

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 49

WEDNESDAY, 6 MARCH 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 **AUSTRALIAN HORTICULTURAL CORPORATION AMENDMENT BILL 1990:** The House, according to order, resolved itself into a committee of the whole for the further consideration of the Bill.

In the committee

Clause 2 agreed to.

Remainder of Bill, by leave, taken as a whole.

On the motion of Mr Hand (Minister for Immigration, Local Government and Ethnic Affairs), by leave, the following amendments were made together, after debate:

Amendments—

Clause 17—

Page 16, proposed subsection 115G (1), line 38, after “financial year” insert “after the financial year in which it was established.”.

Page 17, proposed subsection 115G (3), lines 2 and 3, omit all the words after “has effect as if”, substitute “the Board had been established during the next financial year”.

Page 17, lines 34 to 41, and page 18, lines 1 to 8, omit proposed section 115K, substitute the following section:

“115K. The purpose of a Board’s annual general meeting is to provide an opportunity for the payers of a levy or export charge related to the Board:

- (a) to consider a report by the Chairperson of the Board on the activities of the Board since its establishment or its last annual general meeting, as the case requires; and
- (b) to consider any audited financial statement of the Board produced since its establishment or its last annual general meeting, as the case requires; and
- (c) to consider a report by the Chairperson of the Corporation on the activities of the Corporation since the Board was established or since the Board’s last annual general meeting, as the case requires; and
- (d) to debate, and vote upon, any motion that the Board recommend to the Minister that a variation be made to a levy or to an export charge; and
- (e) to debate, and vote upon, any motion of no confidence in the Board or its Chairperson.”.

Page 20, proposed subsection 115Q(2), line 31, omit “regulation”, substitute “regulations”.

Clause 24, page 27, line 39, omit “is”, substitute “and the *Dried Fruits Export Charges Act 1924* are”.

New clauses—

Page 29, after clause 30 insert the following new clause:

Rates of charge

“30A. Section 7 of the Principal Act is amended by inserting in subsection (1) ‘8A,’ after ‘8.’”.

Page 30, after clause 31 insert the following new clauses:

Flexibility in relation to rates of charge

“31A. Section 11 of the Principal Act is amended:

(a) by inserting ‘8A,’ after ‘8.’;

(b) by omitting from paragraph (c) ‘2’ and substituting ‘more’.

Regulations

“31B. Section 14 of the Principal Act is amended by inserting after subsection (3) the following subsection:

‘(3A) Before making regulations for the purposes of section 8A, the Governor-General is to take into consideration any relevant recommendation made to the Minister by the Product Board concerned.’”.

Amendment—

Clause 33, page 30, proposed paragraph 11(2A)(b), line 22, omit “115P”, substitute “115Q”.

New clauses—

Page 30, after clause 34 insert the following new clause:

Rates of levy

“34A. Section 7 of the Principal Act is amended by inserting in subsection (1) ‘8A,’ after ‘8.’”.

Page 30, after clause 35 insert the following new clauses:

Flexibility in relation to rates of levy

“35A. Section 11 of the Principal Act is amended:

(a) by inserting ‘8A,’ after ‘8.’;

(b) by omitting from paragraph (c) ‘2’ and substituting ‘more’.

Regulations

“35B. Section 14 of the Principal Act is amended by inserting after subsection (3) the following subsection:

‘(3A) Before making regulations for the purposes of section 8A, the Governor-General must take into consideration any relevant recommendation made to the Minister by the Product Board concerned.’”.

Amendment—

Clause 37, page 31, proposed paragraph 11(2A)(b), line 16, omit “115P”, substitute “115Q”.

Bill, as amended, agreed to.

Bill to be reported with amendments.

The House resumed; Mr R. F. Edwards reported accordingly.

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

- 3 **DRIED VINE FRUITS 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. 102, dated 3 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 Hand (Minister for Immigration, Local Government and Ethnic Affairs), the Bill was read a third time.

