

1993-94

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 49

THURSDAY, 3 FEBRUARY 1994

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 Anderson, Mr Cobb, Mr Sharp and Mr Simmons, from 822, 33, 16 and 8 petitioners, respectively, praying that action be taken to ensure the continued availability of high octane petrol to Australian motorists.

Mr Evans, Mrs Moylan, Mr Prosser and Mr Williams, from 109, 104, 15 and 35 petitioners, respectively, praying that the outcome of the Mabo decision be decided by referendum.

Mr Cameron, from 23 residents of Western Australia, and Mr Lieberman, from 414 residents of the Division of Indi and 255 petitioners, respectively, praying that expanded mammography services be introduced and covered by medical benefits.

Mr Evans, Mr Filing and Mrs Moylan, from 22, 151 and 30 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 Aldred and Mr Beale, from 2000 and 1933 petitioners, respectively, praying for certain changes to the Family Law Act and the Child Support Scheme.

Mr Evans and Dr Kemp, from 114 and 275 petitioners, respectively, praying that the increases in petrol excise proposed in the 1993-94 Budget be opposed.

Mr Jull and Mr Lloyd, from 10 and 2 petitioners, respectively, praying that no action be taken to change the national flag unless approved by the people of Australia in a national poll.

Mr Atkinson, from 79 petitioners, praying that the cartoon "Beavis and Butthead" be banned from being shown in Australia.

Mr Atkinson, from 74 petitioners, praying that funding not be withdrawn or withheld from any child care centre where Christmas background music is played.

Mr Braithwaite, from 1911 petitioners, praying that the national flag not be changed, replaced or diminished without being voted upon and approved in a national referendum.

Mr Cameron, from 88 residents of Western Australia, praying that any attempt to dissolve the Australian Army Band, Perth, be opposed.

Mr Dodd, from 1172 electors of the Division of Leichhardt, praying that action be taken to allow the pathology centre in Gordonvale, Qld, to continue operating.

Mr Evans, from 50 petitioners, praying that the proposed scheme for the accreditation of child care centres set out in the Quality Improvement and Accreditation System Handbook be rejected.

Mr Evans, from 25 petitioners, praying that greater resources be made available for research into breast cancer.

Mr Evans, from 18 petitioners, praying that a Medicare office be opened at the Warwick Shopping Centre, WA, without delay.

Mr Evans, from 7 petitioners, praying that certain representations be made to the Government of the Socialist Republic of Vietnam concerning religious freedom and the independence of the United Vietnamese Buddhist Congregation.

Ms Fatin, from 12 parents and friends of childcare centres, praying that the linkage of accreditation to eligibility for Childcare Assistance be rejected.

Mr Fischer, from 54 petitioners, praying that no change be made to the design or colour of the Australian national flag and that it continue to represent a true manifestation of the nation's history.

Mr Forrest, from 141 residents of Victoria, praying that the ramifications of proposed legislation for child care centres be seriously considered.

Mrs Gallus, from 49 petitioners, praying that instruments affirming the United Nations Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief and the United Nations Convention on the Rights of the Child be disallowed.

Mr Lloyd, from 34 petitioners, praying that the National Childcare Accreditation Council guidelines be rejected.

Mr Lloyd, from 3 petitioners, praying that Australia remain a democratic constitutional monarchy with the Queen as head of state, represented in Australia by a Governor-General.

Mr Moore, from 109 parents of Australia's children, praying that the compulsory accreditation of child care centres be opposed.

Mr Ruddock, from 44 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.

Mr Ruddock, from 22 petitioners, praying that the Indonesian Government be persuaded to bring a speedy end to suffering in East Timor.

Mr Ruddock, from 19 petitioners, praying that the decision to recognise Indonesia as ruler of East Timor be reversed, an appeal be made for the release of Xanana Gusmao and human rights violations in East Timor be condemned.

Mr B. C. Scott, from 89 residents of Queensland, praying that any proposal to change the Australian flag be rejected.

Mr Somlyay, from 152 electors of the Division of Fairfax, praying that the accreditation guidelines for child care centres be rejected.

Mr Truss, from 657 electors in the Division of Wide Bay, praying that transmission of the Special Broadcasting Service into the Wide Bay region, Qld, be provided as soon as possible.

Mr Tuckey, from 159 petitioners, praying that the rights of State governments alone to define and issue land title be reaffirmed through a referendum.

Mr Tuckey, from 155 petitioners, 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 Tuckey, from 22 petitioners, praying that tax deductibility in the order of 150 per cent on approved land care expenditures be granted.

Mr Walker, from 1055 petitioners, praying that certain action be taken to lift television standards.

Petitions received.

