

1993

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 43

THURSDAY, 16 DECEMBER 1993

1 The House met, at 9.30 a.m., pursuant to adjournment. The Speaker (the Honourable Stephen Martin) took the Chair, and read Prayers.

2 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation, viz.:

Mr J. N. Andrew, Ms Fatin and Mr Ferguson, from 586, 69 and 11 parents and friends of childcare centres, respectively, praying that the linkage of accreditation to eligibility for Child Care Assistance be rejected.

Mr Brown, Mr Sharp and Mr Sinclair, from 34, 17 and 17 petitioners, respectively, praying that action be taken to ensure the continued availability of high octane petrol to Australian motorists.

Mr Cameron, Mrs Moylan and Mr Tuckey, from 227, 23 and 1115 petitioners, respectively, praying that the outcome of the Mabo decision be decided by referendum.

Mr Forrest, Mr Hawker and Mr Tuckey, from 13, 14 and 62 petitioners, respectively, praying that the proposal to charge off-road users of diesel fuel a tax equal to one per cent of the diesel fuel rebate be abandoned.

Mr J. N. Andrew and Mr Crean, from 21 and 1964 petitioners, respectively, praying that Medicare continue to be a universal health insurance system and that all eye examinations by optometrists be covered.

Mr K. J. Andrews and Dr Wooldridge, from 2000 and 2000 petitioners, respectively, praying for certain changes to the Family Law Act and the Child Support Scheme.

Mr Cameron and Mr Filing, from 6190 and 60 residents of Western Australia, respectively, praying that action be taken to stop the practice in China of extracting bile from caged bears for medical purposes.

Mr Atkinson, from 309 petitioners, praying that amendments recognising parental rights be made to the Family Law Act and that the plight of Mr John Zabaneh be considered.

Mr Beddall, from 237 electors of the Division of Rankin, praying that certain action be taken to enable a pharmacy to operate at the Boronia Park Shopping Centre, Boronia Heights, Qld.

Mr Bradford, from 2872 petitioners, praying that a Medicare office be established at the Pines Shopping Centre, Elanora, Qld, as soon as possible.

Mr Braithwaite, from 367 petitioners, praying that the national flag not be changed, replaced or diminished without being voted upon and approved in a national referendum.

Mr Cadman, from 1267 petitioners, praying that the increases in petrol excise proposed in the 1993-94 Budget be opposed.

Mrs Crosio, from 21 petitioners, praying that the Government of the Socialist Republic of Vietnam be urged to release religious leaders and political prisoners, allow religious freedom and respect human and civil rights.

Mrs Gallus, from 12 petitioners, praying that importation of goods supported by subsidies and other non-tariff or dumping measures be stopped and that tariffs remain in place while other nations use such measures.

Mr Lloyd, from 16 petitioners, praying that the signing of the United Nations Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief be disallowed.

Mr Miles, from 811 petitioners, praying that the existing national flag remain sacrosanct.

Mr Moore, from 38 petitioners, praying that the guidelines for homeless rate recipients be reviewed and greater commitment shown to programs which prevent family breakdown.

Mr Moore, from 22 parents of Australia's children, praying that the compulsory accreditation of child care centres be opposed.

Mrs Moylan, from 26 petitioners, praying that there be no further imposition and collection of taxation before the relevant legislation is passed by Parliament.

Mr Nehl, from 16 petitioners, praying that any increase in charges for postage of magazines and newspapers by Australia Post be prevented.

Mr Sciacca, from 8 petitioners, praying that the resident classification instrument used for nursing home funding be rejected and the focal nursing assessment tool be considered as a replacement.

Mr Sharp, from 204 petitioners, praying that there be no reduction of services by Australia Post in rural areas of the Goulburn district, NSW.

Mr Sharp, from 76 petitioners, praying that no action be taken to change the national flag unless supported by a majority of votes in a majority of States.

Mr Slipper, from 2 petitioners, praying that certain actions be taken towards accomplishing a peaceful planet.

Mr Somlyay, from 359 residents of the Sunshine Coast, Qld, praying that the family planning clinic on the Sunshine Coast be maintained and receive increased funding.

Mr Taylor, from 26 petitioners, praying that no action be taken to change the national flag unless approved by the people of Australia in a national poll.

Mr Truss, from 41 petitioners, praying that the current national flag be preserved and no change be made to its design unless supported by referendum by the majority of Australians in the majority of States.

Mr Tuckey, from 219 petitioners, praying that the rights of State governments alone to define and issue land title be reaffirmed through a referendum.

Dr Wooldridge, from 51 nursing staff, residents and relatives and friends of Logan Nursing Home, Qld, praying that the level of regulatory requirements for nursing home documentation and the frequency of inspections of nursing homes be reduced.

Petitions received.

3 COMMUNITY AFFAIRS—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER

Mr A. A. Morris (Chairman) presented the following report and related papers:

Community Affairs—Standing Committee—Australia's international health programs—

Report, 3 December 1993.

Evidence received by the committee.

Minutes of proceedings.

Ordered—That the report be printed.

Mr A. A. Morris and Ms Worth made statements in connection with the report.

Mr A. A. Morris moved—That the House take note of the report.

In accordance with standing order 102B, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting Thursday.

4 ABORIGINAL AND TORRES STRAIT ISLANDER AFFAIRS—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER

Mr Gibson (Chairman) presented the following report and related papers:

Aboriginal and Torres Strait Islander Affairs—Standing Committee—Access and equity—Rhetoric or reality?: Inquiry into the implementation of the access and equity strategy—

Report, 26 November 1993.

Minutes of proceedings.

Ordered—That the report be printed.

Mr Gibson, Mr Nehl, Ms Henzell, Mr Pyne, Mr R. J. Brown and Mr Wakelin made statements in connection with the report.

Mr Gibson moved—That the House take note of the report.

In accordance with standing order 102B, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting Thursday.

5 TRANSPORT, COMMUNICATIONS AND INFRASTRUCTURE—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER

Mr P. F. Morris (Chairman) presented the following report and related papers:

Transport, Communications and Infrastructure—Standing Committee—Driving the road dollar further: Inquiry into the efficiency of road construction and maintenance—

Report, 13 December 1993.

Minutes of proceedings.

Ordered—That the report be printed.

Mr P. F. Morris, Mr Mack and Mr Neville made statements in connection with the report.

The time allotted for making statements on the report having expired—

Mr P. F. Morris moved—That the House take note of the report.

In accordance with standing order 102B, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting Thursday.

6 CONSTITUTION ALTERATION (ALTERATIONS OF THE CONSTITUTION ON THE INITIATIVE OF THE ELECTORS) BILL 1993

Mr Mack, pursuant to notice, presented a Bill for an Act to provide methods of altering the Constitution on the initiative of the electors.

Mr Mack made a statement in relation to the Bill.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting Thursday, in accordance with standing order 104A.

7 PACIFIC HIGHWAY

Mr Nehl, pursuant to notice, moved—That this House agrees that the Pacific Highway should be declared a national highway within the Australian national highway system.

Debate ensued.

The time allotted for the debate having expired, the debate was interrupted, the resumption of the debate made an order of the day for the next sitting Thursday, and Mr Bradford was granted leave to continue his speech when the debate is resumed.

8 HUMAN RIGHTS

Mr Sinclair, for Mr MacKellar, pursuant to notice, moved—That this House, recognising the concerns expressed by members of the Human Rights Subcommittee of the Joint Standing Committee on Foreign Affairs, Defence and Trade, in particular the Members for Hunter, Moreton, New England and Throsby:

- (1) notes, in this, the International Year of the World's Indigenous Peoples, that Friday, 10 December 1993 is International Human Rights Day;
- (2) recognises that human rights abuses continue to be a blight on a world where (a) communities who have lived for generations or even centuries are driven from their homes under programs of ethnic cleansing, (b) warlords dominate their societies with utter disregard for the good of the whole causing violence, starvation and anarchy, (c) torture, detention without trial and disappearances are common aspects of many legal systems and (d) minority groups are often forced to live under oppression, disadvantage and injustice;
- (3) asserts its belief in the universality and indivisibility of human rights as defined in the Universal Declaration of Human Rights and reinforced in the covenants and conventions of the UN; and
- (4) encourages the Government in its efforts to promote and protect human rights through active involvement in international forums and through consistent bilateral policies which encourage other nations to develop and maintain the rule of law and respect for the dignity of the human person.

