

1996

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 24

TUESDAY, 20 AUGUST 1996

1 The House met, at 2 p.m., pursuant to adjournment. The Speaker (the Honourable Bob Halverson) took the Chair, and read Prayers.

2 PROTEST RALLY AT PARLIAMENT HOUSE—STATEMENT BY SPEAKER

The Speaker made a statement concerning the protest rally at Parliament House on Monday, 19 August 1996.

Mr Howard (Prime Minister) and Mr Beazley (Leader of the Opposition), by indulgence, also made statements in relation to the matter.

3 QUESTIONS

Questions without notice were asked.

4 DEATH OF FORMER MEMBER (HON. F. M. OSBORNE)

Mr Howard (Prime Minister) referred to the death of the Honourable F. M. Osborne, and moved—That the House expresses its deep regret at the death on Tuesday, 23 July 1996, of the Honourable Frederick (Fred) Meares Osborne, CMG, DSC and Bar, VRD, Member of the House of Representatives for the Division of Evans from 1949 to 1961, Minister for Customs and Excise in 1956, Minister for Air from 1956 to 1960 and Minister for Repatriation from 1960 to 1961, places on record its appreciation of his long and meritorious public service, and tenders its profound sympathy to his family in their bereavement.

Mr Beazley (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.

5 DEATH OF FORMER MEMBER (MR P. E. LUCOCK)

Mr Howard (Prime Minister) referred to the death of Mr P. E. Lucock, and moved—That the House expresses its deep regret at the death on Thursday, 8 August 1996, of Mr Philip (Phil) Ernest Lucock, CBE, Member of the House of Representatives for the Division of Lyne from 1952 to 1980, temporary

Chairman of Committees from 1956 to 1961, Deputy Chairman of Committees from 1973 to 1975, Deputy Speaker and Chairman of Committees from 1961 to 1973 and from 1976 to 1978, places on record its appreciation of his long and meritorious public service, and tenders its profound sympathy to his family in their bereavement.

Mr Beazley (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.

6 AUDITOR-GENERAL'S REPORTS—PUBLICATION OF PAPERS

The Speaker presented the following papers:

Audit Act—Auditor-General—Audit reports of 1996-97—

No. 1—Performance audit—Passenger movement charge: Australian Customs Service.

No. 2—Performance audit—The administration of the Australian National Training Authority.

Mr W. L. Smith (Minister for Sport, Territories and Local Government), by leave, moved—That:

- (1) this House authorises the publication of the Auditor-General's audit reports Nos. 1 and 2 of 1996-97; and
- (2) the reports be printed.

Question—put and passed.

7 NORTHERN TERRITORY—LEGISLATIVE ASSEMBLY—RESOLUTION—OPERATION OF THE ABORIGINAL LAND RIGHTS (NORTHERN TERRITORY) ACT

The Speaker informed the House that he had received the following resolution passed by Legislative Assembly of the Northern Territory on 15 August 1996 relating to the operation of the *Aboriginal Land Rights (Northern Territory) Act 1976*—

"That this Assembly:

- (1) affirms its support for the *Aboriginal Land Rights (Northern Territory) Act 1976*;
- (2) affirms its intention of working cooperatively with Aboriginal Territorians to maximise the benefits that can flow to the Northern Territory under the Act through the sustainable use of Aboriginal land and its resources;
- (3) calls upon the Commonwealth Parliament to reaffirm its commitment to the 1997 cut-off date for claims as presently provided for in section 50(2A) of the *Aboriginal Land Rights (Northern Territory) Act 1976*; and
- (4) calls upon the Commonwealth Parliament to reject any proposals to extend or remove that cut-off date."

8 PAPER

Mr Downer (Minister for Foreign Affairs) presented the following paper:

Development Import Finance Facility scheme—Letter from Mr Downer to the Speaker, 19 July 1996.

9 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—HIGHER EDUCATION

The House was informed that Mr Latham had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The Government’s betrayal of the aspirations of young Australians for fair access and participation in higher education”.

The proposed discussion having received the necessary support—

Mr Latham addressed the House.

Discussion ensued.

Discussion concluded.

10 MESSAGES FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS

Messages from His Excellency the Governor-General were announced informing the House that His Excellency, in the name of Her Majesty, had assented to the following Bills:

27 June 1996—Message No. 22—

Medicare Levy Amendment 1996.

Income Tax Assessment Amendment 1996.

28 June 1996—Message—

No. 23—

Housing Assistance 1996.

Migration Legislation Amendment (No. 1) 1996.

Telecommunications (Carrier Licence Fees) Amendment 1996.

No. 24—

Australian Sports Drug Agency Amendment 1996.

Customs and Excise Legislation Amendment (No. 1) 1996.

Sydney 2000 Games (Indicia and Images) Protection 1996.

