

1996-97-98

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES**VOTES AND PROCEEDINGS**

No. 142

MONDAY, 9 MARCH 1998

1 The House met, at 12.30 p.m., pursuant to adjournment. The Speaker (the Right Honourable Ian Sinclair) took the Chair, and read Prayers.

2 POSTPONEMENT OF NOTICE

Ordered—That notice No. 1, given by the Speaker, be postponed until a later hour this day.

3 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENTS BY MEMBERS

Mrs Crosio presented the following paper:

Australian Parliamentary Delegation to Venezuela and the United States of America, 5 to 22 July 1997—Report, February 1998.

Mrs Crosio and Mr Pyne made statements in connection with the report.

4 NATIONAL CRIME AUTHORITY—PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER

Mr Bradford (Chair) presented the following paper:

National Crime Authority—Parliamentary Joint Committee—Examination of the annual report for 1996-97 of the National Crime Authority—Report, March 1998.

Ordered to be printed.

Mr Bradford and Mr Sercombe made statements in connection with the report.

Mr Bradford, by leave, again addressed the House.

The time allotted for making statements on the report having expired—

Mr Bradford moved—That the House take note of the report.

Mr Bradford was granted leave to continue his speech when the debate is resumed.

In accordance with standing order 102B, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting.

5 FINANCIAL INSTITUTIONS AND PUBLIC ADMINISTRATION—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER

Mr Hawker (Chair) presented the following papers:

Financial Institutions and Public Administration—Standing Committee—Review of the Australian Competition and Consumer Commission annual report 1996-97—

Report, March 1998.

Minutes of proceedings.

Ordered—That the report be printed.

Mr Hawker and Mr Wilton made statements in connection with the report.

Mr Hawker, by leave, again addressed the House.

The time for consideration of committee and delegation reports having expired—

Mr Hawker moved—That the House take note of the report.

Mr Hawker was granted leave to continue his speech when the debate is resumed.

In accordance with standing order 102B, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting.

6 CHILD CARE

Mr McClelland, pursuant to notice, moved—That this House:

- (1) notes that the withdrawal of the operational subsidy to community based child care centres has caused a significant detrimental impact including:
 - (a) the need for child care centres to increase fees between 11 and 15 per cent per week;
 - (b) causing a number of families to reduce their hours of child care or leave the child care service altogether; and
 - (c) causing child care centres to (i) reduce administration hours, (ii) reduce staff or replace staff with lower qualified staff, (iii) curtail services to infants such as nappy services, (iv) either withdraw or reduce the quality of meals and drinks provided to children, (v) reduce the amount of spending on equipment and materials and (vi) reduce the extent of building and outdoor maintenance;
- (2) calls on the Minister for Family Services to refer issues relating to the withdrawal of the operational subsidies to the appropriate House of Representatives committee with such terms of reference to include investigation of the impact of the loss of operational funding on community based long day care centres and families who use that service;
- (3) further calls on the Minister for Family Services to increase the child care assistance ceiling for child care services to better reflect the actual cost of care; and

- (4) calls on the Government to immediately reinstate the \$350 million taken from the children's services program in 1997-98 so that high quality affordable child care can be maintained and monitored.

Debate ensued.

At 1.45 p.m., the time allotted for the debate having expired, the debate was interrupted in accordance with standing order 106A, and the resumption of the debate was made an order of the day for the next sitting.

7 MEMBERS' STATEMENTS

Members' statements were made.

8 QUESTIONS

Questions without notice being asked—

Papers

Mr Beazley (Leader of the Opposition), in accordance with standing order 321, having called for documents quoted from by Mr Williams (Attorney-General)—

Mr Williams presented the following papers:

Privacy Act—Coverage of private employment services—

Letter from Timothy Pilgrim, Deputy Privacy Commissioner, Human Rights and Equal Opportunity Commission, to the Editor, *Brisbane Courier Mail*, 9 March 1998.

Question time brief.

Questions without notice continuing—

Paper

Mr Williams presented the following paper:

Skase, Christopher—Skase hoard found: Move to freeze fortune—Copy of article published in the *Daily Telegraph*, 5 January 1998.

Questions without notice continued.

9 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation, viz.:

Mr Albanese and Mr Andren, from 107 and 11 residents of NSW, and Ms Macklin, from 40 petitioners, respectively, praying that nursing home care be available to all and that the family home be exempted from assets tests relating to payment for such care.

Mr Brown, from 81 petitioners, Mr Mossfield, from 34 residents of NSW, respectively, in similar terms.

Ms Macklin and Mr Nehl, from 7 and 8 pensioners, superannuants and retirees, respectively, praying that funding be provided to the Australian Pensioners' and Superannuants' Federation.

