

1990

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 11

WEDNESDAY, 22 AUGUST 1990

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- 1 The House met, at 10 a.m., pursuant to adjournment. Mr Speaker (the Honourable Leo McLeay) took the Chair, and read Prayers.
- 2 **DEFENCE LEGISLATION AMENDMENT BILL 1990:** 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. 35, dated 21 August 1990, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.  
Leave granted for third reading to be moved forthwith.  
On the motion of Mr Bilney (Minister for Defence Science and Personnel), the Bill was read a third time.
- 3 **CUSTOMS (DETENTION AND SEARCH) BILL 1990:** 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 Beddall (Minister for Small Business and Customs), the Bill was read a third time.
- 4 **POSTPONEMENT OF NOTICES:** Ordered—That notices Nos. 1 to 8, government business, be postponed until a later hour this day.
- 5 **ADMINISTRATIVE SERVICES LEGISLATION AMENDMENT BILL 1990:** 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.  
The House resolved itself into a committee of the whole.

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*In the committee*

Bill, by leave, taken as a whole.

Mr Hawker moved the following amendment: Schedule, page 3, omit the amendments to the *Parliamentary Allowances Act 1952*, substitute the following:

**“Subsection 5 (3)**

Omit the subsection, substitute the following subsection:

‘(3) This section does not apply in relation to any allowance payable to a senator by reason of his holding a particular office, other than any allowance payable in respect of an office specified in the Schedule.’.

**Subsection 5A (3)**

Omit the subsection, substitute the following subsection:

‘(3) This section does not apply in relation to any allowance payable to a member of the House of Representatives other than any allowance payable in respect of an office specified in the Schedule.’.

Insert the following Schedule:

**‘SCHEDULE****Office**

Leader of the Opposition  
Deputy Leader of the Opposition  
Leader of the Opposition in the Senate  
Leader of the Third Party in the House of Representatives  
Leader of a recognised non-Government party of at least 5 members  
not otherwise specified herein  
Chairman of Committees in the Senate  
Chairman of Committees in the House of Representatives  
Deputy Leader of the Opposition in the Senate’.”.

Debate continued.

Question—That the amendment be agreed to—put.

The committee divided (the Deputy Chairman, Mr Nehl, in the Chair)—

AYES, 67

Mr Aldred	Mr Costello	Mr Jull	Mr Ronaldson
Mr Anderson	Mr Cowan	Dr Kemp	Mr Ruddock
Mr Andrew*	Mr Dobie	Mr Lloyd	Mr B. C. Scott
Mrs Bailey	Mr Downer	Mr McArthur	Mr Shack
Mr Beale	Dr H. R. Edwards	Mr McGauran	Mr Sharp
Mr Bradford	Mr Fife	Mr Mack	Mr Sinclair
Mr Braithwaite	Mr Filing	Mr MacKellar	Mr Smith
Mr Broadbent	Mr T. A. Fischer	Mr McLachlan	Mr Somlyay
Mr N. A. Brown	Mr P. S. Fisher	Mr Miles	Mrs Sullivan
Mr Burr	Mr Ford	Mr Moore	Mr Taylor
Mr Cadman	Mrs Gallus	Mr Nugent	Mr Truss
Mr Cameron	Mr Goodluck	Mr Peacock	Mr Tuckey
Mr Carlton	Mr Hall	Mr Prosser	Mr Webster
Mr Chaney	Mr Halverson	Mr Reid	Mr Wilson
Mr Charles	Mr Hawker	Mr Reith	Dr R. L. Woods
Mr Cobb	Mr Hicks*	Mr Riggall	Dr Wooldridge
Mr Connolly	Mr Howard	Mr Rocher	

