

1996-97-98

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 148

WEDNESDAY, 25 MARCH 1998

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- 1 The House met, at 9.30 a.m., pursuant to adjournment. The Speaker (the Right Honourable Ian Sinclair) took the Chair, and read Prayers.
- 2 **STUDENT AND YOUTH ASSISTANCE AMENDMENT BILL 1998**
Dr Kemp (Minister for Employment, Education, Training and Youth Affairs), pursuant to notice, presented a Bill for an Act to amend the *Student and Youth Assistance Act 1973*, 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 McMullan), and the resumption of the debate made an order of the day for the next sitting.
- 3 **AUSTRALIAN HEARING SERVICES REFORM BILL 1998**
Ms Worth (Parliamentary Secretary to the Minister for Health and Family Services), pursuant to notice, presented a Bill for an Act to repeal the *Australian Hearing Services Act 1991*, and for related purposes.
Bill read a first time.
Ms Worth moved—That the Bill be now read a second time.
Paper
Ms Worth 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 **PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REPORTS—STATEMENT BY MEMBER**
Mr Tuckey (Chairman) presented the following papers:
Public Works—Parliamentary Standing Committee—Reports—

61st general report of the Committee, 1998, pursuant to the Public Works Committee Act.

HMAS *Albatross* Stage 1 redevelopment, Nowra, NSW (1st report of 1998).

Severally ordered to be printed.

Mr Tuckey, by leave, made a statement in connection with the reports.

5 MESSAGE FROM THE SENATE—SOCIAL SECURITY LEGISLATION AMENDMENT (YOUTH ALLOWANCE) BILL 1997

A message from the Senate was reported returning the following Bill with requests for amendments:

12 March 1998—Message No. 440—Social Security Legislation Amendment (Youth Allowance) 1997.

Ordered—That the amendments requested by the Senate be considered at the next sitting.

6 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE

The House was informed that the Government Whip had nominated Mr Prosser to be a member of the Joint Standing Committee on Foreign Affairs, Defence and Trade in place of the Speaker.

7 AGED CARE AMENDMENT BILL 1998

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, Mrs D. M. Kelly, in the Chair)—

AYES, 81

Mr Anderson	Mrs Elson	Mr Lindsay	Mr Scott
Mr Andren	Mr Entsch	Mr Lloyd	Mr Sharp
Mr J. N. Andrew	Mr R. D. C. Evans	Mr McArthur*	Mr Slipper*
Mr K. J. Andrews	Mr Fahey	Mr McDougall	Mr A. C. Smith
Mr Anthony	Mr Forrest	Mr McGauran	Mr W. L. Smith
Mrs Bailey	Mrs Gallus	Mr Miles	Mrs Stone
Mr R. C. Baldwin	Ms Gambaro	Mr Moore	Mrs Sullivan
Mr Barresi	Mrs Gash	Mrs Moylan	Mr Taylor
Mr Bartlett	Mr Georgiou	Mr Mutch	Mr A. P. Thomson
Mr Billson	Mrs E. J. Grace	Mr Nairn	Mr Truss
Mrs Bishop	Mr Halverson	Mr Nehl	Mr Tuckey
Mr Bradford	Mr Hardgrave	Dr Nelson	Mr M. A. J. Vaile
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 Causley	Mrs Johnston	Mr Randall	Dr Wooldridge
Mr Charles	Mr Jull	Mr Reid	Ms Worth
Mr Costello	Mr Katter	Mr Reith	
Mr Dondas	Miss J. M. Kelly	Mr Ronaldson	
Mrs Draper	Mr Lieberman	Mr Ruddock	

NOES, 41

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

* Tellers

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

Message from the Governor-General

Message No. 242, 10 March 1998, 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.

Debate ensued.

Ms Macklin, by leave, moved Opposition amendments (1) to (56) as circulated, together.

Debate continued.

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.

8 QUESTIONS

Questions without notice being asked—

Paper

Mr Bevis, in accordance with standing order 321, having called for documents quoted from by Mr Howard (Prime Minister)—

Mr Howard presented the following paper:

Pan Australian Resources NL shares—Clarification of shareholdings of QCMM Group (ESP), QCMM Pty Ltd & Kiskin Pty Ltd—ASX announcement by Mr Gary Stafford, Managing Director, Pan Australian Resources NL, 24 March 1998.

