

1996-97-98

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

**HOUSE OF REPRESENTATIVES****VOTES AND PROCEEDINGS**

No. 139

TUESDAY, 3 MARCH 1998

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

**2 SPEAKER—PROPOSED RESIGNATION**

The Speaker informed the House that it was his intention to tender his resignation as Speaker of the House of Representatives to His Excellency the Governor-General later this day.

Mr Reith (Leader of the House) and Mr Beazley (Leader of the Opposition), by indulgence, spoke to the matter.

**3 SUSPENSION OF STANDING AND SESSIONAL ORDERS—ROUTINE OF BUSINESS FOR THIS SITTING**

Mr Reith (Leader of the House), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent the routine of business for this sitting being as follows, unless otherwise ordered:

1. Notices and orders of the day, government business.
2. Questions without notice (at 3.15 p.m.).
3. Presentation of papers.
4. Ministerial statements, by leave.
5. Matter of public importance.
6. Notices and orders of the day, government business.

Question—put and passed.

**4 BILLS REFERRED TO MAIN COMMITTEE**

Mr J. N. Andrew (Chief Government Whip), pursuant to notice, moved—That the following Bills be referred to the Main Committee for further consideration:

Insurance Laws Amendment 1997;

Telecommunications Amendment (No. 2) 1997;

NRS Levy Imposition 1997;

Customs and Excise Legislation Amendment (No. 3) 1997;  
Gas Pipelines Access (Commonwealth) 1997;  
Crimes (Superannuation Benefits) Amendment 1997; and  
Therapeutic Goods Legislation Amendment 1997.  
Question—put and passed.

#### 5 **WORKPLACE RELATIONS AMENDMENT BILL 1997 [NO. 2]**

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 3.15 p.m., the debate was interrupted in accordance with the resolution agreed this day, and the resumption of the debate made an order of the day for a later hour this day.

#### 6 **MINISTERIAL ARRANGEMENTS**

Mr Howard (Prime Minister) informed the House that, during the absence abroad of Mr Anderson (Minister for Primary Industries and Energy), Mr Fischer (Minister for Trade) would act as Minister for Primary Industries and Energy.

#### 7 **QUESTIONS**

Questions without notice being asked—

*Paper*

Mr Fischer (Minister for Trade) presented the following paper:

Natural Heritage Trust funding to all Tasmanian electorates—Talking points—Senate estimates, February 1998.

Questions without notice continued.

#### 8 **AUDITOR-GENERAL'S REPORT**

The Deputy Speaker presented the following paper:

Audit Act—Auditor-General—Audit report No. 36 of 1997-98—Audit activity report, July to December 1997—Summary of audit outcomes.

Ordered to be printed.

#### 9 **PAPERS**

The following papers were presented:

Aboriginal Land Rights (Northern Territory) Act—  
Anindilyakwa Land Council—6th report, for 1996-97.

Central Land Council—Report for 1996-97.

Northern Land Council—Report for 1996-97.

Tiwi Land Council—18th report, for 1996-97.

Bringing them home: Report of the national inquiry into the separation of Aboriginal and Torres Strait Islander children from their families—Government initiatives in response, 16 December 1997.

Certain Family Law Issues—Joint Select Committee—Report—Funding and administration of the Family Court of Australia, November 1995—Government response, February 1998.

Department of Health and Family Services—Report, including information on the administration and operation of the Commonwealth Rehabilitation Service, Therapeutic Goods Administration and the Australian Government Health Service, for 1996-97—Corrigendum.

Finance—Mid-year economic and fiscal outlook 1997-98.

Financial Institutions and Public Administration—Standing Committee—Report—Review of the Australian Competition and Consumer Commission report for 1995-96, June 1997—Government response.

Housing Loans Insurance Act—Housing Loans Insurance Corporation—33rd report, for 1996-97.

Industry Commission Act—Industry Commission—Report No. 55—State, Territory and Local Government assistance to industry, 29 October 1996.

Primary Industries and Energy Research and Development Act—Energy Research and Development Corporation and Energy Research and Development Corporation Selection Committee—Report for 1996-97.

Second Sydney Airport proposal—Draft environmental impact statement—Auditor's report by SMEC Australia, January 1998.

Tax expenditures statement 1996-97—Report of the Department of the Treasury, December 1997.

Treaties—

*Bilateral with text, together with national interest analysis—*

Exchange of Letters, done at Canberra on 27 August 1997, constituting an Agreement to amend the Agreement on Health Services between the Government of Australia and the Government of the Republic of Malta of 6 July 1988.

Agreement on Judicial Assistance in Civil and Commercial Matters and Cooperation in Arbitration between Australia and the Kingdom of Thailand, done at Canberra on 2 October 1997.

[Second] Protocol, done at Canberra of 5 November 1997, to amend the Agreement between Australia and Finland for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and [First] Protocol, of 12 September 1984.

Extradition between Australia and the Republic of Paraguay, done at Buenos Aires on 30 December 1997.

*Multilateral with text, together with national interest analysis*

Amendments (concerning phasing out sea disposal of industrial waste), done at London on 12 November 1993 under Resolution LC.49(16), to Annexes I and II to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter of 29 December 1972.

Agreement between Australia, Papua New Guinea, Fiji, New Zealand and Vanuatu concerning the Neutral Truce Monitoring Group for Bougainville, done at Port Moresby on 5 December 1997.

Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, done at Paris on 17 December 1997.

