

1993-94

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 89

WEDNESDAY, 31 AUGUST 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 **ATSIC AMENDMENT (INDIGENOUS LAND CORPORATION AND LAND FUND) BILL 1994**

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 Lieberman 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.

3 **QUESTIONS**

Questions without notice being asked—

Mr Beazley (Minister for Finance) answering a question without notice—

*Point of order:* Mr Tuckey raised a point of order that in contravention of standing order 145 the answer was not relevant to the question.

*Acting Speaker's ruling:* The Acting Speaker ruled that the answer was relevant.

*Dissent from ruling moved:* Mr Tuckey moved—That the ruling be dissented from.

Debate ensued.

*Closure:* Mr Beazley moved—That the question be now put.

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

And the question—That the ruling be dissented from—was put accordingly, and negatived.

Questions without notice continued.

4 **PAPER**

The Acting Speaker presented the following paper:

Public Service Act—Department of the House of Representatives—Report for 1993-94.

**5 ABORIGINAL AND TORRES STRAIT ISLANDER COMMERCIAL DEVELOPMENT CORPORATION—PAPER—MOTION TO TAKE NOTE OF PAPER**

Mr Beazley (Leader of the House) presented the following paper:

Aboriginal and Torres Strait Islander Commission Act—Aboriginal and Torres Strait Islander Commercial Development Corporation—Corporate Plan—1994-95 to 1998-99—

and moved—That the House take note of the paper.

Debate adjourned (Mr Costello—Deputy Leader of the Opposition), and the resumption of the debate made an order of the day for the next sitting.

**6 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—HEALTH SYSTEM**

The House was informed that Mrs Bishop had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The funding crisis in our health system resulting from the Government’s failure to recognise the essential contribution of private health insurance to the health care of individual Australians and the overall health system”.

The proposed discussion having received the necessary support—

Mrs Bishop rising to address the House—

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

Question—put.

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

AYES, 73

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

## NOES, 58

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

\* Tellers

And so it was resolved in the affirmative.

**7 MESSAGE FROM THE SENATE**

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

31 August 1994—Message No. 321—Human Services and Health Legislation Amendment (No. 2) 1994.

**8 GRAIN LEGUMES LEVY AMENDMENT BILL 1994—REPORT FROM MAIN COMMITTEE**

The Second Deputy Speaker reported that the Grain Legumes Levy Amendment Bill 1994 had been fully considered in the Main Committee and agreed to without amendment, and presented a certified copy of the Bill.

Bill agreed to.

On the motion of Mr Beazley (Minister for Finance), by leave, the Bill was read a third time.

**9 OILSEEDS LEVY AMENDMENT BILL 1994—REPORT FROM MAIN COMMITTEE**

The Second Deputy Speaker reported that the Oilseeds Levy Amendment Bill 1994 had been fully considered in the Main Committee and agreed to without amendment, and presented a certified copy of the Bill.

Bill agreed to.

On the motion of Mrs Crosio (Parliamentary Secretary to the Minister for Social Security), by leave, the Bill was read a third time.

**10 COARSE GRAINS LEVY AMENDMENT BILL 1994—REPORT FROM MAIN COMMITTEE**

The Second Deputy Speaker reported that the Coarse Grains Levy Amendment Bill 1994 had been fully considered in the Main Committee and agreed to without amendment, and presented a certified copy of the Bill.

Bill agreed to.

On the motion of Mrs Crosio (Parliamentary Secretary to the Minister for Social Security), by leave, the Bill was read a third time.

**11 ACCESS TO JUSTICE—PAPER—MOTION TO TAKE NOTE OF PAPER—REPORT FROM MAIN COMMITTEE**

The Second Deputy Speaker reported that the Main Committee had not considered the order of the day for the resumption of the debate on the motion to take note of the Access to Justice paper and had returned the order of the day to the House for consideration.

The resumption of the debate was accordingly set down as an order of the day for the next sitting.