Debate ensued.

Mr Hollis, who had already spoken, again addressed the House, by leave.

Mr Sinclair, by leave, again addressed the House without closing the debate.

It being 12.30 p.m., the debate was interrupted in accordance with standing order 104A and the resumption of the debate made an order of the day for the next sitting Thursday.

9 GRIEVANCE DEBATE

Pursuant to the provisions of standing order 106, the order of the day having been read—

Question proposed—That grievances be noted.

Debate ensued.

Question—That grievances be noted—put and passed.

10 PRIVILEGES COMMITTEE

Mrs Crosio (Parliamentary Secretary to the Minister for the Arts and Administrative Services), by leave, moved—That during the consideration of the matter referred to the Committee of Privileges on 15 December 1993, Mr Sinclair be appointed to the committee in place of Mr Lieberman.

Question—put and passed.

11 MEMBERS' STATEMENTS

Members' statements were made.

12 QUESTIONS

Questions without notice being asked—

Paper: Mr Howard, in accordance with standing order 321, having called for a document quoted from by Mrs Kelly (Minister for the Environment, Sport and Territories)—

Mrs Kelly laid upon the Table the following paper:

Community Cultural, Recreational and Sporting Facilities Program—
Maximum grants—Copy of minute from Mr Stuart Hamilton, Secretary,
Department of the Environment, Sport and Territories to Mrs Kelly,
15 December 1993.

Questions without notice continued.

13 AUDITOR-GENERAL'S REPORT—PUBLICATION OF PAPER

The Speaker presented the following paper:

Audit Act—Auditor-General—Audit report No. 25 of 1993-94—Project audits—Australian Customs Service: Investigation function—Directions of change; and Department of Finance: Inter-departmental committee on Midford Paramount case compensation.

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

- (1) this House authorises the publication of the Auditor-General's audit report No. 25 of 1993-94; and
- (2) the report be printed.

Question—put and passed.

14 PAPERS

The following papers were presented:

Aboriginal Land Rights (Northern Territory) Act—

Aboriginal Land Commissioner—Report for 1992-93.

Anindilyakwa Land Council—2nd report, for 1992-93.

ANL Act—ANL Limited—Report for 1992-93.

AUSCRIPT—Report for 1992-93.

Australia-Japan Foundation Act—Australia-Japan Foundation—Report for 1992-93.

Australian Antarctic Foundation—Report for 1992-93.

Australian National Maritime Museum Act—Australian National Maritime Museum—Report for 1992-93.

Australian Sports Commission Act—Australian Sports Commission—Strategic plan 1994-97.

Australian War Memorial Act—Australian War Memorial—Report for 1992-93.

Australian Wool Industry Council Act—Australian Wool Industry Council—Final report, for period 1 July to 30 November 1993.

Broadcasting Services Act—Australian Broadcasting Authority—Report for period 5 October 1992 to 30 June 1993.

Commonwealth Serum Laboratories Act—Commonwealth Serum Laboratories (CSL) Limited—Return for 1992-93.

Commonwealth Serum Laboratories (CSL) Limited—Report for 1992-93.

Copyright Act—

Collecting Society (Audio-Visual Copyright Society Ltd)—Report for 1992-93.

Copyright Agency Limited—Report for 1992-93.

Defence Force Remuneration Tribunal—8th report, for 1992-93.

Development Allowance Authority Act—Development Allowance Authority—Report for 1992-93.

Equal Employment Opportunity (Commonwealth Authorities) Act—Equal employment opportunity program—Australian Broadcasting Corporation—Report for 1992-93.

Family Law Act—Family Court of Australia—Report for 1992-93.

Government responses to parliamentary committee reports—Response, 16 December 1993, to the list tabled in the House of Representatives on 17 August 1993.

Great Barrier Reef Marine Park Authority—Managing multiple use in the coastal zone—A review of the Authority, 1993.

Human Rights and Equal Opportunity Commission Act—Human Rights and Equal Opportunity Commission—Report for 1992-93.

International Labour Organisation—International Labour Conference—Australian Delegation Report—80th session, Geneva, 2-22 June 1993.

Law Reform Commission Act—Law Reform Commission—Report for 1992-93.

- National Food Authority Act—National Food Authority—Report for 1992-93.
National Measurement Act—National Standards Commission—Report for 1992-93.
Pig Industry Act—Australian Pig Industry Policy Council—
Report for 1992-93.
Final report, for period 1 July to 19 September 1993.
Primary Industries and Energy Research and Development Act—Honeybee
Research and Development Council—Report for 1992-93.
Privacy Act—Privacy Commissioner—5th report, for 1992-93.
Public Service Act—
Attorney-General's Department—Report for 1992-93—Volumes 1 and 2.
Department of Foreign Affairs and Trade—Report for 1992-93.
Department of Transport and Communications—Report for 1992-93.
Public Service Commissioner—Report for 1992-93.
Special Broadcasting Service Act—Special Broadcasting Service Corporation
(SBS)—Report for 1992-93.
Stevedoring Industry Finance Committee Act—Stevedoring Industry Finance
Committee—Report for 1992-93.

15 PAPERS—MOTION TO TAKE NOTE OF PAPERS

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

- Aboriginal Land Rights (Northern Territory) Act—
Aboriginal Land Commissioner—Report for 1992-93.
Anindilyakwa Land Council—2nd report, for 1992-93.
ANL Act—ANL Limited—Report for 1992-93.
AUSCRIPT—Report for 1992-93.
Australian National Maritime Museum Act—Australian National Maritime
Museum—Report for 1992-93.
Australian Sports Commission Act—Australian Sports Commission—Strategic
plan 1994-97.
Australian Wool Industry Council Act—Australian Wool Industry
Council—Final report, for period 1 July to 30 November 1993.
Broadcasting Services Act—Australian Broadcasting Authority—Report for
period 5 October 1992 to 30 June 1993.
Copyright Act—
Collecting Society (Audio-Visual Copyright Society Ltd)—Report for 1992-93.
Copyright Agency Limited—Report for 1992-93.
Family Law Act—Family Court of Australia—Report for 1992-93.
Government responses to parliamentary committee reports—Response,
16 December 1993, to the list tabled in the House of Representatives on
17 August 1993.
Great Barrier Reef Marine Park Authority—Managing multiple use in the coastal
zone—A review of the Authority, 1993.

Human Rights and Equal Opportunity Commission Act—Human Rights and Equal Opportunity Commission—Report for 1992-93.

Law Reform Commission Act—Law Reform Commission—Report for 1992-93.

National Food Authority Act—National Food Authority—Report for 1992-93.

Privacy Act—Privacy Commissioner—5th report, for 1992-93.

Public Service Act—

Attorney-General's Department—Report for 1992-93—Volumes 1 and 2.

Department of Foreign Affairs and Trade—Report for 1992-93.

Department of Transport and Communications—Report for 1992-93.

Public Service Commissioner—Report for 1992-93.

Special Broadcasting Service Act—Special Broadcasting Service Corporation (SBS)—Report for 1992-93.

Stevedoring Industry Finance Committee Act—Stevedoring Industry Finance Committee—Report for 1992-93.

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

16 SUSPENSION OF STANDING AND SESSIONAL ORDERS—MOTION OF CENSURE OF THE MINISTER FOR THE ENVIRONMENT, SPORT AND TERRITORIES

Mr Costello moved—That so much of the standing and sessional orders be suspended as would prevent the Member for Higgins moving forthwith—That this House censures the Minister for the Environment, Sport and Territories for misleading this House and for failing to account for the administration of the Community Cultural, Recreational and Sporting Facilities Program.

