

1993-94

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 56

WEDNESDAY, 23 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 SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED

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 the Parliament, blatant political bias and maladministration in the disbursement of grants under the Community Cultural, Recreational and Sporting Facilities Program.

Debate ensued.

The time allowed by standing order 91 for debate on the motion having expired—

Question—put.

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

AYES, 61

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

NOES, 74

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

* Tellers

And so it was negatived.

3 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—FURTHER DEVELOPMENT OF HMAS STIRLING, GARDEN ISLAND, WA

Mr Sciacca (Parliamentary Secretary to the Minister for Administrative Services), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Further development of HMAS *Stirling*, Garden Island, WA.

Debate ensued.

Question—put and passed.

4 APPROPRIATION BILL (NO. 3) 1993-94

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.

Mr Vaile addressing the House—

It being 3 p.m., the debate was interrupted in accordance with standing order 101A, and the resumption of the debate made an order of the day for a later hour this day.

5 QUESTIONS

Questions without notice being asked—

Paper: Mr Bilney (Minister representing the Minister for Foreign Affairs) presented the following paper:

Consular Travel Advice—Egypt—News release (D67) by Department of Foreign Affairs and Trade, 31 December 1993.

Suspension of standing and sessional orders moved

Mr Howard moved—That so much of the standing and sessional orders be suspended as would prevent the Member for Bennelong moving forthwith—That this House censures the Leader of the House for manipulating the question time roster and other aspects of the management of the House so that the Minister for Environment, Sport and Territories has been shielded from questioning on matters directly relevant to her responsibilities and has generally been able to escape accountability for her appalling ministerial performance.

Debate ensued.

The time allowed by standing order 91 for debate on the motion having expired—

Question—put.

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

AYES, 62

Mr Aldred	Mr Evans	Mr McArthur	Mr B. C. Scott
Mr Anderson	Mr Filing*	Mr McGauran	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	Mr Somlyay
Mr Beale	Mr Hall	Mrs Moylan	Mrs Sullivan
Mr Bradford	Mr Halverson	Mr Nehl	Mr Taylor
Mr Braithwaite	Mr Hawker	Mr Neville	Mr Truss
Mr Cadman	Dr Hewson	Mr Peacock	Mr Tuckey
Mr Cameron	Mr Hicks*	Mr Prosser	Mr Vaile
Mr Charles	Mr Howard	Mr Pyne	Mr Wakelin
Mr Cobb	Mr Jull	Mr Reid	Mr Williams
Mr Connolly	Mr Katter	Mr Reith	Dr Wooldridge
Mr Costello	Dr Kemp	Mr Rocher	Ms Worth
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	Mrs Kelly	Mr Quick
Mr Bevis	Mr Fitzgibbon	Mr Kerr	Mr Sawford
Mr Bilney	Mr Free	Mr Knott	Mr Sciacca
Mr Brereton	Mr Gear	Mr Langmore	Mr L. J. Scott
Mr Brown	Mr Gibson	Mr Latham	Mr Simmons
Mr Campbell	Mr Gorman	Mr Lavarch	Mrs S. J. Smith
Mr Chynoweth	Mr Grace*	Mr Lee	Mr S. F. Smith
Mr Cleeland	Mr Griffin	Mr Lindsay	Mr Snow
Ms Crawford	Mr Griffiths	Ms McHugh	Mr Snowdon
Mr Crean	Mr Haviland	Mr Mack	Mr Staples
Mrs Crosio	Ms Henzell	Mr McLeay*	Mr Swan
Mr Cunningham	Mr Holding	Mr Melham	Mr Tanner
Ms Deahm	Mr Hollis	Mr A. A. Morris	Dr Theophanous
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

* Tellers

And so it was negatived.

Questions without notice concluded.

6 PAPERS

The following papers were presented:

Aboriginal Land Rights (Northern Territory) Act—Northern Land Council—Report for 1992-93.

Australian Nuclear Science and Technology Organisation Act—Safety Review Committee—Report for 1992-93.

Fisheries Act—Western Australian Fisheries Joint Authority—Report for 1992.

Primary Industries and Energy Research and Development Act—

Dried Fruits Research and Development Council—Report for 1992-93.

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

Public Accounts—Joint Committee—Report 325—Midford Paramount case and related matters—Customs and Midford shirts: The Paramount case of a failure of Customs, incorporating a dissenting report, 17 December 1992—Government response to outstanding recommendations.

Safety Rehabilitation and Compensation Act—Comcare Australia and Commission for the Safety, Rehabilitation and Compensation of Commonwealth Employees—Report for 1992-93—Addendum.

Torres Strait Fisheries Act—Protected Zone Joint Authority—Report for 1991-92—Addendum.

7 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—Northern Land Council—Report for 1992-93.

Australian Nuclear Science and Technology Organisation Act—Safety Review Committee—Report for 1992-93.

Fisheries Act—Western Australian Fisheries Joint Authority—Report for 1992.

Primary Industries and Energy Research and Development Act—

Dried Fruits Research and Development Council—Report for 1992-93.

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

Public Accounts—Joint Committee—Report 325—Midford Paramount case and related matters—Customs and Midford shirts: The Paramount case of a failure of Customs, incorporating a dissenting report, 17 December 1992—Government response to outstanding recommendations.

Safety Rehabilitation and Compensation Act—Comcare Australia and Commission for the Safety, Rehabilitation and Compensation of Commonwealth Employees—Report for 1992-93—Addendum.

Torres Strait Fisheries Act—Protected Zone Joint Authority—Report for 1991-92—Addendum.

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

8 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—QUESTION TIME ROSTER

The House was informed that Mr Howard had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The manipulation of the question time roster to protect incompetent Ministers".

