

1996-97

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 96

WEDNESDAY, 18 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 ADMINISTRATIVE DECISIONS (EFFECT OF INTERNATIONAL INSTRUMENTS) BILL 1997**

Mr Williams (Attorney-General and Minister for Justice), pursuant to notice, presented a Bill for an Act relating to the effect of international instruments on the making of administrative decisions.

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 McMullan), and the resumption of the debate made an order of the day for the next sitting.

**3 COPYRIGHT AMENDMENT BILL 1997**

Mr Williams (Attorney-General and Minister for Justice), pursuant to notice, presented a Bill for an Act to amend the *Copyright Act 1968*, and for related purposes.

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 McMullan), and the resumption of the debate made an order of the day for the next sitting.

**4 STUDENT AND YOUTH ASSISTANCE (SEX DISCRIMINATION AMENDMENT) BILL 1997**

Mr Abbott (Parliamentary Secretary to the Minister for Employment, Education, Training and Youth Affairs), pursuant to notice, presented a Bill for an Act to amend the *Sex Discrimination Act 1984*.

Bill read a first time.

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

*Paper*

Mr Abbott presented an explanatory memorandum to the Bill.

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

**5 INDIGENOUS EDUCATION (SUPPLEMENTARY ASSISTANCE) AMENDMENT BILL 1997**

Mr Abbott (Parliamentary Secretary to the Minister for Employment, Education, Training and Youth Affairs), pursuant to notice, presented a Bill for an Act to amend the *Indigenous Education (Supplementary Assistance) Act 1989*, and for related purposes.

Bill read a first time.

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

*Paper*

Mr Abbott presented an explanatory memorandum to the Bill.

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

**6 AVIATION LEGISLATION AMENDMENT BILL (NO. 2) 1997**

Mr Ronaldson (Parliamentary Secretary to the Minister for Transport and Regional Development), pursuant to notice, presented a Bill for an Act to amend various Acts relating to aviation, and for related purposes.

Bill read a first time.

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

*Paper*

Mr Ronaldson presented an explanatory memorandum to the Bill.

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

**7 CARRIAGE OF GOODS BY SEA AMENDMENT BILL 1997**

Mr Ronaldson (Parliamentary Secretary to the Minister for Transport and Regional Development), pursuant to notice, presented a Bill for an Act to amend the *Carriage of Goods by Sea Act 1991*.

Bill read a first time.

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

*Papers*

Mr Ronaldson, by leave, presented the following paper:

Marine cargo liability regime—The package endorsed by industry.

Mr Ronaldson presented an explanatory memorandum to the Bill.

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

#### **8 ABORIGINAL LAND RIGHTS (NORTHERN TERRITORY) AMENDMENT BILL 1997**

Mr McGauran (Minister for Science and Technology), for Dr Wooldridge (Minister representing the Minister for Aboriginal and Torres Strait Islander Affairs), pursuant to notice, presented a Bill for an Act to amend the *Aboriginal Land Rights (Northern Territory) Act 1976*, and for related purposes.

Bill read a first time.

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

*Paper*

Mr McGauran presented an explanatory memorandum to the Bill.

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

#### **9 AUSTRALIAN NATIONAL RAILWAYS COMMISSION SALE 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 by Mr Tanner who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “the House declines to give the Bill a second reading until such time as:

- (1) the Government develops a coherent policy for the Australian rail industry;
- (2) the Government reaches agreement with South Australia and Tasmania on funding assistance for the development of their rail infrastructures;
- (3) the Government provides a Labour Market Adjustment Program for displaced Australian National Railway Commission employees and improves its Regional Adjustment Package;
- (4) the Government guarantees existing passenger service operations and concession arrangements;
- (5) the Government guarantees the employment and training of apprentices currently employed by the Australian National Railways Commission until the completion of their contracts;
- (6) the South Australian and Tasmanian Governments have put in place safety and regulatory arrangements for the rail industry;
- (7) the Australian National Railways Commission demonstrates that all employees that have left Australian National since 24 November 1996 as a

result of work related illness or injury have been offered a redundancy payment; and

- (8) the Australian National Railways Commission alters the trust deed of the AN Principal Scheme to allow full vesting of employer contributions to all employees that have left or leave Australian National after 24 November 1996 and to ensure that appropriate adjustment payments are made to those people who have already left Australian National's employment".

