

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 131

MONDAY, 1 JUNE 1992

1 The House met, at 2 p.m., pursuant to adjournment. The Speaker (the Honourable Leo McLeay) took the Chair, and read Prayers.

2 **ELECTION PETITION:** The Clerk presented a copy of an election petition, dated 28 May 1992, which he had received from the Registrar of the High Court, sitting as the Court of Disputed Returns, under section 369 of the *Commonwealth Electoral Act 1918*, viz.: Petition of Ian Sykes in the matter of the *Commonwealth Electoral Act 1918* and in the matter of the election of one Member of the House of Representatives for the Electoral Division of Wills (No. M25 of 1992).

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

4 **SUSPENSION OF STANDING AND SESSIONAL ORDERS—MOTION OF CENSURE OF THE MINISTER FOR THE ARTS, SPORT, THE ENVIRONMENT AND TERRITORIES:** Mr Chaney moved—That so much of the standing and sessional orders be suspended as would prevent the Member for Pearce moving forthwith—That this House censures the Minister for the Arts, Sport, the Environment and Territories for:

(1) failing to exercise proper Ministerial responsibility over the “Give the World a Hand” information kit sent to schools throughout Australia by giving signed endorsement to a package the contents of which she now claims not to have seen or approved in advance of its dispatch and which she now says are unbalanced, contain errors of fact, are unduly negative, backward-looking and offensive to Australian farmers; and

(2) misleading Members of the Federal Parliament by sending them the week before last, a week before she withdrew her endorsement of the material, a personally signed endorsement of the kit when, she now claims, she did not know what was in it.

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

5 **MINISTER FOR THE ARTS, SPORT, THE ENVIRONMENT AND TERRITORIES—MOTION OF CENSURE:** Mr Chaney moved—That this House censures the Minister for the Arts, Sport, the Environment and Territories for:

(1) failing to exercise proper Ministerial responsibility over the “Give the World a Hand” information kit sent to schools throughout Australia by giving signed endorsement to a package the contents of which she now claims not to have seen or approved in advance of its dispatch and which she now says are unbalanced, contain errors of fact, are unduly negative, backward-looking and offensive to Australian farmers; and

- (2) misleading Members of the Federal Parliament by sending them the week before last, a week before she withdrew her endorsement of the material, a personally signed endorsement of the kit when, she now claims, she did not know what was in it.

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, 69

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

NOES, 63

Mr Aldred	Mr Cobb	Mr Hicks*	Mr Rocher
Mr Anderson	Mr Connolly	Mr Howard	Mr Ronaldson
Mr J. N. Andrew*	Mr Costello	Mr Jull	Mr Ruddock
Mr K. J. Andrews	Mr Cowan	Dr Kemp	Mr B. C. Scott
Mr Atkinson	Mr Dobie	Mr Lloyd	Mr Shack
Mrs Bailey	Mr Downer	Mr McArthur	Mr Sharp
Mr Beale	Dr H. R. Edwards	Mr McGauran	Mr Sinclair
Mr Bradford	Mr Fife	Mr Mack	Mr Smith
Mr Braithwaite	Mr Filing	Mr MacKellar	Mrs Sullivan
Mr Broadbent	Mr T. A. Fischer	Mr McLachlan	Mr Taylor
Mr Burr	Mr P. S. Fisher	Mr Nehl	Mr Truss
Mr Cadman	Mrs Gallus	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	Dr Hewson	Mr Reith	

* 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, 63

Mr Aldred	Mr Cobb	Mr Hicks*	Mr Rocher
Mr Anderson	Mr Connolly	Mr Howard	Mr Ronaldson
Mr J. N. Andrew*	Mr Costello	Mr Jull	Mr Ruddock
Mr K. J. Andrews	Mr Cowan	Dr Kemp	Mr B. C. Scott
Mr Atkinson	Mr Dobie	Mr Lloyd	Mr Shack
Mrs Bailey	Mr Downer	Mr McArthur	Mr Sharp
Mr Beale	Dr H. R. Edwards	Mr McGauran	Mr Sinclair
Mr Bradford	Mr Fife	Mr Mack	Mr Smith
Mr Braithwaite	Mr Filing	Mr MacKellar	Mrs Sullivan
Mr Broadbent	Mr T. A. Fischer	Mr McLachlan	Mr Taylor
Mr Burr	Mr P. S. Fisher	Mr Nehl	Mr Truss
Mr Cadman	Mrs Gallus	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	Dr Hewson	Mr Reith	

NOES, 69

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

* Tellers

And so it was negatived.

6 PAPERS: The following papers were presented:

Aboriginal Land Commissioner—Report to the Minister for Aboriginal Affairs and the Administrator of the Northern Territory, relating to Upper Daly land claim—Volume 1 (Yubulyawun), 2 (Labarganyayn) and 3 (Wagiman) (Report No. 37).

