

1993

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 38

WEDNESDAY, 24 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 **PUBLIC SERVICE (PARLIAMENTARY DEPARTMENTS) AMENDMENT BILL 1993**

The Speaker, pursuant to notice, presented a Bill for an Act to amend the *Public Service Act 1922*, and for related purposes.

Bill read a first time.

The Speaker moved—That the Bill be now read a second time.

Paper: The Speaker presented an explanatory memorandum to the Bill.

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

3 **NATIVE TITLE 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—*And on the amendment moved thereto by Dr Hewson (Leader of the Opposition), viz.*—That all words after “That” be omitted with a view to substituting the following words: “the House declines to give the Bill a second reading, and

- (1) notes that, as a consequence of the High Court’s *Mabo* (No. 2) decision, Australia already has a national native title system without the need for any legislative action;
- (2) acknowledges that, in order to meet the requirements of the Racial Discrimination Act, a government dealing with native title must do so on a non-discriminatory basis including the payment of just terms compensation for any extinguishment of native title;
- (3) condemns the Keating Government for using the Bill to make an unnecessary intrusion into the land management responsibilities of State Governments; and
- (4) further notes that the only additional federal law that may be necessary would be to facilitate the validation of past grants”—

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.

4 QUESTIONS

Questions without notice were asked.

5 PAPER

The Speaker presented the following paper:

Public Service Act—Department of the Parliamentary Reporting Staff—Report for 1992-93.

6 AUDITOR-GENERAL'S REPORT—PUBLICATION OF PAPER

The Speaker presented the following paper:

Audit Act—Auditor-General—Audit report No. 13 of 1993-94—Efficiency audit—The purchase and use of a supercomputer: Ansto.

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

- (1) this House authorises the publication of the Auditor-General's audit report No. 13 of 1993-94; and
- (2) the report be printed.

Question—put and passed.

7 PAPERS

The following papers were presented:

Access and equity evaluation report 1993—Office of Multicultural Affairs, Department of the Prime Minister and Cabinet, November 1993.

Agriculture and Resource Management Council of Australia and New Zealand—Record and resolutions—1st meeting, Alice Springs, 29 July 1993.

Australian Trade Commission Act—Australian Trade Commission—Report for 1992-93.

Australian Wool Realisation Commission Act—Australian Wool Realisation Commission—Report for 1992-93.

Coal Industry Act—Joint Coal Board—46th report, for 1992-93.

International Bank for Reconstruction and Development (General Capital Increase) Act—Report for 1992-93.

International Monetary Agreements Act—Report for 1992-93.

Members of Parliament (Staff) Act—Report on consultants engaged under section 4, for 1992-93.

Nursing home and hostel standards—List of monitoring reports published between 1 July and 30 September 1993.

Primary Industries and Energy Research and Development Act—Sugar Research and Development Corporation—Report for 1992-93.

States Grants (Schools Assistance) Act 1988—Report on financial assistance granted to each State in respect of 1992.

8 PAPERS—MOTION TO TAKE NOTE OF PAPERS

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

Access and equity evaluation report 1993—Office of Multicultural Affairs, Department of the Prime Minister and Cabinet, November 1993.

Agriculture and Resource Management Council of Australia and New Zealand—Record and resolutions—1st meeting, Alice Springs, 29 July 1993.

Australian Trade Commission Act—Australian Trade Commission—Report for 1992-93.

Australian Wool Realisation Commission Act—Australian Wool Realisation Commission—Report for 1992-93.

Coal Industry Act—Joint Coal Board—46th report, for 1992-93.

International Bank for Reconstruction and Development (General Capital Increase) Act—Report for 1992-93.

International Monetary Agreements Act—Report for 1992-93.

Members of Parliament (Staff) Act—Report on consultants engaged under section 4, for 1992-93.

Primary Industries and Energy Research and Development Act—Sugar Research and Development Corporation—Report for 1992-93.