- 4 **POSTPONEMENT OF ORDERS OF THE DAY:** Ordered—That orders of the day Nos. 3 and 4, government business, be postponed until a later hour this day.
- 5 **TRADE PRACTICES 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 Duffy (Attorney-General), the Bill was read a third time.
- 6 **AUSTRALIAN BROADCASTING TRIBUNAL—REPORT ON TV VIOLENCE IN AUSTRALIA—STATEMENT—PAPER NOTED:** The order of the day having been read for the resumption of the debate on the motion of Mr Beazley (Leader of the House)—That the House take note of the paper (*presented on 31 May 1990*), viz.:
Broadcasting Act—Australian Broadcasting Tribunal—Report—TV violence in Australia—Statement by Mr Beazley, Minister for Transport and Communications, dated May 1990—
Question—put and passed.
- 7 **AUSTRALIAN BROADCASTING TRIBUNAL—REPORT—TV VIOLENCE IN AUSTRALIA—PAPER NOTED:** The order of the day having been read for the resumption of the debate on the motion of Mr Beazley (Leader of the House)—That the House take note of the paper (*presented on 31 May 1990*), viz.:
Broadcasting Act—Australian Broadcasting Tribunal—Report—TV violence in Australia, dated January 1990—
Volume I—Decision and reasons.
Volume II—Research findings.
Volume III—Summary of submissions.
Volume IV—Conference and technical papers—
Question—put and passed.
- 8 **TRUSTS (HAGUE CONVENTION) BILL 1991:** 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.
- 9 **QUESTIONS:** Questions without notice being asked—
Mr Chaney having asked a question without notice—
Speaker's ruling: Mr Speaker ruled that the question was out of order as it was contrary to standing order 144.
Dissent from ruling moved: Mr Howard moved—That the ruling be dissented from.
Debate ensued.

Closure: Mr Beazley (Leader of the House) moved—That the question be now put.

Question—That the question be now put—put.

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

AYES, 71

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

NOES, 66

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

* Tellers

And so it was resolved in the affirmative.

And the question—That the ruling be dissented from—being accordingly put—

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

AYES, 65

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

NOES, 72

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

* Tellers

And so it was negatived.

Questions without notice concluded.

10 **PAPERS:** Mr Mack, by leave, presented the following papers:

Westpac Banking Corporation and Partnership Pacific Limited (PPL)—Copies of—

Memorandum to—

T. Booker, State Manager, Queensland, PPL, from G. Carter, Head of Funding and Liquidity, PPL, dated 24 July 1987.

G. Carter, Head of Funding and Liquidity, PPL, from T. Booker, State Manager, Queensland, PPL, dated 31 July 1987.

Notes, June and July 1987, including letters (3) of appointment of staff and memorandum from State Manager, Queensland, PPL, to Group Treasurer, PPL, dated 5 June 1987.

11 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—AUSTRALIAN ECONOMY:**

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 urgent need for the Government's 12 March statement to signal a comprehensive shift of policy in view of the recent and further serious deterioration of the Australian economy as highlighted by today's balance of payments figures".

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

Discussion ensued.

Discussion concluded.

12 **MESSAGE FROM THE SENATE:** A message from the Senate was reported returning the following Bill without amendment:

22 February 1991 a.m.—Message No. 169—Wool Marketing (Temporary Provisions) Amendment 1991.

13 **MESSAGES FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS:** Messages from His Excellency the Governor-General were announced informing the House that His Excellency, in the name of Her Majesty, had assented to the following Bills:

22 February 1991—Message—

No. 98—

National Cattle Disease Eradication Trust Account 1991.

Australia Council Amendment 1991.

No. 99—Wool Marketing (Temporary Provisions) Amendment 1991.

- 1 March 1991—Message No. 100—
 Primary Industries Levies and Charges Collection 1991.
 Primary Industries Levies and Charges Collection (Consequential Provisions) 1991.
- 4 March 1991—Message No. 101—
 Geneva Conventions Amendment 1991.
 Crimes Legislation Amendment 1991.
- 14 **ENVIRONMENT, RECREATION AND THE ARTS—STANDING COMMITTEE:** The House was informed that the Government Whip had nominated Mr Gear to be a member of the Standing Committee on Environment, Recreation and the Arts in place of Mrs Darling.
- 15 **LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE:** The House was informed that the Government Whip had nominated Mr Holding to be a member of the Standing Committee on Legal and Constitutional Affairs in place of Dr Charlesworth.
- 16 **POSTPONEMENT OF ORDER OF THE DAY:** Ordered—That order of the day No. 7, government business, be postponed until a later hour this day.
- 17 **PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE:** Mr R. J. Brown (Minister for Land Transport), for Mr Beazley (Leader of the House), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, leave be granted to the Parliamentary Standing Committee on Public Works to meet during sittings of the House.
 Question—put and passed.
- 18 **DISCHARGE OF ORDER OF THE DAY:** Mr R. J. Brown (Minister for Land Transport), by leave, moved—That the following order of the day, government business, be discharged:
 Sex Discrimination Amendment Bill 1990—Second reading: Resumption of debate.
 Question—put and passed.
- 19 **SEX DISCRIMINATION AMENDMENT BILL 1991:** Mr R. J. Brown (Minister for Land Transport), for Mr Duffy (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Sex Discrimination Act 1984*, the *Marriage Act 1961* and the *War Gratuity Act 1945*, and for related purposes.
 Bill read a first time.
 Mr R. J. Brown moved—That the Bill be now read a second time.
Paper: Mr R. J. Brown presented an explanatory memorandum to the Bill.
 Debate adjourned (Mr Howard), and the resumption of the debate made an order of the day for the next sitting.
- 20 **ANTARCTIC MINING PROHIBITION BILL 1991:** Mr Simmons (Minister for the Arts, Tourism and Territories), for Mrs Kelly (Minister for the Arts, Sport, the Environment, Tourism and Territories), pursuant to notice, presented a Bill for an Act to prohibit mining activities in the Australian Antarctic Territory and Antarctica, and for related purposes.
 Bill read a first time.
 Mr Simmons moved—That the Bill be now read a second time.
Paper: Mr Simmons presented an explanatory memorandum to the Bill.
 Debate adjourned (Mr Howard), and the resumption of the debate made an order of the day for the next sitting.
- 21 **PAPERS:** The following papers were presented:
 Companies Act—Accounting Standards Review Board—Report for 1989-90.

