

1993-94

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 63

WEDNESDAY, 23 MARCH 1994

1 The House met, at 9.30 a.m., pursuant to adjournment. The Acting Speaker (Mr Jenkins) took the Chair, and read Prayers.

2 POSTPONEMENT OF NOTICE

Ordered—That notice No. 1, government business, be postponed until a later hour this day.

3 INSURANCE LAWS AMENDMENT BILL 1994

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

Debate ensued.

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Elliott, the Bill was read a third time.

4 INSURANCE LAWS AMENDMENT BILL (NO. 2) 1994

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

Debate ensued.

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Elliott, the Bill was read a third time.

5 SUSPENSION OF STANDING ORDER 217

Mr Beazley (Leader of the House), pursuant to notice, moved—That standing order 217 (day fixed for second reading) be suspended for the remaining sittings this week.

Debate ensued.

Question—put.

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

AYES, 70

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

NOES, 58

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

* Tellers

And so it was resolved in the affirmative.

6 PRIVILEGE—COMPLAINT OF BREACH

Mr Bevis (Chairman—Standing Committee on Industry, Science and Technology) raised, as a matter of privilege, concerns that had been raised by a Mr Peter Pool, who had given evidence to the committee during its inquiry into government purchasing policies. Mr Pool alleged that he had been denied access to defence premises on the grounds that he had appeared before the committee. Mr Bevis stated that the committee had received a letter from a Mr Ken Brown lending some support to the allegations.

Mr Bevis, by leave, presented the following papers:

Government purchasing policies inquiry—Copies of letters to the Secretary, Standing Committee on Industry, Science and Technology, from—

Mr Ken Brown, Director, Ken Brown Marine Pty Limited, Castle Hill, NSW, 18 March 1994.

Mr Peter Pool, Managing Director, PJP Aerospace & Defence, Jannali, NSW, 15 February 1994.

The Acting Speaker stated that he would consider the matter raised and report to the House at a later time.

7 TELECOMMUNICATIONS AMENDMENT BILL 1994 [NO. 2]

Mr Lee (Minister for Communications and the Arts), pursuant to notice, presented a Bill for an Act to amend the *Telecommunications Act 1991*, and for related purposes.

Bill read a first time.

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

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

Paper: Mr Lee, by leave, presented the following paper:

Telecommunications Act—Telecommunications (Price Competition)—Draft direction No. 1 of 1994.

Debate ensued.

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

Consideration in detail

Bill, by leave, taken as a whole.

Dr Kemp moved the following amendment: Clause 6, page 3, line 12, proposed subsection 185 (2C), omit “available”, substitute “available, and of broad appeal.”.

Amendment negatived.

Bill agreed to.

Consideration in detail concluded.

On the motion of Mr Lee, by leave, the Bill was read a third time.

8 GRIEVANCE DEBATE

Pursuant to the resolution of the House of 22 March 1994, the order of the day having been read—

Question proposed—That grievances be noted.

Debate ensued.

Question—That grievances be noted—put and passed.

9 MEMBERS' STATEMENTS

Members' statements were made.

10 QUESTIONS

Questions without notice were asked.

11 PAPER

Mr Baldwin (Minister for Social Security), by indulgence, adding to an answer given to a question without notice on 2 March 1994—

Mr Sinclair, in accordance with standing order 321, having called for a document quoted from by Mr Baldwin—

Mr Baldwin presented the following paper:

Auditor-General's audit report No. 21 of 1993-94—Efficiency audit—Department of Finance: The Australian Government credit card—Its debits and credits—Note on measures taken to address certain findings.

12 PAPER

Mr Kerr, by leave, presented the following paper:

Price watch survey of dentists' fees in the electoral division of Denison, Tas.—Table, February 1994.

13 AUDITOR-GENERAL'S REPORTS—PUBLICATION OF PAPERS

The Acting Speaker presented the following papers:

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

No. 30—Follow-up audit—AIDAB: Aid to Papua New Guinea.

No. 32—Efficiency audit—Accrual reporting: Are agencies ready?

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

(1) this House authorises the publication of the Auditor-General's audit reports Nos. 30 and 32 of 1993-94; and

(2) the reports be printed.

Question—put and passed.