3 NSW BUSHFIRES

Mr Connolly, pursuant to notice, moved—That this House:

- (1) expresses its sadness at the loss of human life and damage to fauna and property caused by the recent NSW bushfires; and
- (2) commends the efforts and sacrifices of regular and volunteer firefighters from New South Wales and interstate in quelling those fires.

Debate ensued.

The time allotted for the debate having expired, the debate was interrupted and the resumption of the debate made an order of the day for the next sitting Thursday.

4 HOMELESS CHILDREN'S ALLOWANCE

Mr Braithwaite, pursuant to notice, moved—That this House:

- (1) views with concern the breakdown in Australian families, through the encouragement for children to leave those family units for the Homeless Children's Allowance; and
- (2) calls on all State government departments of family services to set down guidelines to ensure that there are appropriate and sufficient reasons before taking children from the care of their lawful parents without their knowledge.

Debate ensued.

The time allotted for the debate having expired, the debate was interrupted and the resumption of the debate made an order of the day for the next sitting Thursday.

5 CENTENARY OF THE COMMONWEALTH OF AUSTRALIA

Mr Halverson, pursuant to notice, moved—That this House:

- (1) notes that on 1 January 2001 it will be one hundred years since the Constitution of the Commonwealth of Australia took effect and the people of Australia were united in a federal commonwealth under the name of the Commonwealth of Australia;
- (2) recognises that such a significant occasion is worthy of national observance and commemoration;
- (3) agrees that an appropriate permanent national memorial, designed by an Australian and made in Australia, should be erected in a suitable position of prominence in the national capital to mark the centenary of the Commonwealth of Australia;

- (4) suggests that such a permanent national memorial should be known as The Spirit of Australia and should represent and reflect the role and contribution of Australian men and women in the development of this great nation, so far as is possible including, but not necessarily confined to, our indigenous peoples, pioneers, explorers, scientists, defence forces, migrants, the rural community and the arts; and
- (5) calls upon the Government to organise and sponsor a competition for the design of the national memorial and that (a) such a competition carry a significant monetary prize and (b) entry to the competition be open to all Australian citizens.

Debate ensued.

Debate adjourned, and the resumption of the debate made an order of the day for the next sitting Thursday.

6 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.

It being 1.45 p.m., the debate was interrupted in accordance with standing order 106.

Question—That grievances be noted—put and passed.

7 MEMBERS' STATEMENTS

Members' statements were made.

8 MACKELLAR, WARRINGAH AND FREMANTLE ELECTORAL DIVISIONS— ISSUE OF WRITS

The Speaker informed the House that it was his intention to issue writs on Friday, 18 February 1994, for the election of Members to serve for the electoral divisions of Mackellar and Warringah, in the State of New South Wales, in the places of Mr Carlton and Mr MacKellar. The dates in connection with the elections would be as follows:

Issue of writs	Friday, 18 February 1994.
Close of rolls	Friday, 25 February 1994.
Date of nominations	Tuesday, 1 March 1994.
Date of polling	Saturday, 26 March 1994.
Return of writs	On or before Friday, 27 May 1994.

The Speaker further informed the House that it was his intention to issue a writ, on Friday, 4 February 1994, for the election of a Member to serve for the electoral division of Fremantle in the State of Western Australia in the place of Mr Dawkins. The dates in connection with the election would be as follows:

Issue of writ	Friday, 4 February 1994.
Close of rolls	Friday, 11 February 1994.
Date of nominations	Tuesday, 15 February 1994.
Date of polling	Saturday, 12 March 1994.
Return of writ	On or before Friday, 13 May 1994.

9 QUESTIONS

Questions without notice being asked—

Paper: Mrs Kelly (Minister for the Environment, Sport and Territories) presented the following paper:

Community Cultural, Recreational and Sporting Facilities Program—Copy of responses to Audit Office comments by Mr Stuart Hamilton, Secretary, Department of the Environment, Sport and Territories, 3 February 1994.

Questions without notice continued.

10 PAPERS

The following papers were presented:

Australia-Korea Foundation—Report for 1992-93.

Australian Film Commission Act—Film Australia Pty Ltd—Report for 1992-93.

Australian Institute of Health and Welfare Act—Australian Institute of Health and Welfare—Report—Australia's welfare 1993: Services and assistance.

Australian Sports Drug Agency Act—Australian Sports Drug Agency—
Operational plan 1993-94.

Report for 1992-93.

Defence Science and Technology Organisation—Commercial activities—Report for 1992-93.

Protection of Movable Cultural Heritage Act—Report on the Act and the National Cultural Heritage Fund, for 1992-93.

Wheat Marketing Act—Australian Wheat Board—Report for 1992-93.

11 PAPERS—MOTION TO TAKE NOTE OF PAPERS

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

Australia-Korea Foundation—Report for 1992-93.