Debate continued.

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

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

AYES, 78

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

NOES, 42

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

\* Tellers

And so it was resolved in the affirmative.

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

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

## AYES, 79

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

## NOES, 42

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

\* Tellers

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

*Message from the Governor-General*

Message No. 154, dated 20 May 1997, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

*Consideration in detail*

Bill, by leave, taken as a whole.

Mr Tanner, by leave, moved the following amendments together:

*Amendment—*

Clause 2, page 2, line 1, omit “Items 7 to 10”, substitute “Subject to section 2B, items 7 to 10”.

*Proposed new clauses—*

Page 2—

After clause 2, insert:

## **2A Interpretation**

- (1) For the purposes of this Act, the “interstate mainline track assets” will be considered to be those assets of the Commission used for the provision of rail infrastructure services on standard gauge (4 foot 8.5 inches) between the following places:
  - (a) Alice Springs and Tarcoola;
  - (b) Whyalla and Port Augusta;
  - (c) Kalgoorlie and Adelaide via Port Pirie and Port Augusta;
  - (d) Crystal Brook and Broken Hill;
  - (e) Adelaide and Wolseley; and
  - (f) within the Adelaide metropolitan area.
- (2) Assets referred to in subsection (1) include:
  - (a) all rail track and land over which standard gauge services operate;
  - (b) all associated bridges, level crossings, tunnels and earth works;
  - (c) all associated railway siding and buildings;
  - (d) all associated signalling and communications equipment; and
  - (e) any other non-moveable assets that would be reasonably considered essential to enable the operation of rail services between the places specified in subsection (1).
- (3) Assets referred to in subsection (1) specifically do not include:
  - (a) locomotives;
  - (b) wagons, carriages or other rolling stock; and
  - (c) workshops or other facilities associated with the maintenance of locomotives and rolling stock.

After new clause 2A, insert:

## **2B Transfer of interstate mainline track assets**

The Minister for Transport and Regional Development and the Minister for Finance must refrain from any action that could result in the interstate mainline track assets of Australian National being transferred to any body other than one established by the Parliament for the purpose of providing interstate railway infrastructure services.

After clause 3, add:

## **4 Object**

The object of this Act is:

- (a) to make provision for the sale of the non-interstate mainline track rail assets of Australian National;

but so as to ensure that:

- (b) interstate mainline track assets of Australian National are transferred to another body established by the Parliament for the purpose of providing interstate railway infrastructure services.

It being 2 p.m., the debate was interrupted in accordance with standing order 101A, and the further consideration of the Bill made an order of the day for a later hour this day.

## 10 QUESTIONS

Questions without notice being asked—

Mr Martin having asked a question without notice—

*Speaker's ruling*

The Speaker ruled that the question was out of order.

*Dissent from ruling moved*

Mr Beazley (Leader of the Opposition) moved—That the ruling be dissented from.

Debate ensued.

Mr Crean rising to address the House—

*Closure*

Mr McGauran (Minister for Science and Technology) 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, 86

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

## NOES, 43

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

\* Tellers

And so it was resolved in the affirmative.

And the question—That the ruling be dissented from—being accordingly put—  
The House divided (the Speaker, Mr Halverson, in the Chair)—

## AYES, 43

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



## NOES, 87

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

\* Tellers

And so it was negated.

Questions without notice concluded.

**11 AUDITOR-GENERAL'S REPORT—PUBLICATION OF PAPER**

The Speaker presented the following paper:

Audit Act—Auditor-General—Audit report No. 37 of 1996-97—Performance audit—Risk management: Australian Taxation Office.

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

- (1) this House authorises the publication of the Auditor-General's audit report No. 37 of 1996-97; and
- (2) the report be printed.

Question—put and passed.

**12 PAPERS**

The following papers were presented:

Services Trust Funds Act—Royal Australian Air Force Welfare Trust Fund—Report for 1996.

Treaty—*Multilateral together with revised national interest analysis*—Amendments, done at Geneva in April 1997, to Appendices I and II of the Convention on the Conservation of Migratory Species of Wild Animals of 23 June 1979 (*in substitution for the paper presented on 27 May 1997*).

**13 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—FINANCIAL SUPPORT FOR YOUNG UNEMPLOYED PEOPLE**

The House was informed that Ms Macklin had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The consequences for low and middle income families of the Government’s unfair changes to financial support for young unemployed people”.

