

1998-99

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 87

WEDNESDAY, 8 DECEMBER 1999



1 The House met, at 9.30 a.m., pursuant to adjournment. The Speaker (the Honourable Neil Andrew) took the Chair, and read Prayers.

2 **ABORIGINAL LAND RIGHTS (NORTHERN TERRITORY) AMENDMENT BILL (NO. 3) 1999**

Mr Ruddock (Minister Assisting the Prime Minister for Reconciliation), 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 Ruddock moved—That the Bill be now read a second time.

Paper

Mr Ruddock presented an explanatory memorandum to the Bill.

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

3 **POOLED DEVELOPMENT FUNDS AMENDMENT BILL 1999**

Mr Entsch (Parliamentary Secretary to the Minister for Industry, Science and Resources), pursuant to notice, presented a Bill for an Act to amend the *Pooled Development Funds Act 1992*, and for related purposes.

Bill read a first time.

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

Paper

Mr Entsch presented an explanatory memorandum to the Bill.

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

4 **TRANSPORT AND TERRITORIES LEGISLATION AMENDMENT BILL 1999**

Mr Anthony (Minister for Community Services), pursuant to notice, presented a Bill for an Act to amend the law relating to transport and territories, and for related purposes.

Bill read a first time.

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

Paper

Mr Anthony presented an explanatory memorandum to the Bill.

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

5 MESSAGE FROM THE GOVERNOR-GENERAL, PROPOSED ADDITIONAL EXPENDITURE AND APPROPRIATION FOR YEAR 1999-2000—APPROPRIATION BILL (NO. 3) 1999-2000

Message No. 148, 7 December 1999, from His Excellency the Governor-General was announced:

- (a) transmitting to the House of Representatives particulars of proposed additional expenditure from the Consolidated Revenue Fund for the service of the year ending on 30 June 2000; and
- (b) in accordance with the requirements of section 56 of the Constitution, recommending to the House of Representatives that an appropriation of revenue be made for the purposes of a Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for the service of the year ending on 30 June 2000, and for related purposes.

Mr Fahey (Minister for Finance and Administration) presented a Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for the service of the year ending on 30 June 2000, and for related purposes.

Bill read a first time.

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

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

6 MESSAGE FROM THE GOVERNOR-GENERAL, CERTAIN PROPOSED ADDITIONAL EXPENDITURE FOR YEAR 1999-2000—APPROPRIATION BILL (NO. 4) 1999-2000

Message No. 149, 7 December 1999, from His Excellency the Governor-General was announced:

- (a) transmitting to the House of Representatives particulars of proposed additional expenditure from the Consolidated Revenue Fund for the service of the year ending on 30 June 2000; and
- (b) in accordance with the requirements of section 56 of the Constitution, recommending to the House of Representatives that an appropriation of revenue be made for the purposes of a Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for certain expenditure and for related purposes.

Mr Fahey (Minister for Finance and Administration) presented a Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for certain expenditure, and for related purposes.

Bill read a first time.

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

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

7 FISHERIES LEGISLATION AMENDMENT BILL (NO. 2) 1999

Mr Truss (Minister for Agriculture, Fisheries and Forestry), pursuant to notice, presented a Bill for an Act to amend legislation about fisheries, and for related purposes.

Bill read a first time.

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

Paper

Mr Truss presented an explanatory memorandum to the Bill.

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

8 CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) AMENDMENT BILL (NO. 2) 1999

Mr Williams (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Classification (Publications, Films and Computer Games) Act 1995*, and for related purposes.

Bill read a first time.

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

Papers

Mr Williams presented the following papers:

Explanatory memorandum to the Bill.

Proposed amendments to the Classification Guidelines and the National Classification Code.

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

9 COPYRIGHT AMENDMENT (MORAL RIGHTS) BILL 1999

Mr Williams (Attorney-General), 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 O'Connor), and the resumption of the debate made an order of the day for the next sitting.

10 CUSTOMS TARIFF AMENDMENT BILL (NO. 3) 1999

Mr Williams (Minister representing the Minister for Justice and Customs) presented a Bill for an Act to amend the *Customs Tariff Act 1995*, 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 O'Connor), and the resumption of the debate made an order of the day for the next sitting.

11 CUSTOMS TARIFF PROPOSAL

Mr Williams (Minister representing the Minister for Justice and Customs) moved Customs Tariff Proposal No. 7 (1999).

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

12 POSTPONEMENT OF ORDERS OF THE DAY

Ordered—That orders of the day Nos 1 to 4, government business, be postponed until a later hour this day.

