

1996-97

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 62

TUESDAY, 4 FEBRUARY 1997

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

**2 DEATH OF SENATOR J. H. PANIZZA**

Mr Howard (Prime Minister) referred to the death of Senator J. H. Panizza, and moved—That the House expresses its deep regret at the death, on 31 January 1997, of Senator John Horace Panizza, a Senator for the State of Western Australia since 1987, Deputy Opposition Whip in the Senate from 1993 to 1995, Opposition Whip in the Senate from 1995 to 1996, and Government Whip in the Senate since 1996, 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) seconded the motion and Mr Fischer (Leader of the National Party of Australia) addressed the House in support thereof.

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

**3 DEATH OF FORMER MEMBER (THE HONOURABLE C. R. KELLY)**

Mr Howard (Prime Minister) referred to the death of the Honourable C. R. Kelly, and moved—That the House expresses its deep regret at the death on 17 January 1997, of the Honourable Charles Robert (Bert) Kelly, CMG, a Member of this House for the Division of Wakefield from 1958 to 1977, Deputy Government Whip from 1964 to 1967, Minister for Works from 1967 to 1968 and Minister for the Navy from 1968 to 1969, 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) seconded the motion and Mr Fischer (Leader of the National Party of Australia) addressed the House in support thereof.

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

#### 4 MINISTERIAL ARRANGEMENTS

Mr Howard (Prime Minister) informed the House that, during the absence abroad of Mr Downer (Minister for Foreign Affairs), Mr Fischer (Minister for Trade) would answer questions on his behalf.

Mr Howard also informed the House that, during the absence abroad of Mr Fahey (Minister for Finance), Mr Costello (Treasurer) would answer questions on his behalf.

#### 5 QUESTIONS

Questions without notice being asked—

*Member ordered to withdraw:* At 3.50 p.m. the Member for Hotham (Mr Crean) was ordered, under standing order 304A, to withdraw from the House for one hour for continuing to interject after a warning had been given from the Chair, and he accordingly withdrew from the Chamber.

Questions without notice continued.

#### 6 AUDITOR-GENERAL'S REPORTS—PUBLICATION OF PAPERS

The Speaker presented the following papers:

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

No. 24—Financial statement audit—Aggregate financial statement prepared by the Minister for Finance—Year ended 30 June 1996.

No. 25—Performance audit—Customer service: Department of Social Security.

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

- (1) this House authorises the publication of the Auditor-General's audit reports Nos. 24 and 25 of 1996-97; and
- (2) the reports be printed.

Question—put and passed.

#### 7 PAPERS

The following papers were presented:

Albury-Wodonga Development Act—Albury-Wodonga Development Corporation—23rd report, for 1995-96.

Committee on Darwin—Government response and statement by the Minister for Transport and Regional Development.

Mid-year economic and fiscal outlook 1996-97.

Landcare Australia Limited—7th report, for 1995-96.

Tax expenditures statement 1995-96, January 1997.

Wheat Marketing Act—Australian Wheat Board—Report for period 1 October 1995 to 30 September 1996.

**8 PAPERS—MOTION TO TAKE NOTE OF PAPERS**

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

Committee on Darwin—Government response and statement by the Minister for Transport and Regional Development.

Mid-year economic and fiscal outlook 1996-97.

Tax expenditures statement 1995-96, January 1997.

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

**9 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—PETROL PRICES**

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 failure to deliver on its promise of substantially lower petrol prices around Australia and narrowing the city-country price differential”.

The proposed discussion having received the necessary support—

Mr Latham addressed the House.

Discussion ensued.

Discussion concluded.

**10 DEATH OF SENATOR J. H. PANIZZA—MOTION OF CONDOLENCE**

The order of the day having been read for the resumption of the debate on the motion of Mr Howard (Prime Minister) (*see* entry No. 2)—That the House expresses its deep regret at the death, on 31 January 1997, of Senator John Horace Panizza, a Senator for the State of Western Australia since 1987, Deputy Opposition Whip in the Senate from 1993 to 1995, Opposition Whip in the Senate from 1995 to 1996, and Government Whip in the Senate since 1996, places on record its appreciation of his long and meritorious public service, and tenders its profound sympathy to his family in their bereavement—

Debate resumed.

All Members present having risen, in silence—

Question—passed.