Companies and Securities Law Review Committee—Report for—
1989-90.

Period 1 July to 31 December 1990 (Final).

Parliament House Construction Authority Act—Parliament House Construction
Authority—Report and financial statements, including the Auditor-General's
Report and freedom of information statement, for 1989-90.

- 22 **AUSTRALIAN CAPITAL TERRITORY (ELECTORAL) AMENDMENT BILL 1991:**
Mr Simmons (Minister for the Arts, Tourism and Territories), pursuant to
notice, presented a Bill for an Act to amend the *Australian Capital Territory
(Electoral) Act 1988*, and for related purposes.

Bill read a first time.

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

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

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

- 23 **ARTS, SPORT, ENVIRONMENT, TOURISM AND TERRITORIES LEGISLATION
AMENDMENT BILL 1991:** 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 Simmons (Minister for the Arts, Tourism and
Territories), the Bill was read a third time.

- 24 **PROCEDURE—STANDING COMMITTEE—REPORT:** Mr Scholes (Chairman)
presented the following report and related papers:

Procedure—Standing Committee—Private Members' business: Speech time
limits for individual Members and priority to notices for private
Members' bills—

Report, dated 6 March 1991.

Minutes of proceedings.

Ordered—That the report be printed.

- 25 **MESSAGES FROM THE SENATE:** Messages from the Senate, dated 6 March
1991, were reported—

(a) acquainting the House that Senator Loosley had been discharged from
further attendance on the Joint Committee of Public Accounts and that
Senator Aulich had been appointed a member of the committee—
Message No. 170.

(b) acquainting the House of the appointment of the following Senators to
the Parliamentary Joint Committee on Corporations and Securities,
viz.: Senators Beahan, Campbell, Cooney, Lewis and Spindler—Message
No. 171.

(c) returning the following Bill without amendment:

Primary Industries and Energy Legislation Amendment (No. 2)
1990—Message No. 172.

- 26 **IMMIGRATION (EDUCATION) AMENDMENT BILL 1991:** 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.

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

Mr Hand (Minister for Immigration, Local Government and Ethnic Affairs) requiring the question to be put forthwith without debate—
Question—put and negatived.

Question—That the Bill be now read a second time—put and passed—Bill read a second time.
The House resolved itself into a committee of the whole.

In the committee

Bill, by leave, taken as a whole, and agreed to, after debate.
Bill to be reported without amendment.

The House resumed; Mr Cowan reported accordingly.
On the motion of Mr Hand, the House adopted the report, and, by leave, the Bill was read a third time.

27 **ADJOURNMENT:** Mr Hand (Minister for Immigration, Local Government and Ethnic Affairs) moved—That the House do now adjourn.
Debate ensued.

The House continuing to sit until 11 p.m.—Mr Speaker adjourned the House until tomorrow at 9.30 a.m.

PAPERS: The following papers were deemed to have been presented on 6 March 1991:

Civil Aviation Act—Civil Aviation Regulations—Civil Aviation Orders—Parts 29, 40, 41 and 43—Amendments, dated 28 February 1991.

Lands Acquisition Act—Statement of lands acquired by agreement authorised under subsection 40 (1).

National Health Act—Determinations—1991—Nos. BIT2, BIT3.

Proclamation by His Excellency the Governor-General fixing 18 February 1991 as the date on which the *Petroleum (Australia-Indonesia Zone of Cooperation) Act 1990*, shall come into operation (*in substitution for paper presented on 20 February 1991*).

States Grants (TAFE Assistance) Act—Determinations—Nos. TAFE 25/90, TAFE 26/90.

ATTENDANCE: All Members attended (at some time during the sitting) except Mr Bevis, Dr Blewett, Mr Downer, Mr Lindsay, Mr Peacock and Mr Walker.

A. R. BROWNING

Clerk of the House of Representatives