

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

## HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 151

TUESDAY, 13 OCTOBER 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 QUESTIONS: Questions without notice being asked—

*Member named and suspended:* The Speaker named the Member for Pearce (Mr Chaney) for again interjecting after having been warned by the Chair.

Mr Beazley (Leader of the House) moved—That the Member for Pearce be suspended from the service of the House.

Question—put.

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

AYES, 69

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

NOES, 60

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

\* Tellers

And so it was resolved in the affirmative.

The Member was, therefore, suspended at 3.18 p.m. for 24 hours under standing order 305, and he accordingly withdrew from the Chamber.

*Point of order:* Mr Howard raised a point of order that comments made by Mr Keating (Prime Minister) ought to have been made under a substantive motion.

*Speaker's ruling:* The Speaker ruled that there was no point of order.

*Dissent from ruling moved:* Mr Howard moved—That the ruling be dissented from.

Debate ensued.

*Closure:* Mr Beazley 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, 68

Mr Baldwin	Mr Dubois	Mrs Jakobsen	Mr O'Neil
Mr Beazley	Mr Duncan	Mr Jenkins	Mr Price
Mr Beddall	Mr R. F. Edwards	Mr Johns	Mr Sawford*
Mr Bevis	Mr Elliott	Mr Keating	Mr Scholes
Mr Bilney	Ms Fatin	Mrs Kelly	Mr Sciacca
Dr Blewett	Mr Ferguson	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 Gorman	Mr Lavarch	Mr Snow
Dr Catley	Mr Grace*	Mr Lee	Mr Snowdon
Mr Cleary	Mr Griffiths	Mr Lindsay	Mr Staples
Mr Courtice	Mr Hand	Ms McHugh	Mr Tickner
Ms Crawford	Mr Holding	Mr Martin	Mr Walker
Mr Crean	Mr Hollis	Mr Melham	Mr West
Mrs Crosio	Mr Howe	Mr P. F. Morris	Mr Willis
Mrs Darling	Mr Hulls	Mr Newell	Mr H. F. Woods
Mr Dawkins	Mr Humphreys	Mr O'Keefe	Mr Wright

NOES, 58

Mr Aldred	Dr H. R. Edwards	Mr Lloyd	Mr Ruddock
Mr Anderson	Mr Fife	Mr McArthur	Mr B. C. Scott
Mr K. J. Andrews	Mr Filing	Mr Mack	Mr Shack
Mr Atkinson*	Mr T. A. Fischer	Mr MacKellar	Mr Sinclair
Mr Beale	Mr P. S. Fisher	Mr McLachlan	Mr Smith
Mr Bradford	Mr Ford	Mr Miles	Mr Somlyay
Mr Braithwaite	Mr Goodluck	Mr Nehl	Mrs Sullivan
Mr Burr	Mr Hall	Mr Nugent	Mr Taylor
Mr Cadman	Mr Halverson	Mr Peacock	Mr Truss
Mr Carlton	Mr Hawker	Mr Prosser	Mr Webster
Mr Charles	Dr Hewson	Mr Reid	Mr Wilson
Mr Cobb	Mr Hicks*	Mr Reith	Dr R. L. Woods
Mr Cowan	Mr Howard	Mr Riggall	Dr Wooldridge
Mr Dobie	Mr Jull	Mr Rocher	
Mr Downer	Dr Kemp	Mr Ronaldson	

\* Tellers

And so it was resolved in the affirmative.

And the question—That the ruling be dissented from—being accordingly put—

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

AYES, 57

Mr Aldred	Dr H. R. Edwards	Mr Lloyd	Mr B. C. Scott
Mr Anderson	Mr Fife	Mr McArthur	Mr Shack
Mr K. J. Andrews	Mr Filing	Mr MacKellar	Mr Sinclair
Mr Atkinson*	Mr T. A. Fischer	Mr McLachlan	Mr Smith
Mr Beale	Mr P. S. Fisher	Mr Miles	Mr Somlyay
Mr Bradford	Mr Ford	Mr Nehl	Mrs Sullivan
Mr Braithwaite	Mr Goodluck	Mr Nugent	Mr Taylor
Mr Burr	Mr Hall	Mr Peacock	Mr Truss
Mr Cadman	Mr Halverson	Mr Prosser	Mr Webster
Mr Carlton	Mr Hawker	Mr Reid	Mr Wilson
Mr Charles	Dr Hewson	Mr Reith	Dr R. L. Woods
Mr Cobb	Mr Hicks*	Mr Riggall	Dr Wooldridge
Mr Cowan	Mr Howard	Mr Rocher	
Mr Dobie	Mr Jull	Mr Ronaldson	
Mr Downer	Dr Kemp	Mr Ruddock	

## NOES, 69

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

\* Tellers

And so it was negated.