NOES, 71

Mr Baldwin	Mr Duncan	Mr Humphreys	Mr Price
Mr Beazley	Mr R. F. Edwards	Mrs Jakobsen	Mr Punch
Mr Beddall	Mr Elliott	Mr Jenkins	Mr Scholes
Mr Bevis	Ms Fatin	Mr Johns	Mr Sciacca
Mr Bilney	Mr Ferguson	Mr Jones	Mr J. L. Scott
Dr Blewett	Mr Fitzgibbon	Mrs Kelly	Mr L. J. Scott
Mr Brereton	Mr Free	Mr Kerr	Mr Simmons
Mr R. J. Brown	Mr Gayler	Mr Langmore	Mr Snow
Mr Campbell	Mr Gear*	Mr Lavarch	Mr Snowdon
Dr Catley	Mr Gibson	Mr Lee	Mr Staples
Dr Charlesworth	Mr Gorman	Mr Lindsay	Dr Theophanous
Mr Courtice	Mr Grace*	Ms McHugh	Mr Tickner
Ms Crawford	Mr Griffiths	Mr Martin	Mr Walker
Mr Crean	Mr Hand	Mr Melham	Mr West
Mrs Crosio	Mr Holding	Mr A. A. Morris	Mr Willis
Mrs Darling	Mr Hollis	Mr P. F. Morris	Mr H. F. Woods
Mr Dubois	Mr Howe	Mr Newell	Mr Wright
Mr Duffy	Mr Hulls	Mr O’Keefe	

\* Tellers

And so it was negatived.  
 Bill agreed to.  
 Bill to be reported without amendment.

The House resumed; Mr Nehl reported accordingly.  
 On the motion of Mr Beddall (Minister for Small Business and Customs), the House adopted the report, and, by leave, the Bill was read a third time.

- 6 **AUSTRALIAN MARITIME SAFETY AUTHORITY BILL 1990:** 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—

*Statement by Minister:* Mr R. J. Brown (Minister for Land Transport), by leave, made a statement about an error in the explanatory memorandum previously presented and about proposed Government amendments to the Bill.

*Paper:* Mr R. J. Brown presented a correction to the explanatory memorandum to the Bill.

Debate resumed.

It being 12.45 p.m., the debate was interrupted in accordance with sessional order 101A, and the resumption of the debate made an order of the day for a later hour this day.

- 7 **QUESTIONS:** Questions without notice were asked.

- 8 **PAPERS:** The following papers were presented:

Advance Australia Logo Protection Act—Advance Australia Foundation— Report for 1988-89.

Advance to the Minister for Finance—

Statements for May, June and July 1990.

Supporting applications of issues from the Advance during May, June and July 1990.

Australian Industry and Technology Council—Summary of proceedings for period 1987-89.

Defence Act—Army and Air Force Canteen Service Regulations—Army and Air Force Canteen Service Board of Management—Report and financial statements, including the auditor's report, for period 31 January 1989 to 29 January 1990.

Environmental inquiry—Ulladulla hinterland broadcasting transmission station—Report by Commissioner Dr D.F. McMichael CBE.

National Parks and Wildlife Conservation Act—Ashmore Reef National Nature Reserve—

Comments on the representations concerning the Plan of Management by the Director of National Parks and Wildlife.

Plan of Management.

Senate Ministers' private interests—Returns submitted to the Prime Minister, 1990.

Public Service Act—Department of the Prime Minister and Cabinet—Report and financial statements, including the Auditor-General's Report and freedom of information statement, for 1989-90.

Royal Australian Air Force Veterans' Residences Act—Royal Australian Air Force Veterans' Residences Trust—Report and financial statements, including the Auditor-General's Report, for 1988-89.

Services Trust Funds Act—

Royal Australian Air Force Welfare Trust Fund—Report by the Trustees, including the Auditor-General's Report, for 1989.

Royal Australian Navy Relief Trust Fund—Report by the Trustees, including the Auditor-General's Report and freedom of information statement, for 1989.

Sport and Recreation Ministers' Council—Summary record of proceedings—  
18th meeting, Brisbane, 8 July 1988.  
19th meeting, Canberra, 10 March 1989.

- 9 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—BUDGET 1990-91:** The House was informed that Mr Reith (Deputy Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The failure of last night's Budget to deliver a package of measures to stabilise Australia's foreign debt".

