

1996

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 43

TUESDAY, 29 OCTOBER 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 QUESTIONS

Questions without notice being asked—

Paper: Mr Crean, in accordance with standing order 321, having called for a document quoted from by Mr Howard (Prime Minister)—

Mr Howard presented the following paper:

Immigration policy and racial intolerance—Comments made by Mr Howard, 22 September to 20 October 1996.

Questions without notice continued.

3 PAPER

The Speaker presented the following paper:

Public Service Act—Joint House Department—Report for 1995-96.

4 PAPERS

The following papers were presented:

Aboriginal Hostels Limited—Report for 1995-96.

Administrative Appeals Tribunal Act—Administrative Appeals Tribunal—Report for 1995-96.

Affirmative Action (Equal Employment Opportunity for Women) Act—Affirmative Action Agency—Report for period 1 June 1995 to 31 May 1996.

Anti-Dumping Authority Act—Anti-Dumping Authority—Report for 1995-96.

Australia Council Act—Australia Council—Report for 1995-96.

Australian Capital Territory (Planning and Land Management) Act—National Capital Planning Authority—Report for 1995-96.

Australian Centre for International Agricultural Research Act—Australian Centre for International Agricultural Research—Report for 1995-96.

- Australian Federal Police Act—Australian Federal Police—Report for 1995-96.
- Australian Film Commission Act—Australian Film Commission—Report for 1995-96.
- Australian Film Finance Corporation Limited—Report for 1995-96.
- Australian Film, Television and Radio School Act—Australian Film, Television and Radio School—Report for 1995-96.
- Australian Institute of Aboriginal and Torres Strait Islander Studies Act—Australian Institute of Aboriginal and Torres Strait Islander Studies—Report for 1995-96—Errata.
- Australian Institute of Health and Welfare Act—Australian Institute of Health and Welfare—Report for 1995-96.
- Australian Maritime Safety Authority Act—Australian Maritime Safety Authority—Report for 1995-96.
- Australian Multimedia Enterprise Limited—Report for 1995-96.
- Australian Political Exchange Council—Report for 1995-96.
- Australian Space Council Act—Australian Space Council—Reports—1994-95.
1995-96.
- Australian Trade Commission Act—Australian Trade Commission (AUSTRADE)—Report for 1995-96.
- Australian War Memorial Act—Australian War Memorial—Report for 1995-96.
- Bankruptcy Act—Report for 1995-96.
- Commonwealth Electoral Act—Australian Electoral Commission—Report for 1995-96.
- Commonwealth Funds Management Limited Act—Commonwealth Funds Management Limited—Report, including annual return, for 1995-96.
- Customs Administration Act—Australian Customs Service—Report for 1995-96.
- Data-matching Program (Assistance and Tax) Act—Department of Employment, Education, Training and Youth Affairs—Report on progress, October 1996.
- Department of Housing and Regional Development—Financial statements for period 1 July 1995 to 10 March 1996.
- Environment Protection (Alligator Rivers Region) Act—Supervising Scientist for the Alligator Rivers Region—Report for 1995-96.
- Equal Employment Opportunity (Commonwealth Authorities) Act—Equal employment opportunity program—Australia Post—Report for 1995-96.
- Family Law Act—
Australian Institute of Family Studies—Report for 1995-96.
Family Court of Australia—Report for 1995-96.