States Grants (Schools Assistance) Act 1988—Report on financial assistance granted to each State in respect of 1992.

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

9 PAPERS

Mr Beazley (Leader of the House) presented the following papers:

Petitions not in accord with standing and sessional orders of the House:

Opposition to the closure of HMAS *Huon* (Mr Quick, 6833 petitioners).

Opposition to funding arrangements for the Adult Literacy and Basic Education classes (Mr Beazley, 125 petitioners).

10 DISCHARGE OF ORDERS OF THE DAY

Mr Beazley (Leader of the House), by leave, moved—That the following orders of the day, government business, be discharged:

Economic Planning Advisory Council—Report—Motion to take note of paper: Resumption of debate.

Bankruptcy Act—Report—Motion to take note of paper: Resumption of debate.

National Road Transport Commission—Report—Motion to take note of paper: Resumption of debate.

Audit of Department of Social Security Data-matching—Auditor-General's Report—Motion to take note of paper: Resumption of debate.

Australian Wine and Brandy Corporation—Report—Motion to take note of paper: Resumption of debate.

Performance pay in the Australian Public Service—Paper—Motion to take note of paper: Resumption of debate.

Australian National Maritime Museum—Paper—Motion to take note of paper: Resumption of debate.

Torres Strait Protected Zone Joint Authority—Report—Motion to take note of paper: Resumption of debate.

Australian Dairy Corporation—Report—Motion to take note of paper: Resumption of debate.

Human Rights and Equal Opportunity Commission—Report on human rights and mental illness—Motion to take note of paper: Resumption of debate.

National Debt Commission—Report—Motion to take note of paper: Resumption of debate.

Department of Employment, Education and Training—Report on Data-matching Program—Motion to take note of paper: Resumption of debate.

Department of Social Security—Report on Data-matching Program—Motion to take note of paper: Resumption of debate.

Commissioner of Taxation—Report on Data-matching Program—Motion to take note of paper: Resumption of debate.

Higher Education Funding Act—Report on 1992 determinations—Motion to take note of paper: Resumption of debate.

Aboriginal and Torres Strait Islander Affairs—Standing Committee—Report on needs of urban dwelling Aboriginal and Torres Strait Islander people—Government response—Motion to take note of paper: Resumption of debate.

Trade Practices Commission—Report—Motion to take note of paper: Resumption of debate.

Veterans' Review Board—Report—Motion to take note of paper: Resumption of debate.

National Road Trauma Advisory Council—Report—Motion to take note of paper: Resumption of debate.

Nuclear Safety Bureau—Report—Motion to take note of paper: Resumption of debate.

Construction Industry Development Agency—Report—Motion to take note of paper: Resumption of debate.

Aboriginal Deaths in Custody—Royal Commission—Implementation of Commonwealth Government responses—Interim report—Motion to take note of paper: Resumption of debate.

Australian Transaction Reports and Analysis Centre—Report—Motion to take note of paper: Resumption of debate.

Commonwealth Grants Commission—Report—Motion to take note of paper: Resumption of debate.

Snowy Mountains Engineering Corporation Limited—Report—Motion to take note of paper: Resumption of debate.

Nuclear Safety Bureau—Report—Motion to take note of paper: Resumption of debate.

Republic Advisory Committee—Report—Motion to take note of papers: Resumption of debate.

Australian Science and Technology Council—Report on research and technology in tropical Australia—Motion to take note of paper: Resumption of debate.

Australian Meat and Live-stock Corporation—Report—Motion to take note of paper: Resumption of debate.

Meat Research Corporation—Report—Motion to take note of paper: Resumption of debate.

Advance to the Minister for Finance, September 1993—Papers—Motion to take note of papers: Resumption of debate.

Army and Air Force Canteen Service Board of Management—Report—Motion to take note of paper: Resumption of debate.

National Board of Employment, Education and Training—Employment and Skills Formation Council—Assessment of competency quality related to a standard level—Paper—Motion to take note of paper: Resumption of debate.