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

17 MINISTER FOR THE ENVIRONMENT, SPORT AND TERRITORIES—MOTION OF CENSURE

Mr Costello moved—That this House censures the Minister for the Environment, Sport and Territories for misleading this House and for failing to account for the administration of the Community Cultural, Recreational and Sporting Facilities Program.

Debate ensued.

Closure: Mr Beazley (Leader of the House) moved—That the question be now put.

Question—That the question be now put—put and passed.

And the question—That the motion be agreed to—being accordingly put—

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

AYES, 61

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

NOES, 76

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

* Tellers

And so it was negatived.

18 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE— AUSTRALIAN QUARANTINE AND INSPECTION SERVICE

The House was informed that Mr Anderson had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The Government's failure to reform both the efficiency and culture of the Australian Quarantine and Inspection Service which is hampering Australia's competitiveness in world markets".

The proposed discussion having received the necessary support—

Mr Anderson rising to address the House—

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

Question—put and passed.

19 SELECTION COMMITTEE—REPORT

Mr Jenkins (Chairman) presented the following report:

Selection Committee—Report relating to the program of business prior to 12.30 p.m. on Thursday, 3 February 1994.

20 PUBLICATIONS COMMITTEE—6TH REPORT

Mr Fitzgibbon (Chairman) presented the following report:

PUBLICATIONS COMMITTEE 6TH REPORT

The Publications Committee reports that it has met in conference with the Publications Committee of the Senate.

The Committee, having considered petitions and documents presented to the Parliament since 24 November 1993, recommends that the following be printed:

Aboriginal Hostels Limited—Report for 1992-93.

Aboriginal Land Rights (Northern Territory) Act—

Aboriginal Land Commissioner—Report for 1992-93.

Anindilyakwa Land Council—2nd report, for 1992-93.

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

Affirmative Action (Equal Employment Opportunity for Women) Act—Affirmative Action Agency—Report for period 1 June 1992 to 31 May 1993.

ANL Act—ANL Limited—Report for 1992-93.

Archives Act—

Advisory Council on Australian Archives—Report for 1992-93.

Australian Archives—Report for 1992-93.

Australia Council Act—Australia Council—Report for 1992-93.

Australia-Japan Foundation Act—Australia-Japan Foundation—Report for 1992-93.

Australian Broadcasting Corporation Act—Australian Broadcasting Corporation—Report for 1992-93.

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

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

Australian Film, Television and Radio School Act—Australian Film, Television and Radio School—Report for 1992-93.

Australian Horticultural Corporation Act—Australian Horticultural Corporation—Report for 1992-93.

Australian Institute of Health and Welfare Act—Australian Institute of Health and Welfare—Report for 1992-93.

Australian Institute of Marine Science Act—Australian Institute of Marine Science—Report for 1992-93.

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

Australian Maritime Safety Authority Act—Australian Maritime Safety Authority—Report for 1992-93.

Australian Meat and Livestock Industry Policy Council Act—Australian Meat and Livestock Industry Policy Council—Report for 1992-93.

Australian National Maritime Museum Act—Australian National Maritime Museum—Report for 1992-93.

Australian National Railways Commission Act—Australian National Railways Commission (Australian National)—Report for 1992-93.

Australian National Training Authority Act—Australian National Training Authority—Report for period 21 December 1992 to 30 June 1993.

Australian Nuclear Science and Technology Organisation Act—

Australian Nuclear Science and Technology Organisation—Report for 1992-93.

Nuclear Safety Bureau—Report for 1992-93.

Australian Science and Technology Council Act—Australian Science and Technology Council—Report for 1992-93.

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

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

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

Australian Trade Commission Act—Australian Trade Commission (AUSTRADE)—Report for 1992-93.

Australian War Memorial Act—Australian War Memorial—Report for 1992-93.

Australian Wool Corporation Act—Australian Wool Corporation—Report for 1992-93.

Australian Wool Industry Council Act—Australian Wool Industry Council—
2nd report, for 1992-93.

Final report, for period 1 July to 30 November 1993.

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

Broadcasting Services Act—Australian Broadcasting Authority—Report for period 5 October 1992 to 30 June 1993.

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

Commissioner of Taxation—Report for 1992-93.

Commonwealth Electoral Act—Australian Electoral Commission—Report for 1992-93.

Commonwealth Serum Laboratories Act—Commonwealth Serum Laboratories (CSL) Limited—Return for 1992-93.

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

Copyright Act—

Collecting Society (Audio-Visual Copyright Society Ltd)—Report for 1992-93.

Copyright Agency Limited—Report for 1992-93.

Criminology Research Act—

Australian Institute of Criminology—21st report, for 1992-93.

Criminology Research Council—21st report, for 1992-93.

Development Allowance Authority Act—Development Allowance Authority—Report for 1992-93.

Director of Public Prosecutions Act—Commonwealth Director of Public Prosecutions—Report for 1992-93.

Employment, Education and Training Act—National Board of Employment, Education and Training—Report for 1992-93.

Environment Protection (Alligator Rivers Region) Act—Supervising Scientist for the Alligator Rivers Region—Report for 1992-93.

Exotic Animal Disease Control Act—Exotic Animal Disease Preparedness Consultative Council (EXANDIS)—Report for 1992-93.

Family Law Act—Australian Institute of Family Studies—Report for 1992-93.

Federal Airports Corporation Act—Federal Airports Corporation—Report for 1992-93.

Federal Court of Australia Act—Federal Court of Australia—Report for 1992-93.

Fisheries Administration Act—Australian Fisheries Management Authority—Report for 1992-93.

Freedom of Information Act—Report for 1992-93.

Great Barrier Reef Marine Park Act—Great Barrier Reef Marine Park Authority—Report for 1992-93.

Health Insurance Commission Act—Health Insurance Commission—Report for 1992-93.

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

Horticultural Research and Development Corporation Act—Horticultural Research and Development Corporation—Report for 1992-93.

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

Housing Loans Insurance Act—Housing Loans Insurance Corporation—29th report, for 1992-93.

Human Rights and Equal Opportunity Commission Act—

Aboriginal and Torres Strait Islander Social Justice Commission—Report for period 13 January-30 June 1993.

Human Rights and Equal Opportunity Commission—

Federal Race Discrimination Commissioner—Report—State of the Nation: People of non-English speaking background, 1993.

Report for 1992-93.

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

Industry Commission Act—Industry Commission—

Report for 1992-93.

Report No. 32—Adding further value to Australia's forest products, 15 September 1993.

Industrial Relations Act—

Australian Industrial Registry—Report for 1992-93.

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.

Insurance and Superannuation Commission—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.

Law Reform Commission Act—Law Reform Commission—Report for 1992-93.

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

Merit Protection (Australian Government Employees) Act—Merit Protection and Review Agency—Report for 1992-93.

Murray-Darling Basin Act—Murray-Darling Basin Commission—Report for 1992-93.

National Crime Authority Act—National Crime Authority—Report for 1992-93.

National Food Authority Act—National Food Authority—Report for 1992-93.

National Gallery Act—National Gallery of Australia—Report for 1992-93.

National Health Act—Private Health Insurance Administration Council—Operations of the Registered Health Benefits Organisations—Report for 1992-93.

National Museum of Australia Act—National Museum of Australia—Report for 1992-93.

National Occupational Health and Safety Commission Act—National Occupational Health and Safety Commission (Worksafe Australia)—Report for 1992-93.

National Rail Corporation Agreement Act—National Rail Corporation Limited—Report for period 5 April to 30 June 1993.

Nuclear Non-Proliferation (Safeguards) Act—Australian Safeguards Office—Report for 1992-93.

Papua New Guinea (Staffing Assistance) Act—Commissioner for Superannuation—Papua New Guinea Superannuation Scheme and certain other schemes—Report for 1992-93.

Parliamentary Counsel Act—Office of Parliamentary Counsel—Report for 1992-93.

Pig Industry Act—

Australian Pig Industry Policy Council—

Report for 1992-93.

Final report, for period 1 July to 19 September 1993.

Australian Pork Corporation—Report for 1992-93.

Pipeline Authority Act—Pipeline Authority—Report for 1992-93.

