

1993

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 41

TUESDAY, 14 DECEMBER 1993

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

**2 QUESTIONS**

Questions without notice were asked.

**3 AUDITOR-GENERAL'S REPORTS—PUBLICATION OF PAPERS—REFERENCE TO COMMITTEE**

The Speaker presented the following papers:

Audit Act—Auditor-General—Audit reports of 1993-94—

No. 20—Efficiency audit—Northern Land Council.

No. 21—Efficiency audit—Department of Finance: The Australian Government credit card—its debits and credits.

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

- (1) this House authorises the publication of the Auditor-General's audit reports Nos. 20 and 21 of 1993-94;
- (2) the reports be printed; and
- (3) audit report No. 20 of 1993-94 be referred to the Standing Committee on Aboriginal and Torres Strait Islander Affairs.

Question—put and passed.

**4 PAPERS**

The following papers were presented:

Administrative Appeals Tribunal Act—Administrative Appeals Tribunal—Report for 1992-93.

Australian Capital Territory (Planning and Land Management) Act—National Capital Planning Authority—Report for 1992-93.

Australian Defence Industries Ltd (ADI)—Report for 1992-93.

Australian Land Transport Development Act—Australian Land Transport Development Program—Review of operations—Volume 2—1991-92.

Australian Security Intelligence Organization Act—Australian Security Intelligence Organization—Report for 1992-93.

Construction Industry Reform and Development Act—Construction Industry Development Agency—Report for 1992-93.

Department of Defence—Schedule of special purpose flights for period 1 January to 30 June 1993.

Electronic Data Interchange (EDI)—Report of the National Consultative Group on Transport Electronic Data Interchange, December 1993.

Employment, Education and Training Act—National Board of Employment, Education and Training—Report—Credit transfer and related issues: Second annual report of the Board, November 1993.

Horticultural Policy Council Act—Horticultural Policy Council—Report for 1992-93.

Housing Assistance Act—Report on operation of Commonwealth-State Housing Agreement for 1991-92.

Industrial Chemicals (Notification and Assessment) Act—National Industrial Chemicals Notification and Assessment Scheme—Report for 1992-93.

Industrial Relations Act—Australian Industrial Relations Commission—Report of the President for 1992-93.

Inspector-General of Intelligence and Security Act—Inspector-General of Intelligence and Security—Report for 1992-93.

National Occupational Health and Safety Commission Act—National Occupational Health and Safety Commission—Report for 1992-93.

Nursing home standards review panel—Report for 1992-93.

Textiles, Clothing and Footwear Development Authority Act—Textiles, Clothing and Footwear Development Authority—Report for 1992-93.

War Graves Act—Office of Australian War Graves, Department of Veterans' Affairs—Report for 1992-93.

##### 5 PAPERS—MOTION TO TAKE NOTE OF PAPERS

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

Administrative Appeals Tribunal Act—Administrative Appeals Tribunal—Report for 1992-93.

Australian Defence Industries Ltd (ADI)—Report for 1992-93.

Department of Defence—Schedule of special purpose flights for period 1 January to 30 June 1993.

Employment, Education and Training Act—National Board of Employment, Education and Training—Report—Credit transfer and related issues: Second annual report of the Board, November 1993.

Housing Assistance Act—Report on operation of Commonwealth-State Housing Agreement for 1991-92.

Industrial Relations Act—Australian Industrial Relations Commission—Report of the President for 1992-93.

Inspector-General of Intelligence and Security Act—Inspector-General of Intelligence and Security—Report for 1992-93.

National Occupational Health and Safety Commission Act—National Occupational Health and Safety Commission—Report for 1992-93.

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

**6 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—JOBS LEVY**

The House was informed that Mr Downer had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The need to reject the imposition of a jobs levy because it will destroy, not create, jobs".

The proposed discussion having received the necessary support—

Mr Downer addressed the House.

Discussion ensued.

Discussion concluded.