Questions without notice continuing—

Papers

Mr McLeay, in accordance with standing order 321, having called for documents quoted from by Mr Reith (Minister for Workplace Relations and Small Business)—

Mr Reith presented the following papers:

Waterfront workers—

How our average Western Australian crane driver spends his week—Chart.

Howard rides crest of economic good news—Small business unhappy with Premier Carr—Media release by NSW State Chamber of Commerce, 24 March 1998.

Letter from John Coombs, National Secretary, Maritime Union of Australia to Mr Reith, 20 March 1998.

National Institute of Labour Studies Inc.—Selected analysis of employment conditions of workers in the Australian waterfront and seafaring—Report, October 1997.

Note by SDW to Mr Reith, 25 March 1998.

Notes of meeting on waterfront performance, 8 August 1996.

Plenty kudos but no pay for productive wharfies—Article published in the *Australian*, 25 March 1998.

Those crane drivers earn \$90,000 a year for the 14 hours of work a week in a crane—Chart.

Waterfront workers' earnings—Question time brief.

Questions without notice continued.

9 AUDITOR-GENERAL'S REPORT

The Speaker presented the following paper:

Audit Act—Auditor-General—Audit report No. 34 of 1997-98—Performance audit—New Submarine Project: Department of Defence.

Ordered to be printed.

10 PAPER

The following paper was presented:

National Capital and External Territories—Joint Standing Committee—Report, May 1997—A right to protest—Government response, November 1997.

11 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—DISCRETIONARY TRUSTS

The House was informed that Mr G. J. Evans (Deputy Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The urgent need for a crack-down on the growing use of discretionary trusts for tax avoidance purposes”.

The proposed discussion having received the necessary support—

Mr G. J. Evans addressed the House.

Discussion ensued.

Discussion concluded.

12 MESSAGE FROM THE SENATE

Message No. 445, 23 March 1998, from the Senate was reported transmitting a resolution agreed to by the Senate extending the time for the presentation of the report of the Parliamentary Joint Committee on Corporations and Securities on the provisions of the Company Law Review Bill 1997 and the Managed Investments Bill 1997 to 30 March 1998.

13 POSTPONEMENT OF ORDER OF THE DAY

Ordered—That order of the day No. 2 government business, be postponed until a later hour this day.

14 MATTERS REFERRED TO MAIN COMMITTEE

Mr J. N. Andrew (Chief Government Whip), pursuant to notice, moved—That:

- (1) the Tax Law Improvement Bill (No. 2) 1997 be referred to the Main Committee for further consideration; and
- (2) the following order of the day, committee and delegation reports, be referred to the Main Committee for debate:

Financial Institutions and Public Administration—Standing Committee—Report on the Australian Competition and Consumer Commission’s annual report for 1996-97—Motion to take note of paper: Resumption of debate.

Question—put and passed.

15 HEALTH LEGISLATION 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 for the purposes of amendments to the Bill had been reported, and the Bill had been agreed to with amendments (*see item No. 2, Minutes of Proceedings of the Main Committee*), 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 Dr Wooldridge (Minister for Health and Family Services), by leave, the Bill was read a third time.

16 ABORIGINAL AND TORRES STRAIT ISLANDER COMMISSION 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 with an amendment (*see item No. 3, Minutes of Proceedings of the Main Committee*), and presented a certified copy of the Bill together with a schedule of the amendment.

Amendment made by the Main Committee agreed to.

Bill, as amended, agreed to.

On the motion of Dr Wooldridge (Minister for Health and Family Services), by leave, the Bill was read a third time.

17 CRIMINAL CODE 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 Dr Wooldridge (Minister for Health and Family Services), by leave, the Bill was read a third time.

18 AGED CARE AMENDMENT BILL 1998

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 Ms Macklin (*see item No. 7*).

Question—That the amendments be agreed to—put.

