

1996-97

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 92

WEDNESDAY, 4 JUNE 1997

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

**2 STANDING COMMITTEES—MEMBERSHIP**

The House was informed of the nominations of Members to be members of the following standing committees:

*Aboriginal and Torres Strait Islander Affairs*

Mrs Stone had been nominated by the Government Whip, in place of Mr Pyne.

*Employment, Education and Training*

Mr Bartlett had been nominated by the Government Whip, in place of Mr Bradford.

**3 SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED**

Ms Macklin moved—That so much of the standing and sessional orders be suspended as would prevent the Member for Jagajaga moving forthwith to defer consideration of the Bills in the Aged Care legislative package (orders of the day Nos. 1 to 3, government business) until details relating to the implementation of the bills are resolved, including:

- (1) the provision of an adequate capital subsidy for concessional residents instead of the Government's much-derided proposed rate of \$5 per day;
- (2) agreed specific prudential arrangements for safeguarding residents' up-front entry fees;
- (3) details of the residential subsidy classification instrument and arrangements for training staff in its use;
- (4) the establishment of an independent body to monitor the numbers of concessional residents and exempt beds by region and facility, waiting periods for entry into and transfer to nursing homes and hostels by resident status, sums paid as accommodation bonds by facility, places provided by metropolitan/rural/remote location and socio-economic status etc. and other appropriate details relating to the provision of health care; and

- (5) appropriate mechanisms for accountability for the use of funds, particularly to ensure that high quality nursing and personal care staff are employed to care for the residents of aged care homes, and that capital funds are used to upgrade nursing homes.

*Closure of Member*

Mr Reith (Leader of the House) moved—That the Member be not further heard.

Question—put.

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

AYES, 81

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

NOES, 44

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

\* Tellers

And so it was resolved in the affirmative.

Mr Lee (seconder) addressing the House—

*Closure of Member*

Mr Reith moved—That the Member be not further heard.

Question—put.

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

AYES, 81

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

NOES, 44

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

\* Tellers

And so it was resolved in the affirmative.

Mr Crean rising to address the House—

*Closure*

Mr Reith moved—That the question be now put.

Question—That the question be now put—put.

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

## AYES, 82

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

## NOES, 44

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

\* Tellers

And so it was resolved in the affirmative.

And the question—That the motion for the suspension of standing and sessional orders be agreed to—being accordingly put—

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

## AYES, 43

Mr Adams	Mr G. J. Evans	Mr Jones	Mr O'Connor
Mr Albanese	Mr M. J. Evans	Mr Latham	Mr O'Keefe
Mr P. J. Baldwin	Mr L. D. T. Ferguson	Dr Lawrence	Mr Price
Mr Beddall	Mr M. J. Ferguson	Mr Lee	Mr Quick
Mr Bevis	Mr Fitzgibbon	Mr McClelland	Mr Sawford*
Mr Brereton	Mr E. L. Grace*	Ms Macklin	Mr Sercombe
Mr Brown	Mr Griffin*	Mr McLeay	Mr S. F. Smith
Mr Crean	Mr Hatton	Mr McMullan	Dr Theophanous
Mrs Crosio	Mr Holding	Mr Martin	Mr Willis
Mr Dargavel	Mr Hollis	Mr A. A. Morris	Mr Wilton
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## NOES, 82

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

\* Tellers

And so it was negated.

## 4 AGED CARE BILL 1997

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—

*Paper*

Mr McGauran (Minister for Science and Technology) presented a corrigendum to the explanatory memorandum to the Bill.

Debate resumed.

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

**5 QUESTIONS**

Questions without notice being asked—

*Member ordered to withdraw*

At 2.33 p.m. the Member for Burke (Mr O'Keefe) was ordered, under standing order 304A, to withdraw from the House for one hour for continuing to interject after a general warning had been given by the Chair, and he accordingly withdrew from the Chamber.

Questions without notice continuing—

*Member ordered to withdraw*

At 3.12 p.m. the Member for Rankin (Mr Beddall) was ordered, under standing order 304A, to withdraw from the House for one hour for disorderly conduct, and he accordingly withdrew from the Chamber.

Questions without notice continued.

**6 PAPERS**

The following papers were presented:

Aboriginal and Torres Strait Islander Commission—Commonwealth programmes for Aboriginal and Torres Strait Islander people, for 1994-95.

