

1993-94-95

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 127

TUESDAY, 7 MARCH 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 DEATH OF SENATOR A. O. ZAKHAROV

Mr Howe (Acting Prime Minister) referred to the death of Senator A. O. Zakharov, and moved—That the House expresses its deep regret at the death, on 6 March 1995, of Senator Alice Olive Zakharov, a Senator for the State of Victoria since 1982, places on record its appreciation of her long and meritorious public service, and tenders its profound sympathy to her family in their bereavement.

And Mr Howard (Leader of the Opposition) having seconded the motion, and Mr Fischer (Leader of the National Party of Australia) and other Members having addressed the House in support thereof, and all Members present having risen, in silence—

Question—passed.

3 LAND FUND AND INDIGENOUS LAND CORPORATION (ATSIC 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.

Mr Brown 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.

4 QUESTIONS

Questions without notice being asked—

Papers: Mr Lavarch (Attorney-General) presented the following papers:

Delivery of documents sent from the Australian Government Solicitor, Adelaide, to the office of the Minister for Aboriginal and Torres Strait Islander Affairs, Canberra—Copies of—

Letter from the Hon. Stephen Martin, Speaker of the House of Representatives to the Hon. Robert Tickner, Minister for Aboriginal and Torres Strait Islander Affairs, 7 March 1995.

Statutory declaration, including attachments, by Mary Teresa Milaras, Australian Government Solicitor's Office, Adelaide, 7 March 1995.

Suspension of standing and sessional orders—Motion of censure of the Member for Barker

Mr Lavarch moved—That so much of the standing and sessional orders be suspended as would prevent the Attorney-General moving forthwith—That the Member for Barker be censured for misleading the House on the source of sensitive documents which were the subject of Federal Court orders protecting its secrecy and for using those documents in a way which breached the integrity of proceedings before the Federal Court and which offends the religious beliefs of Aboriginal women.

Question—put and passed, with the concurrence of an absolute majority.

Member for Barker—Resolution of censure

Mr Lavarch moved—That the Member for Barker be censured for misleading the House on the source of sensitive documents which were the subject of Federal Court orders protecting its secrecy and for using those documents in a way which breached the integrity of proceedings before the Federal Court and which offends the religious beliefs of Aboriginal women.

Debate ensued.

Closure: Mr Beazley (Leader of the House) moved—That the question be now put.

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

And the question—That the motion be agreed to—being accordingly put—

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

AYES, 74

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

NOES, 63

Mr Abbott	Mr Dobie	Mr Lloyd	Mr Ruddock
Mr Aldred	Mr Downer	Mr McArthur	Mr B. C. Scott
Mr Anderson	Mr R. D. C. Evans	Mr McGauran	Mr Sharp
Mr J. N. Andrew	Mr Filing	Mr McLachlan	Mr Sinclair
Mr K. J. Andrews	Mr Fischer	Mr Miles	Mr Slipper
Mr Atkinson	Mr Forrest	Mr Moore	Mr Somlyay
Mr Beale	Mrs Gallus	Mrs Moylan	Mrs Sullivan
Mrs Bishop	Mr Georgiou	Mr Nehl	Mr Taylor
Mr Bradford	Mr Hall	Mr Neville	Mr Truss
Mr Braithwaite	Mr Halverson	Mr Nugent	Mr Tuckey
Mr Cadman	Mr Hawker*	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	Mr Katter	Mr Rocher	Ms Worth
Mr Costello	Mr Lieberman	Mr Ronaldson	

* Tellers

And so it was resolved in the affirmative.

Papers: Mr Beazley presented the following papers:

Delivery of documents sent from the Australian Government Solicitor, Adelaide, to the office of the Minister for Aboriginal and Torres Strait Islander Affairs, Canberra—Copies of—

Letter from Arlene Macdonald on behalf of Jane Nunan, Senior Solicitor, Attorney-General's Department, Adelaide, to Sue Kee, Senior Adviser, office of the Minister for Aboriginal and Torres Strait Islander Affairs, 4 January 1995.

Statement by Suzanne Debra Kee, Adviser to the Hon. Robert Tickner, Minister for Aboriginal and Torres Strait Islander Affairs, 7 March 1995.