Pooled Development Funds Act—Pooled Development Funds Registration Board—Report for 1992-93.

Poultry Industry Assistance Act—Report for 1992-93.

Prices Surveillance Act—Prices Surveillance Authority—Report for 1992-93.

Primary Industries and Energy Research and Development Act—

Chicken Meat Research and Development Council—Report for 1992-93.

Egg Industry Research and Development Council—Report for 1992-93.

Energy Research and Development Corporation—Report for 1992-93.

Fisheries Research and Development Corporation—Report for 1992-93.

Grains Research and Development Corporation—Report for 1992-93.

Grape and Wine Research and Development Corporation—Report for 1992-93.

Honeybee Research and Development Council—Report for 1992-93.

Pig Research and Development Corporation—Report for 1992-93.

Rural Industries Research and Development Corporation and Rural Industries Research and Development Corporation Selection Committee—Report for 1992-93.

Sugar Research and Development Corporation—Report for 1992-93.

Wool Research and Development Corporation—Report for 1992-93.

Privacy Act—Privacy Commissioner—5th report, for 1992-93.

Public Lending Right Act—Public Lending Right Committee—Report for 1992-93.

Public Service Act—

Attorney-General's Department—Report for 1992-93—Volumes 1 and 2.

Defence report for 1992-93.

Department of Foreign Affairs and Trade—Report for 1992-93.

Department of Health, Housing, Local Government and Community Services—Report, including a report on the administration and operation of the First Home Owners Act, information on the transfer of nursing education from hospitals to tertiary education institutions pursuant to the States Grants (Nurse Education Transfer Assistance) Act and on the Commonwealth Rehabilitation Service and Therapeutic Goods Administration, for 1992-93.

Department of Immigration and Ethnic Affairs—Report, including a report on the Adult Migrant English Program pursuant to the Immigration (Education) Act and a return pursuant to the Australian Citizenship Act, for 1992-93.

Department of Industrial Relations—Report, incorporating a report on the operation of Part V of the Industrial Relations Act, for 1992-93.

Department of Industry, Technology and Regional Development—Report for 1992-93.

Department of Primary Industries and Energy—Report for 1992-93.

Department of the Arts and Administrative Services—Report for 1992-93—

Volume 1—Program reports and appendixes.

Volume 2—Financial statements.

Corrigenda

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

Department of the Treasury—Report for 1992-93.

Department of Tourism—Report for 1992-93.

Department of Transport and Communications—Report for 1992-93.

- Joint House Department—Report for 1992-93.
- Public Service Commissioner—Report for 1992-93.
- Royal Australian Mint—Report for 1992-93.
- Remuneration Tribunal Act—Remuneration Tribunal—Report for 1992-93.
- Resource Assessment Commission Act—Resource Assessment Commission—Coastal Zone inquiry—Final report, November 1993.
- Rural Adjustment Act—Rural Adjustment Scheme Advisory Council and Rural Adjustment Scheme—Report for period 1 January to 30 June 1993.
- Safety, Rehabilitation and Compensation Act—Comcare Australia and Commission for the Safety, Rehabilitation and Compensation of Commonwealth Employees—Report for 1992-93.
- Science and Industry Research Act—Commonwealth Scientific and Industrial Research Organisation—Report for 1992-93.
- Snowy Mountains Hydro-electric Power Act—Snowy Mountains Council—Report for 1992-93.
- Social Security Act—Social Security Appeals Tribunal—Report for 1992-93.
- Social Security Act and Public Service Act—Department of Social Security—Report for 1992-93.
- Special Broadcasting Service Act—Special Broadcasting Service Corporation (SBS)—Report for 1992-93.
- States Grants (Schools Assistance) Act 1988*—Report on financial assistance granted to each State in respect of 1992.
- Stevedoring Industry Finance Committee Act—Stevedoring Industry Finance Committee—Report for 1992-93.
- Telecommunications Act 1991*—Australian Telecommunications Authority (AUSTEL)—Report for 1992-93.
- Textiles, Clothing and Footwear Development Authority Act—Textiles, Clothing and Footwear Development Authority—Report for 1992-93.
- Trade Union Training Authority Act—Trade Union Training Authority—Report for 1992-93.
- Veterans' Entitlements Act and Public Service Act—Reports of the Repatriation Commission and the Department of Veterans' Affairs for 1992-93—

Volume 1—Reports.

Volume 2—Repatriation Hospitals.

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

ERIC FITZGIBBON
Chairman

16 December 1993

Mr Fitzgibbon, by leave, moved—That the report be agreed to.

Question—put and passed.

21 MEMBERS' INTERESTS COMMITTEE—PAPER

Mr Grace (Chairman) presented the following paper:

Committee of Members' Interests—Register of Members' Interests for the 37th Parliament—Notifications of alterations of interests received during the period 30 September to 15 December 1993.

22 MESSAGE FROM THE SENATE—INDUSTRIAL RELATIONS REFORM BILL 1993

The following message from the Senate was reported:

Message No. 161

Mr Speaker,

The Senate returns to the House of Representatives the bill for "*An Act to amend the 'Industrial Relations Act 1988', the 'Trade Practices Act 1974' and certain other Acts, and for related purposes*", and acquaints the House that the Senate has agreed to the bill with the amendments indicated by the annexed schedule, in which amendments the Senate requests the concurrence of the House of Representatives.

KERRY SIBRAA
President

The Senate,

Canberra, 14 December 1993

Ordered—That the amendments be taken into consideration, in committee of the whole House, forthwith.

In the committee

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE

- No. 1—Clause 4, page 3, proposed paragraph 3(g), line 2, after "colour, sex," insert "sexual preference, age, physical or mental disability,".
- No. 2—Clause 7, page 3, proposed paragraph 88A(a), lines 20 to 26, omit the paragraph, substitute the following paragraph:
 "(a) employees are protected by awards that set fair and enforceable minimum wages and conditions of employment that are maintained at a relevant level; and".
- No. 3—Clause 10, page 4, line 16, after "**Part**" insert "**and Part VIC**".
- No. 4—Clause 10, page 4, proposed subsection 90AA(1), line 17, after "**Part**" insert "**and Part VIC**".
- No. 5—Clause 10, page 4, proposed subsection 90AA(1), line 19, after "**Part**" insert "**and Part VIC**".
- No. 6—Clause 12, page 5, paragraph (a), proposed subsection 111(1AA), line 10, before "(iii)" insert "(i), (ii) or".
- No. 7—Clause 12, page 5, paragraph (b), at end of proposed subsection 111(1D) add the following word and paragraph:
 "; or (c) making such an award will facilitate the approval under Division 3 of Part VIB of an agreement covering employees who are not already covered by an award".
- No. 8—After clause 12, page 6, insert the following clause:
Repeal of limitation on Commission's power to remove sex discrimination
 "12A. Subsection 113(2B) of the Principal Act is repealed."

No. 9—Clause 15, line 27 (page 7) to line 26 (page 8) omit the clause.

No. 10—Clause 17, page 9, after proposed paragraph 150A(2)(a) insert the following paragraph:

“(ab) the award contains a provision which discriminates against an employee because of, or for reasons including, race, colour, sex, sexual preference, age, physical or mental disability, marital status, family responsibilities, pregnancy, religion, political opinion, national extraction or social origin;”.

No. 11—Clause 17, page 9, after proposed paragraph 150A(2)(d) insert the following paragraph:

“(e) the award prescribes matters in unnecessary detail;”.

No. 12—Clause 21, page 12, after proposed subsection 170AE(4) insert the following subsection:

“(4A) Before making an order, the Commission must give each of the following an opportunity, as prescribed, to be heard in relation to the making of the order:

- (a) the person who applied for the order;
- (b) each employer of employees to be covered by the order.”.

No. 13—Clause 21, page 16, after proposed subsection 170CA(1) insert the following subsection:

“(1A) Without limiting subsection (1), the references in paragraph 170DF(1)(e) to sexual preference, age and physical or mental disability, have been included in order to give effect, or further effect, to:

- (a) the Convention concerning Discrimination in respect of Employment and Occupation, a copy of the English text of which is set out in Schedule 1 to the *Human Rights and Equal Opportunity Commission Act 1986*; and
- (b) the Recommendation referred to in paragraph 170BA(c).”.