**7 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS**

Mr Hollis (Chairman) presented the following report:

Public Works—Parliamentary Standing Committee—Report relating to the RAAF Williams rationalisation project, Laverton, Vic. (9th report of 1993).

Ordered to be printed.

Mr Hollis and Mr Jones, by leave, made statements in connection with the report.

**8 SUSPENSION OF STANDING ORDERS 48A AND 103**

Mr Beazley (Leader of the House), pursuant to notice, moved—That standing orders 48A (adjournment of House) and 103 (11 o'clock rule) be suspended for the remainder of the sittings this week.

Debate ensued.

Question—put and passed.

**9 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 all the Bills:

National Health Amendment Bill (No. 2) 1993;

Industrial Relations and other Legislation Amendment Bill 1993;

Aboriginal and Torres Strait Islander Commission Amendment Bill (No. 3) 1993;

Law and Justice Legislation Amendment Bill 1993;

Australian Broadcasting Corporation Amendment Bill 1993;

Transport and Communications Legislation Amendment Bill 1993;

Transport and Communications Legislation Amendment Bill (No. 2) 1993;

Arts, Environment and Territories Legislation Amendment Bill 1993;  
 Bounty (Ships) Amendment Bill 1993;  
 Customs Legislation Amendment Bill 1993;  
 Road Transport Reform (Vehicles and Traffic) Bill 1993;  
 Occupational Health and Safety (Maritime Industry) Bill 1993;  
 Occupational Health and Safety (Maritime Industry) Consequential  
 Amendments Bill 1993;  
 Health and Community Services Legislation Amendment Bill 1993;  
 Migration Amendment ("Points" System) Bill 1993; and  
 Protection of the Sea (Shipping Levy) Amendment Bill 1993.

Debate ensued.

Question—put.

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

AYES, 73

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

NOES, 58

|                  |              |              |               |
|------------------|--------------|--------------|---------------|
| Mr Aldred        | Mr Filing*   | Mr McGauran  | Mr Ronaldson  |
| Mr Anderson      | Mr Fischer   | Mr Mack      | Mr Ruddock    |
| Mr J. N. Andrew  | Mr Forrest   | Mr McLachlan | Mr Sharp      |
| Mr K. J. Andrews | Mrs Gallus   | Mr Miles     | Mr Sinclair   |
| Mr Atkinson      | Mr Hall      | Mr Moore     | Mr Slipper    |
| Mr Beale         | Mr Halverson | Mrs Moylan   | Mrs Sullivan  |
| Mr Bradford      | Mr Hawker    | Mr Nehl      | Mr Taylor     |
| Mr Braithwaite   | Mr Hicks*    | Mr Neville   | Mr Truss      |
| Mr Cadman        | Mr Howard    | Mr Nugent    | Mr Vaile      |
| Mr Carlton       | Mr Jull      | Mr Peacock   | Mr Wakelin    |
| Mr Charles       | Mr Katter    | Mr Prosser   | Mr Williams   |
| Mr Cobb          | Dr Kemp      | Mr Pyne      | Dr Wooldridge |
| Mr Costello      | Mr Lieberman | Mr Reid      | Ms Worth      |
| Mr Dobie         | Mr Lloyd     | Mr Reith     |               |
| Mr Downer        | Mr McArthur  | Mr Rocher    |               |

\* Tellers

And so it was resolved in the affirmative.