**12 MESSAGE FROM THE SENATE—EXPORT MARKET DEVELOPMENT GRANTS AMENDMENT BILL 1994**

Message No. 318, dated 29 August 1994, from the Senate was reported transmitting for the concurrence of the House a Bill for “*An Act to amend the ‘Export Market Development Grants Act 1974’, and for related purposes*”.

Bill read a first time.

*Paper:* Mr Free (Minister for Schools, Vocational Education and Training) presented an explanatory memorandum to the Bill.

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

**13 BROADCASTING OF PARLIAMENTARY PROCEEDINGS—PROPOSED GENERAL PRINCIPLES**

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

- (1) The following general principles upon which there should be determined the days upon which, and the periods during which, the proceedings of the Senate and the House of Representatives shall be broadcast, as specified by the Joint Committee on the Broadcasting of Parliamentary Proceedings in its report dated May 1994, be adopted with effect from 5 September 1994 in place of the general principles previously adopted by both Houses:

**PROPOSED GENERAL PRINCIPLES RELATING TO THE RADIO BROADCASTING OF PARLIAMENTARY PROCEEDINGS**

1. *Days upon which proceedings shall be broadcast and their allocation between the Senate and the House of Representatives.*

The proceedings of Parliament shall be broadcast on each day on which either House is sitting. While there will be a usual allocation of broadcasts between the Senate and the House of Representatives, the Joint Committee on the Broadcasting of Parliamentary Proceedings or its Sub-Committee shall take into account the importance of the impending debate and the public interest attaching thereto in deciding on the allocation. It is anticipated that, over time, the coverage of each House will be approximately equal.

2. *Rebroadcast of questions and answers.*

- (a) The following Parliamentary Proceedings shall be rebroadcast by the Australian Broadcasting Corporation at the conclusion of the broadcast of live proceedings from either House unless otherwise ordered by the Committee:

Senate proceedings—Questions without notice and answers thereto;

House of Representatives proceedings—Questions without notice and answers thereto;

- (b) The rebroadcast shall be of the House that is not allocated the broadcast;
  - (c) When a member makes a personal explanation in rebuttal of misrepresentation contained in a question asked that day or an answer thereto, the question and answer shall, subject to the next succeeding sub-paragraph, be excluded from the rebroadcast; and
  - (d) The Presiding Officer may, in his or her discretion, refer any case to the Joint Committee for decision as to whether such a question and answer shall be excluded from the rebroadcast.
3. The general principles specified here and adopted by both Houses shall be observed generally by the Joint Committee in making determinations in accordance with the *Parliamentary Proceedings Broadcasting Act 1946*, but nothing in those general principles shall be taken to prevent the Joint Committee from departing from those general principles in order to meet any unusual or special circumstances.
- (2) A message be sent to the Senate acquainting it of this resolution and requesting that it concur and take action accordingly.

Question—put and passed.

**14 SOCIAL SECURITY (1994 BUDGET AND WHITE PAPER) AMENDMENT BILL 1994**

Mrs Crosio (Parliamentary Secretary to the Minister for Social Security), pursuant to notice, presented a Bill for an Act to amend the *Social Security Act 1991*, and for related purposes.

Bill read a first time.

*Paper:* Mrs Crosio presented an explanatory memorandum to the Bill.

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

**15 SOCIAL SECURITY (NEW ZEALAND AGREEMENT) AMENDMENT BILL 1994**

Mrs Crosio (Parliamentary Secretary to the Minister for Social Security), pursuant to notice, presented a Bill for an Act to amend the *Social Security Act 1991* in relation to the signing of a new social security agreement with New Zealand.

Bill read a first time.

*Paper:* Mrs Crosio presented an explanatory memorandum to the Bill.

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

**16 DEPARTURE TAX AMENDMENT BILL 1994**

Mr Lindsay (Parliamentary Secretary to the Minister for Industry, Science and Technology) presented a Bill for an Act to amend the *Departure Tax Act 1978*, and for related purposes.

Bill read a first time.

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

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

#### 17 DEPARTURE TAX COLLECTION AMENDMENT BILL 1994

Mr Lindsay (Parliamentary Secretary to the Minister for Industry, Science and Technology) presented a Bill for an Act to amend the *Departure Tax Collection Act 1978*, and for related purposes.