- Family Law Council—Report for 1995-96.
- Financial Transaction Reports Act—Australian Transaction Reports and Analysis Centre (AUSTRAC)—Report for 1995-96.
- Governor-General Act—Office of the Official Secretary to the Governor-General—Report for 1995-96.
- Great Barrier Reef Marine Park Act—Great Barrier Reef Marine Park Authority—Report for 1995-96.
- Health Insurance Act—Professional Services Review—Report for 1995-96.
- High Court of Australia Act—High Court of Australia—Report for 1995-96.
- Housing Assistance Act—Report on operation of Commonwealth-State Housing Agreement for 1994-95.
- Human Rights and Equal Opportunity Act—Human Rights and Equal Opportunity Commission—Report for 1995-96.
- Law Reform Commission Act—Australian Law Reform Commission—Report for 1995-96.
- Meat and Live-stock Industry Act—
Australian Meat and Live-stock Corporation—Report for 1995-96.
- Meat Industry Council—Report for 1995-96.
- National Film and Sound Archive—Review for 1995-96.
- National Health Act—Private Health Insurance Complaints Commissioner—
Report for period 1 October 1995 to 30 June 1996.
- National Occupational Health and Safety Commission Act—National Occupational Health and Safety Commission (Worksafe Australia)—Report for 1995-96.
- National Parks and Wildlife Conservation Act—Australian Nature Conservation Agency—Report for 1995-96.
- National Residue Survey Administration Act—National Residue Survey—
Report for 1995-96.
- Pig Industry Act—Australian Pork Corporation—9th Report, for 1995-96.
- Primary Industries and Energy Research and Development Act—
Dairy Research and Development Corporation—Report for 1995-96.
- Energy Research and Development Corporation—Report for 1995-96.
- Grains Research and Development Corporation and Grains Research and Development Corporation Selection Committee—
Report for 1995-96.
- Report for 1995-96—Addendum.
- Land and Water Resources Research and Development Corporation and Land and Water Resources Research and Development Corporation Selection Committee—Report for 1995-96.
- Pig Research and Development Corporation and Pig Research and Development Corporation Selection Committee—Report for 1995-96.

- Rural Industries Research and Development Corporation and Rural Industries Research and Development Corporation Selection Committee—Report for 1995-96.
- Sugar Research and Development Corporation and Sugar Research and Development Corporation Selection Committee—Report for 1995-96.
- Protection of Movable Cultural Heritage Act—Report on the Act and National Cultural Heritage Fund, for 1995-96.
- Public Lending Right Act—Public Lending Right Committee—Report for 1995-96.
- Public Service Act—
- Commissioner for Superannuation—Report, incorporating a report on the administration and operation of the Papua New Guinea (Staffing Assistance) Act, for 1995-96.
- Department of Communications and the Arts—Report for 1995-96.
- Department of Finance—Report for 1995-96.
- Department of Foreign Affairs and Trade—Report for 1995-96.
- Department of Industrial Relations—Report, incorporating a report on the operation of Part V of the Industrial Relations Act, for 1995-96.
- Department of the Environment, Sport and Territories—Report, including reports on the operation of the Hazardous Waste (Regulation of Exports and Imports) Act and the Ozone Protection Act, for 1995-96.
- Department of the Treasury—Report for 1995-96.
- Public Service and Merit Protection Commission—Report, incorporating the report of the Merit Protection and Review Agency in accord with the Merit Protection (Australian Government Employees) Act, for 1995-96.
- Refugee Review Tribunal—Report for 1995-96.
- Safety, Rehabilitation and Compensation Act—Comcare Australia—Report, including the reports of the Safety, Rehabilitation and Compensation Commission and QWL Corporation Pty Limited, for 1995-96.
- Science and Industry Research Act—Commonwealth Scientific and Industrial Research Organisation (CSIRO)—Report for 1995-96.
- Seafarers Rehabilitation and Compensation Act—Seafarers Safety, Rehabilitation and Compensation Authority—Report for 1995-96.
- Special Broadcasting Service Act—Special Broadcasting Service Corporation (SBS)—Report for 1995-96.
- Stevedoring Industry Finance Committee Act—Stevedoring Industry Finance Committee—Report for 1995-96.
- Superannuation (Resolution of Complaints) Act—Superannuation Complaints Tribunal—Report for 1995-96.
- Superannuation Act 1976*—CSS Board—Report for 1995-96.
- Superannuation Act 1990*—PSS Board—Report for 1995-96.
- Telecommunications Act 1991*—Australian Telecommunications Authority (AUSTEL)—Report for 1995-96.

Telstra Corporation Act—Telstra—Report for 1995-96.

Trade Union Training Authority Act—Australian Trade Union Training Authority—Report for 1995-96.

Treaties—

Bilateral with national interest analyses—

Agreement between the Government of Australia and the Government of the Republic of Singapore for the Reciprocal Protection of Classified Information Transmitted Between the Australian Department of Defence and the Singapore Ministry of Defence, done at Canberra on 15 October 1996.

Agreement between the Government of Australia and the Government of Macau concerning Air Services.

