

1993-94-95

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 164

THURSDAY, 21 SEPTEMBER 1995

1 The House met, at 9.30 a.m., pursuant to adjournment. The Speaker (the Honourable Stephen Martin) took the Chair, and read Prayers.

2 MESSAGE FROM THE SENATE—ABORIGINAL LAND GRANT AND MANAGEMENT (JERVIS BAY TERRITORY) LEGISLATION AMENDMENT BILL 1995

Message No. 534, dated 18 September 1995, from the Senate was reported transmitting for the concurrence of the House a Bill for “*An Act to amend the ‘Aboriginal Land Grant (Jervis Bay Territory) Act 1986’ to enable land within the Jervis Bay National Park and the Jervis Bay Botanic Gardens to be granted to the Wreck Bay Aboriginal Community Council, to amend the ‘National Parks and Wildlife Conservation Act 1975’ to enable the Council to participate in the management of the Park and the Gardens, and to amend the ‘Commonwealth Grants Commission Act 1973’ to enable the Commission to inquire into, and report on, the granting of financial assistance to, or the financing of works and services in, certain Territories, and for related purposes*”.

Bill read a first time.

Paper: Ms McHugh (Minister for Consumer Affairs) presented an explanatory memorandum to the Bill.

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

3 ADMINISTRATIVE DECISIONS (EFFECT OF INTERNATIONAL INSTRUMENTS) BILL 1995

The order of the day having been read for the second reading—Mr Kerr (Minister for Justice) moved—That the Bill be now read a second time.

Mr Ruddock 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 its failure:

- (1) to ensure that the Parliament, the States and the wider community are given proper and timely involvement in international law-making by the Government;

- (2) to legislate to require that treaties be tabled and debated in the Parliament prior to ratification;
- (3) to establish a Treaties Council as part of the Council of Australian Governments (COAG) in conjunction with a general strengthening of the consultative procedures of COAG;
- (4) to work with the States to ensure that, where possible, domestic legislation is in place prior to ratification of treaties; and
- (5) its failure to establish a Joint Treaties Committee to provide a detailed analysis of the implications of any prospective signing or ratification of an international treaty by Australia”.

Debate continued.

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

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

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

NOES, 51

Mr Abbott	Mr Downer	Mr Miles	Mr Sharp
Mr Aldred	Mr R. D. C. Evans	Mrs Moylan	Mr Sinclair
Mr J. N. Andrew	Mr Filing	Mr Nehl	Mr Slipper
Mr K. J. Andrews	Mr Forrest	Mr Neville	Mr B. M. Smyth
Mr Atkinson	Mr Georgiou	Mr Nugent	Mr Somlyay
Mr Beale	Mr Hall	Mr Prosser	Mr Taylor
Mrs Bishop	Mr Hawker*	Mr Pyne	Mr Thomson
Mr Bradford	Mr Hicks*	Mr Reid	Mr Truss
Mr Braithwaite	Mr Katter	Mr Reith	Mr Tuckey
Mr Cadman	Dr Kemp	Mr Rocher	Mr Vaile
Mr Cameron	Mr Lieberman	Mr Ronaldson	Mr Williams
Mr Cobb	Mr McGauran	Mr Ruddock	Ms Worth
Mr Costello	Mr Mack	Mr B. C. Scott	

* 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.

Suspension of standing and sessional orders moved

Mr Ruddock moved—That so much of the standing and sessional orders be suspended as would prevent the Member for Berowra moving a motion to refer the Administrative Decisions (Effect of International Instruments) Bill 1995 to the Standing Committee on Legal and Constitutional Affairs for inquiry and report as soon as possible.

Debate ensued.

The time allowed by standing order 91 for debate on the motion having expired—

Question—put and negatived.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Lavarch (Attorney-General), the Bill was read a third time.

4 VETERANS' AFFAIRS (1995-96 BUDGET MEASURES) LEGISLATION AMENDMENT BILL 1995

The order of the day having been read for the second reading—Mr Sciacca (Minister for Veterans' Affairs) moved—That the Bill be now read a second time.

Debate ensued.

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.

5 QUESTIONS

Questions without notice were asked.