Australian Statistics Advisory Council—Report—Motion to take note of paper: Resumption of debate.

Australian Industry Development Corporation—Report—Motion to take note of paper: Resumption of debate.

Law Reform Commission and Companies and Securities Advisory Committee—Report on collective investments—Papers and ministerial statement—Motion to take note of papers: Resumption of debate.

Judge Advocate General—Report—Motion to take note of paper: Resumption of debate.

Foreign Investment Review Board—Report—Motion to take note of paper: Resumption of debate.

Corporations and Securities—Joint Committee—Report on *Close Corporations Act 1989*—Interim government response—Paper—Motion to take note of paper: Resumption of debate.

Prime Minister—Visit to USA, UK, Ireland, France and Monaco—Ministerial statement—Motion to take note of paper: Resumption of debate.

Amanbidji Land Claim—Report—Motion to take note of paper: Resumption of debate.

North Simpson Desert Land Claim—Report—Motion to take note of paper: Resumption of debate.

Australian Maritime College—Report—Motion to take note of paper: Resumption of debate.

Security Appeals Tribunal—Report—Motion to take note of paper: Resumption of debate.

Office of the Official Secretary to the Governor-General—Report—Motion to take note of paper: Resumption of debate.

House of Representatives Chamber—Seating for visitors—Statement by Speaker—Motion to take note of paper: Resumption of debate.

Research Reactor Review—Report—Motion to take note of paper: Resumption of debate.

National Board of Employment, Education and Training—Report on planning for the 1994-96 triennium—Motion to take note of paper: Resumption of debate.

University of Canberra—Report—Motion to take note of paper: Resumption of debate.

Advance to the Minister for Finance, August 1993—Papers—Motion to take note of papers: Resumption of debate.

National Board of Employment, Education and Training—Report on higher education research infrastructure—Motion to take note of paper: Resumption of debate.

Transport, Communications and Infrastructure—Standing Committee—Report on ship safety—Government response—Motion to take note of paper: Resumption of debate.

National Health and Medical Research Council—Report on medical research 1992—Motion to take note of paper: Resumption of debate.

Australian Defence Industries Ltd—Equal employment opportunity reports—Motion to take note of papers: Resumption of debate.

Department of the Prime Minister and Cabinet—Report—Further addendum—Motion to take note of paper: Resumption of debate.

Automotive Industry Authority—Report—Motion to take note of paper: Resumption of debate.

National Health and Medical Research Council—Paper—Motion to take note of paper: Resumption of debate.

Australian Broadcasting Tribunal—Report—Motion to take note of paper: Resumption of debate.

Sport and Recreation Ministers' Council—Report—Motion to take note of paper: Resumption of debate.

Foreign Affairs, Defence and Trade—Joint Committee—Report on stockholding and sustainability in the Australian Defence Force—Government response—Motion to take note of paper: Resumption of debate.

Science and Technology Budget Statement 1993-94—Paper—Motion to take note of paper: Resumption of debate.

Australia and the Asian Development Bank—Report—Motion to take note of paper: Resumption of debate.

Department of the Prime Minister and Cabinet—Report—Motion to take note of paper: Resumption of debate.

Safety Review Committee—Report—Motion to take note of paper: Resumption of debate.

Australian National University—Report—Motion to take note of paper: Resumption of debate.

Australian Tobacco Marketing Advisory Committee—Report—Motion to take note of paper: Resumption of debate.

Employment, Education and Training—Standing Committee—Report on entry or return to the workforce of Social Security pensioners—Government response—Motion to take note of paper: Resumption of debate.

Social Justice for indigenous Australians—Report—Motion to take note of paper: Resumption of debate.

Advance to the Minister for Finance, May-July 1993—Papers—Motion to take note of papers: Resumption of debate.

National Food Authority—Report—Motion to take note of paper: Resumption of debate.

