

1993-94

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 107

MONDAY, 14 NOVEMBER 1994

1 The House met, at 12.30 p.m., pursuant to adjournment. The Speaker (the Honourable Stephen Martin) took the Chair, and read Prayers.

2 **ENVIRONMENT, RECREATION AND THE ARTS—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER**

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

Environment, Recreation and the Arts—Standing Committee—Working with the environment: Opportunities for job growth—

Report, 14 November 1994.

Evidence received by the committee.

Minutes of proceedings.

Ordered—That the report be printed.

Mr Langmore, Mr Lloyd, Mr Horne, Mr R. D. C. Evans, Mr Jenkins, Mr Wakelin, Mr Newell and Mr Chynoweth made statements in connection with the report.

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

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

In accordance with standing order 102B, the debate was adjourned, the resumption of the debate made an order of the day for the next sitting Monday, and Mr Langmore was granted leave to continue his speech when the debate is resumed.

3 **CITRUS INDUSTRY**

Mr J. N. Andrew, pursuant to notice, moved—That this House:

- (1) notes the difficulties that GATT-produced tax changes pose for the Australian citrus industry; and
- (2) recognises the need for the (a) introduction of a range of tax changes and/or compensation packages to allow the citrus industry to maximise its export potential and (b) maintenance of the Uruguay Round of trade reform as it advances the opportunities for all exporters in Australia.

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 Monday, and Mr Cleeland was granted leave to continue his speech when the debate is resumed.

#### 4 INTERNATIONAL FINANCIAL INSTITUTIONS

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

- (1) recognises the 50th anniversary of the Bretton Woods Institution by acknowledging both the value of the achievements of the World Bank and International Monetary Fund and the costs of their misjudgments; and
- (2) calls for the establishment of an intergovernmental committee with broad representation along the lines of the Committee of Twenty for the task of reconsidering the functioning of the international financial institutions after 50 years and their future role in the dramatically different world economy from that in which they were founded with a view to improving their effectiveness, their coverage and their democratic covenants.

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 Monday.

#### 5 DEMENTIA

Ms Worth, pursuant to notice, moved—That this House:

- (1) recognises that about a quarter of a million Australians are affected by mild, moderate and severe dementia;
- (2) notes that hundreds of thousands of other Australians, who are loved ones, carers and friends of dementia sufferers, are as much victims of dementia as the actual sufferers; and
- (3) calls on the Government to provide greater and more effective assistance to all victims of dementia, particularly by:
  - (a) fostering the establishment of residential care facilities designed specifically to give full-time and specialist care and support to sufferers of severe forms of dementia;
  - (b) ensuring that home and community care services are operating to allow as many sufferers of dementia as possible to remain at home; and
  - (c) directing more funding to research into the cause of dementia, particularly related diseases including Alzheimer's Disease, Huntingdon's Disease and Creutzfeldt-Jakob Disease.

Debate ensued.

It being 2.45 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 Monday.

#### 6 MEMBERS' STATEMENTS

Members' statements were made.

#### 7 PAPER

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

Roster of Ministers to attend question time as at 14 November 1994.

## 8 MINISTERIAL ARRANGEMENTS

Mr Howe (Acting Prime Minister) informed the House that, during the absence abroad of Mr Keating (Prime Minister), he would answer questions on behalf of Mr Keating.

Mr Howe also informed the House that, during the respective absences of Dr Lawrence (Minister for Human Services and Health) and Mr Kerr (Minister for Justice), Mr Baldwin (Minister for Social Security) would answer questions on behalf of Dr Lawrence and Mr Lavarch (Attorney-General) would answer questions on behalf of Mr Kerr.

## 9 QUESTIONS

Questions without notice being asked—

*Paper:* Mr Fischer (Leader of the National Party of Australia), in accordance with standing order 321, having called for a document quoted from by Mr Brereton (Minister for Transport)—

Mr Brereton presented the following paper:

Civil Aviation Authority—Copy of letter from General Peter Gration, AC, OBE, Chairman, Civil Aviation Authority, concerning the review of the handling of the Terrell Report and associated papers, to Mr Brereton, 14 November 1994.

Questions without notice continued.

## 10 PETITIONS

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

Mr Anderson, Mrs Crosio, Mr Elliott, Mr Ferguson, Mr Fitzgibbon, Mr Grace, Mr A. A. Morris, Mr Nehl, Mr Sharp, Mr Simmons, Mr Snow and Mr Vaile, from 31, 236, 289, 64, 111, 43, 59, 147, 458, 57, 195 and 42 petitioners, respectively, praying that importation and use of the drug RU486 be banned.