**11 DEATH OF FORMER MEMBER (THE HONOURABLE C. R. KELLY)—MOTION OF CONDOLENCE**

The order of the day having been read for the resumption of the debate on the motion of Mr Howard (Prime Minister) (*see* entry No. 3)—That the House expresses its deep regret at the death on 17 January 1997, of the Honourable Charles Robert (Bert) Kelly, CMG, a Member of this House for the Division of Wakefield from 1958 to 1977, Deputy Government Whip from 1964 to 1967, Minister for Works from 1967 to 1968 and Minister for the Navy from 1968 to 1969, places on record its appreciation of his long and meritorious public service, and tenders its profound sympathy to his family in their bereavement—

Debate resumed.

All Members present having risen, in silence—

Question—passed.

## **12 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:

17 December 1996—Message No. 79—Health Insurance Amendment (No. 2) 1996.

18 December 1996—Message No. 80—Taxation Laws Amendment (No. 2) 1996.

19 December 1996—Message—

No. 81—Child Care Legislation Amendment 1996.

No. 82—Industry Research and Development Amendment 1996.

No. 83—National Health (Budget Measures) Amendment 1996.

No. 84—Taxation Laws Amendment (No. 3) 1996.

No. 85—Telstra (Dilution of Public Ownership) 1996.

No. 87—Workplace Relations and Other Legislation Amendment (No. 2) 1996.

23 December 1996—Message—

No. 86—Social Security Legislation Amendment (Budget and Other Measures) 1996.

No. 88—Social Security Legislation Amendment (Further Budget and Other Measures) 1996.

## **13 MEMBERS' INTERESTS COMMITTEE**

The House was informed that the Chief Government Whip had nominated Mr Reid to be a member of the Committee of Members' Interests in place of Mr Taylor.

## **14 MAIN COMMITTEE—DAY OF NEXT MEETING**

The Deputy Speaker reported that Wednesday, 5 February 1997, at 10 a.m., had been fixed for the next meeting of the Main Committee.

## **15 BILLS REFERRED TO MAIN COMMITTEE**

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

Sex Discrimination Amendment 1996;

Financial Laws Amendment 1996;

General Insurance Supervisory Levy Amendment 1996;

Defence Legislation Amendment (No. 2) 1996;

Public Service Amendment 1996;

Sydney 2000 Games (Indicia and Images) Protection Amendment 1996;  
Road Transport Reform (Dangerous Goods) Amendment 1996; and  
Road Transport Reform (Heavy Vehicles Registration) 1996.

Question—put and passed.

**16 CUSTOMS AND EXCISE LEGISLATION AMENDMENT BILL (NO. 2) 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 and passed—Bill read a second time.

*Message from the Governor-General:* Message No. 89, dated 3 February 1997, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Prosser (Minister for Small Business and Consumer Affairs), the Bill was read a third time.

**17 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, 10 February 1997.

**18 TELECOMMUNICATIONS (NUMBERING FEES) 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 and passed—Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Mr W. L. Smith (Minister representing the Minister for Communications and the Arts), the Bill was read a third time.

**19 TELECOMMUNICATIONS 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—

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr W. L. Smith (Minister representing the Minister for Communications and the Arts), the Bill was read a third time.

**20 CHARTER OF BUDGET HONESTY 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 having been resumed by Mr G. J. Evans (Deputy Leader of the Opposition) —

**21 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 4 February 1997:

Aged or Disabled Persons Care Act—Determination No. 1996-97/ACC5.

Air Navigation Act—Regulations—Statutory Rules 1996 No. 340.

Airports Act—Regulations—Statutory Rules 1996 No. 341.

Australian Federal Police Act—Regulations—Statutory Rules 1996 No. 330.

Australian Horticultural Corporation Act—Regulations—Statutory Rules 1996 No. 289.

Australian National University Act—Statute No. 254.

Banks (Shareholdings) Act—Regulations—Statutory Rules 1996 Nos. 348, 349, 353.

Census and Statistics Act—Statement 1997 No. 1.

Charter of the United Nations Act—Regulations—Statutory Rules 1996 Nos. 290, 291.

Child Care Act—Guideline No. CCA/12A/97/1.

Christmas Island Act—

Ordinances—

1996—Nos. 10, 11.

1997—No. 1.

Regulations—Statutory Rules 1996 No. 301.

