

1993

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 34

WEDNESDAY, 17 NOVEMBER 1993

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

2 PRIVILEGE—COMPLAINT OF BREACH

Mr Sciacca (Parliamentary Secretary to the Minister for Social Security) raised, as a matter of privilege, the service on him of a writ seeking damages for libel arising out of a letter from him to Senator McMullan (Minister for the Arts and Administrative Services) concerning the Commonwealth car fleet in Brisbane. Mr Sciacca stated that he saw the service of the writ as deliberately intended to intimidate him as a Member of Parliament and as an attempt to seriously curtail his continued representations on behalf of his constituents.

Mr Sciacca produced the following papers:

Letter from the Hon. Con Sciacca, MP, to Senator the Hon. Bob McMullan, Minister for the Arts and Administrative Services, 20 August 1993.

Writ issued on behalf of Anthony Robinson on Con Sciacca and Federal Capital Press of Australia Pty Limited, 21 September 1993 (No. SC 617/93).

Mr Peacock, Mr Sinclair, Mr Price and Mr O'Keefe (Parliamentary Secretary to the Minister for Transport and Communications) addressed the House on the matter.

The Speaker stated that he would consider the matter and report back to the House.

3 PUBLIC ACCOUNTS—JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS

Mr L. J. Scott (Chairman) presented the following report:

Public Accounts—Joint Committee—Report 326—An assessment of tax: An inquiry into the Australian Taxation Office, incorporating a dissenting report, 5 November 1993.

Ordered to be printed.

Mr L. J. Scott, Mr Aldred, Mr Punch (Parliamentary Secretary to the Minister for Defence), Mr Taylor and Mr Vaile, by leave, made statements in connection with the report.

4 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REPORTS—STATEMENT BY MEMBER

Mr Hollis (Chairman) presented the following reports:

Public Works—Parliamentary Standing Committee—Reports—

Redevelopment of CSIRO site at Prospect, NSW (4th report of 1993).

Rationalisation of inner Melbourne accommodation (RIMA) (5th report of 1993).

Severally ordered to be printed.

Mr Hollis, by leave, made a statement in connection with the reports.

5 AUSTRALIAN CITIZENSHIP AMENDMENT BILL 1993

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.

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

6 QUESTIONS

Questions without notice were asked.

7 AUDITOR-GENERAL'S REPORT—PUBLICATION OF PAPER

The Speaker presented the following paper:

Audit Act—Auditor-General—Audit report No. 10 of 1993-94—Project audit—Property management: Reserve Bank of Australia.

Mr Beazley (Leader of the House), by leave, moved—That:

- (1) this House authorises the publication of the Auditor-General's audit report No. 10 of 1993-94; and
- (2) the report be printed.

Question—put and passed.

8 PAPERS

The following papers were presented:

Advance to the Minister for Finance—

Statement for October 1993.

Supporting applications of issues from the Advance during October 1993.

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Report for 1992-93.

Commonwealth Legal Aid Act—National Legal Aid Advisory Committee—Report for 1992-93.

Defence Force Retirement and Death Benefits Act—Defence Force Retirement and Death Benefits Authority—Report for 1992-93.

Defence Housing Authority Act—Defence Housing Authority—Report for 1992-93.

Military Superannuation and Benefits Act—Military Superannuation and Benefits Board of Trustees No. 1—Report for 1992-93.

Public Service Act—Department of Employment, Education and Training—Report for 1992-93.

Royal Australian Air Force Veterans' Residences Act—Royal Australian Air Force Veterans' Residences Trust—Report for 1992-93.

9 PAPERS—MOTION TO TAKE NOTE OF PAPERS

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

Advance to the Minister for Finance—

Statement for October 1993.

Supporting applications of issues from the Advance during October 1993.

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Report for 1992-93.

Commonwealth Legal Aid Act—National Legal Aid Advisory Committee—Report for 1992-93.

Defence Force Retirement and Death Benefits Act—Defence Force Retirement and Death Benefits Authority—Report for 1992-93.

Defence Housing Authority Act—Defence Housing Authority—Report for 1992-93.

Military Superannuation and Benefits Act—Military Superannuation and Benefits Board of Trustees No. 1—Report for 1992-93.

Public Service Act—Department of Employment, Education and Training—Report for 1992-93.

Royal Australian Air Force Veterans' Residences Act—Royal Australian Air Force Veterans' Residences Trust—Report for 1992-93.

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

10 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ADMINISTRATION IN THE DEPARTMENT OF THE ARTS, SPORT, THE ENVIRONMENT AND TERRITORIES

The House was informed that Mr Costello had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The failure of administration in the Department of the Arts, Sport, the Environment and Territories as exemplified by the blatant misuse of taxpayers' money for political purposes".

The proposed discussion having received the necessary support—

Mr Costello addressed the House.

Discussion ensued.

Discussion concluded.

11 MESSAGES FROM THE SENATE

Messages from the Senate were reported:

- (a) acquainting the House that the Senate concurs with the resolution of the House relating to the reference of a matter to the Joint Committee on the Broadcasting of Parliamentary Proceedings—Message No. 124, dated 17 November 1993.