The proposed discussion having received the necessary support—

Mr Howard 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.

9 NATIONAL CRIME AUTHORITY—PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS

Mr Cleeland (Chairman) presented the following report:

National Crime Authority—Parliamentary Joint Committee—The National Crime Authority and James McCartney Anderson—Report, March 1994.

Ordered to be printed.

Mr Cleeland and Mr Filing, by leave, made statements in connection with the report.

10 STANDING AND JOINT COMMITTEES—MEMBERSHIP

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

Community Affairs—Standing Committee:

Mr Evans in place of Mr Atkinson.

Foreign Affairs, Defence and Trade—Joint Standing Committee:

Mr Atkinson.

11 HOUSING ASSISTANCE 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—*And on the amendment moved thereto by Mrs Sullivan, viz.*—That all words after “That” be omitted with a view to substituting the following words: “whilst not opposing the passage of this Bill, the House:

- (1) deplors the haste with which the Government has prepared its amendment to the Bill;
- (2) regrets the Government’s failure to observe the normal parliamentary courtesies and consultations necessary for proper consideration of legislation; and
- (3) seeks an assurance from the Government that the normal courtesies necessary for proper consideration of proposed legislation in this chamber will be observed in future”—

Debate resumed.

Question—That the words proposed to be omitted stand part of the question—put.

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

AYES, 73

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

NOES, 60

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

* Tellers

And so it was resolved in the affirmative.

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

Messages from the Governor-General: The following messages from His Excellency the Governor-General were announced:

No. 118, dated 12 November 1993, recommending an appropriation of revenue for the purposes of the Bill; and

No. 119, dated 21 February 1994, recommending an appropriation for the purpose of an amendment of the Bill.

Consideration in detail—Statement by Deputy Speaker

The Deputy Speaker informed the House that, during the consideration in detail stages, either in the House or the Main Committee, where relevant and where standing and sessional orders did not contain specific provisions that would apply, precedents and practices from former committees of the whole should be followed.

Paper: Dr Theophanous (Parliamentary Secretary to the Minister for Housing, Local Government and Human Services) presented a supplementary explanatory memorandum to the Bill.

Consideration in detail

Clauses 1 to 3, by leave, taken together, and agreed to.

New clauses—

On the motion of Dr Theophanous, by leave, the following new clauses were together added to the Bill, after debate:

Grants to be matched by State

“4. Section 15 of the Principal Act is amended by inserting after subsection (2) the following subsection:

‘(2A) Despite subsection (2), the Minister may, in respect of the sixth grant year, authorise untied grants to a particular State, even if the Minister cannot ensure that the State will match the grants in accordance with the provision of its housing agreement corresponding to paragraph 13(2)(b) of the form of housing agreement in Schedule 1.’

Insertion of new section

“5. After section 15 of the Principal Act the following section is inserted:

Grants to be matched by State—exception

‘15A.(1) The Minister may determine in writing that, in respect of a grant year, a particular State is taken to have fulfilled its obligation to provide matching funds in accordance with the provision of its housing agreement corresponding to paragraph 13(2)(b) of the form of housing agreement in Schedule 1.

‘(2) A determination made under subsection (1) must be in relation to the fifth grant year or the sixth grant year.

‘(3) The Minister must not make the determination unless satisfied, after consulting with the State Minister of that State, that, in the circumstances, the State was unable to meet its obligation in respect of that grant year under that provision.

‘(4) The determination has effect for the purposes of the housing agreement.

‘(5) In deciding whether to make the determination, the Minister must have regard to the extent to which assistance provided by the State under the housing agreement reflects the principles set out in Recital (D) of the form of housing agreement in Schedule 1.

‘(6) The State Minister of that State must agree in writing to the determination being made.

‘(7) The determination made by the Minister must be tabled in each House of the Parliament within 15 sitting days of that House after it is made.’”

Title agreed to.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Dr Theophanous, by leave, the Bill was read a third time.

12 APPROPRIATION BILL (NO. 3) 1993-94

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.

Mrs Moylan addressing the House—

Adjournment negated: It being 7.30 p.m.—The question was proposed—That the House do now adjourn.

Mr Kerr (Minister for Justice) requiring the question to be put forthwith without debate—

Question—put and negated.

Mrs Moylan continued her speech.

Debate adjourned (Mr Johns—Assistant Minister for Industrial Relations), and the resumption of the debate made an order of the day for the next sitting.

13 ADJOURNMENT

Mr Johns (Assistant Minister for Industrial Relations) moved—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 8 p.m.—The Speaker adjourned the House until tomorrow at 9.30 a.m.

PAPERS

The following papers were deemed to have been presented on 23 February 1994: Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposals 1994 Nos. 1, 2.

Defence Act—Determination under section 58B—1994 No. 3.

Lands Acquisition Act—Statement under subsection 40(3).

National Health Act—Medicare and pharmaceutical benefits programs: Privacy guidelines 1994—Amendment, 22 February 1994.

Proclamation by His Excellency the Governor-General fixing 21 February 1994 as the day on which Division 4 of Part 1 of the *Occupational Health and Safety (Maritime Industry) Act 1993* commences.

Public Service Act—Determinations 1994 Nos. 1, 2, 12, 13, 14, 15, 104, 105, 106, 108, 109, 110, LES2, LES3, LES4.

Seat of Government (Administration) Act—Ordinance 1994 No. 1.

States Grants (TAFE Assistance) Act—Determination No. TAFE 46/93.

Superannuation Benefits (Supervisory Mechanisms) Act—Determination 1994 No. 1.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Keating, Mr Nugent and Mr Tickner.

L. M. BARLIN

Clerk of the House of Representatives