13 MESSAGE FROM THE SENATE—FEDERAL MAGISTRATES BILL 1999

The order of the day having been read for the consideration of the Senate's message—

On the motion of Mr Williams (Attorney-General) amendments Nos 12 and 15 insisted upon by the Senate were agreed to, after debate.

14 MESSAGE FROM THE SENATE—FEDERAL MAGISTRATES (CONSEQUENTIAL AMENDMENTS) BILL 1999

The order of the day having been read for the consideration of the Senate's message—

On the motion of Mr Williams (Attorney-General) amendments Nos 19, 20 and 23 insisted upon by the Senate were agreed to, after debate.

15 APPROPRIATION (EAST TIMOR) BILL 1999-2000

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.

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the Bill was read a third time.

16 FARM HOUSEHOLD SUPPORT AMENDMENT BILL 1999

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.

17 QUESTIONS

Questions without notice being asked—

Paper

Mr Murphy, by leave, presented the following paper:

Nursing homes—Contract with Australian Croatian Cardinal Stepinac Association Inc.

Questions without notice continued.

18 PAPERS

The following papers were presented:

Australian Communications Authority—Telecommunications performance—Report for 1998-99.

Australian Land Transport Development Program—Progress reports—1995-96.
1996-97.
1997-98.

Australian Postal Corporation (Australia Post)—Statement of corporate intent—1999/2000-2001/2002.

Department of Defence—Report for 1998-99—Corrigendum.

Health Insurance Act—Mid-term review of provider number legislation, December 1999.

Industry, Science and Technology—House of Representatives Standing Committee—A sea of indifference: Australian industry participation in the North West Shelf project—Report—Government Response.

International Labour Organisation—

Convention No. 181—Private employment agencies.

International Labour Conference—86th Session, Geneva, 18 June 1998—ILO declaration on fundamental principles and rights at work and its follow-up adopted by the Conference.

Recommendation No. 188—Private employment agencies.

Recommendation No. 189—General conditions to stimulate job creation in small and medium-sized enterprises.

Submission reports—

Declaration on fundamental principles and rights at work 1998, and general conditions to stimulate job creation in small and medium-sized enterprises 1998.
Private employment agencies 1997.

National Rail Corporation Limited—Report for 1998-99.

Natural Heritage Trust—

Bushcare: New Directions in Native Vegetation Management—Ministerial Statement—8 December 1999.

Report for 1998-99.

Treaties—

Bilateral—Text, together with national interest analysis—Agreement between the Government of Australia and the Government of the Republic of Korea on Scientific and Technological Co-operation, done at Canberra on 17 September 1999.

List of multilateral treaty action under negotiation or consideration by the Australian Government.

Multilateral—Text, together with national interest analyses—

Agreement for the Establishment of the International Development Law Institute, done at Rome on 5 February 1988.

Convention on Damage caused by Foreign Aircraft to Third Parties on the Surface, done at Rome on 7 October 1952—denunciation.

19 PAPERS—MOTION TO TAKE NOTE OF PAPERS

Mr Reith (Leader of the House) moved—That the House take note of the following papers:

International Labour Organisation—

Convention No. 181—Private employment agencies.

International Labour Conference—86th Session, Geneva, 18 June 1998—ILO declaration on fundamental principles and rights at work and its follow-up adopted by the Conference.

Recommendation No. 188—Private employment agencies.

Recommendation No. 189—General conditions to stimulate job creation in small and medium-sized enterprises.

Submission reports—

Declaration on fundamental principles and rights at work 1998, and general conditions to stimulate job creation in small and medium-sized enterprises 1998.
Private employment agencies 1997.

Health Insurance Act—Mid-term review of provider number legislation, December 1999.

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

20 SEATTLE WORLD TRADE ORGANISATION MEETING AND LAUSANNE INFORMAL TRADE MINISTERS' MEETING—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER

Mr M. A. J. Vaile (Minister for Trade), by leave, made a ministerial statement on the Seattle World Trade Organisation meeting and Lausanne informal Trade Ministers' meeting and presented the following paper:

Seattle World Trade Organisation Ministerial Meeting, 30 November-3 December 1999 and Lausanne Informal Trade Ministers' Meeting, 25-26 October 1999—Ministerial statement.

Mr Brereton, by leave, also made a statement with reference to the matter.

Mr M. A. J. Vaile moved—That the House take note of the paper.

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

21 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—HOWARD GOVERNMENT'S POLICIES

The House was informed that Mr Beazley (Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The adverse impact on the Australian community of the Howard Government's backward looking, unfair and deficient policies".