No. 14—Clause 21, page 17, at end of proposed section 170DB add the following subsections:

“(4) The amount of compensation instead of notice must equal or exceed the total of all amounts that, if the employee’s employment had continued until the end of the required period of notice, the employer would have become liable to pay to the employee because of the employment continuing during that period.

“(5) That total must be worked out on the basis of:

- (a) the employee’s ordinary hours of work (even if they are not standard hours); and
- (b) the amounts payable to the employee in respect of those hours, including (for example) allowances, loadings and penalties; and
- (c) any other amounts payable under the employee’s contract of employment.”.

No. 15—Clause 21, page 18, after proposed paragraph 170DF(1)(b) insert the following paragraph:

“(ba) non-membership of a union or of an association that has applied to be registered as a union under the provisions of this Act;”.

No. 16—Clause 21, page 18, proposed paragraph 170DF(1)(e), line 26, after “colour, sex,” insert “sexual preference, age, physical or mental disability,”.

No. 17—Clause 21, page 18, at end of proposed section 170DF add the following subsection:

“(3) Subsection (1) does not prevent a matter referred to in paragraph (1)(e) from being a reason for terminating a person’s employment as a member of the staff of an institution that is conducted in accordance with the doctrines, tenets, beliefs or teachings of a particular religion or creed, if the employer terminates the employment in good faith in order to avoid injury to the religious susceptibilities of adherents of that religion or creed.”.

No. 18—Clause 21, page 26, at end of clause add the following Division:

“Division 6—Leave to care for immediate family

Commission to consider and make recommendations about carer’s leave

“ ‘170KAA.(1) This section applies unless an application is made by 1 March 1994 to the Commission for a test case to establish entitlements for employees to leave of absence to provide care or support for a member of the employee’s immediate family who is ill.

‘(2) As soon as practicable after 1 March 1994, the Commission must conduct a hearing to determine the circumstances in which such leave should be granted, the persons to whom it should be granted and the entitlements which should be provided in relation to such leave to give effect, or further effect, to the Family Responsibilities Convention and the Workers with Family Responsibilities Recommendation.

‘(3) The Commission must after making such a determination provide the Minister, as soon as practicable, with recommendations for legislation to give effect to the determination.”.

No. 19—Clause 26, page 27, paragraph (c), after proposed definition of **“industrial situation”** insert the following definitions:

“ **‘paid rates dispute’** has the meaning given by paragraph 170TA(1)(b);
‘paid rates functions and powers’ has the meaning given by subsection 170TA(1);”.

No. 20—Clause 27, line 37 (page 27) to line 4 (page 28), omit the clause, substitute the following clause:

“**27.** Section 95 of the Principal Act is repealed and the following section is substituted:

No automatic flow-on of terms of certain awards and agreements

‘95.(1) The Commission does not have power:

- (a) to include terms in an award that are based on the terms of a certified agreement or of an enterprise flexibility agreement; or
- (b) to include terms in an award that are based on the terms of a paid rates award;

unless the Commission is satisfied that including the terms in the award:

- (c) would not be inconsistent with principles established by a Full Bench that apply in relation to determining wages and conditions of employment; and
- (d) would not be otherwise contrary to the public interest.

‘(2) In this section:

“award” does not include a certified agreement or an enterprise flexibility agreement.’.”.

No. 21—Clause 31, page 34, proposed subsection 170MD(5), line 31, after “colour, sex,” insert “sexual preference, age, physical or mental disability.”

No. 22—Clause 31, page 34, after proposed subsection 170MD(5) insert the following subsection:

“ (5A) Subsection (5) does not apply in so far as a provision:

- (a) discriminates, in respect of particular employment, based on the inherent requirements of that employment; or
- (b) discriminates:
 - (i) in connection with employment as a member of the staff of an institution that is conducted in accordance with the doctrines, tenets, beliefs or teachings of a particular religion or creed; and
 - (ii) in good faith in order to avoid injury to the religious susceptibilities of adherents of that religion or creed.”

No. 23—Clause 31, page 35, after proposed section 170MF insert the following section:

Commission to protect interests of certain employees

“ 170MFA.(1) The Commission must comply with this section in performing its functions and exercising its powers in relation to an application to certify an agreement.

‘(2) The Commission must identify the employees (“**relevant employees**”), if any, who are covered by the agreement but whose interests may not have been sufficiently taken into account in the negotiations for, or the terms of, the agreement. Examples of employees whose interests may not have been so taken into account are:

- (a) women;
- (b) persons whose first language is not English;
- (c) young persons.

‘(3) For the purposes of deciding whether it is satisfied as mentioned in paragraphs 170MC(1)(e) and (f), the Commission must do whatever is necessary to find out:

- (a) whether:
 - (i) the relevant employees were consulted about the agreement, and informed about the matters referred to in subparagraphs 170MC(1)(f)(i) and (iv); and
 - (ii) the matters referred to in subparagraphs 170MC(1)(f)(ii) and (iii) were explained to the relevant employees;
 in ways that were appropriate having regard to their particular circumstances and needs; and
- (b) whether the effects on the relevant employees of the terms of the agreement were properly explained to those employees.

‘(4) If it considers that there has been a failure to consult or explain as mentioned in subsection (3), the Commission must make whatever orders it thinks necessary to remedy the failure and its effects.”

No. 24—Clause 31, page 37, proposed subsection 170MI(4), line 20, omit “by order terminate the agreement”, substitute “refuse to approve the extension”.

No. 25—Clause 31, page 39, after proposed subsection 170ML(2) insert the following subsection:

“ ‘(2A) A Full Bench must, within 3 years of the date on which a certified agreement continues in force because of subsection 170MH(3), and within each subsequent period of 3 years, review the operation of the agreement after giving the parties to the agreement an opportunity to be heard.”.

No. 26—Clause 31, page 41, proposed subsection 170NB(2), lines 12 to 16, omit the subsection, substitute the following subsection:

“ ‘(2) As soon as practicable after the application is made, the Commission must publish a notice, as prescribed, that the application has been made.”.

No. 27—Clause 31, page 42, proposed subparagraph 170NC(1)(f)(i), line 2, omit “provides”, substitute “establishes a process”.

No. 28—Clause 31, page 42, proposed paragraph 170NC(1)(g), line 10, omit “the terms proposed to be included in”.

No. 29—Clause 31, page 44, after proposed subsection 170ND(7) insert the following subsection:

“ ‘(7A) Subsection (7) does not apply in relation to an organisation if the employer could not reasonably be expected to have known at, or within a reasonable period after the time when negotiations for the agreement began, that the organisation was an eligible union at that time.”.

No. 30—Clause 31, page 44, proposed subsection 170ND(9), line 14, after “colour, sex,” insert “sexual preference, age, physical or mental disability,”.

No. 31—Clause 31, page 44, at end of proposed section 170ND add the following subsection:

- “ ‘(10) Subsection (9) does not apply in so far as a provision:
- (a) discriminates, in respect of particular employment, based on the inherent requirements of that employment; or
 - (b) discriminates:
 - (i) in connection with employment as a member of the staff of an institution that is conducted in accordance with the doctrines, tenets, beliefs or teachings of a particular religion or creed; and
 - (ii) in good faith in order to avoid injury to the religious susceptibilities of adherents of that religion or creed.”.

No. 32—Clause 31, page 45, after proposed section 170NF insert the following section:

Commission to protect interests of certain employees

“ ‘170NFA.(1) The Commission must comply with this section in performing its functions and exercising its powers in relation to an application to approve implementation of an agreement.

‘(2) The Commission must identify the employees (“**relevant employees**”), if any, who are covered by the agreement but whose interests may not have been sufficiently taken into account in the negotiations for, or the terms of, the agreement. Examples of employees whose interests may not have been so taken into account are:

- (a) women;
- (b) persons whose first language is not English;
- (c) young persons.