The proposed discussion having received the necessary support—

Ms Macklin addressed the House.

Discussion ensued.

Discussion concluded.

**14 WOOL INTERNATIONAL 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 Ronaldson (Parliamentary Secretary to the Minister for Transport and Regional Development), by leave, the Bill was read a third time.

**15 INTERNATIONAL MONETARY AGREEMENTS AMENDMENT 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 without amendment, and presented a certified copy of the Bill.

Bill agreed to.

On the motion of Mr Ronaldson (Parliamentary Secretary to the Minister for Transport and Regional Development), by leave, the Bill was read a third time.

**16 COMMONWEALTH VEHICLES (REGISTRATION AND EXEMPTION FROM TAXATION) 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 Ronaldson (Parliamentary Secretary to the Minister for Transport and Regional Development), by leave, the Bill was read a third time.

**17 COMMONWEALTH MOTOR VEHICLES (LIABILITY) 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 Ronaldson (Parliamentary Secretary to the Minister for Transport and Regional Development), by leave, the Bill was read a third time.

## 18 AUSTRALIAN NATIONAL RAILWAYS COMMISSION SALE BILL 1997

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

Bill, as a whole—

Debate resumed on the Bill and on the amendments moved together by Mr Tanner, viz.:

*Amendment—*

Clause 2, page 2, line 1, omit “Items 7 to 10”, substitute “Subject to section 2B, items 7 to 10”.

*Proposed new clauses—*

Page 2—

After clause 2, insert:

### **2A Interpretation**

- (1) For the purposes of this Act, the “interstate mainline track assets” will be considered to be those assets of the Commission used for the provision of rail infrastructure services on standard gauge (4 foot 8.5 inches) between the following places:
  - (a) Alice Springs and Tarcoola;
  - (b) Whyalla and Port Augusta;
  - (c) Kalgoorlie and Adelaide via Port Pirie and Port Augusta;
  - (d) Crystal Brook and Broken Hill;
  - (e) Adelaide and Wolseley; and
  - (f) within the Adelaide metropolitan area.
- (2) Assets referred to in subsection (1) include:
  - (a) all rail track and land over which standard gauge services operate;
  - (b) all associated bridges, level crossings, tunnels and earth works;
  - (c) all associated railway siding and buildings;
  - (d) all associated signalling and communications equipment; and
  - (e) any other non-moveable assets that would be reasonably considered essential to enable the operation of rail services between the places specified in subsection (1).
- (3) Assets referred to in subsection (1) specifically do not include:
  - (a) locomotives;
  - (b) wagons, carriages or other rolling stock; and

- (c) workshops or other facilities associated with the maintenance of locomotives and rolling stock.

After new clause 2A, insert:

## **2B Transfer of interstate mainline track assets**

The Minister for Transport and Regional Development and the Minister for Finance must refrain from any action that could result in the interstate mainline track assets of Australian National being transferred to any body other than one established by the Parliament for the purpose of providing interstate railway infrastructure services.

After clause 3, add:

## **4 Object**

The object of this Act is:

- (a) to make provision for the sale of the non-interstate mainline track rail assets of Australian National;

but so as to ensure that:

- (b) interstate mainline track assets of Australian National are transferred to another body established by the Parliament for the purpose of providing interstate railway infrastructure services.

Question—That the amendments be agreed to—put.

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

AYES, 41

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

## NOES, 80

Mr Abbott	Mrs Elson	Mr Lindsay	Mr Scott
Mr Anderson	Mr Entsch	Mr Lloyd	Mr Sinclair
Mr Andren	Mr R. D. C. Evans	Mr McArthur*	Mr Slipper
Mr J. N. Andrew	Mr Fahey	Mr McDougall	Mr A. C. Smith
Mr K. J. Andrews	Mr Forrest	Mr McGauran	Mr W. L. Smith
Mr Barresi	Mrs Gallus	Mr McLachlan	Mr Somlyay
Mr Bartlett	Ms Gambaro	Mr Marek	Dr Southcott
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 A. P. Thomson
Mr Broadbent	Mr Hawker	Mr Nairn	Mr Truss
Mr Brough	Mr Hicks*	Dr Nelson	Mr Tuckey
Mr Cadman	Mr Hockey	Mr Nugent	Mr M. A. J. Vaile
Mr E. H. Cameron	Ms Jeanes	Mr Prosser	Mrs D. S. Vale
Mr R. A. Cameron	Mrs Johnston	Mr Pyne	Mr Wakelin
Mr Campbell	Mr Jull	Mr Randall	Mrs West
Mr Charles	Mr Katter	Mr Reid	Mr Williams
Mr Cobb	Mrs D. M. Kelly	Mr Reith	Dr Wooldridge
Mr Downer	Miss J. M. Kelly	Mr Ronaldson	Ms Worth*
Mrs Draper	Mr Lieberman	Mr Ruddock	Mr Zammit