Mr Anderson, Mr Beale, Mr Sinclair, Mr Taylor and Mr Truss, from 776, 584, 1244, 1052 and 2180 petitioners, respectively, praying for certain changes to the Family Law Act and the Child Support Scheme.

Mr Jull and Mr Taylor, from 10 and 75 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 Abbott, from 20 petitioners, praying that women remain eligible for the age pension from the age of 60.

Mr Beale, from 39 petitioners, praying that no change be made to the national flag without a full referendum.

Mrs Bishop, from 74 members of the Private Patients of Australia Association, praying that legislative provisions which force doctors to divulge confidential information given by patients be withdrawn.

Mr Filing, from 21 petitioners, praying that the ABC continue its current programming of news and current affairs in Western Australia.

Mr McLachlan, from 26 residents of South Australia, praying that attempts to override and negate Tasmanian law be desisted from.

Mr Nehl, from 361 petitioners, praying that action be taken to provide SBS TV facilities in the mid north coast area of New South Wales.

Mr Simmons, from 30 petitioners, praying that certain action be taken to establish by referendum whether the Constitution should be amended to ensure parliamentary scrutiny of all international treaties, conventions and agreements before they come into force in Australia.

Mr Sinclair, from 114 petitioners, praying that rental assistance for living away from home and independent students be introduced.

Mr Sinclair, from 80 students and staff of the University of New England and residents of Armidale, praying that the permitted service area for radio station 2UNE-FM be extended.

Mr Tuckey, from 29 petitioners, praying that funding for breast cancer research be increased tenfold in the Budget and initiatives to encourage donations for research be considered.

Petitions received.

#### 11 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 5.15 p.m., the debate was interrupted in accordance with standing order 106.

Question—That grievances be noted—put and passed.

#### 12 MESSAGE FROM THE SENATE—QUARANTINE AMENDMENT BILL 1994

Message No. 350, dated 10 November 1994, from the Senate was reported transmitting for the concurrence of the House a Bill for "*An Act to amend the 'Quarantine Act 1908'*".

Bill read a first time.

*Paper:* Ms Crawford (Parliamentary Secretary to the Minister for Housing and Regional Development) presented an explanatory memorandum to the Bill.

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

#### 13 MESSAGE FROM THE SENATE—AUSTRALIAN CAPITAL TERRITORY ELECTORAL LEGISLATION AMENDMENT BILL 1994

Message No. 352, dated 10 November 1994, from the Senate was reported transmitting for the concurrence of the House a Bill for "*An Act to repeal the 'Australian Capital Territory (Electoral) Act 1988', to amend the 'Australian Capital Territory (Self-Government) Act 1988', and for related purposes'*".

Bill read a first time.

*Paper:* Ms Crawford (Parliamentary Secretary to the Minister for Housing and Regional Development) presented an explanatory memorandum to the Bill.

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

#### 14 AUSTRALIAN POSTAL CORPORATION AMENDMENT BILL 1994—REPORT FROM MAIN COMMITTEE

The order of the day having been read for the consideration of the report from the Main Committee—

The following unresolved questions, by leave, were taken together, and agreed to, after debate:

That clause 8 proposed to be omitted stand part of the Bill.

That clause 17 be agreed to.

That clause 26 proposed to be omitted stand part of the Bill.

The following unresolved questions, by leave, were taken together, and negatived, after debate:

That the following amendments be agreed to:

Clause 12—

Page 6, line 11, after paragraph (g) insert the following paragraph:

“(ga) by inserting after subparagraph (h)(ii) the following word and paragraph:

‘or (iii) a service centre of a document exchange service;’.”

Page 7, paragraph (k), line 8, omit proposed paragraph 30(1A)(c)(vi), substitute the following paragraphs:

“(vi) any other unincorporated body; or

(vii) a group of bodies, whether the bodies are incorporated or not, that:

(A) are related bodies corporate within the meaning of the *Corporations Act 1989*; or

(B) have a common Board of Management; or

(C) carry on business or conduct operations under the same or substantially the same group name; and”.

Clause 15, page 8, at the end of proposed subsection 32A(2) add the following word and paragraph:

“and (d) specify that the rate reduction mentioned in subsection (1) applies to interstate deliveries and to intrastate deliveries.”.

Bill agreed to.