Aboriginal Deaths in Custody—Royal Commission—Implementation of the Australian Capital Territory Government response to the recommendations of the Royal Commission—Report for 1995-96.

Fisheries Management Act—Queensland Fisheries Joint Authority—Report for—

Period 8 February to 30 June 1995.  
1995-96.

**7 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ECONOMY**

The House was informed that Mr Beazley (Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The Government's mismanagement of the Australian economy in its first year of office as confirmed by today's National Accounts figures".

The proposed discussion having received the necessary support—

Mr Beazley addressed the House.

Discussion ensued.

Discussion concluded.

**8 VOCATIONAL EDUCATION AND TRAINING FUNDING AMENDMENT BILL 1997**

Dr Kemp (Minister for Schools, Vocational Education and Training), pursuant to notice, presented a Bill for an Act to amend the *Vocational Education and Training Act 1992*, and for related purposes.

Bill read a first time.

Dr Kemp moved—That the Bill be now read a second time.

*Paper*

Dr Kemp presented an explanatory memorandum to the Bill.

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

#### 9 CUSTOMS TARIFF PROPOSAL

Mr Prosser (Minister for Small Business and Consumer Affairs) moved Customs Tariff Proposal No. 3 (1997).

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

#### 10 CUSTOMS TARIFF PROPOSAL

Mr Prosser (Minister for Small Business and Consumer Affairs) moved Customs Tariff Proposal No. 4 (1997).

Debate ensued.

*Closure*

Mr Ruddock (Minister for Immigration and Multicultural Affairs) 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—was put accordingly, and passed.

#### 11 SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED

Mr O'Keefe moved—That, in light of:

- (1) the fact that the cane crushing season starts in the Mackay region today;
- (2) the Government's election commitment not to reduce the sugar tariff, it having promised it would not reduce the sugar tariff beyond the present level of \$55 per tonne as Australia had already met its obligations under the World Trade Organisation agreement;
- (3) the fact that Australia's Uruguay Round obligation for sugar is a tariff of \$70 per tonne by the year 2000, and Australia's current tariff at \$55 per tonne is comfortably within that obligation;
- (4) the fact that many of our export destinations have sugar tariffs massively higher than us, which suggests that there is no reason for Australia to go it alone on the sugar tariff;
- (5) despite the above, the Government's decision to abolish the sugar tariff effective from 1 July 1997; and
- (6) the fact that the abolition of the proposed tariff will mean job losses and a payout of \$27m. to Queensland sugar growers—

so much of the standing and sessional orders be suspended as would prevent order of the day No. 66, government business, being called on forthwith so that

Members will have an opportunity to debate and vote on the proposals contained in Customs Tariff Proposal No. 2 (1997) to remove customs duty from sugar and sugar by-products.

*Closure of Member*

Mr Ruddock (Minister for Immigration and Multicultural Affairs) moved—That the Member be not further heard.

Question—put.

The House proceeding to a division—

Motion—That the Member be not further heard—withdrawn, by leave, and division not further proceeded with.

Debate continued.

Question—That the motion for the suspension of standing and sessional orders be agreed to—put and negatived.

**12 PRIMARY INDUSTRIES AND ENERGY LEGISLATION AMENDMENT BILL (NO. 2) 1997—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the Bill had been fully considered by the Main Committee and agreed to without amendment, and presented a certified copy of the Bill.

Bill agreed to.

On the motion of Mr Ruddock (Minister for Immigration and Multicultural Affairs), by leave, the Bill was read a third time.

**13 VETERANS' AFFAIRS LEGISLATION AMENDMENT (BUDGET AND SIMPLIFICATION MEASURES) BILL 1997—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the Bill had been fully considered by the Main Committee, a Governor-General's message recommending an appropriation had been reported, and the Bill had been agreed to with amendments (*see item No. 4, Minutes of Proceedings of the Main Committee of 3 June 1997*), and presented a certified copy of the Bill together with a schedule of amendments.

Amendments made by the Main Committee agreed to.

Bill, as amended, agreed to.

On the motion of Mr Ruddock (Minister for Immigration and Multicultural Affairs), by leave, the Bill was read a third time.

