

1996-97

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 104

WEDNESDAY, 27 AUGUST 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 ORDERS—AMENDMENTS

Mr Reith (Leader of the House), pursuant to notice, moved—That the following amendments to the standing orders be made:

- (1) Omit standing orders 303, 308, 309, 310, 311 and 312 and substitute the following standing orders:

Disorder by Member

303. If any Member has—

- (a) persistently and wilfully obstructed the business of the House; or
- (b) been guilty of disorderly conduct; or
- (c) used objectionable words, which he or she has refused to withdraw; or
- (d) persistently and wilfully refused to conform to any standing or sessional order; or
- (e) persistently and wilfully disregarded the authority of the Chair—

the Member may be named by the Speaker.

Speaker may adjourn House or suspend sitting in case of grave disorder

308. In the case of grave disorder arising in the House, the Speaker may suspend the sitting for a time to be specified, or adjourn the House without any question being put.

Members ordered to attend

309. A Member who wilfully disobeys any order of the House may be ordered without notice to attend to answer for his or her conduct.

Removal of strangers from House, Main Committee or gallery

310. The Serjeant-at-Arms shall remove any stranger who causes a disturbance in any part of the Chamber or the room in which the Main Committee is meeting or any gallery of those places, or who does not withdraw when strangers are directed to withdraw, while the House or the Main Committee is sitting.

Arrest of Member or stranger to be reported

311. When any Member or other person has been taken into the custody of the Serjeant-at-Arms, such arrest shall be reported to the House by the Speaker without delay.

Admission of Senators and strangers

312. Only the Speaker shall have the privilege of admitting strangers into the lower galleries, but Senators shall have the privilege of admission into the Senators' gallery without orders. While in the Senators' gallery Senators shall observe instructions concerning order issued by the Chair. The Speaker may admit distinguished strangers to a seat on the floor of the House.

- (2) Omit standing order 313.
- (3) Omit standing order 320 and substitute the following standing order:

Papers authorised for publication

320. The publication of all papers and documents presented to the House is authorised by this standing order.

Debate ensued.

Question—put and passed.

3 RIGHT OF REPLY OF PERSONS REFERRED TO IN THE HOUSE

Mr Reith (Leader of the House), pursuant to notice, moved—That:

- (1) Where a person who has been referred to by name, or in such a way as to be readily identified, in the House, makes a submission in writing to the Speaker:
 - (a) claiming that the person has been adversely affected in reputation or in respect of dealings or associations with others, or injured in occupation, trade, office or financial credit, or that the person's privacy has been unreasonably invaded, by reason of that reference to the person; and
 - (b) requesting that the person be able to incorporate an appropriate response in the parliamentary record;
 and if the Speaker is satisfied:
 - (c) that the subject of the submission is not so obviously trivial or the submission so frivolous, vexatious or offensive in character as to make it inappropriate that it be considered by the Committee of Privileges; and

- (d) that it is practicable for the Committee of Privileges to consider the submission under this resolution,
the Speaker shall refer the submission to that Committee.
- (2) The Committee may decide not to consider a submission referred to it under this resolution if the Committee considers that the subject of the submission is not sufficiently serious or the submission is frivolous, vexatious or offensive in character, and such a decision shall be reported to the House.
- (3) If the Committee decides to consider a submission under this resolution, the Committee may confer with the person who made the submission and any Member who referred in the House to that person.
- (4) In considering a submission under this resolution, the Committee shall meet in private session.
- (5) The Committee shall not publish a submission referred to it under this resolution or its proceedings in relation to such a submission, but may present minutes of its proceedings and all or part of such submission to the House.
- (6) In considering a submission under this resolution and reporting to the House the Committee shall not consider or judge the truth of any statements made in the House or of the submission.
- (7) In its report to the House on a submission under this resolution, the Committee may make either of the following recommendations:
- (a) that no further action be taken by the House or by the Committee in relation to the submission; or
- (b) that a response by the person who made the submission, in terms specified in the report and agreed to by the person and the Committee, be published by the House or incorporated in *Hansard*, and shall not make any other recommendations.
- (8) A document presented to the House under paragraph (5) or (7):
- (a) in the case of a response by a person who made a submission, shall be succinct and strictly relevant to the questions in issue and shall not contain anything offensive in character; and
- (b) shall not contain any matter the publication of which would have the effect of:
- (i) unreasonably adversely affecting or injuring a person, or unreasonably invading a person's privacy, in the manner referred to in paragraph (1); or
- (ii) unreasonably adding to or aggravating any such adverse effect, injury or invasion of privacy suffered by a person.
- (9) The Committee may agree to guidelines and procedures, not inconsistent with this resolution, to apply to the consideration by it of submissions.