14 PAPERS

The following papers were presented:

Australian Nuclear Science and Technology Organisation Act—Nuclear Safety Bureau—Report for period 1 October to 31 December 1993.

Australian Science and Technology Council Act—Australian Science and Technology Council—On target? Review of the operation of external earnings targets for CSIRO, ANSTO and AIMS—

Report, February 1994.

Summary report, February 1994.

Department of Social Security—Performance standards 1993-94.

Equal Employment Opportunity (Commonwealth Authorities) Act—Equal employment opportunity program—Commonwealth Bank of Australia—Report for 1992-93.

Nursing home and hostel standards—List of monitoring statements published between 1 October and 31 December 1993.

Telecommunications Act 1991—Australian Telecommunications Authority (AUSTEL)—Competitive safeguards and carrier performance—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:

Australian Science and Technology Council Act—Australian Science and Technology Council—On target? Review of the operation of external earnings targets for CSIRO, ANSTO and AIMS—

Report, February 1994.

Summary report, February 1994.

Department of Social Security—Performance standards 1993-94.

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

16 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—TRADE UNION MOVEMENT

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 continued willingness of the Keating Government to bow to the unreasonable demands of the trade union movement”.

The proposed discussion having received the necessary support—

Mr Howard addressed the House.

Papers: Mr Howard, by leave, presented the following papers:

Australia Post—Copies of—

Communication Workers’ Union—Postal and Telecommunications Branch, NSW—Facsimile from Allan Jarman, Secretary, to—

Mr I. Brown, Area Manager, Gosford Post Office, 27 January 1994.

Mr B. Waller, Human Resources Manager, Sydney, 3 November 1993.

Industrial Participation Committee, Leichhardt Post Office—Minutes of meeting of Wednesday, 25 August 1993.

Pay records (3), 2 February 1994.

Discussion ensued.

Discussion concluded.

17 MESSAGE FROM THE SENATE

A message from the Senate was reported acquainting the House of changes in the membership of Senators on the following joint committees:

17 March 1994—Message No. 231—

Public Accounts—Joint Committee—

(1) Discharge of Senator Denman.

(2) Appointment of Senator Neal.

Corporations and Securities—Parliamentary Joint Committee—

(1) Discharge of Senator McKiernan.

(2) Appointment of Senator Neal.

Certain Family Law Issues—Joint Select Committee—

(1) Discharge of Senator McKiernan.

(2) Appointment of Senator Neal.

18 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—DECONTAMINATION OF FORMER EXPLOSIVES FACTORY, ALBION, VIC.

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: Decontamination of the former explosives factory, Albion, Vic.

Question—put and passed.

19 INDUSTRIAL RELATIONS LEGISLATION AMENDMENT BILL 1994

Mr Free (Minister for Schools, Vocational Education and Training) presented a Bill for an Act to amend the law about industrial relations, and for other purposes.

Bill read a first time.

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

Ordered—That the second reading be made an order of the day for the next sitting.

20 TRADE PRACTICES AMENDMENT (ORIGIN LABELLING) BILL 1994

Ms McHugh (Minister for Consumer Affairs), pursuant to notice, presented a Bill for an Act to amend the *Trade Practices Act 1974*, and for related purposes.

Bill read a first time.

Paper: Ms McHugh presented an explanatory memorandum to the Bill.

Ordered—That the second reading be made an order of the day for the next sitting.

21 CRIMES (CHILD SEX TOURISM) AMENDMENT BILL 1994

Mr Free (Minister for Schools, Vocational Education and Training), for Mr Kerr (Minister for Justice), pursuant to notice, presented a Bill for an Act to amend the *Crimes Act 1914*, and for related purposes.

Bill read a first time.

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

Ordered—That the second reading be made an order of the day for the next sitting.

22 FINANCIAL AGREEMENT BILL 1994

Mr Elliott (Parliamentary Secretary to the Treasurer), pursuant to notice, presented a Bill for an Act to approve an agreement between the Commonwealth, the States and the Territories, and for related purposes.

Bill read a first time.

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

Ordered—That the second reading be made an order of the day for the next sitting.

23 NATIONAL DEBT SINKING FUND REPEAL BILL 1994

Mr Elliott (Parliamentary Secretary to the Treasurer), pursuant to notice, presented a Bill for an Act to repeal the *National Debt Sinking Fund Act 1966*, and for related purposes.