‘(3) For the purposes of deciding whether it is satisfied as mentioned in paragraphs 170NC(1)(g) and (h), the Commission must do whatever is necessary to find out:

- (a) whether:
 - (i) the relevant employees were consulted about the agreement, and informed about the matters referred to in subparagraphs 170NC(1)(h)(i) and (iv); and
 - (ii) the matters referred to in subparagraphs 170NC(1)(h)(ii) and (iii) were explained to the relevant employees;
 - in ways that were appropriate having regard to their particular circumstances and needs; and
- (b) whether the effects on the relevant employees of the terms of the agreement were properly explained to those employees.

‘(4) If it considers that there has been a failure to consult or explain as mentioned in subsection (3), the Commission must make whatever orders it thinks necessary to remedy the failure and its effects.’.

No. 33—Clause 31, page 48, after proposed subsection 170NM(2) insert the following subsection:

“ ‘(2A) A Full Bench must, within 3 years of the date on which an enterprise flexibility agreement continues in force because of subsection 170NI(3), and within each subsequent period of 3 years, review the operation of the agreement after giving the parties to the agreement an opportunity to be heard.’.

No. 34—Clause 31, pages 49 and 50, proposed section 170NO, line 21 (page 49) to line 3 (page 50), omit the section, substitute the following section:

Eligible union may agree to be bound by enterprise flexibility agreement

“ ‘170NO.(1) If:

- (a) an employer has made an agreement under this Division; and
- (b) the Commission has not yet approved implementation of the agreement (whether or not an application for approval has been made);

an eligible union may, by written notice given to the employer, agree to be bound by the agreement if and when the Commission approves its implementation.

‘(2) If:

- (a) a variation of an agreement made under this Division is proposed; or
- (b) an agreement made under this Division has been varied but the variation has not yet taken effect;

an eligible union may, by written notice given to the employer:

- (c) if the union is already bound by the agreement — agree to be bound by the variation if and when it takes effect; or
- (d) otherwise—agree to be bound by the agreement as varied if and when the variation takes effect.

This subsection applies whether or not a previous variation of the agreement has taken effect.

‘(3) While an enterprise flexibility agreement is in force because of subsection 170NI(3), an eligible union may, by written notice given to the employer, agree to be bound by the agreement on and after a day specified in the notice. This subsection applies whether or not a variation of the agreement has taken effect.

‘(4) A notice under subsection (1), (2) or (3) cannot be revoked.

‘(5) An eligible union that has agreed as mentioned in subsection (1), paragraph (2)(d) or subsection (3) is bound accordingly.

‘(6) However, after a variation (however made) of the agreement takes effect, or a further such variation takes effect, as the case requires, the union:

- (a) is no longer bound by the agreement as in force before the variation or further variation took effect; and
- (b) is not bound by the agreement as varied unless, before the variation or further variation took effect, the union agreed under subsection (2) to be bound by the variation or further variation.

‘(7) Subsection (6) does not apply to a variation made under subsection 113(2) or (2A). If, immediately before such a variation of the agreement takes effect, the union is still bound by the agreement, the union is bound by the agreement as varied.’.

No. 35—Clause 31, page 53, proposed section 170PH, lines 7 to 21, omit the section, substitute the following section:

72 hours’ notice of action to be given

“ ‘170PH.(1) Any action taken as mentioned in subsection 170PG(2) by an organisation of employees, a member of such an organisation, or an officer or employee of such an organisation acting in that capacity, is not protected action unless at least 72 hours’ written notice of the intention to take the action has been given by the organisation to the other negotiating party or each of the other negotiating parties.

‘(2) Any action taken as mentioned in subsection 170PG(3) by the employer to lock out employees from their employment:

- (a) is not protected action unless at least 72 hours’ written notice of the intended lockout has been given by the employer to the other negotiating party or each of the other negotiating parties; and
- (b) is not protected action in so far as it relates to a particular employee unless, at least 72 hours before the lockout begins, the employer has given written notice to the employee, or has taken other reasonable steps to notify the employee, of the intended lockout.

‘(3) A written notice or other notification under this section must state the nature of the intended action and the day when it will begin.

‘(4) A written notice or other notification under this section may be given before the start of the bargaining period.’.

No. 36—Clause 31, pages 58 and 59, proposed section 170QD, line 34 (page 58) to line 5 (page 59), omit the section, substitute the following section:

Exercise of Bargaining Division’s functions and powers by other Commission members

“ ‘170QD.(1) The President may make available a member of the Commission to perform or exercise all or any of the Bargaining Division’s functions and powers, as the President thinks fit.

‘(2) The President may, under subsection (1), make a member of the Commission available to perform or exercise functions and powers of the Bargaining Division either generally or as the President otherwise specifies.

‘(3) The President must exercise the power under subsection (1) by written declaration.’.

No. 37—Clause 31, page 59, proposed subsection 170QG(1), line 25, after “only” insert “as provided by Part VIC or”.

No. 38—Clause 31, page 63, at end of clause add the following section:

Annual report about developments in bargaining at the enterprise and workplace levels

“ ‘170RC.(1) For each reporting period, the Minister must cause a person to review and to report to the Minister in writing about:

- (a) developments in Australia during that period in bargaining at the enterprise and workplace levels for the making of agreements under this Part; and
- (b) in particular, the effects that such bargaining has had in Australia during that period on the employment (including wages and conditions of employment) of women, part-time employees and immigrants.

‘(2) In subsection (1):

“**reporting period**” means:

- (a) the period beginning at the commencement of this Part and ending on 31 December 1994; or
- (b) a calendar year ending on or after 31 December 1995.

‘(3) The person who reviews and reports for a period as mentioned in subsection (1) must be someone who, in the Minister’s opinion, is suitably qualified and appropriate to do so.

‘(4) The person preparing a report under this section must give it to the Minister as soon as practicable, and in any event within 6 months, after the end of the period to which it relates.

‘(5) The Minister must cause a copy of a report under this section to be laid before each House of the Parliament within 15 sitting days of that House after the Minister receives the report.

‘(6) Subsections 34C(4) to (7) of the *Acts Interpretation Act 1901* apply to a report under this section as if it were a periodic report as defined in subsection 34C(1) of that Act.’.

No. 39—Clause 31, page 63, at end of clause add the following Part:

“PART VIC—PAID RATES AWARDS

‘Division 1—Objects of Part

Objects

‘170SA. The objects of this Part are to ensure that:

- (a) in appropriate cases, employees are protected by paid rates awards that set fair and enforceable wages and conditions of employment that are maintained at a relevant level; and
- (b) paid rates awards are suited to the efficient performance of work according to the needs of particular industries and enterprises, while employees’ interests are also properly taken into account.

'Division 2—Role of the Bargaining Division**Paid rates functions and powers**

'170TA.(1) Subject to this Part, the Bargaining Division is to perform and exercise:

- (a) the Commission's functions and powers in relation to making, varying, suspending or cancelling a paid rates award, or varying an award so that it becomes a paid rates award; and
- (b) the Commission's functions and powers in relation to an industrial dispute ("a **paid rates dispute**") that is required to be, or has been, referred under section 170TB and has not since been referred under section 170TC; and
- (c) the Commission's functions and powers under this Part; and
- (d) any other functions and powers of the Commission in relation to a paid rates award.

These are called the **paid rates functions and powers**.

'(2) The paid rates functions and powers are distinct from, and do not form part of, the Bargaining Division's functions and powers as defined by subsection 170QB(1).

'(3) However, subsections 108(2A) and 170QB(2) and (3) and sections 170QD, 170QE and 170QF apply to the paid rates functions and powers in the same way as they apply to the Bargaining Division's functions and powers as so defined.

Certain disputes to be referred to Bargaining Division

'170TB.(1) If, at any time after:

- (a) an alleged industrial dispute is notified under section 99; or
- (b) the relevant Presidential Member otherwise becomes aware of the existence of an alleged industrial dispute;

the relevant Presidential Member, or any other member of the Commission who is dealing with the alleged industrial dispute, considers that, except so far as the dispute may be settled by the making of an agreement under Part VIB, settlement of the dispute may involve performing or exercising any of the paid rates functions and powers (except those covered by paragraph 170TA(1)(b)), the relevant Presidential Member or other member must refer the dispute to the Vice President assigned to the Bargaining Division.