- (10) This resolution shall continue in force unless and until amended or rescinded by the House in this or a subsequent Parliament.

Debate ensued.

Question—put and passed.

4 USE OF ELECTRONIC COMMUNICATION DEVICES BY STANDING OR SELECT COMMITTEES

Mr Reith (Leader of the House), pursuant to notice, moved—

- (1) That the House authorises the use of electronic communication devices by a standing or select committee of the House in order to:
- (a) take oral evidence from a witness who is not in attendance at a meeting of the committee; and
 - (b) enable one or more members of the committee not in attendance to participate in a public or private meeting of the committee,
- as provided for by this resolution.
- (2) That a committee using electronic communication devices shall adhere to the following conditions:
- (a) the committee must authorise by resolution each occasion the committee is to meet, or on which evidence is to be heard from a witness in a remote location, using electronic means;
 - (b) a quorum of members must be in attendance at one location within Australia or its territories;
 - (c) *in camera* evidence must not be heard by electronic means from a witness in a remote location;
 - (d) members who are not in attendance where a chair and the quorum are present may not vote; and
 - (e) before proceeding to make use of electronic communication at a meeting the committee shall consider the following factors:
 - (i) whether any benefit can be gained from the use of electronic communication compared with traditional techniques;
 - (ii) whether the anticipated evidence is from a subject specialist or expert or is of a non-contentious nature;
 - (iii) whether it is necessary for a witness to be tested rigorously for truthfulness;
 - (iv) whether the administration of an oath is necessary (which would, unlike an affirmation, require the presence of an authorised officer to administer);
 - (v) whether the identification of a proposed witness is acceptable;
 - (vi) the real cost comparisons of alternative means of evidence collection, taking into account the possibility that videoconferencing may involve significant additional costs to

committees, whereas the costs of members' travel are met from Special Appropriations and not from committee budgets;

- (vii) the value of the committee being present at a location away from Canberra;
- (viii) the value of the public being able to physically see the committee in action; and
- (ix) any other matters the committee may consider relevant.

For the purposes of these conditions "in attendance" means physically present at a meeting of the committee.

- (3) This resolution shall continue in force unless and until amended or rescinded by the House in this or a subsequent Parliament.

Debate ensued.

Question—put and passed.

5 TARIFF PROPOSALS

Mr McGauran (Minister representing the Minister for Customs and Consumer Affairs) moved—

Excise Tariff Proposals Nos. 2 and 3 (1997); and

Customs Tariff Proposals Nos. 5 and 6 (1997).

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

6 WORKPLACE RELATIONS 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.

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

7 DISTINGUISHED VISITOR

The Speaker advised that the Right Honourable Betty Boothroyd, MP, Speaker of the House of Commons of the United Kingdom, was within the precincts. With the concurrence of Members, the distinguished visitor was provided with a seat on the floor of the House.

8 QUESTIONS

Questions without notice being asked—

Member ordered to withdraw

At 2.46 p.m. the Member for Dobell (Mr Lee) was ordered, under standing order 304A, to withdraw from the House for one hour for raising a frivolous point of order, and he accordingly withdrew from the Chamber.

Questions without notice continuing—

Member ordered to withdraw

At 2.57 p.m. the Member for Cowan (Mr R. D. C. Evans) 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.

9 PAPERS

The following papers were presented:

Employment, Education and Training Act—National Board of Employment, Education and Training—Australian Research Council—Report—Reviews of Grants Outcomes—No. 21—Plant physiology 1989-1993.

Higher Education Funding Act—Report detailing determinations made in 1996.

10 PRIME MINISTER—VISIT TO THE UNITED KINGDOM AND THE UNITED STATES OF AMERICA—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER

Mr Howard (Prime Minister), by leave, made a ministerial statement concerning his visit to the United Kingdom and the United States of America from 18 June to 1 July 1997, and presented the following paper:

Prime Minister—Visit to the United Kingdom and the United States of America—Ministerial statement, 27 August 1997.

Mr Reith (Leader of the House) moved—That the House take note of the paper.

Suspension of standing and sessional orders—Time for speech

Mr Reith, by leave, moved—That so much of the standing and sessional orders be suspended as would prevent Mr Beazley (Leader of the Opposition) speaking for a period not exceeding 14 minutes.

Question—put and passed.

Mr Beazley addressed the House.