Statutory declaration by Sandra Dorothy Saunders, Director, Aboriginal Legal Rights, Adelaide, 7 March 1995.

Questions without notice continued.

Suspension of standing and sessional orders moved

Mr Costello (Deputy Leader of the Opposition) moved—That so much of the standing and sessional orders be suspended as would prevent the Deputy Leader of the Opposition moving forthwith—That the Minister for Communications table in this House all evidence relied upon by the Prime Minister to make repeated allegations that the Leader of the Opposition has made a secret deal with Mr Kerry Packer to change Australia's media ownership laws.

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, 58

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

NOES, 75

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

* Tellers

And so it was negatived.

Questions without notice concluded.

5 PAPERS

The following papers were presented:

Australian Telecommunications Authority (AUSTEL)—Quality of Service Bulletin—September quarter 1994.

Commonwealth Grants Commission Act—Commonwealth Grants Commission—Report on general revenue grant relativities—1995 update.

Franchising Code Administration Council Limited—Report for period 1 February 1993 to 30 June 1994.

Franchising Code of Practice—Review, October 1994.

Higher education funding for the 1994-96 triennium—Supplementary report by Minister for Employment, Education and Training, 9 December 1994.

Law Reform Commission Act—Law Reform Commission—Report No. 72—The coming of age: New aged care legislation for the Commonwealth.

Shipping in and around the Great Barrier Reef—Ministerial statement by Mr Brereton (Minister for Transport).

Social justice for indigenous Australians 1994-95.

6 PAPERS—MOTION TO TAKE NOTE OF PAPERS

Mr Beazley (Leader of the House) moved—That the House take note of the following papers:

Franchising Code Administration Council Limited—Report for period 1 February 1993 to 30 June 1994.

Franchising Code of Practice—Review, October 1994.

Higher education funding for the 1994-96 triennium—Supplementary report by Minister for Employment, Education and Training, 9 December 1994.

Law Reform Commission Act—Law Reform Commission—Report No. 72—The coming of age: New aged care legislation for the Commonwealth.

Shipping in and around the Great Barrier Reef—Ministerial statement by Mr Brereton (Minister for Transport).

Social justice for indigenous Australians 1994-95.

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

7 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—EVALUATING COUPES FOR LOGGING

The House was informed that Mr Anderson (Deputy Leader of the National Party of Australia) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The Government’s political opportunism in evaluating coupes for logging”.

The proposed discussion having received the necessary support—

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

Question—put and passed.

8 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, 27 March 1995.

9 MIGRATION LEGISLATION AMENDMENT BILL (NO. 4) 1995

Mr Lindsay (Parliamentary Secretary to the Minister for Industry, Science and Technology), for Mrs Crosio (Parliamentary Secretary to the Minister for Social Security), pursuant to notice, presented a Bill for an Act to amend the *Migration Act 1958*, 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.

10 MATTERS REFERRED TO MAIN COMMITTEE

Mr McLeay (Chief Government Whip), pursuant to notice, moved—That the following orders of the day, committee and delegation reports, be referred to the Main Committee for debate:

Legal and Constitutional Affairs—Standing Committee—Exposure draft on section 53(3) of the Constitution—Motion to take note of paper: Resumption of debate.

Community Affairs—Standing Committee—Report on the management and treatment of breast cancer in Australia—Motion to take note of paper: Resumption of debate.

Question—put and passed.

11 LAND FUND AND INDIGENOUS LAND CORPORATION (ATSIC 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.

12 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 Speaker adjourned the House until tomorrow at 9.30 a.m.

PAPERS

The following papers were deemed to have been presented on 7 March 1995:

Customs Act—Instrument of approval 1995 No. 1.

Lands Acquisition Act—Statement under section 125.

Proclamations by His Excellency the Governor-General fixing the dates on which the following provisions of Acts shall come into operation—

Evidence and Procedure (New Zealand) Act 1994—Except sections 1 and 2—1 April 1995.

Foreign Evidence Act 1994—Part 5—16 March 1995.

ATTENDANCE

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

L. M. BARLIN

Clerk of the House of Representatives