Bill read a first time.

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

Ordered—That the second reading be made an order of the day for the next sitting.

24 INDUSTRY, SCIENCE AND TECHNOLOGY—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER

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

Industry, Science and Technology—Standing Committee—Australian government purchasing policies: Buying our future—

1st report, incorporating a dissenting report, 3 March 1994.

Evidence received by the committee.

Minutes of proceedings.

Ordered—That the report be printed.

Mr Bevis, Mr Reid and Mr Charles, by leave, made statements in connection with the report.

Mr Bevis, by leave, moved—That the House take note of the report.

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

25 MESSAGE FROM THE SENATE—INDUSTRIAL RELATIONS AMENDMENT BILL 1994

Message No. 232, dated 22 March 1994, from the Senate was reported transmitting for the concurrence of the House a Bill for “*An Act to amend the Industrial Relations Act 1988, and for related purposes*”.

Bill read a first time.

Paper: Mr Johns (Assistant Minister for Industrial Relations) presented an explanatory memorandum to the Bill.

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

Mr Howard moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “whilst not declining to give the Bill a second reading, the House:

- (1) deplores the Government’s incompetent management of the industrial relations portfolio, incompetence which has again forced it to bring in hasty amendments to the Industrial Relations Act; and
- (2) condemns the submissive attitude the Government continues to demonstrate toward the ACTU, reflected in:
 - (a) the Industrial Relations Commission’s unduly expanded responsibility; and
 - (b) the disproportionately large number of senior Commission personnel who have been drawn from the trade union movement”.

Debate continued.

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

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

AYES, 71

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

NOES, 58

Mr Aldred	Mr Filing*	Mr McGauran	Mr B. C. Scott
Mr Anderson	Mr Fischer	Mr McLachlan	Mr Sinclair
Mr K. J. Andrews	Mr Forrest	Mr Moore	Mr Slipper
Mr Atkinson	Mrs Gallus	Mrs Moylan	Mr Somlyay
Mr Beale	Mr Hall	Mr Nehl	Mrs Sullivan
Mr Bradford	Mr Halverson	Mr Neville	Mr Taylor
Mr Braithwaite	Mr Hawker	Mr Nugent	Mr Truss
Mr Cadman	Mr Hicks*	Mr Peacock	Mr Tuckey
Mr Cameron	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	
Mr Evans	Mr McArthur	Mr Ruddock	

* 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.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Duncan (Parliamentary Secretary to the Attorney-General), the Bill was read a third time.

26 PRIVILEGE—ALLEGED DISCRIMINATION AGAINST WITNESS—REFERENCE TO COMMITTEE OF PRIVILEGES

The Acting Speaker referred to the matter of privilege raised earlier today by Mr Bevis (Chairman—Standing Committee on Industry, Science and Technology) regarding an allegation by a Mr Peter Pool that his involvement with a committee inquiry had been cited as the reason for denying him access to defence premises.

The Acting Speaker stated that, having considered the information provided, he had concluded that a *prima facie* case existed and, accordingly, was willing to allow precedence to a motion in respect of the matter.

Mr Bevis then moved—That the question of whether Mr Peter Pool was discriminated against or penalised on account of his participation in an inquiry conducted by the Standing Committee on Industry, Science and Technology be referred to the Committee of Privileges.

Question—put and passed.

27 ADJOURNMENT

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

Debate ensued.

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

PAPERS

The following papers were deemed to have been presented on 23 March 1994:

Census and Statistics Act—Australian Bureau of Statistics—Statement 1994 No. 1.

Christmas Island Act—List of Western Australian Acts for period 18 September 1993 to 21 March 1994.

Cocos (Keeling) Islands Act—List of Western Australian Acts for period 18 September 1993 to 21 March 1994.

Proclamation by His Excellency the Governor-General fixing 24 March 1994 as the day on which section 54 of the *Special Broadcasting Service Act 1991* commences.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr J. N. Andrew, Mrs Crosio, Mr Holding, Mr Keating, Mrs Kelly, Mr McLeay and Mr Martin.

L. M. BARLIN

Clerk of the House of Representatives