

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
HOUSE OF REPRESENTATIVES
VOTES AND PROCEEDINGS

No. 46

WEDNESDAY, 20 FEBRUARY 1991

- 1 The House met, at 10 a.m., pursuant to adjournment. Mr Speaker (the Honourable Leo McLeay) took the Chair, and read Prayers.
- 2 **FINANCE AND PUBLIC ADMINISTRATION—STANDING COMMITTEE—INQUIRY—STATEMENT BY MR SPEAKER:** Mr Speaker referred to the matter raised yesterday by Mr Martin (Chairman), relating to the inquiry into the Australian banking industry by the Standing Committee on Finance and Public Administration and the issue of summonses on a person involved in that inquiry. Mr Speaker stated that he had instructed counsel to seek leave to appear on his behalf before the Supreme Court of New South Wales when the matter is called on today to make submissions on the matter of parliamentary privilege. Mr Speaker also stated that if evidence was forthcoming that supported the claim of intimidation of a witness then he would give it immediate consideration.
Mr Scholes, Mr Peacock and Mr Lindsay, by indulgence, made statements in relation to the matter.
- 3 **SOCIAL SECURITY 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.
Mr L. J. Scott addressing the House—
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.
- 4 **QUESTIONS:** Questions without notice being asked—
Paper: Mr Dawkins (Minister for Employment, Education and Training) presented the following paper:
Schools funding—Effect of a voucher system on non-government schools—
Table.
Questions without notice continued.
Member named and suspended: Mr Speaker named the honourable Member for Pearce (Mr Chaney) for refusing to withdraw an expression offensive to the Chair.
Mr Beazley (Leader of the House) moved—That the honourable Member for Pearce be suspended from the service of the House.
Question—put.

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

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

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Mr Aldred	Mr Costello	Mr Howard	Mr Ronaldson
Mr Anderson	Mr Cowan	Mr Jull	Mr Ruddock
Mr Andrew*	Mr Dobie	Dr Kemp	Mr B. C. Scott
Mr Atkinson	Mr Downer	Mr Lloyd	Mr Shack
Mrs Bailey	Dr H. R. Edwards	Mr McArthur	Mr Sharp
Mr Beale	Mr Fife	Mr McGauran	Mr Sinclair
Mr Bradford	Mr Filing	Mr MacKellar	Mr Smith
Mr Braithwaite	Mr T. A. Fischer	Mr McLachlan	Mr Somlyay
Mr Broadbent	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	Dr Hewson	Mr Riggall	Dr Wooldridge
Mr Connolly	Mr Hicks*	Mr Rocher	

* Tellers

And so it was resolved in the affirmative.

The honourable Member was, therefore, suspended at 2.40 p.m. for 24 hours under standing order 305, and he accordingly withdrew from the Chamber. Questions without notice continued.

5 PAPERS: The following papers were presented:

Aboriginal deaths in custody—Royal Commission—Report of inquiry into the death of Glenn Allan Clark.

Aboriginal Land Rights (Northern Territory) Act—

Aboriginals Benefit Trust Account—Report and financial statements, including the Auditor-General's Report, for 1989-90.

Central Land Council—Report and financial statements, including the auditor's report, for 1989-90.

Northern Land Council—Report and financial statements, including the auditor's report, for 1989-90.

Tiwi Land Council—11th Report and financial statements, including the auditor's report, for 1989-90.

Fishing Industry Research and Development Act—Fishing Industry Research and Development Council—Report for 1989-90.

Genetic Manipulation Advisory Committee—Report for 1989-90.

Higher education funding for the 1991-93 triennium—Report by Minister for Higher Education and Employment Services.

6 HIGHER EDUCATION FUNDING—REPORT—MOTION TO TAKE NOTE OF PAPER: Mr Beazley (Leader of the House) moved—That the House take note of the following paper:

Higher education funding for the 1991-93 triennium—Report by Minister for Higher Education and Employment Services.

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

7 ABORIGINAL DEATHS IN CUSTODY—ROYAL COMMISSION—REPORT—PUBLICATION OF PAPER: Mr Beazley (Leader of the House), by leave, moved—That this House, in accordance with the provisions of the *Parliamentary Papers Act 1908*, authorises the publication of the report of the Royal Commission into Aboriginal Deaths in Custody of the inquiry into the death of Glenn Allan Clark.