**10 DECLARATION OF BILLS AS URGENT BILLS—LIMITATION OF DEBATE**

Mr Beazley (Leader of the House) declared that the National Health Amendment Bill (No. 2) 1993, Industrial Relations and other Legislation Amendment Bill 1993, Aboriginal and Torres Strait Islander Commission Amendment Bill (No. 3) 1993, Law and Justice Legislation Amendment Bill 1993, Australian Broadcasting Corporation Amendment Bill 1993, Transport and Communications Legislation Amendment Bill 1993, Transport and Communications Legislation Amendment Bill (No. 2) 1993, Arts, Environment and Territories Legislation Amendment Bill 1993, Bounty (Ships) Amendment Bill 1993, Customs Legislation Amendment Bill 1993, Road Transport Reform (Vehicles and Traffic) Bill 1993, Occupational Health and Safety (Maritime Industry) Bill 1993, Occupational Health and Safety (Maritime Industry) Consequential Amendments Bill 1993, Health and Community Services Legislation Amendment Bill 1993, Migration Amendment ("Points" System) Bill 1993 and Protection of the Sea (Shipping Levy) Amendment 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) National Health Amendment Bill (No. 2) 1993—For the remaining stages, until 6 p.m. this day.
- (2) Industrial Relations and other Legislation Amendment Bill 1993—For the remaining stages, until 9.30 p.m. this day.
- (3) Aboriginal and Torres Strait Islander Commission Amendment Bill (No. 3) 1993—For the remaining stages, until 10.30 p.m. this day.
- (4) Law and Justice Legislation Amendment Bill 1993—For the remaining stages, until 11.30 p.m. this day.
- (5) Australian Broadcasting Corporation Amendment Bill 1993—
  - (a) For the second reading, until 10.50 a.m. on Wednesday, 15 December,
  - (b) For the committee stage, until 10.55 a.m. on Wednesday, 15 December, and
  - (c) For the remaining stages, until 11 a.m. on Wednesday, 15 December.
- (6) Transport and Communications Legislation Amendment Bill 1993—For the remaining stages, until 11.55 a.m. on Wednesday, 15 December.
- (7) Transport and Communications Legislation Amendment Bill (No. 2) 1993—For the remaining stages, until noon on Wednesday, 15 December.
- (8) Arts, Environment and Territories Legislation Amendment Bill 1993—For the remaining stages, until 5.30 p.m. on Wednesday, 15 December.
- (9) Bounty (Ships) Amendment Bill 1993—For the remaining stages, until 6.25 p.m. on Wednesday, 15 December.
- (10) Customs Legislation Amendment Bill 1993—For the remaining stages, until 6.30 p.m. on Wednesday, 15 December.
- (11) Road Transport Reform (Vehicles and Traffic) Bill 1993—For the remaining stages, until 7.30 p.m. on Wednesday, 15 December.
- (12) Occupational Health and Safety (Maritime Industry) Bill 1993—For the remaining stages, until 6.25 p.m. on Thursday, 16 December.

- (13) Occupational Health and Safety (Maritime Industry) Consequential Amendments Bill 1993—For the remaining stages, until 6.30 p.m. on Thursday, 16 December.
- (14) Health and Community Services Legislation Amendment Bill 1993—For the remaining stages, until 10 p.m. on Thursday, 16 December.
- (15) Migration Amendment (“Points” System) Bill 1993—For the remaining stages, until 11 p.m. on Thursday, 16 December.
- (16) Protection of the Sea (Shipping Levy) Amendment Bill 1993—For the remaining stages, until midnight on Thursday, 16 December.

Question—put and passed.

**11 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—RELOCATION OF SALISBURY EXPLOSIVE ORDNANCE TESTING FACILITIES TO PORT WAKEFIELD, SA**

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: Relocation of the Salisbury Explosive Ordnance testing facilities to Port Wakefield, SA.

Question—put and passed.

**12 NATIONAL HEALTH AMENDMENT BILL (NO. 2) 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 and passed—Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Mrs Crosio (Parliamentary Secretary to the Minister for the Arts and Administrative Services), the Bill was read a third time.

**13 INDUSTRIAL RELATIONS AND OTHER LEGISLATION 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.

Debate adjourned (Mr Free—Minister for Schools, Vocational Education and Training), and the resumption of the debate made an order of the day for a later hour this day.

**14 TRAINING GUARANTEE (ADMINISTRATION) AMENDMENT BILL 1993**

Mr Free (Minister for Schools, Vocational Education and Training) presented a Bill for an Act to amend the *Training Guarantee (Administration) Act 1990*, and for related purposes.

Bill read a first time.