No. 25—Health Legislation (Powers of Investigation) Amendment 1996.

No. 26—Export Market Development Grants Amendment (No. 1) 1996.

No. 27—Primary Industries and Energy Legislation Amendment (No. 1) 1996.

8 July 1996—Message No. 28—

Australian Federal Police Amendment 1996.

Crimes Amendment (Controlled Operations) 1996.

9 July 1996—Message—

No. 29—

Taxation Laws Amendment (No. 1) 1996.

Customs Tariff Amendment (No. 1) 1996.

No. 30—

Parliamentary Contributory Superannuation Amendment 1996.

Customs Amendment 1996.

11 BILLS REFERRED TO MAIN COMMITTEE

Mr Cadman (Chief Government Whip), by leave, moved—That the following Bills be referred to the Main Committee for further consideration:

Australian Law Reform Commission 1996;

Australian Law Reform Commission (Repeal, Transitional and Miscellaneous) 1996;

Mutual Assistance in Criminal Matters Legislation Amendment 1996; and

Veterans' Affairs Legislation Amendment (No. 1) 1996.

Question—put and passed.

12 NATIONAL FIREARMS PROGRAM IMPLEMENTATION BILL 1996

Mr Williams (Attorney-General and Minister for Justice), by leave, presented a Bill for an Act to provide for financial assistance and other expenditure in connection with the implementation of the national firearms program.

Bill read a first time.

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

Paper: Mr Williams presented an explanatory memorandum to the Bill.

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

13 DEFENCE LEGISLATION AMENDMENT BILL (NO. 1) 1996

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.

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

14 MESSAGE FROM THE GOVERNOR-GENERAL, PROPOSED EXPENDITURE AND APPROPRIATION FOR YEAR 1996-97—APPROPRIATION BILL (NO. 1) 1996-97—BUDGET SPEECH

Message No. 31, dated 19 August 1996, from His Excellency the Governor-General was announced:

- (a) transmitting to the House of Representatives particulars of proposed expenditure from the Consolidated Revenue Fund for the service of the year ending on 30 June 1997; and
- (b) in accordance with the requirements of section 56 of the Constitution, recommending to the House of Representatives that an appropriation be made for the purposes of a Bill for an Act to appropriate money out of the Consolidated Revenue Fund for the service of the year ending on 30 June 1997, and for related purposes.

Mr Costello (Treasurer) presented a Bill for an Act to appropriate money out of the Consolidated Revenue Fund for the service of the year ending on 30 June 1997, and for related purposes.

Bill read a first time.

Mr Costello moved—That the Bill be now read a second time, and delivered the budget speech.

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

15 PAPERS

Mr Costello (Treasurer) presented the following papers:

Budget statements 1996-97 (Budget paper No. 1).

The Commonwealth public account 1996-97 (Budget paper No. 2).

Commonwealth financial relations with other levels of Government 1996-97 (Budget paper No. 3).

Charter of budget honesty.

Recognising older Australians.

Rebuilding regional Australia.

Strengthening families.

More choice for women.

Investing in our natural heritage.

Severally ordered to be printed.

16 MESSAGE FROM THE GOVERNOR-GENERAL, CERTAIN PROPOSED EXPENDITURE AND APPROPRIATION FOR YEAR 1996-97—APPROPRIATION BILL (NO. 2) 1996-97

Message No. 32, dated 19 August 1996, from His Excellency the Governor-General was announced:

- (a) transmitting to the House of Representatives particulars of certain proposed expenditure from the Consolidated Revenue Fund in respect of the year ending on 30 June 1997; and
- (b) in accordance with the requirements of section 56 of the Constitution, recommending to the House of Representatives that an appropriation be made for the purposes of a Bill for an Act to appropriate money out of the Consolidated Revenue Fund for certain expenditure in respect of the year ending on 30 June 1997, and for related purposes.

Mr Fahey (Minister for Finance) presented a Bill for an Act to appropriate money out of the Consolidated Revenue Fund for certain expenditure in respect of the year ending on 30 June 1997, and for related purposes.

Bill read a first time.

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

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

17 MESSAGE FROM THE GOVERNOR-GENERAL, CERTAIN PROPOSED EXPENDITURE AND APPROPRIATION IN RELATION TO THE PARLIAMENTARY DEPARTMENTS FOR YEAR 1996-97—APPROPRIATION (PARLIAMENTARY DEPARTMENTS) BILL 1996-97

Message No. 33, dated 19 August 1996, from His Excellency the Governor-General was announced:

- (a) transmitting to the House of Representatives particulars of proposed expenditure from the Consolidated Revenue Fund in relation to the Parliamentary Departments in respect of the year ending on 30 June 1997; and
- (b) in accordance with the requirements of section 56 of the Constitution, recommending to the House of Representatives that an appropriation be made for the purposes of a Bill for an Act to appropriate money out of the Consolidated Revenue Fund for certain expenditure in relation to the Parliamentary Departments in respect of the year ending on 30 June 1997, and for related purposes.