Multilateral with national interest analyses—

Amendment, done at Copenhagen on 31 August 1995, of the Agreement relating to the International Telecommunications Satellite Organization “INTELSAT” of 20 August 1971, to Implement Multiple Signatory Arrangements.

Amendment, done at Washington on 16 April 1996, of the Operating Agreement relating to the International Telecommunications Satellite Organization “INTELSAT” of 20 August 1971, to Implement Multiple Signatory Arrangements.

Amendments, done at London on 23 November 1995, to the International Convention on Load Lines of 5 April 1966.

Veterans’ Entitlements Act and Public Service Act—Repatriation Commission and the Department of Veterans’ Affairs—Report for 1995-96.

5 PAPERS—MOTION TO TAKE NOTE OF PAPERS

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

Affirmative Action (Equal Employment Opportunity for Women) Act—Affirmative Action Agency—Report for period 1 June 1995 to 31 May 1996.

Australian Institute of Health and Welfare Act—Australian Institute of Health and Welfare—Report for 1995-96.

Australian Space Council Act—Australian Space Council—Reports—1994-95.
1995-96.

Family Law Act—

Australian Institute of Family Studies—Report for 1995-96.

Family Court of Australia—Report for 1995-96.

Family Law Council—Report for 1995-96.

Great Barrier Reef Marine Park Act—Great Barrier Reef Marine Park Authority—Report for 1995-96.

Housing Assistance Act—Report on operation of Commonwealth-State Housing Agreement for 1994-95.

Law Reform Commission Act—Australian Law Reform Commission—Report for 1995-96.

National Health Act—Private Health Insurance Complaints Commissioner—Report for period 1 October 1995 to 30 June 1996.

Science and Industry Research Act—Commonwealth Scientific and Industrial Research Organisation (CSIRO)—Report for 1995-96.

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

6 AFFIRMATIVE ACTION AGENCY—REPORT—PUBLICATION OF PAPER

Mr Reith (Leader of the House), by leave, moved—That this House authorises the publication of the report of the Affirmative Action Agency for 1995-96.

Question—put and passed.

7 LEAVE OF ABSENCE TO MEMBER

Mr Reith (Leader of the House) moved—That leave of absence for the remainder of the current period of sittings be given to Mr Reid on the ground of public business overseas.

Question—put and passed.

8 LEAVE OF ABSENCE TO MEMBER

Mr Beazley (Leader of the Opposition) moved—That leave of absence for the remainder of the current period of sittings be given to Mr Willis on the ground of public business overseas.

Question—put and passed.

9 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—COMMONWEALTH DENTAL HEALTH PROGRAM

The House was informed that Mr Lee had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The widespread concern caused by the Government's decision to abolish the Commonwealth Dental Health Program".

The proposed discussion having received the necessary support—

Mr Lee addressed the House.

Discussion ensued.

Discussion concluded.

10 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, 4 November 1996.

11 LEAVE OF HOUSE FOR PRODUCTION OF RECORDS IN COURT PROCEEDINGS

Mr Miles (Parliamentary Secretary (Cabinet) to the Prime Minister), for Mr Reith (Leader of the House), pursuant to notice, moved—That the House grants leave for Arthur Robinson & Hedderwicks to produce the following records in evidence in proceedings before the High Court in the cases:

(a) *Laurence Nathan Levy v. The State of Victoria and Others*

(b) *Lange v. Australian Broadcasting Corporation*

Parliamentary Debates, House of Representatives, 1 March 1995—Speeches of Dr Theophanous, Dr Wooldridge, Mr Gibson, Mr Nugent, Mr Chynoweth and Mr Bradford (pp. 1310-1323).

Question—put and passed.

12 BILLS REFERRED TO MAIN COMMITTEE

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

Social Security Legislation Amendment (No. 1) 1996; and

Health Insurance Amendment 1996.

Question—put and passed.

13 NATURAL HERITAGE TRUST OF AUSTRALIA BILL 1996

The order of the day having been read for the further consideration in detail of the Bill—

Clause 3—

Debate resumed on the clause and the amendments moved by Dr Lawrence, viz.:

Page 3, omit the second dot point of the simplified outline.

Page 3, line 11, omit “Australia’s natural capital infrastructure”, substitute “Australia’s natural environment”.

Amendments negatived.

Clause agreed to.