Question—put and passed.

8 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ECONOMIC RECESSION: The House was informed that Mr Tuckey had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The pain and tragedy being suffered by average Australians caused by the economic recession the Treasurer said we had to have”.

The proposed discussion having received the necessary support—

Mr Tuckey addressed the House.

Discussion ensued.

Discussion concluded.

9 MESSAGES FROM THE SENATE: Messages from the Senate, dated 19 February 1991, were reported—

(a) acquainting the House that Senator Spindler had been discharged from further attendance on the Joint Standing Committee on Migration Regulations and that Senator Bourne had been appointed a member of the committee—Message No. 164.

(b) returning the following Bills without amendment:

Message—

No. 165—Geneva Conventions Amendment 1990.

No. 166—Crimes Legislation Amendment 1990.

10 MESSAGE FROM THE SENATE—PARLIAMENTARY JOINT COMMITTEE ON CORPORATIONS AND SECURITIES: The following message from the Senate was reported:

Message No. 163

Mr Speaker,

The Senate transmits to the House of Representatives the following resolution which was agreed to by the Senate this day:

That, in accordance with section 242 of the *Australian Securities Commission Act 1989*, matters relating to the powers and proceedings of the Parliamentary Joint Committee on Corporations and Securities shall be as follows:

(a) That the committee consist of 3 Members of the House of Representatives to be nominated by the Government Whip or Whips, 2 Members of the House of Representatives to be nominated by the Opposition Whip or Whips, 2 Senators to be nominated by the Leader of the Government in the Senate, 2 Senators to be nominated by the Leader of the Opposition in the Senate and 1 Senator to be nominated by any minority groups or independent Senators.

(b) That every nomination of a member of the committee be forthwith notified in writing to the President of the Senate and the Speaker of the House of Representatives.

- (c) That the committee elect a member nominated by the Government Whips or the Leader of the Government in the Senate as its chairman.
- (d) That the committee elect a deputy chairman who shall act as chairman of the committee at any time when the chairman is not present at a meeting of the committee, and at any time when the chairman and deputy chairman are not present at a meeting of the committee the members present shall elect another member to act as chairman at that meeting.
- (e) That, in the event of the votes on a question before the committee being equally divided, the chairman, or the deputy chairman when acting as chairman, have a casting vote.
- (f) That 5 members of the committee constitute a quorum of the committee.
- (g) That the committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine.
- (h) That the committee appoint the chairman of each subcommittee who shall have a casting vote only, and at any time when the chairman of a subcommittee is not present at a meeting of a subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chairman at that meeting.
- (i) That the quorum of a subcommittee be a majority of the members of that subcommittee.
- (j) That members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum.
- (k) That the committee and a subcommittee have power to send for persons, papers and records.
- (l) That the committee and a subcommittee have power to move from place to place.
- (m) That a subcommittee have power to adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives.
- (n) That a subcommittee have power to authorise publication of any evidence given before it and any document presented to it.
- (o) That the committee have leave to report from time to time.
- (p) That the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

The Senate requests the concurrence of the House of Representatives in this resolution.

KERRY SIBRAA
President

The Senate,
Canberra, 19 February 1991

Ordered—That the message be taken into consideration forthwith.

Mr Crean (Minister for Science and Technology) moved—That this House concurs in the resolution transmitted in Senate Message No. 163 of 19 February 1991 relating to the appointment of a Parliamentary Joint Committee on Corporations and Securities.

Question—put and passed.

11 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—AUSTRALIAN HIGH COMMISSION COMPLEX, ISLAMABAD, ISLAMIC REPUBLIC OF PAKISTAN—CONSTRUCTION: Mr Beddall (Minister

representing the Minister for Administrative Services), 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: Construction of an Australian High Commission complex in Islamabad, Islamic Republic of Pakistan.

Mr Beddall presented plans in connection with the proposed work.

Debate ensued.

Question—put and passed.