Australian Film Commission Act—Film Australia Pty Ltd—Report for 1992-93.

Australian Institute of Health and Welfare Act—Australian Institute of Health and Welfare—Report—Australia's welfare 1993: Services and assistance.

Australian Sports Drug Agency Act—Australian Sports Drug Agency—
Operational plan 1993-94.

Report for 1992-93.

Defence Science and Technology Organisation—Commercial activities—Report for 1992-93.

Protection of Movable Cultural Heritage Act—Report on the Act and the National Cultural Heritage Fund, for 1992-93.

Wheat Marketing Act—Australian Wheat Board—Report for 1992-93.

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

12 AUSTRALIAN CENTRE FOR INTERNATIONAL AGRICULTURAL RESEARCH— PAPER AND MINISTERIAL STATEMENT

Mr Bilney (Minister for Development Co-operation and Pacific Island Affairs) presented the following paper:

Australian Centre for International Agricultural Research Act—Australian Centre for International Agricultural Research—Report for 1992-93—

and, by leave, made a ministerial statement in connection with the paper.
Mr Peacock, by leave, also made a statement in connection with the matter.

13 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ECONOMIC RECOVERY

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 risks to the economic recovery caused by Australia’s balance of payments problems”.

The proposed discussion having received the necessary support—

Mr Downer addressed the House.

Discussion ensued.

Discussion concluded.

14 MESSAGE FROM THE SENATE

A message from the Senate was reported returning the following Bill without requests:

2 February 1994—Message No. 191—Nursing Home Charge (Imposition) 1993.

15 SUSPENSION OF STANDING AND SESSIONAL ORDERS—PRIVATE MEMBERS’ BUSINESS

Mrs Crosio (Parliamentary Secretary to the Minister for the Environment, Sport and Territories), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent the order of the day, private Members’ business, relating to the New South Wales bushfires being called on and for the question to be put forthwith.

Question—put and passed.

16 NSW BUSHFIRES

The order of the day having been read for the resumption of the debate on the motion of Mr Connolly (*see* entry No. 3)—That this House:

- (1) expresses its sadness at the loss of human life and damage to fauna and property caused by the recent NSW bushfires; and
- (2) commends the efforts and sacrifices of regular and volunteer firefighters from New South Wales and interstate in quelling those fires.

Question—put and passed.

17 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, 10 February 1994.

18 TRAINING GUARANTEE (ADMINISTRATION) 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.

The House resolved itself into a committee of the whole.

In the committee

Clauses 1 to 18, by leave, taken together, and agreed to.

Proposed new clause—

Mr K. J. Andrews moved—That the following new clause be inserted in the Bill:

“18A. After section 101A of the Principal Act the following section is inserted:

Act to cease to have effect from 1 July 1994

‘101B. Unless repealed earlier, this Act ceases to have effect on and from 1 July 1994.’”.

Debate ensued.

Question—That the new clause proposed to be inserted be so inserted—put.

The committee divided (the Deputy Chairman, Mr J. N. Andrew, in the Chair) —

AYES, 54

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

NOES, 71

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

* Tellers

And so it was negatived.

It being past 10.30 p.m.—Progress to be reported.

The House resumed; Mr J. N. Andrew reported accordingly.

Adjournment negatived: The question was accordingly proposed—That the House do now adjourn.

Mr Free (Minister for Schools, Vocational Education and Training) requiring the question to be put forthwith without debate—

Question—put and negatived.

The House again resolved itself into a committee of the whole.

In the committee

Clause 19—

Mr K. J. Andrews moved the following amendment: Page 9, line 39, omit “The”, substitute “Subject to section 18A, the”.

Amendment negatived.

Clause agreed to.

Remainder of Bill, by leave, taken as a whole, and agreed to.

Bill to be reported without amendment.

The House resumed; Mr J. N. Andrew reported accordingly.

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

19 ADJOURNMENT

Mr Free (Minister for Schools, Vocational Education and Training) moved—That the House do now adjourn.

Question—put and passed.

And then the House, at 10.37 p.m., adjourned until Monday next at 2 p.m.

PAPERS

The following papers were deemed to have been presented on 3 February 1994:

Defence Act—

Defence Force Remuneration Tribunal—Determinations—

1993 No. 34.

1994 Nos. 1, 2, 3, 4.

Determination under section 58B—1994 No. 1.

Public Service Act—Determinations 1994 Nos. 100, 101, 102, 103.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Costello, Mr Duffy, Mr Duncan, Mr Fischer, Mr Gorman, Mr Langmore, Mr Miles, Mr Neville, Mr Price and Mr Sharp.

L. M. BARLIN

Clerk of the House of Representatives