The proposed discussion having received the necessary support—

Mr Beazley addressed the House.

Discussion ensued.

Discussion concluded.

22 NATIONAL CRIME AUTHORITY AMENDMENT BILL 1999—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 Ms Worth (Parliamentary Secretary to the Minister for Education, Training and Youth Affairs), by leave, the Bill was read a third time.

23 FARM HOUSEHOLD SUPPORT AMENDMENT BILL 1999

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.

On the motion of Mr Truss (Minister for Agriculture, Fisheries and Forestry), the Bill was read a third time.

24 QUARANTINE AMENDMENT BILL 1998—SENATE'S AMENDMENTS

The order of the day having been read for the consideration of the amendments made by the Senate—

On the motion of Mr Truss (Minister for Agriculture, Fisheries and Forestry), the amendments were agreed to, after debate.

25 PARLIAMENTARY ZONE—APPROVAL OF PROPOSALS

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), for Mr Anderson (Minister for Transport and Regional Services), pursuant to notice, moved—That, in accordance with section 5 of the *Parliament Act 1974*, the House approves the following proposals for work in the Parliamentary Zone which were presented to the House on 6 December 1999, namely:

- (a) landscaping works to the John Gorton building;
- (b) temporary works associated with the running of the National Capital 100 V8 Supercar race carnival;
- (c) refurbishment of the Treasury building;
- (d) installation of removable banner poles at the National Archives of Australia; and
- (e) East Block and West Block car parks.

Debate ensued.

Question—put and passed.

26 ANZAC HALL EXTENSION, AUSTRALIAN WAR MEMORIAL, CANBERRA—APPROVAL OF WORK

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: ANZAC Hall Extension, Australian War Memorial, Canberra.

Debate ensued.

Question—put and passed.

27 STAFF COLLEGES COLLOCATION PROJECT, WESTON CREEK, ACT—APPROVAL OF WORK

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Staff Colleges Collocation Project, Weston Creek, ACT.

Debate ensued.

Question—put and passed.

28 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—DEFENCE SCIENCE AND TECHNOLOGY ORGANISATION RATIONALISATION PROJECT, MELBOURNE

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Defence Science and Technology Organisation Rationalisation Project, Melbourne.

Question—put and passed.

29 PUBLIC ACCOUNTS AND AUDIT—JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER

Mr Charles (Chair) presented the following paper:

Public Accounts and Audit—Joint Committee—Report 370—Defence life cycle costing; Commonwealth guarantees, indemnities and letters of comfort—Review of Auditor-General's Reports 1997-98, Fourth Quarter, November 1999.

Ordered to be printed.

Mr Charles and Mr Cox, by leave, made statements in connection with the report.

Mr Charles, by leave, moved—That the House take note of the paper.

Mr Charles 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.

30 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENTS BY MEMBERS

Mrs Gallus presented the following paper:

Australian Parliamentary Delegation to Italy and the 102nd International Parliamentary Conference, Berlin, October 1999—Report, December 1999.

Mrs Gallus, Mrs Crosio and Mr Barresi, by leave, made statements in connection with the report.

31 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENTS BY MEMBERS

Mr Nairn presented the following paper:

Australian Parliamentary Delegation to Estonia and Sweden, 24-29 October 1999—Report, December 1999.

Mr Nairn and Mr L. D. T. Ferguson, by leave, made statements in connection with the report.

32 POSTPONEMENT OF BUSINESS

Ordered—That business intervening before order of the day No. 21, government business, be postponed until a later hour this day.

33 EQUAL OPPORTUNITY FOR WOMEN IN THE WORKPLACE AMENDMENT BILL 1999—SENATE'S AMENDMENTS

The order of the day having been read for the consideration of the amendments made by the Senate—

On the motion of Mr Reith (Minister for Employment, Workplace Relations and Small Business) amendments Nos 1, 3 and 5 were agreed to, after debate.

On the motion of Mr Reith, amendments Nos 2 and 7 were disagreed to, after debate.

Mr Reith presented reasons, which were circulated, and are as follows:

Reasons of the House of Representatives for disagreeing to the amendments of the Senate

Senate Amendment No. 2

This amendment amends the definition of an 'equal opportunity for women in the workplace program' so that a program will be required to be designed to ensure that employers not only contribute to, but also promote, the achievement of equal opportunity for women.