Mr Fahey (Minister for Finance) presented a Bill for an Act to appropriate money out of the Consolidated Revenue Fund for certain expenditure in relation to the Parliamentary Departments in respect of the year ending on 30 June 1997, and for related purposes.

Bill read a first time.

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

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

18 SELECTION COMMITTEE—REPORT

Mr Nehl (Chair) presented the following paper:

Selection Committee—Report relating to the consideration of committee and delegation reports and private Members' business on Monday, 9 September 1996.

19 ADJOURNMENT

Mr Fahey (Minister for Finance) moved—That the House do now adjourn.

Question—put and passed.

And then the House, at 8.06 p.m., adjourned until tomorrow at 9.30 a.m.

PAPERS

The following papers were deemed to have been presented on 20 August 1996:
 Aboriginal and Torres Strait Islander Commission Act—Explanatory addenda—Directions under section—
 12—4 June 1996.
 142E—4 June 1996.

- Agricultural and Veterinary Chemicals Code Act—
Regulations—Statutory Rules 1996 No. 111.
- Air Navigation Act—Regulations—Statutory Rules 1996 No. 113.
- Air Services Act—Instrument No. M57/96.
- Audit Act—Regulations—Statutory Rules 1996 No. 120.
- Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposal
for the collection of information—1996 No. 5.
- Australian Capital Territory (Planning and Land Management) Act—National
Capital Plan Amendment No. 18.
- Australian National Maritime Museum Act—Regulations—Statutory Rules
1996 No. 93.
- Banks (Shareholdings) Act—Regulations—Statutory Rules 1996 Nos. 146, 147.
- Child Support (Assessment) Act—Regulations—Statutory Rules 1996 No. 142.
- Christmas Island Act—Ordinance 1996 No. 2.
- Civil Aviation Act—Civil Aviation Regulations—Civil Aviation Orders—
Exemptions—1996 Nos. 148/FRS/160/1996, 149/FRS/161/1996,
150/FRS/162/1996, 151/FRS/163/1996, 152/FRS/164/1996,
153/FRS/165/1996, 154/FRS/166/1996, 155/FRS/167/1996,
156/FRS/168/1996, 157/FRS/169/1996, 158/FRS/170/1996,
159/FRS/171/1996, 160/FRS/172/1996, 161/FRS/173/1996,
162/FRS/174/1996, 163/FRS/175/1996, 164/FRS/176/1996,
165/FRS/177/1996, 166/FRS/178/1996, 167/FRS/179/1996,
168/FRS/180/1996, CASA 12/1996, CASA 13/1996.
- Part 20—Amendment 1996 21 June.
- Part 105—Amendments 1996 11, 19, 20, 21, 24, 26(5), 27(3), 28(4) June, 2(4),
3, 4(3), 5(3), 8(6), 9(3), 16, 17(2), 18, 19(3), 25(2), 29(2), 31 July, 1(8), 5(5),
7(2) August.
- Part 106—Amendments 1996 8(2), 29, 30 July, 1, 5(5) August.
- Part 107—Amendments 1996 4, 5, 8, 9(2), 29 July.
- Cocos (Keeling) Islands Act—Ordinance 1996 No. 2.
- Copyright Act—Declaration under section 10A—1 July 1996.
- Crimes Act—Regulations—Statutory Rules 1996 No. 125.
- Currency Act—Determination 1996 No. 2.
- Customs Act—
Instrument of approval 1996 No. 1.
Notice 1996 No. 2.
Regulations—Statutory Rules 1996 Nos. 123, 134.
- Dairy Produce Levy (No. 1) Act—Regulations—Statutory Rules 1996 No. 127.
- Defence Act—
Defence Force Remuneration Tribunal—Determinations 1996 Nos. 12, 13, 14,
15, 16.
- Determinations under section 58B 1996 Nos. 23, 24, 30, 31.