Clauses 4 to 8, by leave, taken together, and agreed to.

Clause 9—

Dr Lawrence addressing the House—

Closure of Member: Mr Sinclair moved—That the Member be not further heard.

Question—put.

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

AYES, 80

Mr Abbott	Mrs Draper	Mr Lieberman	Mr Ruddock
Mr Anderson	Mr Entsch	Mr Lindsay	Mr Sharp
Mr J. N. Andrew	Mr R. D. C. Evans	Mr Lloyd	Mr Sinclair
Mr K. J. Andrews	Mr Fahey	Mr McArthur*	Mr Slipper
Mr Anthony	Mrs Gallus	Mr McDougall	Mr A. C. Smith
Mrs Bailey	Ms Gambaro	Mr McGauran	Mr W. L. Smith
Mr Barresi	Mrs Gash	Mr McLachlan	Mr Somlyay
Mr Bartlett	Mr Georgiou	Mr Marek	Mrs Stone
Mr Billson	Mrs E. J. Grace	Mr Miles	Mrs Sullivan
Mrs Bishop	Mr Hardgrave	Mrs Moylan	Mr Taylor
Mr Broadbent	Mr Hawker	Mr Mutch	Mr Truss
Mr Brough	Mr Hicks*	Mr Nairn	Mr Tuckey
Mr Cadman	Mr Hockey	Dr Nelson	Mr M. A. J. Vaile
Mr R. A. Cameron	Ms Jeanes	Mr Neville	Ms D. S. Vale
Mr Causley	Mrs Johnston	Mr Nugent	Mr Wakelin
Mr Charles	Mr Jull	Mr Prosser	Mrs West
Mr Cobb	Mr Katter	Mr Pyne	Mr Williams
Mr Costello	Mrs D. M. Kelly	Mr Randall	Dr Wooldridge
Mr Dondas	Miss J. M. Kelly	Mr Reith	Ms Worth
Mr Downer	Dr Kemp	Mr Ronaldson	Mr Zammit

NOES, 42

Mr Adams	Mr M. J. Ferguson	Dr Lawrence	Mr O'Keefe
Mr Albanese	Mr Fitzgibbon	Mr Lee	Mr Price
Mr Andren	Mr E. L. Grace*	Mr McClelland	Mr Quick
Mr Beddall	Mr Griffin	Ms Macklin	Mr Sawford*
Mr Brereton	Mr Hatton	Mr McLeay	Mr Sercombe
Mr Brown	Mr Hollis	Mr Martin	Mr S. F. Smith
Mr Crean	Mr Jenkins	Mr Melham	Mr Tanner
Mrs Crosio	Mr Jones	Mr A. A. Morris	Mr K. J. Thomson
Ms Ellis	Mr Kerr	Mr P. F. Morris	Mr Wilton
Mr M. J. Evans	Mr Langmore	Mr Mossfield	
Mr L. D. T. Ferguson	Mr Latham	Mr O'Connor	

* Tellers

And so it was resolved in the affirmative.

Debate continued.

Clause agreed to.

Clauses 10 to 21, by leave, taken together, and agreed to.

Clause 22 agreed to, after debate.

Clauses 23 to 43, by leave, taken together, and agreed to.

Clause 44—

Dr Lawrence, by leave, moved the following amendments together:

Page 24, lines 12 to 24, omit the definition giving the inclusive meaning of “proceeds of the sale of shares in Telstra”.

Page 25, lines 2 and 3, omit the definition of “Telstra”.

Amendments negatived.

Clause agreed to.

Proposed new clause—

Dr Lawrence moved—That the following new clause be added to the Bill:

45 Cessation of operation of Act

This Act, unless sooner repealed, shall cease to be in force at the expiration of 3 years after the commencement of this Act.

Proposed new clause negatived.

Preamble—

Dr Lawrence moved the following amendment:

Page 2, lines 5 to 7, omit “There is an opportunity for innovative funding arrangements that ensure long-term certainty and that involve a transfer of investment in technological capital to an investment in natural capital.”, substitute “There is a need for funding arrangements in respect of Australia’s natural environment that ensure long-term certainty.”.

Amendment negatived.

Preamble agreed to.

Title agreed to.

Bill agreed to.

Consideration in detail concluded.