Mr Adams, from 164 residents of Derwent Valley, Tas., praying that the National Transmission Authority install a television translator on Mt. Wellington, Tas.

Mr Bevis, from 15 residents of Queensland, praying that data communication services be charged on an untimed basis.

Mr Bradford, from 368 electors of the Division of McPherson, praying that the Tugun bypass be completed before the year 2000 and a curfew be imposed on jet aircraft movements at Coolangatta Airport, Qld.

Mr Bradford, from 318 electors of the Division of McPherson, praying that a curfew be imposed on jet aircraft movements at Coolangatta Airport, Qld.

Mr Cobb, from 215 petitioners, praying that certain action be taken to replace firearms laws and associated regulations.

Mrs Crosio, from 418 petitioners, praying that the Badgerys Creek airport project not proceed and such an airport be built outside the Sydney Basin.

Mr Mossfield, from 128 residents of NSW, in similar terms.

Mr Fitzgibbon, from 37 residents of the Hunter region, NSW, praying that changes to the arrangements for older Australians needing nursing home care be repealed.

Mrs E. J. Grace, from 18 petitioners, praying that legislation to implement a proposed therapeutic goods advertising code be rejected.

Mr Hollis, from 23 residents of NSW, praying that public education funding for adult English as a second language tuition be restored.

Ms Jeanes, from 2901 residents of South Australia, praying that Commonwealth funded expenditure by past Prime Ministers be restricted to a maximum of \$1000 per week.

Ms Macklin, from 1739 residents of Victoria, praying that a commitment be made to greenhouse gas reduction targets and the decision to mine uranium at Jabiluka be reconsidered.

Ms Macklin, from 1140 petitioners, praying that 'A Group for a Government' be established and paid by the Government to learn and practise transcendental meditation and yogic flying.

Ms Macklin, from 605 residents of Qld, praying that nursing home care be equally available to all Australians on the basis of medical need alone.

Ms Macklin, from 159 petitioners, praying that certain decisions affecting the price and availability of medicines be recognised as unfair.

Ms Macklin, from 115 residents of Victoria, praying that the Commonwealth Bank be encouraged to reduce the cost of over-the-counter withdrawals.

Ms Macklin, from 64 residents of Victoria, praying that the House register the widespread support in the community for the rejection of entry fees for nursing homes.

Mr McDougall, from 76 petitioners, praying that certain action be taken regarding care for frail aged people.

Mr McMullan, from 1248 residents of Qld, praying that export licences for Nippon Meat Abattoirs at Mackay and Merinda, Qld, be revoked and a review of foreign investment guidelines be initiated.

Mr P. F. Morris, from 254 electors of the Division of Shortland, praying that the decision to close the Medicare office in Belmont, NSW, be reversed and dismantling of the Medicare services cease.

Mr Mossfield, from 31 residents of NSW, praying that legislation that would impact upon existing quality, affordable childcare not be passed.

Mr Mossfield, from 28 petitioners, praying that post-secondary education be returned to a system which is fair and accessible for all Australians.

Mr Sercombe, from 1492 residents of Victoria, praying that the measures to introduce income tested extra daily fees and accommodation bonds for aged care be repealed.

Mr Zammit, from 253 residents of NSW, praying that a commission of inquiry or judicial inquiry be established to investigate all aspects of the long term operating plan for Sydney (Kingsford-Smith) Airport including the part played by senior members of the Government.

Mr Zammit, from 68 residents of NSW, in similar terms.

Petitions received.

10 PERSECUTION OF RELIGIOUS MINORITIES

Mr Hockey, pursuant to notice, moved—That this House:

- (1) condemns the persecution of all religious minorities around the world;
- (2) deplores the long lasting plight of the Christian minorities in Turkey involving discrimination against those minorities to freely practice their religion and culture; and
- (3) requests the Government of Turkey, in the interests of secularism and respect for minorities to:
 - (a) make it easier for all Christian denominations to be recognised as official churches and to have clear legal rights with regard to property ownership;
 - (b) allow the opening of the Greek Orthodox and Armenian Apostolic seminaries which were forcibly closed in 1971 and permit other Christian denominations such as the Syrian Orthodox to have seminaries as well;
 - (c) abolish the special tax imposed on Christian institutions;
 - (d) preserve Christian monuments and cease the destruction or desecration of Christian churches, monasteries and other religious monuments;
 - (e) provide more protection for the Ecumenical Patriarchate of the Orthodox church in Istanbul and Armenian and Greek Christian churches in Turkey, against possible further attacks by Islamic extremists;

- (f) return to the Armenian Protestant Church all property that was taken from it including money that the Armenians were forced to pay; and
- (g) not interfere in the selection of church leaders or in the affairs of the Christian communities, in particular the operations of schools.

Debate ensued.

Closure moved

Mr McLeay moved—That the question be now put.