Debate adjourned (Ms Worth—Parliamentary Secretary to the Minister for Health and Family Services), and the resumption of the debate made an order of the day for the next sitting.

11 SPEAKER'S PANEL

The following warrant revoking a nomination and nominating a member of the Speaker's panel, pursuant to standing order 18, was laid on the Table:

HOUSE OF REPRESENTATIVES

Pursuant to the provisions of standing order 18, I revoke the nomination of John Neil Andrew to be a member of the Speaker's panel.

Pursuant to the provisions of standing order 18, I nominate Kevin James Andrews to be a member of the Speaker's panel to assist the Chair when requested to do so by the Speaker or Deputy Speaker.

Given under my hand on 27 August 1997.

ROBERT HALVERSON
Speaker

12 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—DRUG PROBLEM

The House was informed that Mrs Crosio had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The Government’s failure to respond appropriately to the drug problem as evidenced by its failure to restore funding to the Australian Federal Police following a cut of \$37.6 million in the last two Budgets, its failure to ensure an adequate Customs Service and its failure to establish a National Summit to combat the horrendous carnage being caused, particularly to young Australians, from the use of drugs such as heroin”.

The proposed discussion having received the necessary support—

Mrs Crosio addressed the House.

Discussion ensued.

Discussion concluded.

13 SUSPENSION OF STANDING AND SESSIONAL ORDERS—REPORTS FROM MAIN COMMITTEE—UNRESOLVED QUESTIONS

Mr Ronaldson (Parliamentary Secretary to the Minister for Transport and Regional Development), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent one motion being moved that the debates be now adjourned on certain orders of the day returned from the Main Committee and reported to the House with unresolved questions.

Debate ensued.

Question—put and passed.

14 REPORTS FROM MAIN COMMITTEE—UNRESOLVED QUESTIONS

Mr Ronaldson (Parliamentary Secretary to the Minister for Transport and Regional Development) moved—That the debates be now adjourned on the motions to take note of the papers for the following orders of the day returned from the Main Committee:

Government business—

Transport, Communications and Infrastructure—Standing Committee — Report on inquiry into aviation safety.

Transport, Communications and Infrastructure—Standing Committee—Report on inquiry into ship safety.

ANL Limited—Report for 1995-96.

National Crime Authority—Parliamentary Joint Committee—Report on organised criminal paedophile activity—Government response.

Committee and delegation reports—

Treaties—Joint Standing Committee—Report on Protocols II and IV to the Inhumane Weapons Convention.

Family and Community Affairs—Standing Committee—Report on the seminar into aspects of youth suicide.

Question—put and passed.

15 MATTERS REFERRED TO MAIN COMMITTEE

Mr J. N. Andrew (Chief Government Whip), by leave, moved—That the following orders of the day be referred to the Main Committee for debate:

Government business—

Transport, Communications and Infrastructure—Standing Committee—Report on inquiry into aviation safety—Motion to take note of paper: resumption of debate.

Transport, Communications and Infrastructure—Standing Committee—Report on inquiry into ship safety—Motion to take note of paper: resumption of debate.

ANL Limited—Report for 1995-96—Motion to take note of paper: resumption of debate.

National Crime Authority—Parliamentary Joint Committee—Report on organised criminal paedophile activity—Government response—Motion to take note of paper: resumption of debate.

Committee and delegation reports—

Industry, Science and Technology—Standing Committee—Report on business conduct issues arising out of commercial dealings between firms—Motion to take note of paper: resumption of debate.

Primary Industries, Resources and Rural and Regional Affairs—Standing Committee—Review of Auditor-General's Audit Report No. 32 of 1995-96—Motion to take note of paper: resumption of debate.

Treaties—Joint Standing Committee—Report on Protocols II and IV to the Inhumane Weapons Convention—Motion to take note of paper: resumption of debate.

Family and Community Affairs—Standing Committee—Report on the seminar into aspects of youth suicide—Motion to take note of paper: resumption of debate.

Debate ensued.

Question—put and passed.

16 SELECTION COMMITTEE

Mr Ronaldson (Parliamentary Secretary to the Minister for Transport and Regional Development), by leave, moved—That Ms Worth (Parliamentary Secretary to the Minister for Health and Family Services) be discharged from attendance on the Selection Committee and that Mr Slipper and Mr Reid be appointed members of the Committee.

Question—put and passed.