- (b) acquainting the House that Senator Tierney had been appointed a member of the Joint Standing Committee on Electoral Matters—Message No. 121, dated 28 October 1993.
- (c) returning the following Bill without amendment:
 Australian Meat and Live-stock (Quotas) Amendment 1993—Message No. 123, dated 16 November 1993.

12 JOINT STANDING AND STANDING COMMITTEES—MEMBERSHIP

The House was informed of the nominations of Members to be members of the following committees:

Electoral Matters—Joint Standing Committee:

Mr S. F. Smith had been nominated by the Government Whip.

Long Term Strategies—Standing Committee:

Mr McArthur had been nominated by the Opposition Whip in place of Mr Carlton.

13 TELEVISIONING OF THE HOUSE OF REPRESENTATIVES—STANDING COMMITTEE—AMENDMENT OF RESOLUTION OF APPOINTMENT

Mr Beazley (Leader of the House), pursuant to notice, moved—That the resolution of appointment of the Standing Committee on the Televising of the House of Representatives be amended to read:

- (1) That a standing committee on the televising of the House of Representatives be appointed in each Parliament:
 - (a) to consider and report upon the live television broadcast and rebroadcast of proceedings and excerpts of proceedings of the House of Representatives and the public proceedings of House of Representatives committees, including:
 - (i) the conditions to apply to television broadcasters;
 - (ii) the guidelines for operators of sound and vision equipment; and
 - (iii) the guidelines for the televising of House of Representatives committees; and
 - (b) to consider any breaches of the conditions and guidelines previously agreed to by the House and to determine penalties.
- (2) That the committee shall:
 - (a) consist of those Members of the House of Representatives who are members of the Joint Committee on the Broadcasting of Parliamentary Proceedings in each Parliament, who shall elect a chairman and deputy chairman;
 - (b) have power to send for persons, papers and records; and
 - (c) have power to consider and make use of the evidence and records of the Select and Standing Committees on the Televising of the House of Representatives appointed in the previous Parliament.
- (3) That the foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders, have effect notwithstanding anything contained in the standing and sessional orders.

Question—put and passed.

14 SUSPENSION OF STANDING AND SESSIONAL ORDERS—BILLS—LIMITATION OF DEBATE

Mr Beazley (Leader of the House), pursuant to notice, moved—That, in relation to the proceedings on the following Bills, so much of the standing and sessional orders be suspended as would prevent the Leader of the House making one declaration of urgency and moving one motion for the allotment of time in respect of both Bills:

Industrial Relations Reform Bill 1993; and

Industrial Relations Court (Judges' Remuneration) Bill 1993.

Question—put and passed.

15 DECLARATION OF BILLS AS URGENT BILLS—LIMITATION OF DEBATE

Mr Beazley (Leader of the House) declared that the Industrial Relations Reform Bill 1993 and the Industrial Relations Court (Judges' Remuneration) Bill 1993 were urgent Bills.

Question—That the Bills be considered urgent Bills—put and passed.

Allotment of time: Mr Beazley then moved—That the time allotted in connection with the Bills be as follows:

(1) Industrial Relations Reform Bill 1993—

(a) For the second reading, until 9.50 p.m. on Monday, 22 November,

(b) For the committee stage, until 10.20 p.m. on Monday, 22 November, and

(c) For the remaining stages, until 10.25 p.m. on Monday, 22 November.

(2) Industrial Relations Court (Judges' Remuneration) Bill 1993—For the remaining stages, until 10.30 p.m. on Monday, 22 November.

Debate ensued.

Question—put and passed.

16 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—REFURBISHMENT OF AUSTRALIAN FEDERAL POLICE COLLEGE, BARTON, ACT

Mrs Crosio (Parliamentary Secretary to the Minister for the Arts and 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 of Australian Federal Police College, Barton, ACT.

Mrs Crosio presented plans in connection with the proposed work.

Question—put and passed.

17 CRIMES (SEARCH WARRANTS AND POWERS OF ARREST) AMENDMENT BILL 1993

Mr Kerr (Minister for Justice), pursuant to notice, presented a Bill for an Act to amend the *Crimes Act 1914*, and for related purposes.

Bill read a first time.

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

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

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

18 MESSAGE FROM THE SENATE—MARITIME LEGISLATION AMENDMENT BILL 1993

Message No. 122, dated 16 November 1993, from the Senate was reported transmitting for the concurrence of the House a Bill for "*An Act to amend the law relating to Australia's maritime zones under international law, and for related purposes*".

Bill read a first time.

Mr Kerr (Minister for Justice) moved—That the Bill be now read a second time.

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

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

19 LAW AND JUSTICE LEGISLATION AMENDMENT BILL 1993

The order of the day having been read for the second reading—Mr Kerr (Minister for Justice) moved—That the Bill be now read a second time.

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

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

20 NATIONAL HEALTH AMENDMENT BILL (NO. 2) 1993

The order of the day having been read for the second reading—Mr Beddall (Minister for Communications) moved—That the Bill be now read a second time.

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

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

21 AUSTRALIAN CITIZENSHIP AMENDMENT BILL 1993

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.