- 12 **TRUSTS (HAGUE CONVENTION) BILL 1991:** Mr Duffy (Attorney-General), pursuant to notice, presented a Bill for an Act to give effect to the Convention on the law applicable to trusts and on their recognition, 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 Downer), and the resumption of the debate made an order of the day for the next sitting.

- 13 **INDUSTRIAL RELATIONS LEGISLATION AMENDMENT BILL 1991:** Mr Willis (Minister representing the Minister for Industrial Relations), pursuant to notice, presented a Bill for an Act to amend the *Commonwealth Employees' Rehabilitation and Compensation Act 1988* and the *Remuneration Tribunal Act 1973*, and for other purposes.

Bill read a first time.

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

Paper: Mr Willis presented an explanatory memorandum to the Bill.

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

- 14 **POSTPONEMENT OF NOTICES:** Ordered—That notices Nos. 4 to 6, government business, be postponed until a later hour this day.

- 15 **PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 1991:** Mr Willis (Minister for Finance), for Mr Kerin (Minister for Primary Industries and Energy), pursuant to notice, presented a Bill for an Act to amend legislation relating to primary industries, and for related purposes.

Bill read a first time.

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

Paper: Mr Willis presented an explanatory memorandum to the Bill.

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

- 16 **IMMIGRATION (EDUCATION) AMENDMENT BILL 1991:** Mr Hand (Minister for Immigration, Local Government and Ethnic Affairs), pursuant to notice, presented a Bill for an Act to amend the *Immigration (Education) Act 1971*.

Bill read a first time.

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

Paper: Mr Hand presented an explanatory memorandum to the Bill.

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

- 17 **EMPLOYMENT, EDUCATION AND TRAINING AMENDMENT BILL 1991:** Mr Baldwin (Minister for Higher Education and Employment Services), pursuant to notice, presented a Bill for an Act to amend the *Employment, Education and Training Act 1988*.

Bill read a first time.

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

Paper: Mr Baldwin presented an explanatory memorandum to the Bill. Debate adjourned (Mr Downer), and the resumption of the debate made an order of the day for the next sitting.

- 18 **SOCIAL SECURITY 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. 96, dated 5 December 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 Sciacca (Parliamentary Secretary to the Minister for Social Security), the Bill was read a third time.

- 19 **FAMILY LAW 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.

Mr Ruddock addressing the House—

- 20 **ADJOURNMENT:** It being 7.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

Debate extended: It being 8 p.m., the debate was interrupted.

Mr Staples (Minister for Aged, Family and Health Services) required the debate to be extended.

The debate continuing until 8.09 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 20 February 1991:

Aboriginal and Torres Strait Islander Commission Act—Determinations—1991—Nos. 1, 2.

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposals for the collection of information—1991—

No. 1—Survey of housing finance.

No. 2—Survey of manufacturing investment and exports, Queensland, 1989-90.

Proclamation by His Excellency the Governor-General fixing 9 February 1991 as the date on which the *Petroleum (Australia-Indonesia Zone of Cooperation) Act 1990* shall come into operation.

Public Service Act—Parliamentary Presiding Officers' Determination—1991—No. 2.

Remuneration Tribunal Act—Remuneration Tribunal—Determinations—

1990/29—Remuneration and allowances for holders of public offices on Commonwealth Grants Commission and other bodies.

1990/30—Remuneration and allowances for members of Aboriginal Land Councils.

1990/31—Remuneration and allowances—Chairman, Australian Securities Commission.

1990/32—Remuneration and allowances—Deputy President Marsh, Australian Industrial Relations Commission.

1990/33—Travelling Allowance within Australia—Justices and Judges of the High Court and holders of public offices on other bodies.

1990/34—Travelling Allowance—Members of Parliament.

1990/35—Charter Allowance—Members of Parliament.

1990/36—Remuneration and allowances—Managing Director, Defence Housing Authority and holders of public offices on other bodies.

1990/37—Salary additional to basic salary—Office holders of the Parliament.

States Grants (Schools Assistance) Act—Determination of amounts and approval of payments under sections 16 and 17, dated 17 December 1990 and 21 January 1991 (4).

ATTENDANCE: All Members attended (at some time during the sitting) except Mr Nehl, Mr Snow and Dr Theophanous.

A. R. BROWNING
Clerk of the House of Representatives