The proposed discussion having received the necessary support—  
Mr Reith addressed the House.

*Paper:* Mr Reith, by leave, presented the following paper:

The debt hurdle, net export growth of 3¾% over a five year period, 1970-71 to 1989-90—Graph.

Discussion ensued.

Discussion concluded.

- 10 **EXTRADITION AMENDMENT BILL 1990:** Mr Duffy (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Extradition Act 1988*, and for related purposes.

Bill read a first time.

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

*Paper:* Mr Duffy presented an explanatory memorandum to the Bill.

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

- 11 **ICSID IMPLEMENTATION BILL 1990:** Mr Duffy (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *International Arbitration Act 1974* and the *International Organizations (Privileges and Immunities) Act 1963* in order to fulfil Australia's obligations under the Convention on the Settlement of Investment Disputes between States and Nationals of Other States.

Bill read a first time.

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

*Paper:* Mr Duffy presented an explanatory memorandum to the Bill.

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

- 12 **GOVERNMENTS AND GOVERNMENT INSTRUMENTALITIES (APPLICATION OF LAWS) BILL 1990:** Mr Duffy (Attorney-General), pursuant to notice, presented a Bill for an Act relating to the application of laws to the Crown in right of the Commonwealth, the States and the self-governing Territories, and for related purposes.

Bill read a first time.

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

*Paper:* Mr Duffy presented an explanatory memorandum to the Bill.

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

- 13 **CRIMES (TRAFFIC IN NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES) BILL 1990:** Mr Duffy (Attorney-General), pursuant to notice, presented a Bill for an Act to make provision with respect to the traffic in narcotic drugs and psychotropic substances in accordance with the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.

Bill read a first time.

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

*Paper:* Mr Duffy presented an explanatory memorandum to the Bill.

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

- 14 **GENEVA CONVENTIONS AMENDMENT BILL 1990:** Mr Duffy (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Geneva Conventions Act 1957*.

Bill read a first time.

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

*Paper:* Mr Duffy presented an explanatory memorandum to the Bill.

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

- 15 **WILDLIFE PROTECTION (REGULATION OF EXPORTS AND IMPORTS) AMENDMENT BILL 1990:** Mrs Kelly (Minister for the Arts, Sport, the Environment, Tourism and Territories), pursuant to notice, presented a Bill for an Act to amend the *Wildlife Protection (Regulation of Exports and Imports) Act 1982*.

Bill read a first time.

Mrs Kelly moved—That the Bill be now read a second time.

*Paper:* Mrs Kelly presented an explanatory memorandum to the Bill.

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

- 16 **AUSTRALIAN HERITAGE COMMISSION AMENDMENT BILL 1990:** Mrs Kelly (Minister for the Arts, Sport, the Environment, Tourism and Territories), pursuant to notice, presented a Bill for an Act to amend the *Australian Heritage Commission Act 1975*, and for related purposes.

Bill read a first time.

Mrs Kelly moved—That the Bill be now read a second time.

*Paper:* Mrs Kelly presented an explanatory memorandum to the Bill.

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

- 17 **BOUNTY LEGISLATION AMENDMENT BILL (NO. 2) 1990:** Mr Beddall (Minister for Small Business and Customs), pursuant to notice, presented a Bill for an Act to amend certain Acts providing for the payment of bounty, and for related purposes.

Bill read a first time.

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

*Paper:* Mr Beddall presented an explanatory memorandum to the Bill.

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

- 18 **AUSTRALIAN MARITIME SAFETY AUTHORITY BILL 1990:** 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:* Mr A. A. Morris, by leave, presented the following papers:

Refurbishment of NESCA House—

Letter, dated 17 August 1990, to Mr A. Morris, MP from Mr B. Challen, Managing Director, Killen & Thomas (NSW) Pty Limited.

Memorandum, dated 7 June 1990, from Mr B. Thomson, Acting Assistant Director, Marine Crews, Department of Transport and Communications.

Debate continued.

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

*Message from the Governor-General:* Message No. 36, dated 21 August 1990, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill. The House resolved itself into a committee of the whole.