Civil Aviation Act—Civil Aviation Regulations—

Civil Aviation Orders—

Exemptions—

1996—Nos. 194/FRS/206/1996, 195/FRS/207/1996, 196/FRS/208/1996, 197/FRS/209/1996, 198/FRS/210/1996, 199/FRS/211/1996,

200/FRS/212/1996, 201/FRS/213/1996, 202/FRS/214/1996,  
203/FRS/215/1996, 204/FRS/216/1996.

1997—Nos. 1/FRS/1997, 2/FRS/1997, 3/FRS/1997, 4/FRS/1997, 5/FRS/1997,  
6/FRS/1997, 7/FRS/1997.

Part 40—Amendment 20 January 1997.

Part 105—

Amendments 21 November, 12, 13(3), 16(3), 17(3), 18(5), 19(2) December  
1996, 6(3), 14, 15, 16(13), 23(2) January 1997.

Part 106—Amendments 16 December 1996, 6, 17, 23 January 1997.

Part 107—Amendments 15, 23 January 1997.

Exemptions Nos. CASA 25/1996, CASA 01/1997, CASA 02/1997, CASA  
03/97.

Instrument No. CASA 22/1997.

Classification (Publications, Films and Computer Games) Act—Regulations—  
Statutory Rules 1996 No. 331.

Cocos (Keeling) Islands Act—

Ordinances 1996 Nos. 8, 9.

Regulations—Statutory Rules 1996 No. 300.

Corporations Act—

Accounting standards Nos. AASB 1014, AASB 1032, AASB 1033, AASB  
1034.

Regulations—Statutory Rules 1996 No. 343.

Currency Act—Determinations 1996 Nos. 6, 7.

Customs Act—Regulations—Statutory Rules 1996 Nos. 324, 325, 326, 327.

Defence Act—

Defence Force Remuneration Tribunal—Determination 1996 No. 27.

Determinations under section—

52—1997 No. 1.

58B—

1996 Nos. 42, 43, 44, 45, 46.

1997 No. 1.

Director of Public Prosecutions Act—Regulations—Statutory Rules 1996 No.  
287.

Employment Services Act—

Determinations—1996—

Employment Services (Participants) No. 1.

Employment Services (Terminating Events) No. 1.

Export Control Act—Regulations—Statutory Rules 1996 No. 338.

Federal Court of Australia Act—

Regulations—Statutory Rules 1996 No. 321.

Rules of Court—Statutory Rules 1996 No. 308.

Fisheries Levy Act—Regulations—Statutory Rules 1996 No. 319.

Fisheries Management Act—Regulations—Statutory Rules 1996 Nos. 317, 318.

Fisheries Management Act and Fishing Levy Act—Regulations—Statutory Rules 1996 No. 316.

Hazardous Waste (Regulation of Exports and Imports) Act—Regulations—Statutory Rules 1996 No. 285 (*in substitution for paper presented on 12 December 1996*).

Health Insurance Act—

Determinations 1996 Nos. HS/5, HS/6.

Regulations—Statutory Rules 1996 Nos. 322, 335, 336, 337, 350.

Higher Education Funding Act—

Determinations—

1996 Nos. T13, T17, T18, T19.

1997 Nos. T1, T2, T3, T4, T5, T6.

Guidelines—1997 Nos. G1, G2.

Income Tax Assessment Act—Regulations—Statutory Rules 1996 Nos. 320, 345, 346.

Industrial Relations Act—Rules of Court—Statutory Rules 1996 No. 262 (*in substitution for paper presented on 4 December 1996*).

Insurance Act—Regulations—Statutory Rules 1996 No. 302.

Insurance (Agents and Brokers) Act—Regulations—Statutory Rules 1996 No. 303.

Insurance Contracts Act—Regulations—Statutory Rules 1996 No. 304.

Judicial and Statutory Officers (Remuneration and Allowances) Act—Regulations—Statutory Rules 1996 No. 352.

Lands Acquisition Act—Statement under section 40.

Life Insurance Act—

Actuarial standards—December, 1996.

Commissioner's Rules Nos. 27, 28.

Regulations—Statutory Rules 1996 No. 305.

Migration Act—General direction 1996 No. 3.

National Crime Authority Act—Regulations—Statutory Rules 1996 No. 286.

National Health Act—

Declarations—1997 Nos. PB 1, PB 2.