Bill read a first time.

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

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

#### 18 EXCISE TARIFF AMENDMENT BILL (NO. 2) 1994

Mr Lindsay (Parliamentary Secretary to the Minister for Industry, Science and Technology) presented a Bill for an Act to amend the *Excise Tariff Act 1921*.

Bill read a first time.

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

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

#### 19 STUDENT ASSISTANCE (BUDGET MATTERS) AMENDMENT BILL 1994

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 by Mr Miles who 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 calls on the Government to act as a matter of urgency to investigate the plight suffered by students in rural and remote areas of Australia and to take action to relieve the severe financial pressure being faced by many such students and their families”.

Debate continued.

Amendment negatived.

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

*Message from the Governor-General:* Message No. 178, dated 6 June 1994, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Free (Minister for Schools, Vocational Education and Training), the Bill was read a third time.

#### 20 MESSAGES FROM THE SENATE

Messages from the Senate, dated 31 August 1994, were reported returning the following Bills without amendment:

Message—

No. 322—Primary Industries Levies and Charges Collection Amendment 1994.

No. 323—Horticultural Export Charge Amendment 1994.

No. 324—Horticultural Levy Amendment 1994 (*without requests*).

21 **ATSIC AMENDMENT (INDIGENOUS LAND CORPORATION AND LAND FUND) BILL 1994**

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.

*Message from the Governor-General:* Message No. 179, dated 4 August 1994, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

*Consideration in detail*

Clauses 1 and 2, by leave, taken together, and agreed to.

Clause 3—

Mrs Gallus moved the following amendment: Page 3, lines 18-31, omit proposed subsection 191D(1), substitute the following subsection:

*Functions*

“ 191D. (1) The **land acquisition functions** of the Indigenous Land Corporation are as follows:

- (a) to grant interests in land to:
  - (i) Aboriginal or Torres Strait Islander corporations; or
  - (ii) aboriginal persons; or
  - (iii) Torres Strait Islanders; or
  - (iv) trustees of Aboriginal or Torres Strait Islander trusts;
- (b) to acquire by agreement interests in land for the purpose of making grants under paragraph (a);
- (c) to make grants of money to:
  - (i) Aboriginal or Torres Strait Islander corporations; or
  - (ii) aboriginal persons; or
  - (iii) Torres Strait Islanders; or
  - (iv) trustees of Aboriginal or Torres Strait Islander trusts; orfor the acquisition of interests in land;
- (d) to guarantee loans made to:
  - (i) Aboriginal or Torres Strait Islander corporations; or
  - (ii) aboriginal persons; or
  - (iii) Torres Strait Islanders; or
  - (iv) trustees of Aboriginal or Torres Strait Islander trusts;for the purpose of the acquisition of interests in land.

Note 1 : “Interest in land” is defined by section 4.

Note 2 : “Aboriginal or Torres Strait Islander corporation” is defined by section 4.

Note 3 : “Aboriginal or Torres Strait Islander trust” is defined by section 4. ”.

Debate continued.

Mr Snowdon (Parliamentary Secretary to the Minister for the Environment, Sport and Territories) addressing the House—

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**22 ADJOURNMENT**

It being 7.30 p.m.—The question was proposed—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.

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**PAPERS**

The following papers were deemed to have been presented on 31 August 1994:

Audit Act—Regulations—Statutory Rules 1994 No. 285.

Australian Sports Drug Agency Act—Regulations—Statutory Rules 1994 No. 284.

Civil Aviation Act—Regulations—Statutory Rules 1994 No. 294.

Crimes Act—Regulations—Statutory Rules 1994 No. 297.

Dried Fruits Levy Act—Regulations—Statutory Rules 1994 No. 293.

Foreign Acquisitions and Takeovers Act—Regulations—Statutory Rules 1994 No. 295.

Foreign Judgments Act—Regulations—Statutory Rules 1994 No. 283.

High Court of Australia Act—Rule of Court, 15 August 1994.

Higher Education Funding Act—Determination No. T20/94.