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

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

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

**15 TAXATION LAWS AMENDMENT BILL (NO. 4) 1993**

Mr Free (Minister for Schools, Vocational Education and Training) presented a Bill for an Act to amend the law relating to taxation.

Bill read a first time.

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

*Papers:* Mr Free presented an explanatory memorandum and a correction to the 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.

**16 INDUSTRIAL RELATIONS AND OTHER LEGISLATION 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—

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

The House resolved itself into a committee of the whole.

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*In the committee*

Bill, by leave, taken as a whole.

Mr Howard, by leave, moved the following amendment: Pages 14-18, omit Part 7 (comprising clauses 45 to 54).

Debate continued.

Question—That the amendment be agreed to—put.

The committee divided (the Deputy Chairman, Mr Truss, in the Chair)—

AYES, 58

|                  |              |              |                |
|------------------|--------------|--------------|----------------|
| Mr Aldred        | Mr Evans     | Mr McArthur  | Mr Ronaldson   |
| Mr Anderson      | Mr Filing*   | Mr McGauran  | Mr Ruddock     |
| Mr J. N. Andrew  | Mr Fischer   | Mr McLachlan | Mr B. C. Scott |
| Mr K. J. Andrews | Mr Forrest   | Mr Miles     | Mr Sharp       |
| Mr Atkinson      | Mrs Gallus   | Mr Moore     | Mr Sinclair    |
| Mr Beale         | Mr Hall      | Mrs Moylan   | Mr Slipper     |
| Mr Bradford      | Mr Halverson | Mr Nehl      | Mrs Sullivan   |
| Mr Braithwaite   | Mr Hawker    | Mr Neville   | Mr Taylor      |
| Mr Cadman        | Mr Hicks*    | Mr Nugent    | Mr Vaile       |
| Mr Carlton       | Mr Howard    | Mr Peacock   | Mr Wakelin     |
| Mr Charles       | Mr Jull      | Mr Prosser   | Mr Williams    |
| Mr Cobb          | Mr Katter    | Mr Pyne      | Dr Wooldridge  |
| Mr Costello      | Dr Kemp      | Mr Reid      | Ms Worth       |
| Mr Dobie         | Mr Lieberman | Mr Reith     |                |
| Mr Downer        | Mr Lloyd     | Mr Rocher    |                |

## NOES, 71

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

\* Tellers

And so it was negatived.

Bill agreed to.

Bill to be reported without amendment.

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The House resumed; Mr Truss reported accordingly.

On the motion of Mr Willis (Minister for Finance), the House adopted the report, and the Bill was read a third time.

#### 17 ABORIGINAL AND TORRES STRAIT ISLANDER COMMISSION AMENDMENT BILL (NO. 3) 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.

*Limitation of debate:* At 10.30 p.m., the Deputy Speaker having called the attention of the House to the fact that the time allotted for the remaining stages of the Bill had expired—

Question—That the Bill be now read a second time—put and passed—Bill read a second time.

Further question—That the remaining stages of the Bill be agreed to—put and passed—Bill read a third time.

#### 18 LAW AND JUSTICE LEGISLATION 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.

*Limitation of debate:* At 11.30 p.m., the Speaker having called the attention of the House to the fact that the time allotted for the remaining stages of the Bill had expired—

Question—That the Bill be now read a second time—put and passed—Bill read a second time.



Further question—That the remaining stages of the Bill be agreed to—put and passed—Bill read a third time.

**19 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 11.55 p.m., adjourned until tomorrow at 10 a.m.

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**PAPER**

The following paper was deemed to have been presented on 14 December 1993: Motor Vehicle Standards Act—Road Vehicle (Operation and Inspection of Test Facilities) Determination—1993 No. K92/425.

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**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Bilney, Mr Cameron, Mr Connolly, Ms Fatin, Mr MacKellar, Mr Simmons\*, Mr Somlyay and Mr Tuckey.

\*On leave

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**L. M. BARLIN**

Clerk of the House of Representatives