**14 INDUSTRY, SCIENCE AND TOURISM LEGISLATION AMENDMENT BILL 1997—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the Bill had been fully considered by the Main Committee and agreed to without amendment, and presented a certified copy of the Bill.

Bill agreed to.



On the motion of Mr Ruddock (Minister for Immigration and Multicultural Affairs), by leave, the Bill was read a third time.

**15 MIGRATION LEGISLATION AMENDMENT BILL (NO. 3) 1997—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the Bill had been fully considered by the Main Committee and agreed to without amendment, and presented a certified copy of the Bill.

Bill agreed to.

On the motion of Mr Ruddock (Minister for Immigration and Multicultural Affairs), by leave, the Bill was read a third time.

**16 CHILD SUPPORT LEGISLATION AMENDMENT BILL (NO. 1) 1996—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the Bill had been considered by the Main Committee and was returned with an unresolved question (*see item No. 7, Minutes of Proceedings of the Main Committee of 3 June 1997*), and presented a certified copy of the Bill together with a schedule of the unresolved question.

Unresolved question—That the words proposed to be omitted stand part of the question—put and passed.

Question—That the Bill be now read a second time—put and passed—Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Ruddock (Minister for Immigration and Multicultural Affairs), the Bill was read a third time.

**17 AGED CARE BILL 1997**

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 E. H. Cameron addressing the House—

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**18 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.

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**PAPERS**

The following papers were deemed to have been presented on 4 June 1997:

Customs Act—Regulations—Statutory Rules 1997 Nos. 128, 129.

Defence Act—Determinations under section 58B 1997 Nos. 18, 20, 21, 22.

Extradition Act—Regulations—Statutory Rules 1997 Nos. 122, 123.

Lands Acquisition Act—Statement under section 40.

Mutual Assistance in Criminal Matters Act—Regulations—Statutory Rules 1997 No. 124.

National Health Act—Determinations 1997 Nos. HIS 9, HIS 11.

Public Service Act—Regulations—Statutory Rules 1997 No. 127.

Radiocommunications Act—Regulations—Statutory Rules 1997 No. 121.

Sales Tax Assessment Act—Determination 1997 No. STD 2.

Taxation Administration Act—  
Determinations 1997 Nos. TD 12, TD 13.  
Ruling 1997 No. TR 11.

Telecommunications (Carrier Licence Fees) Act—Regulations—Statutory Rules 1997 No. 125.

Tradesmen's Rights Regulation Act—Regulations—Statutory Rules 1997 No. 126.

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**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Fischer, Mr Kerr, Mr Tanner and Mr Williams.

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**L. M. BARLIN**

Clerk of the House of Representatives

1996-97

**HOUSE OF REPRESENTATIVES**  
**SUPPLEMENT TO VOTES AND PROCEEDINGS**

No. 92

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

**WEDNESDAY, 4 JUNE 1997**

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1 Due to a division having been called in the House, the Main Committee met at 10.05 a.m.

**2 APPROPRIATION BILL (NO. 1) 1997-98—BUDGET DEBATE**

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—*And on the amendment moved thereto by Mr G. J. Evans (Deputy Leader of the Opposition), viz.—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 notes that the Budget:*

- (1) does nothing for jobs—the nation’s most overwhelming current economic and social problem;
- (2) squanders, by breaking the promise to introduce superannuation co-contributions, an historic opportunity to build a massive new private savings pool, and does so in a way that undercuts decent retirement incomes for lower and middle income earners;
- (3) continues the assault on families, the elderly and the needy;
- (4) contains many mindless and counter-productive cuts affecting the quality and decency of life in Australia, and harming our international reputation;
- (5) for all its cuts and destructive impact, did not meet the exaggerated expectations the Government had created as to the size of its deficit reduction achievements and projected future surpluses; and
- (6) has been characterised by even the Government’s best friends as lacking in shape, direction and vision”—

Debate resumed.

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*Suspension of sitting*

At 5 p.m., a division having been called in the House, the proceedings were suspended.

*Resumption of sitting*

At 5.05 p.m., the proceedings were resumed.

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Debate continued.

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

**3 ADJOURNMENT**

On the motion of Mr M. A. J. Vaile, the Main Committee adjourned at 7.16 p.m.

The Deputy Speaker fixed tomorrow, at 9.45 a.m., for the next meeting of the Main Committee.

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**I. C. HARRIS**  
Clerk of the Main Committee