- Excise Act—Notice 1996 No. 2.
- Export Control Act—Export Control (Orders) Regulations—
Export Meat Orders (Amendment) 1996 No. 6.
- Livestock Export (Merino) Orders (Amendment) 1996 No. 1.
- Export Inspection (Establishment Registration Charges) Act—Regulations—
Statutory Rules 1996 No. 110.
- Export Market Development Grants Act—Determination—Approved joint
ventures and consortia, 4 July 1996.
- Foreign Judgments Act—Regulations—Statutory Rules 1996 No. 145.
- Health Insurance Act—
Determination No. HS/2/1996.
Regulations—Statutory Rules 1996 Nos. 106, 128.
- Higher Education Funding Act—Determinations Nos. T7/96, T8/96.
- Immigration (Education) Charge Act—Regulations—Statutory Rules 1996 No.
107.
- Income Tax Assessment Act—Regulations—Statutory Rules 1996 Nos. 114,
124, 133.
- International Organizations (Privileges and Immunities) Act—Regulations—
Statutory Rules 1996 No. 144.
- International Shipping (Australian-resident Seafarers) Grants Act—
Regulations—Statutory Rules 1996 No. 112.
- Judicial and Statutory Officers (Remuneration and Allowances) Act—
Regulations—Statutory Rules 1996 No. 109.
- Lands Acquisition Act—Statement under section 40 (2).
- Marine Navigation (Regulatory Functions) Levy Act—Regulations—Statutory
Rules 1996 No. 130.
- Migration Act—Regulations—Statutory Rules 1996 Nos. 108, 121, 135.
- National Gallery Act—Regulations—Statutory Rules 1996 No. 92.
- National Health Act—
Declarations—1996 Nos. PB 11, PB 12.
Determinations—1996 Nos. 1995-96/ACC19, 1995-96/ACC20, ACC 1995-
96/23, HS/1, PHI 9, PHI 10, PHI 11, PHI 12, PHI 13, PB 13, 24SH 2.
Instruments for the purposes of paragraph 40AA—14 August 1996.
- Occupational Health and Safety (Commonwealth Employment) Act—
Regulations—Statutory Rules 1996 No. 129.
- Ozone Protection Act—Exemption under section 40—16 June 1996.
- Passports Act—Regulations—Statutory Rules 1996 No. 141.
- Primary Industries Levies and Charges Collection Act—Regulations—Statutory
Rules 1996 No. 126.
- Proclamations by His Excellency the Governor-General fixing the dates on
which the following Acts and provisions of Acts shall come into operation—

Australian Sports Drug Agency Amendment Act 1966—Section 3 and Schedule 1—24 July 1996.

Customs Amendment Act 1996—15 July 1996.

Customs Tariff Amendment Act (No. 1) 1996—15 July 1996.

National Food Authority Amendment Act 1995—Provisions of the Act other than sections 1 and 2—1 July 1996.

Public Service Act—

Determinations 1996 Nos. 31, 34, 41, 43, 44, 45, 46, 47, 48, 49, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, LES 13, LES 14, LES 15, LES 16, LES 17, LES 18.

Parliamentary Presiding Officers' Determinations 1996 Nos. 1, 2.

Radiocommunications Act—Class licence—

Radiocommunications (861-865 MHz Land Stations).

Radiocommunications (Cordless Telephone Service) No. 1 of 1993 (Revocation).

Radiocommunications (Infrared Devices).

Remuneration Tribunal Act—Remuneration Tribunal—Determinations 1996 Nos. 5, 6, 7, 8.

Rice Levy Act—Rice Levy Rates Specification 1996 No. 1.

States Grants (Petroleum Products) Act—Amendment of schemes No. 96/1.

Superannuation Act 1976—

Declaration—Statutory Rules 1996 Nos. 95, 115.

Determination under section 241 No. 3.

Regulations—Statutory Rules 1996 Nos. 96, 97, 98, 99, 100, 101, 102, 103, 104, 105.

Superannuation Act 1990—Declaration—Statutory Rules 1996 No. 94.

Superannuation Guarantee (Administration) Act—Regulations—Statutory Rules 1996 No. 148.

Superannuation Industry (Supervision) Act—Regulations—Statutory Rules 1996 No. 122.

Superannuation (Productivity Benefit) Act—

Declaration—Statutory Rules 1996 Nos. 116, 117, 118.

Determination—Statutory Rules 1996 No. 119.

Taxation Administration Act—

Determinations 1996 No. TD 96/34.

Rulings—

1995 No. TR 95/22 (addendum), TR 95/34.

1996 Nos. TR 96/22, TR 96/23.

Therapeutic Goods Act—

Regulations—Statutory Rules 1996 No. 131.

Therapeutic Goods Order No. 55.

Therapeutic Goods (Charges) Act—Regulations—Statutory Rules 1996 No. 132.

Wool International Act—Regulations—Statutory Rules 1996 No. 143.

Wool Tax Act (No. 1)—Regulations—Statutory Rules 1996 No. 136.

Wool Tax Act (No. 2)—Regulations—Statutory Rules 1996 No. 137.

Wool Tax Act (No. 3)—Regulations—Statutory Rules 1996 No. 138.

Wool Tax Act (No. 4)—Regulations—Statutory Rules 1996 No. 139.

Wool Tax Act (No. 5)—Regulations—Statutory Rules 1996 No. 140.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Nugent, Mr Price and Mr Sercombe.

L. M. BARLIN
Clerk of the House of Representatives