This amendment is unnecessary, for the following reasons. The provision in the bill requiring programs to 'contribute to' the achievement of equal opportunity is broad enough to encompass both substantive measures and promotional activities. Indeed, the achievement of equal employment opportunity would, in most cases, require employers to take promotional activities of some kind. 'Promotion' in the broader context is provided for in the proposed principal objects of the Act, which will include that the Act promote the principle that employment for women should be dealt with on the basis of merit and that the Act promote the elimination of discrimination and the provision of equal opportunity for women. Accordingly, the House of Representatives does not accept this amendment.

Senate Amendment No. 7

This amendment introduces a range of amendments to the *Sex Discrimination Act 1984* and the *Human Rights and Equal Opportunity Commission Act 1986*. These amendments form a package intended to implement a number of recommendations of the Human Rights and Equal Opportunity Commission's National Pregnancy and Work Inquiry Report, *Pregnant and Productive*.

Discrimination against pregnant or potentially pregnant employees is a matter of great concern. The Attorney-General asked the Human Rights and Equal Opportunity Commission to undertake the National Pregnancy and Work Inquiry. The report from that Inquiry, *Pregnant and Productive*, is a comprehensive document setting out a large number of recommendations. Many of these recommendations are complex; all require careful and coordinated consideration.

The amendments proposed by this Senate amendment should be considered together with the other recommendations of the report. The Government is in the process of considering the report and formulating a response which will deal comprehensively with the recommendations made. Accordingly, the House of Representatives does not accept this amendment.

On the motion of Mr Reith, the reasons were adopted.

On the motion of Mr Reith, amendments Nos 4 and 6 were disagreed to and Government amendments Nos 1 and 2 were made in place thereof respectively, after debate.

Paper

Mr Reith presented a supplementary explanatory memorandum to the Bill.

Mr Reith moved—That in the message returning the Bill to the Senate, the Senate be requested to reconsider the Bill in respect of the amendments made by the House of Representatives to the Bill.

Question—put and passed.

34 REGIONAL FOREST AGREEMENTS BILL 1998—SENATE'S AMENDMENTS

The order of the day having been read for the consideration of the amendments made by the Senate—

Debate resumed on the motion of Mr Tuckey (Minister for Forestry and Conservation)—That the amendment made by the Senate to the additional amendment made by the House be disagreed to

Mr L. D. T. Ferguson addressing the House—

Adjournment negatived

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

Question—put and negatived.

Debate adjourned (Mrs Sullivan—Parliamentary Secretary (Foreign Affairs)), and the resumption of the debate made an order of the day for the next sitting.

35 ADJOURNMENT

Mrs Sullivan (Parliamentary Secretary (Foreign Affairs)) moved—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 8 p.m.—The Deputy Speaker adjourned the House until tomorrow at 9.30 a.m.

PAPERS

The following papers were deemed to have been presented on 8 December 1999:

Civil Aviation Act—Civil Aviation Regulations—Civil Aviation Orders—Instruments 1999 No. CASA 1095.

Endangered Species Protection Act—Declarations under section 18, 23 October 1999.

Superannuation Act 1990—Thirteenth amending deed to the deed to establish an occupational superannuation scheme for Commonwealth employees and certain other persons, pursuant to section 5, 5 December 1999.



ATTENDANCE

All Members attended (at some time during the sitting) except Mr Bevis, Mrs B. K. Bishop, Mrs D. M. Kelly, Ms Kernot, Mr Lloyd, Mr McLeay, Mr Mossfield, Mr Prosser*, Mr Rudd and Dr Theophanous.

* On leave



I. C. HARRIS

Clerk of the House of Representatives

1998-99

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 87

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

WEDNESDAY, 8 DECEMBER 1999

1 The Main Committee met at 9.40 a.m.

2 MEMBERS' STATEMENTS

Members' statements were made.

3 NATIONAL CRIME AUTHORITY AMENDMENT BILL 1999

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.

On the motion of Mr Kerr, an Opposition amendment was agreed to, after debate.

Bill, as amended, agreed to.

Consideration in detail concluded.

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

4 STANDING COMMITTEE ON PROCEDURE—MOTION TO TAKE NOTE OF PAPER

The order of the day having been read for the resumption of the debate on the motion of Mr Pyne—That the House take note of the paper (*presented on 22 November 1999*), viz.:

Standing Committee on Procedure—Report—Community involvement in the procedures and practices of the House of Representatives and its committees—Final report, 22 November 1999—

Debate resumed.

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

5 ADJOURNMENT

On the motion of Mr Forrest, the Main Committee adjourned at 12.25 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