6 AUDITOR-GENERAL'S REPORT—PUBLICATION OF PAPER

The Speaker presented the following paper:

Audit Act—Auditor-General—Audit report No. 3 of 1995-96—Performance audit—CES case management: Department of Employment, Education and Training.

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

- (1) this House authorises the publication of the Auditor-General's audit report No. 3 of 1995-96; and
- (2) the report be printed.

Question—put and passed.

7 PAPERS

The following papers were presented:

Aboriginal Deaths in Custody—Royal Commission—Implementation of Australian Capital Territory Government response to the recommendations of the Royal Commission—Report for 1993-94.

Electoral Matters—Joint Standing Committee—The 1993 federal election—Report, November 1994—Government response.

Native Title—Parliamentary Joint Committee—The National Native Title Tribunal annual report, 1993-94—Second report, March 1995—Government response.

8 PAPERS—MOTION TO TAKE NOTE OF PAPERS

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

Aboriginal Deaths in Custody—Royal Commission—Implementation of Australian Capital Territory Government response to the recommendations of the Royal Commission—Report for 1993-94.

Native Title—Parliamentary Joint Committee—The National Native Title Tribunal annual report, 1993-94—Second report, March 1995—Government response.

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

9 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—FOREIGN DEBT

The House was informed that Mr Prosser had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The continued growth of foreign debt which is undermining Australia’s economic growth potential and imposing higher than necessary interest rates on Australian families and businesses”.

The proposed discussion having received the necessary support—

Mr Prosser addressed the House.

Discussion ensued.

Discussion concluded.

10 MESSAGES FROM THE SENATE

Messages from the Senate were reported returning the following Bills without amendment:

21 September 1995—Message—

No. 537—Social Security Legislation Amendment (Family Measures) 1995.

No. 538—Radiocommunications (Transmitter Licence Tax) Amendment 1994 (*without requests*).

No. 539—Radiocommunications (Receiver Licence Tax) Amendment 1994 (*without requests*).

No. 540—Radiocommunications Taxes Collection Amendment 1994.

11 MESSAGE FROM THE SENATE—ELECTORAL AND REFERENDUM AMENDMENT BILL 1995

The following message from the Senate was reported:

Message No. 535

Mr Speaker,

The Senate returns to the House of Representatives the bill for “*An Act to amend the ‘Commonwealth Electoral Act 1918’ and the ‘Referendum (Machinery Provisions) Act 1984’*”, and acquaints the House that the Senate has agreed to

the bill with the amendments indicated by the annexed schedule, in which amendments the Senate requests the concurrence of the House of Representatives.

MICHAEL BEAHAN
President

The Senate

Canberra, 20 September 1995

Ordered—That the amendments be considered at the next sitting.

12 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REPORTS—STATEMENTS BY MEMBERS

Mr Hollis (Chairman) presented the following papers:

Public Works—Parliamentary Standing Committee—Reports—

Development of facilities for 10 Terminal Regiment and the Army Maritime School, Townsville (18th report of 1995).

Air traffic control facilities for Darwin International Airport (19th report of 1995).

Severally ordered to be printed.

Mr Hollis and Mr Abbott, by leave, made statements in connection with the reports.

13 ADJOURNMENT

It being 5.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 6 p.m.—The Speaker adjourned the House until Monday next at 12.30 p.m.

PAPERS

The following papers were deemed to have been presented on 21 September 1995:

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposal 1995 No. 23.

Currency Act—Determination 1995 No. 3.

Defence Act—Determination under section 58B 1995 No. 28.

Public Service Act—Determination 1995 No. 137.

Sales Tax Assessment Act—Determination 1995 No. STD 95/9.

Taxation Administration Act—

Determinations 1995 Nos. TD 95/49, TD 95/50, TD 95/51, TD 95/52.

Ruling 1995 No. TR 95/32.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Anderson, Mr Brereton, Mr Campbell, Mr Charles, Mr Connolly, Mr Cunningham, Mr Dobie, Mr Griffiths, Mr Halverson, Mr Jenkins, Mr Jull, Mr Latham, Mr Lindsay, Mr Lloyd, Mr McArthur, Mr McLachlan, Mr Moore, Mr Newell, Mr Punch, Mr L. J. Scott and Mr Wakelin.

L. M. BARLIN

Clerk of the House of Representatives