Questions without notice concluded.

**3 TRADE PRACTICES COMMISSION—PAPER—MOTION TO TAKE NOTE OF PAPER:** Mr Beazley (Leader of the House) presented the following paper:

Trade Practices Act—Trade Practices Commission—Report for 1991-92—  
and moved—That the House take note of the paper.

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

**4 PRIME MINISTER—VISIT TO JAPAN, SINGAPORE AND CAMBODIA—PAPER AND MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPERS:**

Mr Keating (Prime Minister), by leave, made a ministerial statement concerning his recent visit to Japan, Singapore and Cambodia and presented the following papers:

Prime Minister—Visit to Japan, Singapore and Cambodia—

Asia-Pacific perspectives—Joint press statement by Mr Keating and His Excellency Mr Kiichi Miyazawa, Prime Minister of Japan, Tokyo, 21 September 1992.

Ministerial statement.

Mr Beazley (Leader of the House) moved—That the House take note of the papers.

*Suspension of standing and sessional orders—Extended time for speech:* Mr Beazley, by leave, moved—That so much of the standing and sessional orders be suspended as would prevent Dr Hewson (Leader of the Opposition) speaking for a period not exceeding 27 minutes.

Question—put and passed.

Dr Hewson addressed the House.

Debate adjourned (Mr Tickner—Minister for Aboriginal and Torres Strait Islander Affairs), and the resumption of the debate made an order of the day for the next sitting.

**5 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ECONOMIC CIRCUMSTANCES:** The House was informed that Mr McLachlan had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The failure of the Keating Government to explain the disaster of its policies and to clearly and accurately indicate to the Australian public the reality of our current economic circumstances".

The proposed discussion having received the necessary support—

Mr McLachlan addressing the House—

Mr Tickner (Minister for Aboriginal and Torres Strait Islander Affairs) 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, 66

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

NOES, 56

Mr Aldred	Mr Dobie	Dr Kemp	Mr Ronaldson
Mr Anderson	Mr Downer	Mr Lloyd	Mr Ruddock
Mr K. J. Andrews	Dr H. R. Edwards	Mr McArthur	Mr B. C. Scott
Mr Atkinson*	Mr Filing	Mr MacKellar	Mr Shack
Mrs Bailey	Mr T. A. Fischer	Mr McLachlan	Mr Sinclair
Mr Beale	Mr P. S. Fisher	Mr Miles	Mr Smith
Mr Bradford	Mr Ford	Mr Moore	Mr Somlyay
Mr Braithwaite	Mr Goodluck	Mr Nehl	Mrs Sullivan
Mr Burr	Mr Hall	Mr Nugent	Mr Taylor
Mr Cadman	Mr Halverson	Mr Peacock	Mr Truss
Mr Charles	Mr Hawker	Mr Prosser	Mr Webster
Mr Cobb	Mr Hicks*	Mr Reid	Mr Wilson
Mr Costello	Mr Howard	Mr Riggall	Dr R. L. Woods
Mr Cowan	Mr Jull	Mr Rocher	Dr Wooldridge

\* Tellers

And so it was resolved in the affirmative.

6 **MESSAGE FROM THE SENATE:** A message from the Senate was reported returning the following Bill without amendment:

12 October 1992—Message No. 534—Development Allowance Authority Amendment 1992.

7 **PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REPORTS—STATEMENTS BY MEMBERS:** Mr Hollis (Chairman) presented the following reports:

Public Works—Parliamentary Standing Committee—Reports—

Defence Logistics Redevelopment Project—Air Force aspects (7th report of 1992).

Office construction at the corner of Adelaide and Creek Streets, Brisbane (8th report of 1992).

Severally ordered to be printed.

Mr Hollis, Mr Prosser, Mr Ferguson and Mr Bevis, by leave, made statements in connection with the reports.

8 **CORPORATIONS AND SECURITIES—PARLIAMENTARY JOINT COMMITTEE—REPORT:** Mr Kerr presented the following report and related papers:

Corporations and Securities—Parliamentary Joint Committee—Relations between the Australian Securities Commission and the Commonwealth Director of Public Prosecutions—

Report, October 1992.

Evidence received by the committee.

**9 INDUSTRY, TECHNOLOGY AND COMMERCE LEGISLATION AMENDMENT**

**BILL 1992:** The order of the day having been read for the second reading—Mr Free (Minister representing the Minister for Industry, Technology and Commerce) moved—That the Bill be now read a second time.

*Paper:* Mr Free presented an explanatory memorandum to the Bill.

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

**10 AUSTRALIAN INDUSTRY DEVELOPMENT CORPORATION AMENDMENT BILL**

**1992:** The order of the day having been read for the second reading—Mr Free (Minister representing the Minister for Industry, Technology and Commerce) moved—That the Bill be now read a second time.