\* Tellers

And so it was negated.

Bill agreed to.

Consideration in detail concluded.

On the motion of Mr Ronaldson (Parliamentary Secretary to the Minister for Transport and Regional Development), by leave, the Bill was read a third time.

#### 19 TELECOMMUNICATIONS (INTERCEPTION) AND LISTENING DEVICE AMENDMENT 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.

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

*Consideration in detail*

Bill, by leave, taken as a whole.

Mr Melham, by leave, moved the following amendments together:

Schedule 1—

Page 4 (lines 5 to 9), omit item 6.

Page 7—

(lines 1 to 26), omit item 19.

(lines 27 to 29), omit item 20.

Page 8 (line 33) to page 9 (line 1), omit item 24.

Page 9—

(lines 2 to 3), omit item 25.

(lines 11 to 13), omit item 27.

(lines 14 to 16), omit item 28.

(lines 17 to 19), omit item 29.

(lines 20 to 22), omit item 30.

(lines 23 to 25), omit item 31.

(lines 26 and 27), omit item 32.

(line 28) to page 10 (line 2), omit item 33.

Page 10—

(lines 3 to 5), omit item 34.

(lines 6 to 8), omit item 35.

(lines 9 and 10), omit item 36.

(lines 11 and 12), omit item 37.

(lines 13 to 16), omit item 38 (including the note).

(lines 17 to 19), omit item 39.

Page 11—

(lines 21 and 22), omit item 47.

(lines 23 and 24), omit item 48.

(lines 25 and 26), omit item 49.

(lines 27 and 28), omit item 50.

Schedule 2—

Page 14—

(lines 4 to 9), omit item 1.

(line 10) to page 15 (line 4), omit item 2.

Page 15—

(lines 5 to 7), omit item 3.

(lines 8 and 9), omit item 4.

Schedule 3—

Page 16—

(lines 4 to 9), omit item 1.

(lines 10 to 31), omit item 2.

Page 17—

(lines 1 to 3), omit item 3.

(lines 4 and 5), omit item 4.

(lines 6 to 8), omit item 5.

(lines 9 and 10), omit item 6.

(lines 11 and 12), omit item 7.

(lines 13 and 14), omit item 8.

(lines 26 and 27), omit item 11.

Page 18—

(lines 1 and 2), omit item 12.

(lines 3 to 13), omit item 13.

Clause 2, page 2 (lines 1 to 14), omit the clause, substitute:

## 2 Commencement

This Act commences on the day on which it receives the Royal Assent.

Debate continued.

Question—That the amendments be agreed to—put.

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

### AYES, 45

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

### NOES, 78

Mr Abbott	Mr R. D. C. Evans	Mr Lloyd	Mr Slipper
Mr Anderson	Mr Fahey	Mr McArthur*	Mr A. C. Smith
Mr J. N. Andrew	Mr Forrest	Mr McDougall	Mr W. L. Smith
Mr K. J. Andrews	Ms Gambaro	Mr McGauran	Mr Somlyay
Mr Barresi	Mrs Gash	Mr McLachlan	Dr Southcott
Mr Bartlett	Mr Georgiou	Mr Marek	Mrs Sullivan
Mr Billson	Mrs E. J. Grace	Mr Miles	Mr Taylor
Mr Bradford	Mr Hardgrave	Mrs Moylan	Mr A. P. Thomson
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 E. H. Cameron	Ms Jeanes	Mr Nugent	Mrs D. S. Vale
Mr R. A. Cameron	Mrs Johnston	Mr Prosser	Mr Wakelin
Mr Charles	Mr Jull	Mr Pyne	Mrs West
Mr Cobb	Mr Katter	Mr Randall	Mr Williams
Mr Costello	Mrs D. M. Kelly	Mr Reid	Dr Wooldridge
Mr Downer	Miss J. M. Kelly	Mr Reith	Ms Worth*
Mrs Draper	Dr Kemp	Mr Ronaldson	Mr Zammit
Mrs Elson	Mr Lieberman	Mr Ruddock	
Mr Entsch	Mr Lindsay	Mr Sinclair	

\* Tellers

And so it was negatived.

