

1993-94-95

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 123

TUESDAY, 28 FEBRUARY 1995

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 RESIGNATION OF MEMBER**

The Speaker announced that he had this day received from Dr John Robert Hewson, a letter resigning his seat as Member for the electoral division of Wentworth, in the State of New South Wales, and that he would be consulting with Party Leaders concerning the date of the by-election.

**3 INTERNET—STATEMENT BY SPEAKER**

The Speaker made a statement concerning public electronic access to parliamentary materials by way of the Internet.

**4 SUSPENSION OF STANDING ORDER 217**

Mr Snowdon (Parliamentary Secretary to the Minister for Employment, Education and Training), for Mr Beazley (Leader of the House), pursuant to notice, moved—That standing order 217 (day fixed for second reading) be suspended in respect of the Land Fund and Indigenous Land Corporation (ATSIC Amendment) Bill 1994.

Debate ensued.

Question—put and passed.

**5 CUSTOMS TARIFF 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—

Debate resumed.

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

*Consideration in detail*

Bill, by leave, taken as a whole, and agreed to, after debate.

Consideration in detail concluded.

On the motion of Mr Lindsay (Parliamentary Secretary to the Minister for Industry, Science and Technology), by leave, the Bill was read a third time.

#### 6 MIGRATION LEGISLATION AMENDMENT BILL (NO. 3) 1994 [NO. 2]

The order of the day having been read for the second reading—Mrs Crosio (Parliamentary Secretary to the Minister for Social Security) moved—That the Bill be now read a second time.

Debate ensued.

Dr Theophanous (Parliamentary Secretary to the Prime Minister) was granted leave to continue his speech when the debate is resumed.

Debate adjourned, and the resumption of the debate made an order of the day for a later hour this day.

#### 7 LAND FUND AND INDIGENOUS LAND CORPORATION (ATSIC AMENDMENT) BILL 1994

Mr Keating (Prime Minister), pursuant to notice, presented a Bill for an Act to amend the *Aboriginal and Torres Strait Islander Commission Act 1989* and certain other Acts so as to establish a Land Fund and an Indigenous Land Corporation to help redress the dispossession of Aboriginal persons and Torres Strait Islanders, and for related purposes.

Bill read a first time.

*Paper:* Mr Keating presented an explanatory memorandum (Parts A and B) to the Bill.

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

*Paper:* Mr Keating presented the following paper:

Senate amendments to the Land Fund Bill—Table.

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

#### 8 MIGRATION LEGISLATION AMENDMENT BILL (NO. 3) 1994 [NO. 2]

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 Pyne 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.

#### 9 QUESTIONS

Questions without notice were asked.

#### 10 INJUNCTION CONCERNING REPORT OF COMMONWEALTH OMBUDSMAN

Mr Price raised the issue of an injunction reportedly sought to prevent the Commonwealth Ombudsman from publishing a report.

Mr Price asked the Speaker to consider whether an issue of privilege or contempt arose in respect of any interference with the rights of the House in this matter. He also asked the Speaker to consider whether the Parliament ought to be represented in the court proceedings.

Mr Costello (Deputy Leader of the Opposition) also spoke on the matter. The Speaker said he would consider the matter and respond as quickly as possible.

**11 PAPERS**

The following papers were presented:

Aboriginal Land Rights (Northern Territory) Act—

Anindilyakwa Land Council—3rd report, for 1993-94.

Central Land Council—Report for 1993-94.

Northern Land Council—Report for 1993-94.

Tiwi Land Council—15th report, for 1993-94.

Agriculture and Resource Management Council of Australia and New Zealand—Record and resolutions—

3rd meeting, Canberra, 23 September 1994.

4th meeting, Adelaide, 28 October 1994.

Australian Federal Police Act—Direction under section 13, 23 December 1994.

Long Term Strategies—Standing Committee—Australia's population 'carrying capacity': One Nation-Two ecologies—Report, December 1994—Interim government response.