Industrial Relations Act—Regulations—Statutory Rules 1994 No. 287.

National Food Authority Act—Regulations—Statutory Rules 1994 No. 286.

National Health Act—Regulations—Statutory Rules 1994 No. 296.

Public Service Act—Regulations—Statutory Rules 1994 Nos. 291, 292.

Ships (Capital Grants) Act—Return for 1993-94.

Stevedoring Industry Finance Committee Act—Regulations—Statutory Rules 1994 No. 288.

Stevedoring Industry Levy Act—Regulations—Statutory Rules 1994 No. 290.

Stevedoring Industry Levy Collection Act—Regulations—Statutory Rules 1994 No. 289.

*Superannuation Act 1976*—Declaration—Statutory Rules 1994 No. 298.

*Superannuation Act 1990*—Declaration—Statutory Rules 1994 No. 299.

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**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Howard, Mr Johns, Mr Keating, Mr Langmore, Mr Latham, Mr Martin, Mr Quick, Mrs Sullivan and Mr Taylor.

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**L. M. BARLIN**

Clerk of the House of Representatives



1993-94

**HOUSE OF REPRESENTATIVES**  
**SUPPLEMENT TO VOTES AND PROCEEDINGS**

No. 89

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**MAIN COMMITTEE**

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**MINUTES OF PROCEEDINGS**

**WEDNESDAY, 31 AUGUST 1994**

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1 The Main Committee met at 10 a.m.

**2 COMMUNITY AFFAIRS—STANDING COMMITTEE—REPORT—MOTION TO TAKE NOTE OF PAPER**

The order of the day having been read for the resumption of the debate on the motion of Mr A.A. Morris—That the House take note of the report (*presented on 29 August 1994*), viz.:

Community Affairs—Standing Committee—Home but not Alone—Report on the Home and Community Care Program, 26 July 1994—

Debate resumed.

Mr A.A. Morris, by leave, addressed the Committee without closing the debate.

Debate continued.

Debate adjourned (Mr Bevis—Parliamentary Secretary to the Minister for Defence), and the resumption of the debate made an order of the day for the next sitting.

**3 GRAIN LEGUMES LEVY AMENDMENT BILL 1994**

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

Debate ensued.

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

Leave granted for the motion for the Bill to be reported to be moved forthwith.

On the motion of Mr O'Keefe (Parliamentary Secretary to the Minister for Transport), Bill to be reported to the House without amendment.

**4 OILSEEDS LEVY AMENDMENT BILL 1994**

The order of the day having been read for the second reading—Mr O'Keefe (Parliamentary Secretary to the Minister for Transport) moved—That the Bill be now read a second time.

Debate ensued.

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

Leave granted for the motion for the Bill to be reported to be moved forthwith.

On the motion of Mr O'Keefe, Bill to be reported to the House without amendment.

#### **5 COARSE GRAINS LEVY AMENDMENT BILL 1994**

The order of the day having been read for the second reading—Mr O'Keefe (Parliamentary Secretary to the Minister for Transport) moved—That the Bill be now read a second time.

Debate ensued.

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

Leave granted for the motion for the Bill to be reported to be moved forthwith.

On the motion of Mrs Crosio (Parliamentary Secretary to the Minister for Social Security), Bill to be reported to the House without amendment.

#### **6 POSTPONEMENT OF ORDERS OF THE DAY**

Ordered—That orders of the day Nos. 4 to 11, government business, be postponed until a later hour this day.

#### **7 ORDER OF THE DAY RETURNED TO HOUSE**

On the motion of Mrs Crosio (Parliamentary Secretary to the Minister for Social Security), order of the day No. 12 to be returned to the House for consideration.

#### **8 ADJOURNMENT**

On the motion of Mrs Crosio (Parliamentary Secretary to the Minister for Social Security), the Main Committee adjourned at 12.42 p.m.

The Second Deputy Speaker reported that the Deputy Speaker had fixed tomorrow at 10 a.m. for the next meeting of the Main Committee.



**I. C. HARRIS**

Clerk of the Main Committee