*In the committee*

Clauses 1 to 63, by leave, taken together, and agreed to.  
Schedule—

On the motion of Mr R. J. Brown (Minister for Land Transport), by leave, the following amendments were made together, after debate:

Page 26, amendments of section 12, omit the amendments, substitute:

**“Section 12:**

(a) Omit ‘against the Commonwealth, or the Minister, or any officer of the Commonwealth’, substitute ‘against the Authority, a member of the Authority, the Minister or any officer of the Authority or the Commonwealth’.

(b) Omit ‘Commonwealth’ (last occurring), substitute ‘Authority’.”.

Page 28, amendment of subsections 148C (3) and 148D (1), (3), (5) and (6), omit the amendment, substitute:

**“Subsections 148C (3) and 148D (1), (3), (4), (5) and (6):**

Omit ‘Minister’ (wherever occurring), substitute ‘Authority’.”.

Page 35, amendments of section 267C and subsection 267D (5), omit the amendments, substitute:

**“Section 267C:**

(a) Omit ‘Minister’ (wherever occurring), substitute ‘Authority’.

(b) Omit ‘he’, substitute ‘it’.

**“Subsection 267D (5):**

(a) Omit ‘Minister’ (wherever occurring), substitute ‘Authority’.

(b) Omit ‘he’, substitute ‘it’.

(c) Omit ‘under his hand’.”.

Page 37, amendments of subsection 283F (1), omit the amendments, substitute:

**“Subsection 283F (1):**

Omit ‘Minister’, substitute ‘Authority’.

**“Subsection 283F (2):**

Omit ‘in pursuance of those regulations’, substitute ‘under subsection 425 (1AA)’.”.

Page 39, amendment of paragraphs 425 (1) (f) to (fe) (inclusive), omit the amendment, substitute:

**“Paragraphs 425 (1) (f) to (ff) (inclusive):**

Omit the paragraphs.”.

Page 40, after the amendment of section 426, insert:

**“Section 426A:**

Omit ‘the regulations’, substitute ‘subsection 425 (1AA)’.”.

Schedule, as amended, agreed to.

Title agreed to.

Bill, as amended, agreed to.

Bill to be reported with amendments.

The House resumed; Mr Hollis reported accordingly.

On the motion of Mr R. J. Brown, by leave, the House adopted the report, and, by leave, the Bill was read a third time.

- 19 **DRIED FRUITS LEVY AMENDMENT BILL 1990:** 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 Crean (Minister Assisting the Treasurer), the Bill was read a third time.
- 20 **COMMONWEALTH SERUM LABORATORIES (CONVERSION INTO PUBLIC COMPANY) BILL 1990:** 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 Smith who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “whilst not opposing the passage of this limited Bill, the House is of the opinion that:  
(1) CSL should be fully privatised immediately; and  
(2) there should be a full and complete divestment of all the Commonwealth interest and control in CSL as is proposed by this Bill”.  
Debate continued.  
Mr MacKellar was granted leave to continue his remarks when the debate is resumed.  
Debate adjourned, and the resumption of debate made an order of the day for the next sitting.
- 21 **ADJOURNMENT:** Mr Howe (Minister for Community Services and Health) 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 10 a.m.

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**PAPERS:** The following papers were deemed to have been presented on 22 August 1990:

- Australian Bureau of Statistics Act—Australian Bureau of Statistics—  
Proposals for the collection of information—1990—  
No. 16—Survey of income and housing costs and amenities.  
No. 17—Topic to be included as a supplement to the monthly labour force survey: Labour force status and other characteristics of migrants.  
No. 18—Topic to be included as a supplement to the monthly labour force survey: Persons not in the labour force.  
No. 19—Topic to be included as a supplement to the monthly labour force survey: Child care arrangements.  
No. 20—Survey of business registrations.

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**ATTENDANCE:** All Members attended (at some time during the sitting) except Mr Sawford.

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**A. R. BROWNING**  
Clerk of the House of Representatives