17 MESSAGES FROM THE SENATE

Messages from the Senate were reported returning the following Bills without amendment:

26 August 1997—Message No. 291—Income Tax Rates Amendment (No. 1) 1997.

27 August 1997—Message No. 292—Higher Education Funding Amendment (No. 1) 1997.

18 INDIGENOUS EDUCATION (SUPPLEMENTARY ASSISTANCE) AMENDMENT BILL 1997—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the Main Committee had been unable to complete its consideration of the Bill and had returned the Bill with an unresolved question (*see item No. 2, Minutes of Proceedings of the Main Committee*), and presented a certified copy of the Bill together with a schedule of the unresolved question.

Unresolved question—That the amendments be agreed to—put and negatived.

Bill agreed to.

On the motion of Mr Abbott (Parliamentary Secretary to the Minister for Employment, Education, Training and Youth Affairs), by leave, the Bill was read a third time.

19 TRANSPORT LEGISLATION AMENDMENT (SEARCH AND RESCUE SERVICE) 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.

20 HEALTH INSURANCE (PATHOLOGY SERVICES) 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.

21 WORKPLACE RELATIONS 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.

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

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

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Mr Albanese	Mr L. D. T. Ferguson	Dr Lawrence	Mr O'Keefe
Mr P. J. Baldwin	Mr M. J. Ferguson	Mr Lee	Mr Price
Mr Beddall	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	Mr Hatton	Mr McMullan	Mr Tanner
Mr Crean	Mr Holding	Mr Martin	Dr Theophanous
Mrs Crosio	Mr Hollis	Mr Melham	Mr K. J. Thomson
Mr Dargavel	Mr Jenkins	Mr A. A. Morris	Mr Willis
Ms Ellis	Mr Jones	Mr P. F. Morris	Mr Wilton
Mr G. J. Evans	Mr Kerr	Mr Mossfield	
Mr M. J. Evans	Mr Latham	Mr O'Connor	

* Tellers

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

Consideration in detail

Bill, by leave, taken as a whole, and agreed to, after debate.

Consideration in detail concluded.

On the motion of Mr Reith (Minister for Workplace Relations and Small Business), by leave, the Bill was read a third time.

22 ADJOURNMENT

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

Debate ensued.

Question—put and passed.

And then the House, at 7.59 p.m., adjourned until tomorrow at 9.30 a.m.

PAPERS

The following papers were deemed to have been presented on 27 August 1997:

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposal 1997 No. 13.

Corporations Act—Accounting standard No. AASB 1035.

Public Service Act—Foreign Affairs and Trade Determinations 1997 Nos. 1, 2.

Social Security Act 1991—Social Security Delegation References Direction 1997, 1 July 1997.

Student and Youth Assistance Act—Student and Youth Assistance Delegation References Direction 1997, 1 July 1997.

Sydney Airport Curfew Act—Dispensations Nos. 6/97, 7/97.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Causley, Mr Mutch, Mr Sawford and Mr A. C. Smith.

I. C. HARRIS

Clerk of the House of Representatives

1996-97

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 104

MAIN COMMITTEE**MINUTES OF PROCEEDINGS**

WEDNESDAY, 27 AUGUST 1997

1 The Main Committee met at 10 a.m.

2 **INDIGENOUS EDUCATION (SUPPLEMENTARY ASSISTANCE) 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. 174, dated 18 June 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 Latham, by leave, moved the following amendments together:

Schedule 1—

Item 1, page 3 (lines 7 to 9), omit the item, substitute:

1 Paragraph 10D(1)(b)

Omit “; and”.

Page 3 (after line 9), insert:

1A Paragraph 10D(1)(c)

Repeal the paragraph.

Item 2, page 3 (lines 10 to 12), omit the item, substitute:

2 Paragraph 10E(1)(b)

Omit “; and”.

Page 3 (after line 12), insert:

2A Paragraph 10E(1)(c)

Repeal the paragraph.

Item 3, page 3 (lines 13 to 15), omit the item, substitute:

3 Paragraph 10F(1)(b)

Omit “; and”.

Page 3 (after line 15), add:

3A Paragraph 10F(1)(c)

Repeal the paragraph.

Debate continued.

Question—That the amendments be agreed to—put and not being resolved—
Bill to be returned to the House.

3 TRANSPORT LEGISLATION AMENDMENT (SEARCH AND RESCUE SERVICE) 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.

4 HEALTH INSURANCE (PATHOLOGY SERVICES) 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. 175, dated 17 July 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.

5 ADJOURNMENT

On the motion Dr Wooldridge (Minister for Health and Family Services), the Main Committee adjourned at 1.07 p.m.

The Deputy Speaker fixed tomorrow at 10 a.m. for the next meeting of the Main Committee.

B. C. WRIGHT
Clerk of the Main Committee