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

## 15 INDUSTRIAL RELATIONS LEGISLATION AMENDMENT BILL (NO. 2) 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—*And on the amendment moved thereto by Mr Howard, 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) admonishes the Minister for Industrial Relations for clearly failing to meet his April 1994 promise to fully absorb coal industry arrangements into the industrial relations mainstream;
- (2) condemns the Government’s continued preference to satisfy the narrow sectional interests of trade union leaders rather than govern in the national interest; and
- (3) deplores the erratic fashion in which the Minister for Industrial Relations manages his portfolio responsibilities, clearly exemplified by the number of different bills presented by the Minister on the subject of the coal industry”—

Debate resumed.

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

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

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

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

\* 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.

*Message from the Administrator:* Message No. 208, dated 19 October 1994, from His Excellency the Administrator was announced recommending an appropriation for the purposes of the Bill.

*Consideration in detail*

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

Schedule 1—

On the motion of Mr Brereton (Minister for Industrial Relations), by leave, the following amendments were made together:

Page 3, item 1, omit subitems (1) and (2), substitute:

“(1) This Part of this Schedule commences on the day on which this Act receives the Royal Assent.”.

Page 3, item 1, omit from subitem (3) “(not earlier than 2 years after the date of commencement of the provisions to which subitem (2) applies)”.

Page 3, item 1, omit from subitem (4) “2 or”.

Pages 3 to 16, omit Part 2.

Page 16, omit from the heading to Part 3 “LONG TERM ARRANGEMENTS”, substitute “ARRANGEMENTS FOR THE PREVENTION AND SETTLEMENT OF DISPUTES IN THE COAL MINING INDUSTRY”.

On the motion of Mr Brereton, the following amendment was made: Page 17, item 25, omit proposed subsection (6), substitute:

“(6) If a law of New South Wales or Queensland (the “**relevant State law**”) provides that the provisions of this Act apply (with or without any modifications) as a law of that State for the purpose of enabling the Commission to perform functions or exercise powers with respect to matters pertaining to the relationship between employers in the coal mining industry in that State and their employees:

- (a) nothing in this Act or in Division 5 of Part 3 of Schedule 1 to the *Industrial Relations Legislation Amendment Act (No. 2) 1994* affects the operation of the relevant State law; and
- (b) the Commission may perform those functions or exercise those powers; and
- (c) if a law of that State requires that, in the performance of those functions or the exercise of those powers by a full bench, the President is to ensure, if it is practicable to do so, that at least one member of the full bench is a member who also holds office as a member of the Industrial Relations Commission of that State, the President must comply with the requirement despite any other provision of this Act.”.

On the motion of Mr Brereton, the following amendment was made, after debate:

Page 17, after item 25, insert the following item:

**“25A. After section 92:**

Insert:

**Commission to have regard to relevant decisions of Coal Industry Tribunal**

‘92A. Subject to this Act, the Commission, in performing its functions in relation to the coal mining industry, is to have regard to any decisions of the Coal Industry Tribunal that are relevant to the matters before the Commission.’.”.

On the motion of Mr Brereton, by leave, the following amendments were made together:

Page 17, item 29, omit the item.

Page 18, omit Division 4 of Part 3.

Pages 23 to 25, omit items 37 to 41.

Schedule, as amended, agreed to.

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

Bill, as amended, agreed to.

Consideration in detail concluded.

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

**16 DECLARATION OF BILLS AS COGNATE BILLS**

Mr Elliott (Parliamentary Secretary to the Treasurer), by leave, declared that the Taxation Laws Amendment Bill (No. 4) 1994, Income Tax (Former Complying Superannuation Funds) Bill 1994, Income Tax (Former Non-resident Superannuation Funds) Bill 1994, Income Tax Rates Amendment Bill 1994 and the Income Tax (Deficit Deferral) Bill 1994 were cognate Bills.

**17 TAXATION LAWS AMENDMENT BILL (NO. 4) 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 adjourned (Mr Cobb), and the resumption of the debate made an order of the day for the next sitting.

**18 ADJOURNMENT**

Mr Elliott (Parliamentary Secretary to the Treasurer) 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 12.30 p.m.

**PAPERS**

The following papers were deemed to have been presented on 14 November 1994:

Health Insurance Act—Declaration QAA No. 4/1994.

Training Guarantee (Administration) Act—Guidelines 1994 No. ELT 1.

**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Braithwaite\*, Mrs Crosio, Mr Dobie, Mr Gear, Mr Griffin, Dr Hewson, Mr Keating, Dr Lawrence, Mr Lindsay, Mr Mack\*, Mr Reith, Mr Staples\* and Dr Wooldridge.

\*On leave

**L. M. BARLIN**

Clerk of the House of Representatives