*Paper:* Mr Free presented an explanatory memorandum to the Bill.

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

**11 HEALTH AND COMMUNITY SERVICES 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.

*Message from the Governor-General:* Message No. 317, dated 27 September 1992, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.

The House resolved itself into a committee of the whole.

*In the committee*

Bill, by leave, taken as a whole.

Dr R. L. Woods, by leave, moved the following amendments together:

Clause 10—

Page 4, line 19, omit “7”, substitute “30”.

Page 4, line 37, omit “7”, substitute “30”.

Debate continued.

Amendments negatived.

Bill agreed to.

Bill to be reported without amendment.

The House resumed; Mr Dubois reported accordingly.

On the motion of Mr Johns (Parliamentary Secretary to the Minister for Health, Housing and Community Services), the House adopted the report, and, by leave, the Bill was read a third time.

**12 MIGRATION LAWS AMENDMENT BILL 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.

The House resolved itself into a committee of the whole.

*In the committee*

Bill, by leave, taken as a whole.

*New clauses—*

Mr Hand (Minister for Immigration, Local Government and Ethnic Affairs), by leave, moved—That the following new clauses be inserted in the Bill:

**Minister may suspend processing of visa applications**

“5A. Section 28 of the Principal Act is amended:

(a) by omitting subsection (3) and substituting the following subsection:

‘(3) A notice under this section does not have any effect in relation to an application for a visa made by a person on the

ground that he or she is the spouse, dependent child or aged parent of:

- (a) an Australian citizen; or
  - (b) the holder of a valid permanent entry permit; or
  - (c) a person who is usually resident in Australia and whose continued presence in Australia is not subject to a limitation as to time imposed by law.’;
- (b) by inserting after subsection (4) the following subsection:
- ‘(4A) For the purposes of this section, a child of a person is a dependent child if the child:
- (a) is unmarried; and
  - (b) either:
    - (i) is under 18; or
    - (ii) is 18, 19 or 20 and is dependent on the person for:
      - (A) financial and psychological support; or
      - (B) physical support.’;
- (c) by omitting from subsection (5) the definition of ‘child’.”.

**Minister may suspend processing of entry permit applications where the applicants are in Australia**

“6A. Section 40 of the Principal Act is amended:

- (a) by omitting subsection (3) and substituting the following subsection:
- ‘(3) A notice under this section does not have any effect in relation to an application for an entry permit made by a person on the ground that he or she is the spouse, dependent child or aged parent of:
- (a) an Australian citizen; or
  - (b) the holder of a valid permanent entry permit; or
  - (c) a person who is usually resident in Australia and whose continued presence in Australia is not subject to a limitation as to time imposed by law.’;
- (b) by inserting after subsection (4) the following subsection:
- ‘(4A) For the purposes of this section, a child of a person is a dependent child if the child:
- (a) is unmarried; and
  - (b) either:
    - (i) is under 18; or
    - (ii) is 18, 19 or 20 and is dependent on the person for:
      - (A) financial and psychological support; or
      - (B) physical support.’;
- (c) by omitting from subsection (5) the definition of ‘child’.”.

*Paper:* Mr Hand presented a supplementary explanatory memorandum to the Bill.

Debate continued.

New clauses agreed to.

Bill, as amended, agreed to.

Bill to be reported with amendments.

The House resumed; Mr Nehl reported accordingly.

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

13 **STUDENT ASSISTANCE AMENDMENT BILL 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 by Dr Kemp who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “whilst not opposing the passage of this Bill, the House condemns the Government for its failure to adequately address the problems in the administration and targeting of student financial assistance to ensure that it is fair and accessible to all”.

Debate continued.

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

14 **ADJOURNMENT:** Mr Simmons (Minister for Family Support) moved—That the House do now adjourn.

Question—put and passed.

And then the House, at 11.28 p.m., adjourned until tomorrow at 10 a.m.

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**PAPERS:** The following papers were deemed to have been presented on 13 October 1992:

Customs Act—Instruments of approval—1992 Nos. 7, 8, 9, 10, 11, 12.

World Heritage Properties Conservation Act—Notice of consent pursuant to section 9, 9 October 1992.

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**ATTENDANCE:** All Members attended (at some time during the sitting) except Mr J. N. Andrew, Mr Broadbent, Mr Cameron\*, Dr Charlesworth, Mr Duffy, Mr Fitzgibbon, Mrs Gallus, Mr Gear, Mr Gibson, Mr Jones, Mr A. A. Morris, Mr Punch, Dr Theophanous and Mr Tuckey.

\* On leave

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**L. M. BARLIN**  
Clerk of the House of Representatives