Industry Commission—Report—Motion to take note of paper: Resumption of debate.

Banking, Finance and Public Administration—Standing Committee—Report on review of Banking Inquiry report—Government response—Motion to take note of paper: Resumption of debate.

Community Affairs—Standing Committee—Reports on prescribed health—Government response—Motion to take note of paper: Resumption of debate.

Student Assistance Act—Report—Motion to take note of paper: Resumption of debate.

Murray-Darling Basin Commission—Report—Motion to take note of paper: Resumption of debate.

Rural Adjustment Scheme—Report—Motion to take note of paper: Resumption of debate.

Official Establishments Trust—Report—Motion to take note of paper: Resumption of debate.

Advance to the Minister for Finance, 1992-93—Paper—Motion to take note of paper: Resumption of debate.

Provision for running costs borrowing—Papers—Motion to take note of papers: Resumption of debate.

Law Reform Commission—Personal property securities—Report—Motion to take note of paper: Resumption of debate.

Certain Aspects of the Operation and Interpretation of the Family Law Act—Joint Select Committee—Report—Family Law Council comments—Motion to take note of paper: Resumption of debate.

Foreign Affairs, Defence and Trade—Joint Committee—Report on the Government's international efforts to promote and protect human rights—Government response and ministerial statement—Motion to take note of papers: Resumption of debate.

Australian Land Transport Development Program—Report—Motion to take note of paper: Resumption of debate.

Second Australian Human Rights Delegation to China—Report and ministerial statement—Motion to take note of papers: Resumption of debate.

International Labour Conference—Report—Motion to take note of paper: Resumption of debate.

Earth Summit, Rio—Follow-up—Ministerial statement—Motion to take note of paper: Resumption of debate.

Australian International Development Assistance Bureau—Report—Motion to take note of paper: Resumption of debate.

States Grants (Schools Assistance) Act—Report—Motion to take note of paper: Resumption of debate.

National Board of Employment, Education and Training—Higher Education Council—Report—Motion to take note of paper: Resumption of debate.

National Board of Employment, Education and Training—Employment and Skills Formation Council—Report—Motion to take note of paper: Resumption of debate.

National Common Police Services—Report—Motion to take note of paper: Resumption of debate.

Commonwealth Grants Commission—Report—Motion to take note of paper: Resumption of debate.

Federal Police Disciplinary Tribunal—Report for 1991-92—Motion to take note of paper: Resumption of debate.

Companies and Securities Advisory Committee—Report—Motion to take note of paper: Resumption of debate.

Northern Land Council—Report—Motion to take note of paper: Resumption of debate.

Sport and Recreation Ministers' Council—Paper—Motion to take note of paper: Resumption of debate.

Question—put and passed.

11 PRIVILEGES COMMITTEE

Mr Beazley (Leader of the House), by leave, moved—That during the consideration of the matters referred to the Committee of Privileges on 28 October 1993 and 17 November 1993, Mr Price and Mr Quick be appointed to the committee in place of Mr Brown and Mr Simmons.

Question—put and passed.

12 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—FOREIGN OWNERSHIP OF AUSTRALIAN MEDIA GROUP

The House was informed that Dr Hewson (Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The Prime Minister's unacceptable action in making a government decision concerning foreign ownership of a major Australian media group conditional on his own assessment of whether that group's election coverage fitted his definition of balance".

The proposed discussion having received the necessary support—

Dr Hewson addressed the House.

Discussion ensued.

Discussion concluded.

13 MESSAGES FROM THE SENATE

Messages from the Senate were reported returning the following Bills without amendment:

23 November 1993—Message—

No. 143—Aboriginal Education (Supplementary Assistance) Amendment 1993.

No. 144—Forest Industries Research Import Charge 1993 (*without requests*).

No. 145—Forest Industries Research Export Charge 1993 (*without requests*).

No. 146—Forest Industries Research Levy 1993 (*without requests*).