'(2) Subsection (1) applies even if the dispute has been so referred before and has since been referred under section 170TC.

'(3) This section does not affect the validity of any act or decision.

Certain disputes to be referred back to relevant Presidential Member

'170TC.(1) The member of the Commission who is dealing with a paid rates dispute must consult the Vice President assigned to the Bargaining Division if the member is of the opinion that settlement of the dispute will not involve performing or exercising any of the paid rates functions and powers (except those covered by paragraph 170TA(1)(b) or conferred by this section).

'(2) If the Vice President assigned to the Bargaining Division is of the same opinion, the member must refer the dispute to the relevant Presidential Member.

'(3) This section does not affect the validity of any act or decision.

‘Division 3—Making, varying and cancelling paid rates awards**Commission to consider whether paid rates dispute should be settled by an agreement under Part VIB**

‘170UA. The Commission must not make an award in relation to a paid rates dispute unless satisfied that:

- (a) it is more appropriate to make the award than for the matters that would be dealt with by the award to be dealt with by an agreement under Part VIB; or
- (b) there is no reasonable prospect of those matters being dealt with by such an agreement.

Making or varying paid rates awards

‘170UB.(1) This section applies if:

- (a) the Commission proposes to make a new award covering, or to vary an existing award so as to cover, employees of a particular kind in an industry carried on by employers; and
- (b) the wages and conditions of employees of that kind in that industry, in so far as they have customarily been determined by an award or a State award, have customarily been determined by a paid rates award or a State award in the nature of a paid rates award.

‘(2) The Commission must make the new award as a paid rates award, or must vary the existing award so as to be a paid rates award, in so far as it determines wages and conditions of employment, of employees of that kind in that industry, that have customarily been determined by a paid rates award or a State award in the nature of a paid rates award.

‘(3) However, the Commission need not do so in so far as:

- (a) the Commission is satisfied that it would be against the public interest; or
- (b) each of the parties to the proposed award, or to the award as proposed to be varied, has consented to the award not being a paid rates award.

Note: Section 170PP also provides for when a new award is to be made as a paid rates award, or an existing award is to be varied so as to be a paid rates award.

Commission to maintain existing paid rates awards

‘170UC.(1) The Commission must maintain existing paid rates awards, and vary them from time to time, as appropriate having regard to the objects of this Part and the Commission’s duty under subsection 90AA(2). However, the Commission need not do so in so far as the Commission is satisfied that it is against the public interest.

‘(2) Paragraph 90AA(2)(a) does not require the Commission to ensure that paid rates awards are consistent with awards that are not paid rates awards.

Party acting inconsistently with award’s status as a paid rates award

‘170UD. The Commission may:

- (a) cancel a paid rates award and replace it with an award that is not a paid rates award; or
- (b) vary a paid rates award so that it stops being a paid rates award;

if the Commission is satisfied, after giving the parties to the award an opportunity to be heard, that such a party has acted in a way that is so inconsistent with the award as to make it inappropriate for the award to continue as a paid rates award.

Paid rates awards to be identified as such

'170UE.(1) The Commission must include in a new paid rates award a statement that the award is a paid rates award.

'(2) If the Commission:

- (a) varies an existing paid rates award; or
- (b) varies an existing award so that it becomes a paid rates award;

the Commission must include in the varied award a statement that the award is a paid rates award, unless the award already contains such a statement.

'(3) If the Commission varies an award so that it stops being a paid rates award, the Commission must remove from the award the statement included under subsection (1) or (2).

'(4) This section does not affect the validity of an award or variation.'".

No. 40—Clause 32, page 63, paragraph (a), proposed subparagraph 178(4)(a)(iia), lines 18 and 19, omit "made or varied as mentioned in section 170PP," substitute "that states that it is a paid rates award,".

No. 41—Clause 32, page 63, paragraph (a), proposed subparagraph 178(4)(a)(iib), lines 24 and 25, omit "made or varied as mentioned in section 170PP," substitute "that states that it is a paid rates award,".

No. 42—Part 9, line 29 (page 134) to line 29 (page 136), omit the Part.

Mr Brereton (Minister for Industrial Relations) moved—That the amendments be agreed to.

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

AYES, 75

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

NOES, 60

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

* Tellers

And so it was resolved in the affirmative.

And the question—That the amendments be agreed to—was put accordingly, and passed.

Resolution to be reported.

The House resumed; Mr Snow reported accordingly.

On the motion of Mr Brereton, the House adopted the report.

23 ALTERATION OF DAY OF NEXT MEETING

Mr Beazley (Leader of the House) moved—That the House, at its rising, adjourn until tomorrow at 10 a.m.

24 SUSPENSION OF STANDING AND SESSIONAL ORDERS—BUSINESS FOR 17 DECEMBER 1993

Mr Beazley (Leader of the House), pursuant to notice, moved—That:

- (1) so much of the standing and sessional orders be suspended as would prevent the business for consideration on Friday, 17 December 1993, unless otherwise ordered, being as follows:
 - (a) Ministerial statements.
 - (b) Messages from the Senate returning or transmitting legislation.
 - (c) Notices and orders of the day, government business.
 - (d) Committee and delegation reports, order of the day for the resumption of debate on the motion to take note of the report of the Standing Committee on Procedure on reforming the House of Representatives.
 - (e) Presentation of papers.
 - (f) Any motions for a special adjournment of the House or for leave of absence to all Members; and
- (2) standing order 101A (interruption for question time) be suspended for any sitting on Friday, 17 December 1993.

Debate ensued.

Mr Slipper addressing the House—

Closure: Mr Beazley (Leader of the House) moved—That the question be now put.

Question—That the question be now put—put and passed.

And the question—That the motion be agreed to—being accordingly put—

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

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

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

* Tellers

And so it was resolved in the affirmative.

25 AGRICULTURAL AND VETERINARY CHEMICALS BILL 1993

Mr Punch (Parliamentary Secretary to the Minister for Defence), for Mr Crean (Minister for Primary Industries and Energy), pursuant to notice, presented a Bill for an Act to make a law for the government of certain Territories in relation to the evaluation, registration and control of agricultural and veterinary chemical products, and for related purposes.

Bill read a first time.

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

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

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

26 AGRICULTURAL AND VETERINARY CHEMICALS CODE BILL 1993

Mr Punch (Parliamentary Secretary to the Minister for Defence) presented a Bill for an Act to make provision for the evaluation, registration and control of agricultural and veterinary chemical products, and for related matters, for the purposes of the *Agricultural and Veterinary Chemicals Act 1993*.

Bill read a first time.

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

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

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

27 AGRICULTURAL AND VETERINARY CHEMICALS (CONSEQUENTIAL AMENDMENTS) BILL 1993

Mr Punch (Parliamentary Secretary to the Minister for Defence), for Mr Crean (Minister for Primary Industries and Energy), pursuant to notice, presented a Bill for an Act to amend the *Agricultural and Veterinary Chemicals (Administration) Act 1992* and the *Copyright Act 1968*.

Bill read a first time.

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

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

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

28 AGRICULTURAL AND VETERINARY CHEMICAL PRODUCTS (COLLECTION OF LEVY) BILL 1993

Mr Punch (Parliamentary Secretary to the Minister for Defence) presented a Bill for an Act to provide for the collection of a levy on agricultural and veterinary chemical products, and for related purposes.

Bill read a first time.

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

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

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

29 AGRICULTURAL AND VETERINARY CHEMICAL PRODUCTS LEVY IMPOSITION (EXCISE) BILL 1993

Mr Punch (Parliamentary Secretary to the Minister for Defence) presented a Bill for an Act to impose the levy payable under the *Agricultural and Veterinary Chemical Products (Collection of Levy) Act 1993*, so far as that levy is a duty of excise.