Australian Science and Technology Council Act—Australian Science and Technology Council—Report for 1990-91—Corrigendum.

National Crime Authority—Parliamentary Joint Committee—Report—Who is to guard the guards?: An evaluation of the National Crime Authority, November 1991—Government response.

7 NATIONAL CRIME AUTHORITY—PARLIAMENTARY JOINT COMMITTEE—REPORT—GOVERNMENT RESPONSE—MOTION TO TAKE NOTE OF PAPER: Mr Beazley (Leader of the House) moved—That the House take note of the following paper:

National Crime Authority—Parliamentary Joint Committee—Report—Who is to guard the guards?: An evaluation of the National Crime Authority, November 1991—Government response.

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

8 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—AVIATION POLICY: The House was informed that Mr Jull had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The total confusion in Australian aviation policy brought about by the bungling and ineptitude of the Government in the proposed privatisation of Qantas and Australian Airlines".

The proposed discussion having received the necessary support—

Mr Jull rising to address the House—

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

Question—put.

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

AYES, 69

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

NOES, 61

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

* Tellers

And so it was resolved in the affirmative.

- 9 COMMITTEE OF PRIVILEGES—REPORT CONCERNING A LETTER RECEIVED BY MR NUGENT, MP: The order of the day having been read for the resumption of the debate on the motion of Mr Gear—That the House take note of the report (*presented on 7 May 1992*), viz.:

Committee of Privileges—Report concerning a letter received by Mr Nugent, MP, including minutes of proceedings, 7 May 1992—

Debate resumed.

Mr Tuckey moved, as an amendment—That the following words be added to the motion: “and requires Dwyer and Company, Solicitors, to formally apologise to Mr Nugent, MP, and to the Parliament for their action”.

Debate continued.

Debate adjourned (Mr Brereton—Parliamentary Secretary to the Prime Minister), and the resumption of the debate made an order of the day for a later hour this day.

- 10 PARLIAMENT HOUSE CONSTRUCTION AUTHORITY REPEAL BILL 1992: The order of the day having been read for the second reading—

Mr Brereton (Parliamentary Secretary to the Prime Minister) moved—That the Bill be now read a second time.

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

Debate ensued.

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Martin (Parliamentary Secretary to the Minister for Foreign Affairs and Trade), the Bill was read a third time.

11 ABORIGINAL DEATHS IN CUSTODY—ROYAL COMMISSION—REPORTS—RESPONSE BY GOVERNMENTS—PAPERS AND MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPERS: The order of the day having been read for the resumption of the debate on the motion of Mr Beazley (Leader of the House)—That the House take note of the papers (*presented on 31 March 1992*), viz.:

Aboriginal and Torres Strait Islander Commission—The first step: A report on the initial community consultations on the Royal Commission into Aboriginal Deaths in Custody, March 1992.

Aboriginal Deaths in Custody—Royal Commission—Response by Governments—

Ministerial statement.

Overview.

Volumes 1 to 3—

Debate resumed.

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

12 ADJOURNMENT: Mr Snowdon (Parliamentary Secretary to the Minister for Employment, Education and Training) moved—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 11.04 p.m., adjourned until tomorrow at 2 p.m.

PAPERS: The following papers were deemed to have been presented on 1 June 1992:

Civil Aviation Act—Civil Aviation Regulations—Civil Aviation Orders—Part 105—Amendments, 27 May 1992.

Commonwealth Employees' Rehabilitation and Compensation Act—Declarations—Notice—1992—No. 2.

National Health Act—Report by Privacy Commissioner under section 135AA, 28 May 1992.

Public Service Act—Determination—1992—No. 136.

Treaties—Text of—

Which have been signed for Australia but requiring further action before entering into force for Australia—

- (1) Double Taxation Agreement with Vietnam, done at Hanoi on 13 April 1992.
- (2) Double Taxation Agreement, and Protocol, with Spain, done at Canberra on 24 March 1992.
- (3) Air Services Agreement with Argentina, done at Buenos Aires on 11 March 1992.
- (4) Nuclear Cooperation Agreement with Mexico, done at Canberra on 28 February 1992.
- (5) Social Security Agreement with Austria, done at Canberra on 1 April 1992.
- (6) Treaty with Switzerland on Mutual Assistance in Criminal Matters, done at Berne on 25 November 1991.
- (7) Fisheries Cooperation Agreement with Indonesia, done at Jakarta on 22 April 1992.
- (8) Double Taxation Agreement with Indonesia, done at Jakarta on 22 April 1992.
- (9) Extradition Treaty with Indonesia, done at Jakarta on 22 April 1992.