No. 147—CSL Sale 1993.

No. 148—Australian Land Transport Development Amendment 1993.

24 November 1993—Message No. 149—Aviation Fuel Revenues (Special Appropriation) Amendment 1993.

14 CORPORATIONS AND SECURITIES—PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENT BY MEMBER

Mr Cleeland presented the following report:

Corporations and Securities—Parliamentary Joint Committee—Differential voting shares and the Australian Stock Exchange—Report, November 1993.

Mr Cleland, by leave, made a statement in connection with the report.

15 COPYRIGHT AMENDMENT (RE-ENACTMENT) BILL 1993

The order of the day having been read for the second reading—Mr Duncan (Parliamentary Secretary to the Attorney-General) moved—That the Bill be now read a second time.

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

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

16 OCCUPATIONAL HEALTH AND SAFETY (MARITIME INDUSTRY) BILL 1993

The order of the day having been read for the second reading—Mr O’Keefe (Parliamentary Secretary to the Minister for Transport and Communications) moved—That the Bill be now read a second time.

Paper: Mr O’Keefe presented an explanatory memorandum to the Bill.

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

17 OCCUPATIONAL HEALTH AND SAFETY (MARITIME INDUSTRY) CONSEQUENTIAL AMENDMENTS BILL 1993

The order of the day having been read for the second reading—Mr O’Keefe (Parliamentary Secretary to the Minister for Transport and Communications) moved—That the Bill be now read a second time.

Paper: Mr O’Keefe presented an explanatory memorandum to the Bill.

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

18 VETERANS’ AFFAIRS LEGISLATION AMENDMENT BILL (NO. 3) 1993

Mr Beddall (Minister for Communications), for Mr Howe (Minister representing the Minister for Veterans’ Affairs), pursuant to notice, presented a Bill for an Act to amend the law relating to veterans’ affairs, and for related purposes.

Bill read a first time.

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

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

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

19 NATIVE TITLE 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—*And on the amendment moved thereto by Dr Hewson (Leader of the Opposition), viz.*—That all words after “That” be omitted with a view to substituting the following words: “the House declines to give the Bill a second reading, and

- (1) notes that, as a consequence of the High Court’s Mabo (No. 2) decision, Australia already has a national native title system without the need for any legislative action;

- (2) acknowledges that, in order to meet the requirements of the Racial Discrimination Act, a government dealing with native title must do so on a non-discriminatory basis including the payment of just terms compensation for any extinguishment of native title;
- (3) condemns the Keating Government for using the Bill to make an unnecessary intrusion into the land management responsibilities of State Governments; and
- (4) further notes that the only additional federal law that may be necessary would be to facilitate the validation of past grants”—

Debate resumed.

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

20 ADJOURNMENT

Mr Duncan (Parliamentary Secretary to the Attorney-General) moved—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 8 p.m., adjourned until tomorrow at 9.30 a.m.

PAPERS

The following papers were deemed to have been presented on 24 November 1993:

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposals for the collection of information 1993 Nos. 19, 20, 21.

Australian Meat and Live-stock Corporation Act—Orders Nos. M63/93, MQ51/93, MQ52/93, MQ53/93.

Seat of Government (Administration) Act—Ordinances 1993 Nos. 2, 3.

Superannuation Act 1976—Determination under section 240, 18 November 1993.

Therapeutic Goods Act—Therapeutic Goods Orders—Nos. 45, 46.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Bradford, Mr Brown, Mr Carlton, Mr Cleary, Mr Connolly, Mrs Crosio, Mr Hollis, Mr Jenkins, Mr Kerr, Mr McArthur, Mr McLachlan, Mr Melham, Mr Miles, Mr Moore, Mr B. C. Scott, Mr Simmons*, Mrs S. J. Smith, Mr S. F. Smith and Mr Somlyay.

*On leave

L. M. BARLIN

Clerk of the House of Representatives