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*Adjournment negatived*

It being past 7.30 p.m.—The question was proposed—That the House do now adjourn.

Mr Miles (Parliamentary Secretary (Cabinet) to the Prime Minister) requiring the question to be put forthwith without debate—

Question—put and negatived.

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Bill agreed to.

Consideration in detail concluded.

On the motion of Mr Williams (Attorney-General and Minister for Justice), by leave, the Bill was read a third time.

**20 MESSAGE FROM THE SENATE—CUSTOMS AND EXCISE LEGISLATION AMENDMENT BILL (NO. 2) 1996**

The following message from the Senate was reported:

Message No. 246

Mr Speaker

The Senate returns to the House of Representatives the bill for **An Act to amend legislation relating to Customs and Excise, and for related purposes**, 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.

MARGARET REID

President

The Senate

17 June 1997

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

**21 ADJOURNMENT**

Mr Williams (Attorney-General and Minister for Justice) moved—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 18 June 1997:

Australian Capital Territory (Planning and Land Management) Act—National Capital Plan—Amendment No. 19.



Commonwealth Services Delivery Agency Act—Regulations—Statutory Rules 1997 No. 132.

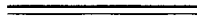
Corporations Act—Regulations—Statutory Rules 1997 No. 130.

Customs Act—Regulations—Statutory Rules 1997 No. 131.

National Health Act—Regulations—Statutory Rules 1997 No. 133.

Public Service Act—Determinations 1997 Nos. LES 12, LES 13, LES 14.

Radiocommunications Act—Radiocommunications Class Licence (Low Interference Potential Devices).



**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Adams, Mrs Bailey, Mr R. C. Baldwin, Mr Causley, Mr Dondas, Mrs Gallus, Mr Howard, Mr Neville, Mr Sharp, Mrs Stone and Mr Wilton.



**L. M. BARLIN**

Clerk of the House of Representatives

1996-97

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

No. 96

**MAIN COMMITTEE****MINUTES OF PROCEEDINGS**

WEDNESDAY, 18 JUNE 1997

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1 The Main Committee met at 9.45 a.m.

**2 WOOL INTERNATIONAL AMENDMENT 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.

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

Leave granted for the question on the report to be put forthwith.

Question—That the Bill be reported to the House without amendment—put and passed.

**3 INTERNATIONAL MONETARY AGREEMENTS AMENDMENT 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.

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

*Message from the Governor-General*

Message No.153, dated 30 May 1997, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

Leave granted for the question on the report to be put forthwith.

Question—That the Bill be reported to the House without amendment—put and passed.

**4 COMMONWEALTH VEHICLES (REGISTRATION AND EXEMPTION FROM TAXATION) 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.

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

Leave granted for the question on the report to be put forthwith.

Question—That the Bill be reported to the House without amendment—put and passed.

**5 COMMONWEALTH MOTOR VEHICLES (LIABILITY) AMENDMENT 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—

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

Leave granted for the question on the report to be put forthwith.

Question—That the Bill be reported to the House without amendment—put and passed.

**6 APPROPRIATION BILL (NO. 1) 1997-98**

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

*Consideration in detail*

Schedule—

Proposed expenditures—

Department of Defence, \$10 937 163 000—

Department of Veterans' Affairs, \$1 982 406 000—

together debated and agreed to.

Proposed expenditure—Department of Transport and Regional Development, \$265 658 000—debated.

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*Suspension of sitting*

At 5.14 p.m., a division having been called in the House, the proceedings were suspended.

*Resumption of sitting*

At 5.25 p.m., the proceedings were resumed.

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Debate continued.

Proposed expenditure agreed to.

Proposed expenditure—Department of Health and Family Services, \$2 879 850 000—debated.

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

**7 ADJOURNMENT**

On the motion of Mr M. A. J. Vaile, the Main Committee adjourned at 7.19 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