Which have been signed for Australia and which have entered into force—

- (10) Agreement with the United Kingdom to amend the Social Security Agreement of 1 October 1990, done at Canberra on 22 April 1992. Entry into force on 29 June 1992.
- (11) Agreement, done at Hamburg on 14 October 1991, to Provide for the Accession of Spain to the Memorandum of Understanding for the Cooperative Support of the NATO Seasparrow Surface Missile System of 20 May 1977. Entry into force on 14 October 1991.
- (12) Agreement with the United States of America concerning Cooperation in Radar Activities, done at Salisbury, South Australia, on 3 March 1992. Entry into force on 3 March 1992.
- (13) Project Arrangement with the United States of America on Radar Synoptic Performance Modelling, done at Salisbury, South Australia, on 3 March 1992. Entry into force on 3 March 1992.
- (14) Project Arrangement with the United States of America on Residual Clutter in Radars, done at Salisbury, South Australia, on 3 March 1992. Entry into force on 3 March 1992.
- (15) Air Services Agreement with Korea, done at Canberra on 26 February 1992. Entry into force 9 April 1992.
- (16) Amendment, done at Canberra on 20-21 February 1992, of Article 5 of the Agreement with the United States of America for the Financing of Certain Educational and Cultural Exchange Programmes of 28 August 1964, as amended. Entry into force 21 February 1992.
- (17) Air Services Agreement with Brunei Darussalam, done at Canberra on 30 April 1992. Entry into force on 30 April 1992.
- (18) Subsidiary Agreement with Japan concerning Japanese Tuna Long-Line Fishing, done at Canberra on 10 December 1991. Entry into force on 10 December 1991.
- (19) Agreement with the United States of America concerning Meat Exports by Australia to the United States of America during 1991, done at Washington on 30 October 1991. Entry into force 30 October 1991.
- (20) Agreement with the European Organization for Nuclear Research (CERN) concerning the Further Development of Scientific and Technical Cooperation in the Research Projects of CERN, done at Geneva on 1 November 1991. Entry into force 1 November 1991.
- (21) Exchange of Notes constituting an Agreement, done at Canberra on 8 May 1992, with the United States of America to amend the United States Naval Communication Station Agreement of 9 May 1963, as amended (North West Cape). Entry into force 8 May 1992.

Which have been acceded to, or accepted by, Australia—

- (22) Agreement on the Importation of Educational, Scientific and Cultural Materials, done at Lake Success, N.Y., 22 November 1950 ("Florence Agreement"). Instrument of acceptance deposited for Australia 5 March 1992 with effect from that date.
- (23) Protocol, done at Nairobi on 27 November 1976, to the Agreement on the Importation of Educational, Scientific and Cultural Materials of 22 November 1950. Instrument of accession deposited for Australia on 5 March 1992 with effect from 5 September 1992.
- (24) Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, done at Basel on 22

- March 1989. Instrument of accession deposited for Australia on 5 February 1992 with effect from 5 May 1992.
- (25) Constitution of the United Nations Industrial Development Organization (UNIDO), done at Vienna on 8 April 1979. Instrument of accession deposited 1 January 1992 with effect from that date.
 - (26) Customs Convention on Temporary Admission, done at Istanbul on 26 June 1990. Instrument of accession deposited for Australia on 9 January 1992. The Convention is not yet in force.
 - (27) Annex A concerning Temporary Admission Papers (ATA Carnets and CPD Carnets) to the Convention on Temporary Admission, done at Istanbul on 26 June 1990. Instrument of acceptance deposited for Australia on 9 January 1992. The Annex is not yet in force.
 - (28) Annex B.1. concerning Goods for Display or Use at Exhibitions, Fairs, Meetings or Similar Events to the Convention on Temporary Admission, done at Istanbul on 26 June 1990. Instrument of acceptance deposited for Australia on 9 January 1992. The Annex is not yet in force.
 - (29) Amendment, done at Gaborone, Botswana, 30 April 1983, to Article XXI of the Convention on International Trade in Endangered Species of Wild Fauna and Flora of 3 March 1973. Instrument of acceptance deposited for Australia 13 November 1991. The amendment is not yet in force.
- Veterans' Entitlements Act—Approval, 28 May 1992, pursuant to subsection 29(3), of (1) instrument revoking Guide to the Assessment of Rates of Veterans' Pensions and (2) the Guide to the Assessment of Rates of Veterans' Pensions, to come into force on 1 July 1992.

ATTENDANCE: All Members attended (at some time during the sitting) except Mr Bilney*, Mrs Darling, Mr R. F. Edwards, Mr Jenkins, Mr Jones, Mr Lindsay, Mr Moore, Mr Somlyay and Mr West.

*On leave

L. M. BARLIN
Clerk of the House of Representatives