On the motion of Mr Anderson (Minister for Primary Industries and Energy), by leave, the Bill was read a third time.

14 NATIONAL HEALTH (BUDGET MEASURES) AMENDMENT BILL 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.

Question—put.

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

AYES, 83

Mr Abbott	Mr Entsch	Mr Lieberman	Mr Scott
Mr Andren	Mr R. D. C. Evans	Mr Lindsay	Mr Sharp
Mr J. N. Andrew	Mr Fahey	Mr Lloyd	Mr Sinclair
Mr K. J. Andrews	Mr Fischer	Mr McArthur*	Mr Slipper
Mr Anthony	Mr Forrest	Mr McDougall	Mr A. C. Smith
Mrs Bailey	Mrs Gallus	Mr McGauran	Mr W. L. Smith
Mr Barresi	Ms Gambaro	Mr McLachlan	Mr Somlyay
Mr Bartlett	Mrs Gash	Mr Marek	Mrs Stone
Mr Billson	Mr Georgiou	Mr Miles	Mrs Sullivan
Mrs Bishop	Mrs E. J. Grace	Mrs Moylan	Mr Taylor
Mr Bradford	Mr Hardgrave	Mr Mutch	Mr Truss
Mr Broadbent	Mr Hawker	Mr Nairn	Mr Tuckey
Mr Brough	Mr Hicks*	Dr Nelson	Mr M. A. J. Vaile
Mr Cadman	Mr Hockey	Mr Neville	Ms D. S. Vale
Mr R. A. Cameron	Ms Jeanes	Mr Nugent	Mr Wakelin
Mr Causley	Mrs Johnston	Mr Prosser	Mrs West
Mr Charles	Mr Jull	Mr Pyne	Mr Williams
Mr Cobb	Mr Katter	Mr Randall	Dr Wooldridge
Mr Costello	Mrs D. M. Kelly	Mr Reith	Ms Worth
Mr Dondas	Miss J. M. Kelly	Mr Ronaldson	Mr Zammit
Mr Downer	Dr Kemp	Mr Ruddock	

NOES, 41

Mr Adams	Mr Fitzgibbon	Dr Lawrence	Mr Price
Mr P. J. Baldwin	Mr E. L. Grace*	Mr Lee	Mr Quick
Mr Beddall	Mr Griffin	Mr McClelland	Mr Sawford*
Mr Brereton	Mr Hatton	Ms Macklin	Mr S. F. Smith
Mr Brown	Mr Holding	Mr McLeay	Mr Tanner
Mr Crean	Mr Hollis	Mr McMullan	Dr Theophanous
Mrs Crosio	Mr Jenkins	Mr A. A. Morris	Mr K. J. Thomson
Ms Ellis	Mr Jones	Mr P. F. Morris	Mr Wilton
Mr G. J. Evans	Mr Kerr	Mr Mossfield	
Mr L. D. T. Ferguson	Mr Langmore	Mr O'Connor	
Mr M. J. Ferguson	Mr Latham	Mr O'Keefe	

* Tellers

And so it was resolved in the affirmative—Bill read a second time.

Consideration in detail

Clause 1 agreed to.

Clause 2—

Mr Lee moved—That the clause be omitted, and the following clause be substituted:

2 Commencement

This Act commences on 1 January 1997.

Dr Wooldridge (Minister for Health and Family Services) addressing the House—

15 ADJOURNMENT

It being 10.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 11 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 29 October 1996:

Air Services Act—Instrument No. M138/96.

Civil Aviation Act—Civil Aviation Regulations—Civil Aviation Orders—Exemptions 1996 Nos. 182/FRS/194/1996, 183/FRS/195/1996, 184/FRS/196/1996.

Health Insurance Act—Statement under section 106AA (Dr Richard Edwin Peverill).

Lands Acquisition Act—Statement under section 40.

National Health Act—

Declarations 1996 Nos. PB 14, PB 15.

Determinations 1996 Nos. PB 16, PB 17.

Ships (Capital Grants) Act—Return for 1995-96.

Therapeutic Goods Act—Therapeutic goods order No. 56.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr R. C. Baldwin, Mr E. H. Cameron, Mrs Elson, Mr Reid*, Dr Southcott and Mr Willis*.

* On leave

L. M. BARLIN
Clerk of the House of Representatives