this House censures the Minister for Finance for misleading the Parliament.

Debate ensued.

Closure: Mr Beazley (Leader of the House) moved—That the question be now put.

Question—That the question be now put—put.

The House divided (the Speaker, Mr McLeay, in the Chair)—

AYES, 67

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

NOES, 62

Mr Aldred	Mr Cowan	Dr Kemp	Mr Ronaldson
Mr Anderson	Mr Downer	Mr Lloyd	Mr B. C. Scott
Mr J. N. Andrew*	Dr H. R. Edwards	Mr McGauran	Mr Shack
Mr K. J. Andrews	Mr Fife	Mr Mack	Mr Sharp
Mr Atkinson	Mr Filing	Mr MacKellar	Mr Sinclair
Mrs Bailey	Mr T. A. Fischer	Mr McLachlan	Mr Smith
Mr Beale	Mr P. S. Fisher	Mr Miles	Mr Somlyay
Mr Braithwaite	Mr Ford	Mr Moore	Mr Taylor
Mr Broadbent	Mr Gallus	Mr Nehl	Mr Truss
Mr Cadman	Mr Goodluck	Mr Nugent	Mr Tuckey
Mr Cameron	Mr Hall	Mr Peacock	Mr Webster
Mr Carlton	Mr Halverson	Mr Prosser	Mr Wilson
Mr Chaney	Mr Hawker	Mr Reid	Dr R. L. Woods
Mr Charles	Mr Hicks*	Mr Reith	Dr Wooldridge
Mr Connolly	Mr Howard	Mr Riggall	
Mr Costello	Mr Jull	Mr Rocher	

* Tellers

And so it was resolved in the affirmative.

And the question—That the motion be agreed to—being accordingly put—
The House divided (the Speaker, Mr McLeay, in the Chair)—

AYES, 61

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

NOES, 68

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

* Tellers

And so it was negatived.

4 PRINT MEDIA—SELECT COMMITTEE—REPORT—MOTION TO TAKE NOTE OF PAPER: Mr Lee (Chairman) presented the following report and related papers:

Print Media—Select Committee—News & fair facts: The Australian print media industry—

Report, incorporating dissenting reports, March 1992.

Minutes of proceedings.

Ordered—That the report be printed.

Mr Lee, by leave, moved—That the House take note of the report.

Debate ensued.

Mr Costello addressing the House—

It being 12.45 p.m., the debate was interrupted in accordance with sessional order 101A, and the resumption of the debate made an order of the day, committee and delegation reports, for a later hour this day.

5 **QUESTIONS:** Questions without notice were asked.

6 **AUDITOR-GENERAL'S REPORTS—PUBLICATION OF PAPERS:** The Speaker presented the following papers:

Audit Act—Auditor-General—Audit reports of 1991-92—

No. 22—Ministerial portfolios: Autumn sittings 1992.

No. 23—Aggregate and departmental financial statements 1990-91.

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 the Auditor-General's audit reports Nos. 22 and 23 of 1991-92; and

(2) the reports be printed.

Question—put and passed.

7 **PAPERS:** The following papers were presented:

Primary Industries and Energy Research and Development Act—

Grains Research and Development Corporation—Report for 1990-91, including the 1990-91 report of the Grains Research and Development Corporation Selection Committee.

Sugar Research and Development Corporation—Report for period 1 October 1990 to 30 June 1991, including the report of the Sugar Research Council, for period 1 July to 30 September 1990, and the 1990-91 report of the Sugar Research and Development Corporation Selection Committee.

8 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—SMALL BUSINESS:** The House was informed that Mr Reid had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The total failure of the Government to recognise the importance of small business in the Australian economy by the creation of jobs".

The proposed discussion having received the necessary support—

Mr Reid addressed the House.

Discussion ensued.

Discussion concluded.

9 **MESSAGES FROM THE SENATE:** Messages from the Senate were reported:

(a) acquainting the House that Senator Chamarette had been appointed a member of the Joint Committee on Foreign Affairs, Defence and Trade—Message No. 393, 24 March 1992.

(b) returning the Australian Institute of Health Amendment Bill 1991 and acquainting the House that the Senate does not insist upon its amendments Nos. 1, 2, 3, 4, 5, 6 and 7 disagreed to by the House and has agreed to the amendments made by the House in place thereof—Message No. 395, 25 March 1992.

10 **POSTPONEMENT OF ORDERS OF THE DAY:** Ordered—That orders of the day Nos. 1 to 5, government business, be postponed until a later hour this day.

11 **POSTPONEMENT OF NOTICE:** Ordered—That notice No. 1, government business, be postponed until a later hour this day.