The House divided (the Deputy Speaker, Mr J. N. Andrew, in the Chair)—

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Mr Adams	Mr Duffy	Mr Howe	Mr O'Keefe
Mr Beazley	Mrs Easson	Mr Humphreys	Mr Price
Mr Beddall	Mr Elliott	Mr Jenkins	Mr Punch
Mr Bevis	Ms Fatin	Mr Johns	Mr Quick
Mr Bilney	Mr Ferguson	Mr Jones	Mr Sawford
Dr Blewett	Mr Fitzgibbon	Mrs Kelly	Mr Sciacca
Mr Brereton	Mr Free	Mr Kerin	Mr L. J. Scott
Mr Campbell	Mr Gear	Mr Kerr	Mrs S. J. Smith
Mr Chynoweth	Mr Gibson	Mr Knott	Mr Snow
Mr Cleary	Mr Gorman	Mr Langmore	Mr Snowdon
Mr Cleeland	Mr Grace*	Mr Lee	Mr Staples
Ms Crawford	Mr Griffin	Mr Lindsay	Mr Swan
Mr Crean	Mr Griffiths	Ms McHugh	Mr Tanner
Mrs Crosio	Mr Haviland	Mr McLeay*	Mr Tickner
Mr Cunningham	Ms Henzell	Mr A. A. Morris	Mr Walker
Mr Dawkins	Mr Holding	Mr P. F. Morris	Mr Willis
Ms Deahm	Mr Hollis	Mr Newell	Mr Woods
Mr Dodd	Mr Horne	Mr O'Connor	

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Mr Anderson	Mr Filing*	Mr McGauran	Mr Ruddock
Mr Atkinson	Mr Fischer	Mr Mack	Mr Sharp
Mr Beale	Mr Forrest	Mr MacKellar	Mr Sinclair
Mr Bradford	Mrs Gallus	Mr McLachlan	Mr Slipper
Mr Braithwaite	Mr Hall	Mrs Moylan	Mrs Sullivan
Mr Cadman	Mr Halverson	Mr Nehl	Mr Taylor
Mr Cameron	Mr Hawker	Mr Neville	Mr Truss
Mr Carlton	Mr Hicks*	Mr Nugent	Mr Tuckey
Mr Charles	Mr Howard	Mr Peacock	Mr Vaile
Mr Cobb	Mr Jull	Mr Prosser	Mr Wakelin
Mr Connolly	Mr Katter	Mr Pyne	Mr Williams
Mr Costello	Dr Kemp	Mr Reid	Dr Wooldridge
Mr Dobie	Mr Lieberman	Mr Reith	Ms Worth
Mr Downer	Mr Lloyd	Mr Rocher	
Mr Evans	Mr McArthur	Mr Ronaldson	

* Tellers

And so it was resolved in the affirmative—Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Gear (Assistant Treasurer), the Bill was read a third time.

22 INDUSTRIAL RELATIONS REFORM BILL 1993

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 Wakelin), and the resumption of the debate made an order of the day for a later hour this day.

23 PRIVILEGE—POSSIBLE INTIMIDATION OF MEMBER—REFERENCE TO COMMITTEE OF PRIVILEGES

The Speaker referred to the matter of privilege raised earlier today by Mr Sciacca (Parliamentary Secretary to the Minister for Social Security) concerning the service of a writ issued on behalf of Anthony Robinson, following a letter from Mr Sciacca to Senator McMullan (Minister for the Arts and Administrative Services).

The Speaker stated that there was no doubt that intimidation or attempted intimidation of a Member in connection with the performance of the Member's duties could be punished as a contempt. The Speaker further stated that, without expressing any opinion on the substance of the matters raised, he acknowledged that the issue of Members' correspondence with Ministers was an important one and, accordingly, was prepared to allow precedence to a motion in respect of this case.

Mr Sciacca then moved—That the matter of ACT Supreme Court Writ of Summons (No. SC 617/93) issued on 21 September 1993 and lodged by Gary Robb & Associates, Solicitors, 29 Torrens Street, Braddon, ACT, on behalf of Anthony Robinson as plaintiff against the Member for Bowman as first named defendant be referred to the Committee of Privileges.

Question—put and passed.

24 INDUSTRIAL RELATIONS REFORM BILL 1993

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 Lee—Minister for Tourism), and the resumption of the debate made an order of the day for the next sitting.

25 ADJOURNMENT

Mr Lee (Minister for Tourism) moved—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 10.20 p.m., adjourned until tomorrow at 9.30 a.m.

PAPERS

The following papers were deemed to have been presented on 17 November 1993:

Christmas Island Act—Casino Control Ordinance—Grant of casino licence to Christmas Island Resort Pty Ltd, 5 November 1993.

Fisheries Act—Agreement between the Commonwealth of Australia and Tuna Longline Development Cooperation Pty Ltd, November 1993.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Brown, Mr Lavarch, Mr Melham, Mr Miles, Mr Moore, Mr B. C. Scott, Mr Simmons*, Mr S. F. Smith, Mr Somlyay and Dr Theophanous.

*On leave

L. M. BARLIN

Clerk of the House of Representatives