The question being accordingly put and a division being called for—

In accordance with standing order 193 the division was deferred until after the conclusion of grievance debate.

11 INDUSTRIAL RELATIONS CLIMATE

Mr Brown, pursuant to notice, moved—That this House:

- (1) expresses its absolute disgust at the worsening industrial relations climate throughout Australia as a number of foreign owned companies and their maverick Australian subsidiaries seek to use the Howard Government's workplace relations legislation to confront, intimidate and harass Australian workers and their spouses and children and to threaten the viability, stability and peace of Australian communities;
- (2) deplores the gross and unconscionable behaviour of the American owned Atlantic Richfield Company for sacking all of the workers at its Gordonstone mine in Queensland with the intention of re-opening the mine with scab labour on individual contracts;
- (3) calls on Rio Tinto to halt its continuing provocation against its employees at Hunter Valley No. 1 Mine and their spouses and children and seek to approach industrial relations in a more civilised and co-operative way;
- (4) urges all respectable and responsible Australian firms to reject the behaviour of the mavericks and renegades whose offensive assaults on decency in the industrial relations system will cost Australian industry and the general community dearly;
- (5) encourages all Federal and State industrial tribunals to utilise the laws, conventions and facilities available to them to demand that employers enter into genuine negotiations with unions and seek to achieve honourable settlements, arbitrated if necessary;
- (6) demands that the Howard Government act immediately and decisively to halt the frightening trend towards the intrusion of potential violence in our approach to industrial relations;
- (7) expresses its unqualified support for the courageous workers and their families who have been forced to put themselves in the front line of sacrifice to protect the rights of all workers; and
- (8) calls on all Australians who value and respect our great traditions of fair play, mateship, collective action and civilised relationships to reject the

intrusion of un-Australian behaviour into Australia's industrial relations system.

Debate ensued.

The time allotted for private Members' business having expired, the debate was interrupted, and the resumption of the debate made an order of the day for the next sitting.

12 GRIEVANCE DEBATE

Pursuant to the provisions of standing order 106, the order of the day having been read—

Question proposed—That grievances be noted.

Debate ensued.

Question—That grievances be noted—put and passed.

13 DEFERRED DIVISION—STATEMENT BY DEPUTY SPEAKER

The Deputy Speaker referred to the motion moved by Mr McLeay—That the question be now put on the motion moved by Mr Hockey (*see entry No. 10*). The Deputy Speaker stated that as the Selection Committee had determined that debate on the motion should continue on a future day the motion moved by Mr McLeay could not have been moved without first having suspended standing and sessional orders. The motion was therefore out of order.

Mr McLeay was granted leave to continue his speech when the debate is resumed on the motion moved by Mr Hockey.

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

14 MESSAGE FROM THE SENATE

Message No. 436, 5 March 1998, from the Senate was reported acquainting the House that Senator Neal had been discharged from attendance on the Joint Standing Committee on Treaties, and Senator Reynolds had been appointed a member of the committee.

15 NATIVE TITLE AMENDMENT BILL 1997 [NO. 2]

Mr Williams (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Native Title Act 1993*, 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 Melham), and the resumption of the debate made an order of the day for the next sitting.

16 HIGHER EDUCATION LEGISLATION 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.

Mr M. J. Evans moved, as an amendment—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 condemns the Government:

- (1) for reducing funding to Australian universities, resulting in 21,000 fewer student places;
- (2) for the failure of its up-front fees policy;
- (3) for increasing HECS charges and lowering the repayment threshold such that applications for enrolment in undergraduate courses fell by 3.3 per cent in 1997 and a further 3.1 per cent in 1998;
- (4) for creating a crisis in science education by doubling the charge for university science courses; and
- (5) for its inadequate response to the challenges of globalisation in higher education”.

Debate continued.

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

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

AYES, 81

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

NOES, 48

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

* Tellers

And so it was resolved in the affirmative.

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

Message from the Governor-General

Message No. 235, 21 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 Dr Kemp (Minister for Employment, Education, Training and Youth Affairs), the Bill was read a third time.

17 ADJOURNMENT

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

Debate ensued.

The House continuing to sit until 11 p.m.—The Speaker adjourned the House until tomorrow at 2 p.m.

PAPERS

The following papers were deemed to have been presented on 9 March 1998:

Acts Interpretation Act—Statements relating to delay in furnishing report within specified period—Northern Territory Fisheries Joint Authority—Reports for period 1 January to 30 June 1995 and 1995-96.

Fisheries Management Act—Regulations—Statutory Rules 1998 No. 24.

Migration Act—Statements under section—

48B (4).

417 (20).

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Anderson, Mr Halverson, Mr Latham, Mr Mutch and Mr Randall.

I. C. HARRIS
Clerk of the House of Representatives