**12 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—

Anindilyakwa Land Council—3rd report, for 1993-94.

Central Land Council—Report for 1993-94.

Northern Land Council—Report for 1993-94.

Tiwi Land Council—15th report, for 1993-94.

Long Term Strategies—Standing Committee—Australia's population 'carrying capacity': One Nation-Two ecologies—Report, December 1994—Interim government response.

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

**13 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—HEALTH NEEDS OF ABORIGINAL AND ISLANDER AUSTRALIANS**

The House was informed that Dr Wooldridge had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "Labor's failure to meaningfully address the health needs of Aboriginal and Islander Australians".

The proposed discussion having received the necessary support—

Dr Wooldridge addressed the House.

Discussion ensued.

Discussion concluded.

**14 SELECTION COMMITTEE—REPORT**

Mr Jenkins (Chair) presented the following report:

Selection Committee—Report relating to the program of business prior to 2.45 p.m. on Monday, 6 March 1995.

**15 MESSAGE FROM THE SENATE—CORPORATIONS LAW (SECURITIES AND FUTURES) AMENDMENT BILL 1994**

Message No. 411, dated 27 February 1995, from the Senate was reported transmitting for the concurrence of the House a Bill for “*An Act to amend the Corporations Law*”.

Bill read a first time.

*Paper:* Mr Bevis (Parliamentary Secretary to the Minister for Defence) presented an explanatory memorandum to the Bill.

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

**16 MESSAGE FROM THE SENATE—ABORIGINAL LAND RIGHTS (NORTHERN TERRITORY) AMENDMENT BILL (NO. 2) 1994**

Message No. 414, dated 27 February 1995, from the Senate was reported transmitting for the concurrence of the House a Bill for “*An Act to amend the ‘Aboriginal Land Rights (Northern Territory) Act 1976’*”.

Bill read a first time.

*Paper:* Mr Bevis (Parliamentary Secretary to the Minister for Defence) presented an explanatory memorandum to the Bill.

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

**17 POSTPONEMENT OF ORDER OF THE DAY**

Ordered—That order of the day No. 3, government business, be postponed until a later hour this day.

**18 BILLS REFERRED TO MAIN COMMITTEE**

Mr McLeay (Chief Government Whip), pursuant to notice, moved—That the following Bills be referred to the Main Committee for consideration:

Crimes Amendment 1995;

Criminal Code 1995; and

Archives Amendment 1995.

Question—put and passed.

**19 MIGRATION LEGISLATION AMENDMENT BILL (NO. 3) 1994 [NO. 2]**

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.

*Consideration in detail*

Bill, by leave, taken as a whole, and agreed to, after debate.

Consideration in detail concluded.

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

**20 INCOME TAX (INTERNATIONAL AGREEMENTS) AMENDMENT BILL 1995**

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

Mr Rocher 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 condemns the Government for recently signing a double taxation agreement with New Zealand without achieving an entirely neutral position on withholding tax to the detriment of certain Australian interests”.

Debate continued.

Amendment negatived.

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 Gear, the Bill was read a third time.

## 21 TRANSPORT LEGISLATION 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.

*Paper:* Mr O’Keefe presented a supplementary explanatory memorandum to the Bill.

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

## 22 ADJOURNMENT

Mr O’Keefe (Parliamentary Secretary to the Minister for Transport) 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.

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### PAPER

The following paper was deemed to have been presented on 28 February 1995:

Remuneration Tribunal Act—Remuneration Tribunal—Determination 1995 No. 1.

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### ATTENDANCE

All Members attended (at some time during the sitting) except Mr Baldwin, Mr Crean, Mr Dobie, Mr Griffiths, Mr Howe, Mr Johns, Mr Katter, Mr McLachlan, Mr Swan, Mr Vaile and Mr Walker.

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**L. M. BARLIN**

Clerk of the House of Representatives