Bill read a first time.

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

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

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

30 AGRICULTURAL AND VETERINARY CHEMICAL PRODUCTS LEVY IMPOSITION (CUSTOMS) BILL 1993

Mr Punch (Parliamentary Secretary to the Minister for Defence) presented a Bill for an Act to impose the levy payable under the *Agricultural and Veterinary Chemical Products (Collection of Levy) Act 1993*, so far as that levy is a duty of customs.

Bill read a first time.

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

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

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

31 AGRICULTURAL AND VETERINARY CHEMICAL PRODUCTS LEVY IMPOSITION (GENERAL) BILL 1993

Mr Punch (Parliamentary Secretary to the Minister for Defence) presented a Bill for an Act to impose the levy payable under the *Agricultural and Veterinary Chemical Products (Collection of Levy) Act 1993*, so far as that levy is neither a duty of customs nor a duty of excise.

Bill read a first time.

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

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

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

32 OFFSHORE MINERALS BILL 1993

Mr Lee (Minister for Resources), pursuant to notice, presented a Bill for an Act relating to exploration for, and the recovery of, minerals (other than petroleum) in certain offshore areas, and for related purposes.

Bill read a first time.

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

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

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

33 OFFSHORE MINERALS (CONSEQUENTIAL PROVISIONS) BILL 1993

Mr Lee (Minister for Resources), pursuant to notice, presented a Bill for an Act to repeal the *Minerals (Submerged Lands) Act 1981* and to make consequential amendments necessary as a result of the transition to the *Offshore Minerals Act 1993*, and for related purposes.

Bill read a first time.

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

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

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

34 OFFSHORE MINERALS (RETENTION LICENCE FEES) BILL 1993

Mr Lee (Minister for Resources), by leave, presented a Bill for an Act to provide for the payment of fees for retention licences issued under the *Offshore Minerals Act 1993*.

Bill read a first time.

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

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

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

35 MINERALS (SUBMERGED LANDS) (ROYALTY) AMENDMENT BILL 1993

Mr Lee (Minister for Resources) presented a Bill for an Act to amend the *Minerals (Submerged Lands) (Royalty) Act 1981*.

Bill read a first time.

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

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

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

36 OFFSHORE MINERALS (EXPLORATION LICENCE USER CHARGE) BILL 1993

Mr Lee (Minister for Resources) presented a Bill for an Act to impose a user charge on exploration licences issued under the *Offshore Minerals Act 1993*.

Bill read a first time.

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

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

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

37 OFFSHORE MINERALS (RETENTION LICENCE USER CHARGE) BILL 1993

Mr Lee (Minister for Resources) presented a Bill for an Act to impose a user charge on retention licences issued under the *Offshore Minerals Act 1993*.

Bill read a first time.

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

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

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

38 OCCUPATIONAL HEALTH AND SAFETY (MARITIME INDUSTRY) 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—

Limitation of debate: The time allotted for the remaining stages of the Bill having 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.

39 OCCUPATIONAL HEALTH AND SAFETY (MARITIME INDUSTRY) CONSEQUENTIAL AMENDMENTS 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—

Limitation of debate: The time allotted for the remaining stages of the Bill having 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.

40 MESSAGES FROM THE SENATE

Messages from the Senate, dated 16 December 1993, were reported returning the following Bills without amendment:

Message—

No. 165—Income Tax (Franking Deficit) Amendment 1993 (*without requests*).

No. 166—Customs Tariff Amendment (No. 2) 1993 (*without requests*).

No. 167—Domestic Meat Premises Charge 1993.

No. 169—Export Inspection Charges Laws Amendment 1993.

41 PUBLIC ACCOUNTS—JOINT COMMITTEE—REPORTS—STATEMENT BY MEMBER

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

Public Accounts—Joint Committee—

Report 328—Activities 1992-93.

Report 329—Finance minutes.

Severally ordered to be printed.

Mr L. J. Scott, by leave, made a statement in connection with the reports.

42 INTER-PARLIAMENTARY UNION—CANBERRA CONFERENCE, 1993—REPORT—STATEMENTS BY MEMBERS

Mr McLeay, by leave, presented the following paper:

Inter-Parliamentary Union—90th Conference, Canberra, 13-18 September 1993—Report of the Australian Delegation.

Mr McLeay and Mrs Sullivan, by leave, made statements in connection with the report.

43 PAPER

Mr Lavarch (Attorney-General) presented the following paper:

Certain Aspects of the Operation and Interpretation of the Family Law Act—Joint Select Committee—Report—*Family Law Act 1975: Aspects of its operation and interpretation*, November 1992—Government response—Principles.

44 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENTS BY MEMBERS

Mr L. J. Scott, by leave, presented the following report:

Australian Parliamentary Delegation to Five Pacific Island Nations, 4-22 July 1993—Report.

Mr L. J. Scott, Mr Charles and Mr Quick, by leave, made statements in connection with the report.

45 HEALTH AND COMMUNITY SERVICES 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.

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

Leave granted for third reading to be moved forthwith.

On the motion of Dr Theophanous (Parliamentary Secretary to the Minister for Health), the Bill was read a third time.

46 MIGRATION AMENDMENT (“POINTS” SYSTEM) 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 and passed—Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Dr Theophanous (Parliamentary Secretary to the Minister for Housing, Local Government and Community Services), the Bill was read a third time.

47 PROTECTION OF THE SEA (SHIPPING LEVY) 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 and passed—Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Johns (Parliamentary Secretary to the Treasurer), the Bill was read a third time.

48 ADJOURNMENT

Mr Johns (Parliamentary Secretary to the Treasurer) moved—That the House do now adjourn.

Debate ensued.

The House continuing to sit until after midnight—

FRIDAY, 17 DECEMBER 1993

Debate continued.

Question—put and passed.

And then the House, at 12.07 a.m., adjourned until this day at 10 a.m., in accordance with the resolution agreed to at this sitting.

PAPERS

The following papers were deemed to have been presented on 16 December 1993:

Administrative Appeals Tribunal Act—Regulations—Statutory Rules 1993 No. 326.

Admiralty Act—Rules—Statutory Rules 1993 No. 327.

Australian Wool Research and Promotion Organisation Act—Regulations—Statutory Rules 1993 No. 337.

Customs Act—Regulations—Statutory Rules 1993 No. 339.

Designs Act—Regulations—Statutory Rules 1993 No. 342.

Federal Airports Corporation Act—Regulations—Statutory Rules 1993 No. 344.

Honey Export Charge Act—Regulations—Statutory Rules 1993 No. 334.

Honey Levy Act (No.1)—Regulations—Statutory Rules 1993 No. 332.

Honey Levy Act (No. 2)—Regulations—Statutory Rules 1993 No. 333.

Industrial Relations Act—Regulations—Statutory Rules 1993 No. 330.

Lands Acquisition Act—Regulations—Statutory Rules 1993 No. 325.

Migration Act—Regulations—Statutory Rules 1993 No. 329.

National Rail Corporation Agreement Act—National Rail Shareholder's Agreement (Amendments), 30 November 1993.

Patents Act—Regulations—Statutory Rules 1993 Nos. 340, 341.

Primary Industries Levies and Charges Collection Act, Horticultural Levy Act and Horticultural Export Charge Act—Regulations—Statutory Rules 1993 No. 335.

Proceeds of Crime Act and Commonwealth Banks Act—Regulations—Statutory Rules 1993 No. 328.

Remuneration Tribunal Act—Regulations—Statutory Rules 1993 No. 331.

Snowy Mountains Engineering Corporation Act—Regulations—Statutory Rules 1993 No. 338.

Superannuation Act 1976—Regulations—Statutory Rules 1993 Nos. 345, 346, 347, 348, 349, 350, 351.

Telecommunications Act 1991—Notice under section 267—1993 No. 9.

Trade Marks Act—Regulations—Statutory Rules 1993 No. 343.

Wool International Act—Regulations—Statutory Rules 1993 No. 336.

ATTENDANCE

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

*On leave

L. M. BARLIN

Clerk of the House of Representatives