Determinations—

1996 No. PB 21.

1997 Nos. HIS 1, HIS 2, PB 3.

Nos. 1996-97/ACC3, 1996-97/ACC4.

Regulations—Statutory Rules 1996 No. 333.

National Residue Survey (Horse Slaughter) Levy Act—Regulations—Statutory Rules 1996 No. 299.

Navigation Act—Marine orders 1996 No. 8.

Occupational Health and Safety (Commonwealth Employment) Act—Regulations—Statutory Rules 1996 No. 288.



Overseas Missions (Privileges and Immunities) Act—Regulations—Statutory Rules 1996 No. 334.

Petroleum (Submerged Lands) Act—Regulations—Statutory Rules 1996 No. 298.

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

*Bankruptcy Legislation Amendment Act 1996*—Schedule 1—16 December 1996.

*CFM Sale Act 1996*—Items 1, 2, 5, 6, 7, 8 9 and 11 of Schedule 1—23 December 1996.

*Criminal Code Act 1995*—1 January 1997.

*Family Law Act 1975*—All child welfare law provisions of Part VII which extend to New South Wales on and from 1 January 1997.

*Workplace Relations and Other Legislation Amendment Act 1996*—Schedule 17—17 January 1997.

Schedules 1, 2, 4, 6, 7, 8, 9 (other than item 1), 11, 13, 14, 15 and 20, and item 1 of Schedule 12—31 December 1996.

Schedules 3 and 18—5 December 1996.

*Workplace Relations and Other Legislation Amendment Act (No. 2) 1996*—Item 2 of Schedule 1—31 December 1996.

Items 3, 4 and 5 of Schedule 1—1 January 1997.

Public Service Act—

Determinations 1996 Nos. 219, 220, 221, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, LES 43, LES 44, LES 45, LES 46, LES 47.

Parliamentary Presiding Officers' Determination 1996 No. 4.

Regulations—Statutory Rules 1996 No. 339.

Radiocommunications Act—

Australian Radiofrequency Spectrum Plan.

Notices—Statutory Rules 1996 Nos. 294, 309.

Standards—Statutory Rules 1996 Nos. 295, 310, 311, 312, 313, 314, 315.

Variations—Radiocommunications Class Licence (Cordless Telecommunications Handsets and Other Radiocommunications Devices) No. 1.

Radiocommunications Act, Radiocommunications (Receiver Licence Tax) Act and Radiocommunications (Transmitter Licence Tax) Act—Determinations—Radiocommunications (Definitions) No. 2 of 1993 (Amendment No. 6).

Remuneration Tribunal Act—Remuneration Tribunal—Determination 1996 No. 17.

Road Transport Reform (Vehicles and Traffic) Act—Regulations—Statutory Rules 1996 No. 342.

Sales Tax Assessment Act—Determination 1996 No. STD 11.

*Superannuation Act 1976*—Regulations—Statutory Rules 1996 No. 297.

*Superannuation Act 1990—*

Declaration—Statutory Rules 1996 No. 296.

Eleventh amending deed to the deed to establish an occupational superannuation scheme for Commonwealth employees and certain other persons, pursuant to section 5, 10 December 1996.

Superannuation Industry (Supervision) Act—Regulations—Statutory Rules 1996 No. 344.

Superannuation (Resolution of Complaints) Act—Regulations—Statutory Rules 1996 No. 306.

Taxation Administration Act—

Determinations—

1996 No. TD 45.

1997 Nos. TD 1, TD 2, TD 3, TD 4.

Regulations—Statutory Rules 1996 No. 347.

Rulings—

1996 No. 27.

1997 No. 1.

Television Licence Fees Act—Regulations—Statutory Rules 1996 No. 323.

University of Canberra Act—Statute No. 34.

Veterans' Entitlements Act—Instruments under section 196B 1997 Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14.

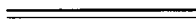
Wildlife Protection (Regulation of Exports and Imports) Act—Regulations—Statutory Rules 1996 No. 332.

Workplace Relations Act—Regulations—Statutory Rules 1996 Nos. 307, 328, 329, 351.



**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Cobb, Mr Downer, Mr Fahey, Mr Forrest, Miss J. M. Kelly, Mr Quick and Mrs West.



**L. M. BARLIN**

Clerk of the House of Representatives