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

AYES, 45

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

NOES, 83

Mr Anderson	Mr Entsch	Mr Lieberman	Mr Scott
Mr J. N. Andrew	Mr R. D. C. Evans	Mr Lindsay	Mr Sharp
Mr K. J. Andrews	Mr Fahey	Mr Lloyd	Mr Slipper*
Mr Anthony	Mr Forrest	Mr McArthur*	Mr A. C. Smith
Mrs Bailey	Mr Gallus	Mr McDougall	Mr W. L. Smith
Mr R. C. Baldwin	Ms Gambaro	Mr McGauran	Mr Somlyay
Mr Barresi	Mrs Gash	Mr Marek	Dr Southcott
Mr Bartlett	Mr Georgiou	Mr Miles	Mrs Stone
Mr Billson	Mrs E. J. Grace	Mr Moore	Mrs Sullivan
Mrs Bishop	Mr Halverson	Mr Mutch	Mr Taylor
Mr Bradford	Mr Hardgrave	Mr Nairn	Mr A. P. Thomson
Mr Broadbent	Mr Hawker	Dr Nelson	Mr Truss
Mr Brough	Mr Hicks*	Mr Neville	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 Causley	Mrs Johnston	Mr Pyne	Mr Wakelin
Mr Charles	Mr Jull	Mr Randall	Mrs West
Mr Cobb	Mr Katter	Mr Reid	Mr Williams
Mr Dondas	Mrs D. M. Kelly	Mr Reith	Dr Wooldridge
Mrs Draper	Miss J. M. Kelly	Mr Ronaldson	Ms Worth
Mrs Elson	Dr Kemp	Mr Ruddock	

* Tellers

And so it was negatived.

Bill agreed to.

Consideration in detail concluded.

On the motion of Dr Wooldridge (Minister for Health and Family Services), by leave, the Bill was read a third time.

19 HEALTH LEGISLATION AMENDMENT (HEALTH CARE AGREEMENTS) BILL 1998

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 Lee who 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 is of the opinion that the Government:

- (1) is placing Australia’s world renowned health system in jeopardy by failing to achieve new Medicare Agreements with State and Territory governments;
- (2) is misrepresenting its offer to the States and Territories which amounts to little more than double-counting and putting back health funding which has been cut in the first two Howard budgets; and
- (3) has failed to adequately consult with the States and Territories regarding the provisions of this bill”.

Debate continued.

Mr Filing addressing the House—

20 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 25 March 1998:

Public Service Act—Determinations 1998 Nos. LES 9, LES 10, LES 11.

Radiocommunications Act—Declaration 1998 Spectrum Re-allocation No. 1.

Remuneration Tribunal Act—Remuneration Tribunal—

Determinations 1998 Nos. 1, 2, 3, 4, 5, 6, 7.

Statements (2).

Sydney Airport Demand Management Act—Determination 1998 Slot Management Scheme.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Abbott, Mr R. A. Cameron, Mr Downer and Mr McLachlan.

I. C. HARRIS

Clerk of the House of Representatives

1996-97-98

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 148

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

WEDNESDAY, 25 MARCH 1998

1 The Main Committee met at 10 a.m.

2 HEALTH 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.

Papers

Ms Worth (Parliamentary Secretary to the Minister for Health and Family Services) presented a supplementary explanatory memorandum to the Bill and a corrigendum to the explanatory memorandum to the Bill.

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

Message from the Governor-General

Message No. 236, 2 March 1998, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of amendments to the Bill.

Consideration in detail

Bill, by leave, taken as a whole.

On the motion of Ms Worth, by leave, Government amendments (1) to (3) as circulated, were made, together.

Bill, as amended, agreed to.

Consideration in detail concluded.

Ordered—That the Bill be reported to the House with amendments.

3 ABORIGINAL AND TORRES STRAIT ISLANDER COMMISSION 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.

Ms Worth (Parliamentary Secretary to the Minister for Health and Family Services) moved the Government amendment as circulated.

Paper

Ms Worth presented a supplementary explanatory memorandum to the Bill.

Amendment agreed to.

Bill, as amended, agreed to.

Consideration in detail concluded.

Ordered—That the Bill be reported to the House with an amendment.

4 **CRIMINAL CODE AMENDMENT BILL 1997**

The order of the day having been read for the second reading—Mr Williams (Attorney-General) moved—That the Bill be now read a second time.

Paper

Mr Williams presented an explanatory memorandum to the Bill.

Debate ensued.

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

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

5 **SUPERANNUATION 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 having been resumed by Mr M. J. Evans—

Suspension of sitting

At 12.41 p.m., a division having been called in the House, the proceedings were suspended.

Resumption of sitting

At 12.53 p.m., the proceedings were resumed.

Mr M. J. Evans continued his speech.

Mr M. J. Evans 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.

6 **ADJOURNMENT**

On the motion of Mr Anthony, the Main Committee adjourned at 1.01 p.m.

The Deputy Speaker fixed tomorrow at 9.40 a.m. for the next meeting of the Main Committee.



B. C. WRIGHT
Clerk of the Main Committee