#### 10 **SPEAKER—PROPOSED RESIGNATION**

Mr Beazley (Leader of the Opposition), by leave, moved—That the House notes the Speaker's foreshadowed resignation, the Prime Minister's failure on learning of the intention of the Speaker to put in train procedures for the orderly running of the House, and the Prime Minister's previous undertaking to support an independent Speaker, and his failure to achieve that objective.

Debate ensued.

Mr Charles moved, as an amendment—That all words after "resignation" be omitted with a view to substituting the following words: "and records its appreciation of his distinguished service to the Parliament".

Debate continued.

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

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

AYES, 49

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

## NOES, 80

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

\* Tellers

And so it was negatived.

Question—That the words proposed to be inserted be so inserted—put and passed.

Motion, as amended, agreed to.

#### 11 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, 9 March 1998.

#### 12 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—PRIVATE HEALTH INSURANCE

The House was informed that Mr Lee had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The increasing public concern about the cost of private health insurance and the inability of the Howard Government to admit that its tax rebate policy has failed”.

The proposed discussion having received the necessary support—

Mr Lee addressed the House.

Discussion ensued.

Discussion concluded.

**13 WORKPLACE RELATIONS AMENDMENT BILL 1997 [NO. 2]**

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.

Mrs Moylan (Minister for the Status of Women) moved—That the Bill be now read a third time.

Question—put.

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

## AYES, 80

Mr Abbott	Mrs Elson	Mr Lloyd	Mr Scott
Mr Andren	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 McLachlan	Mr A. C. Smith
Mr Anthony	Mr Forrest	Mr Marek	Mr W. L. Smith
Mrs Bailey	Ms Gambaro	Mr Miles	Mr Somlyay
Mr R. C. Baldwin	Mr Georgiou	Mr Moore	Dr Southcott
Mr Barresi	Mrs E. J. Grace	Mrs Moylan	Mrs Stone
Mr Bartlett	Mr Hardgrave	Mr Nairn	Mr Taylor
Mr Billson	Mr Hawker	Mr Nehl	Mr A. P. Thomson
Mrs Bishop	Mr Hicks*	Dr Nelson	Mr Truss
Mr Bradford	Mr Hockey	Mr Neville	Mr Tuckey
Mr Broadbent	Ms Jeanes	Mr Prosser	Mr M. A. J. Vaile
Mr Brough	Mrs Johnston	Mr Pyne	Mrs D. S. Vale
Mr Cadman	Mr Jull	Mr Randall	Mr Wakelin
Mr E. H. Cameron	Mrs D. M. Kelly	Mr Reid	Mrs West
Mr R. A. Cameron	Miss J. M. Kelly	Mr Reith	Mr Williams
Mr Charles	Dr Kemp	Mr Rocher	Dr Wooldridge
Mr Cobb	Mr Lieberman	Mr Ronaldson	Ms Worth
Mrs Draper	Mr Lindsay	Mr Ruddock	Mr Zammit

## NOES, 42

Mr Adams	Mr M. J. Evans	Dr Lawrence	Mr O'Keefe
Mr Albanese	Mr M. J. Ferguson	Mr Lee	Mr Price
Mr P. J. Baldwin	Mr Fitzgibbon	Mr McClelland	Mr Sawford*
Mr Beddall	Mr E. L. Grace*	Ms Macklin	Mr Sercombe*
Mr Bevis	Mr Griffin	Mr McLeay	Mr Tanner
Mr Brereton	Mr Hatton	Mr McMullan	Dr Theophanous
Mr Brown	Mr Hollis	Mr Martin	Mr K. J. Thomson
Mr Crean	Mr Jenkins	Mr Melham	Mr Willis
Mrs Crosio	Mr Jones	Mr A. A. Morris	Mr Wilton
Mr Dargavel	Mr Kerr	Mr Mossfield	
Mr G. J. Evans	Mr Latham	Mr O'Connor	

\* Tellers

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

**14 SOCIAL SECURITY AND VETERANS' AFFAIRS LEGISLATION AMENDMENT (BUDGET AND OTHER MEASURES) 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. 230, 25 November 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 Ruddock (Minister representing the Minister for Social Security), the Bill was read a third time.

**15 MANAGED INVESTMENTS 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.

Dr Nelson was granted leave to continue his speech when the debate is resumed.

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

**16 MAIN COMMITTEE—NEXT MEETING**

The Deputy Speaker reported that Wednesday, 4 March 1998, at 11.15 a.m., had been fixed for the next meeting of the Main Committee.

**17 ADJOURNMENT NEGATIVED**

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

Mr Reith (Leader of the House) requiring the question to be put forthwith without debate—

Question—put and negatived.

**18 STANDING ORDER 12—AMENDMENTS**

Mr Reith (Leader of the House), by leave, moved—That standing order 12 be amended in relation to the next day of sitting:

- (1) by omitting from paragraph (o) “the House for the purpose of presenting the Speaker to the Governor-General” and substituting “the Speaker”; and
- (2) by omitting from paragraph (p) “with the House”.

Question—put and passed.

**19 ADJOURNMENT**

Mr Reith (Leader of the House) moved—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 11 p.m.—The Deputy Speaker adjourned the House until tomorrow at 9.30 a.m.

**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Anderson, Mrs Gash, Mr McGauran, Mr Mutch, Mr Nugent and Mrs Sullivan.



**I. C. HARRIS**

Clerk of the House of Representatives