- 12 **PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—REFURBISHMENT AND FITOUT OF JULIANA HOUSE, PHILLIP, ACT:** 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: Refurbishment and fitout of Juliana House, Phillip, ACT.

Mr Beddall presented plans in connection with the proposed work.

Debate ensued.

Question—put and passed.

- 13 **PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—CHRISTMAS ISLAND REBUILDING PROGRAM:** 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: Christmas Island rebuilding program.

Mr Beddall presented plans in connection with the proposed work.

Debate ensued.

Question—put and passed.

- 14 **CONSTRUCTION INDUSTRY REFORM AND DEVELOPMENT BILL 1992:** The order of the day having been read for the second reading—

Mr Beddall (Minister for Small Business, Construction and Customs) moved—That the Bill be now read a second time.

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

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

- 15 **MESSAGE FROM THE SENATE—CHILD SUPPORT LEGISLATION AMENDMENT BILL 1992:** The following message from the Senate was reported:

Message No. 394

Mr Speaker,

The Senate returns to the House of Representatives the bill for “*An Act to amend the legislation relating to child support*”, 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, 24 March 1992

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—Clause 6, page 7, lines 31 to 42, omit the clause, substitute the following clause:

“6. Section 115 of the Principal Act is repealed and the following section is substituted:

Cases to which Division applies

'115. This Division applies in the following 2 cases:

- (a) if, after the Registrar has, on application made under section 98B:
 - (i) made a determination under Part 6A relating to an administrative assessment of child support in relation to a child; or
 - (ii) refused to do so;
 the custodian entitled to child support or the liable parent wants a court having jurisdiction under this Act to make an order having the effect that the provisions of this Act relating to administrative assessment of child support will be departed from in relation to the child in the special circumstances of the case;
- (b) if an administrative assessment is in force in relation to a child and:
 - (i) the custodian entitled to child support or the liable parent is party to an application made to a court having jurisdiction under this Act (other than an application for an order under this Division in relation to the child); and
 - (ii) the court is satisfied that it would be in the interest of the custodian entitled to child support and the liable parent for the court to consider, at the same time as it hears that application, whether an order should be made having the effect that the provisions of this Act relating to administrative assessment of child support will be departed from in relation to the child in the special circumstances of the case.'".

No. 2—Clause 7, page 8, lines 1 to 4, omit the clause, substitute the following clause:

Application for order under Division

"7. Section 116 of the Principal Act is amended by omitting subsection (2) and substituting the following subsection:

'(2) An application may be made by the custodian entitled to child support, or the liable parent, in relation to the child.'".

On the motion of Mr Duncan (Parliamentary Secretary to the Attorney-General), the amendments were agreed to.

Resolution to be reported.

The House resumed; Mr L. J. Scott reported accordingly.

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

- 16 **SUSPENSION OF STANDING AND SESSIONAL ORDERS—ORDER OF THE DAY, COMMITTEE AND DELEGATION REPORTS:** Mr Duncan (Parliamentary Secretary to the Attorney-General), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent the order of the day, committee and delegation reports, for the resumption of debate on the report of the Select Committee on the Print Media, being called on forthwith.

Question—put and passed.

- 17 **PRINT MEDIA—SELECT COMMITTEE—REPORT—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 Lee—That the House take note of the report (*see* entry No. 4), viz.:

Print Media—Select Committee—News & fair facts: The Australian print media industry—Report, incorporating dissenting reports, March 1992—

Debate resumed.

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

18 **LAW AND JUSTICE LEGISLATION AMENDMENT BILL (NO. 2) 1992:** 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 Duncan (Parliamentary Secretary to the Attorney-General), the Bill was read a third time.

19 **APPROPRIATION BILL (NO. 5) 1991-92:** 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.

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

Debate ensued.

The House continuing to sit until 11 p.m.—The Speaker adjourned the House until tomorrow at 9.30 a.m.

PAPERS: The following papers were deemed to have been presented on 25 March 1992:

Acts Interpretation Act—Statement relating to the extension of specified period for presentation of periodic report—Judge Advocate General.

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

Public Service Act—Determinations—1992—Nos. 105, 107, 109, 110, 111, 112, 115, LES 4.

Seat of Government (Administration) Act—Ordinance—1992—No. 1—Lakes (Amendment).

ATTENDANCE: All Members attended (at some time during the sitting) except Dr Blewett, Mr Bradford, Mr Crean, Mr Hulls, Ms McHugh, Mr Martin and Mr Sciacca.

L. M. BARLIN
Clerk of the House of Representatives