

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

No. 144

TUESDAY, 15 SEPTEMBER 1992

---

1 The House met, at 2 p.m., pursuant to adjournment. The Acting Speaker (Mr R. F. Edwards) took the Chair, and read Prayers.

2 **QUESTIONS:** Questions without notice being asked—

*Treasurer—Motion of censure:* Mr Reith (Deputy Leader of the Opposition), by leave, moved—That this House censures the Treasurer for his deliberate attempts to mislead the people of Australia about the Government's secret tax agenda.

Mr Dawkins (Treasurer) moved, as an amendment—That all words after "That" be omitted with a view to substituting the following words: "the House condemns the Opposition for failing to come clean on the \$6 billion deficiency in the *Fightback!* funding, not including the \$4 billion road tax and its misleading of Australian business that the Opposition as a Government would confer a \$20 billion benefit from *Fightback!* on business".

Debate continued.

*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 Acting Speaker, Mr R. F. Edwards, in the Chair)—

AYES, 66

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

## NOES, 58

|                  |                  |              |                |
|------------------|------------------|--------------|----------------|
| Mr Aldred        | Mr Connolly      | Mr Hicks*    | Mr Ronaldson   |
| Mr J. N. Andrew* | Mr Costello      | Mr Howard    | Mr Ruddock     |
| Mr K. J. Andrews | Mr Cowan         | Mr Jull      | Mr B. C. Scott |
| Mrs Bailey       | Mr Dobie         | Dr Kemp      | Mr Shack       |
| Mr Beale         | Mr Downer        | Mr McArthur  | Mr Sinclair    |
| Mr Bradford      | Mr Fife          | Mr Mack      | Mr Smith       |
| Mr Braithwaite   | Mr Filing        | Mr MacKellar | Mr Somlyay     |
| Mr Broadbent     | Mr T. A. Fischer | Mr Miles     | Mr Taylor      |
| Mr Burr          | Mr P. S. Fisher  | Mr Moore     | Mr Truss       |
| Mr Cadman        | Mr Ford          | Mr Nehl      | Mr Tuckey      |
| Mr Cameron       | Mrs Gallus       | Mr Nugent    | Mr Webster     |
| Mr Carlton       | Mr Hall          | Mr Prosser   | Dr R. L. Woods |
| Mr Charles       | Mr Halverson     | Mr Reith     | Dr Wooldridge  |
| Mr Cleary        | Mr Hawker        | Mr Riggall   |                |
| Mr Cobb          | Dr Hewson        | Mr Rocher    |                |

\* Tellers

And so it was resolved in the affirmative.

And the question—That the amendment be agreed to—being accordingly put—

The House divided (the Acting Speaker, Mr R. F. Edwards, in the Chair)—

## AYES, 68

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

## NOES, 56

|                  |                  |              |                |
|------------------|------------------|--------------|----------------|
| Mr Aldred        | Mr Connolly      | Dr Hewson    | Mr Rocher      |
| Mr J. N. Andrew* | Mr Costello      | Mr Hicks*    | Mr Ronaldson   |
| Mr K. J. Andrews | Mr Cowan         | Mr Howard    | Mr Ruddock     |
| Mrs Bailey       | Mr Dobie         | Mr Jull      | Mr B. C. Scott |
| Mr Beale         | Mr Downer        | Dr Kemp      | Mr Shack       |
| Mr Bradford      | Mr Fife          | Mr McArthur  | Mr Sinclair    |
| Mr Braithwaite   | Mr Filing        | Mr MacKellar | Mr Smith       |
| Mr Broadbent     | Mr T. A. Fischer | Mr Miles     | Mr Somlyay     |
| Mr Burr          | Mr P. S. Fisher  | Mr Moore     | Mr Taylor      |
| Mr Cadman        | Mr Ford          | Mr Nehl      | Mr Truss       |
| Mr Cameron       | Mrs Gallus       | Mr Nugent    | Mr Tuckey      |
| Mr Carlton       | Mr Hall          | Mr Prosser   | Mr Webster     |
| Mr Charles       | Mr Halverson     | Mr Reith     | Dr R. L. Woods |
| Mr Cobb          | Mr Hawker        | Mr Riggall   | Dr Wooldridge  |

\* Tellers

And so it was resolved in the affirmative.

Question—That the motion, as amended, be agreed to—put.

The House divided (the Acting Speaker, Mr R. F. Edwards, in the Chair)—

## AYES, 68

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

## NOES, 56

|                  |                  |              |                |
|------------------|------------------|--------------|----------------|
| Mr Aldred        | Mr Connolly      | Dr Hewson    | Mr Rocher      |
| Mr J. N. Andrew* | Mr Costello      | Mr Hicks*    | Mr Ronaldson   |
| Mr K. J. Andrews | Mr Cowan         | Mr Howard    | Mr Ruddock     |
| Mrs Bailey       | Mr Dobie         | Mr Jull      | Mr B. C. Scott |
| Mr Beale         | Mr Downer        | Dr Kemp      | Mr Shack       |
| Mr Bradford      | Mr Fife          | Mr McArthur  | Mr Sinclair    |
| Mr Braithwaite   | Mr Filing        | Mr MacKellar | Mr Smith       |
| Mr Broadbent     | Mr T. A. Fischer | Mr Miles     | Mr Somlyay     |
| Mr Burr          | Mr P. S. Fisher  | Mr Moore     | Mr Taylor      |
| Mr Cadman        | Mr Ford          | Mr Nehl      | Mr Truss       |
| Mr Cameron       | Mrs Gallus       | Mr Nugent    | Mr Tuckey      |
| Mr Carlton       | Mr Hall          | Mr Prosser   | Mr Webster     |
| Mr Charles       | Mr Halverson     | Mr Reith     | Dr R. L. Woods |
| Mr Cobb          | Mr Hawker        | Mr Riggall   | Dr Wooldridge  |

\* Tellers

And so it was resolved in the affirmative.

Questions without notice concluded.

**3 AUSTRALIAN NATIONAL AUDIT OFFICE—REPORT—PUBLICATION OF PAPER:**

The Acting Speaker presented the following paper:

Audit Act—Australian National Audit Office—Report for 1991-92.

Mr Beazley (Leader of the House), by leave, moved—That:

(1) this House, in accordance with the provisions of the *Parliamentary Papers Act 1908*, authorises the publication of the annual report of the Australian National Audit Office for 1991-92; and

(2) the report be printed.

Question—put and passed.

**4 PAPERS:** The following papers were presented:

Australian Security Intelligence Organization Act—Security Appeals Tribunal—Report for 1991-92.

Commonwealth Funds Management Limited—Equal employment opportunity plan—1992—Corrigendum.

Governor-General Act—Office of the Official Secretary to Governor-General—Report for 1991-92.

Industry, Science and Technology—Standing Committee—Report—The shipbuilding industry: In the wake of the bounty—Copy of letter from Senator Button, Minister for Industry, Technology and Commerce, to Mr Lee, MP, Chairman, relating to the delay in the Government's response.

Transport, Communications and Infrastructure—Standing Committee—Report—Management of the radio frequency spectrum, 14 October 1991—Government response, September 1992.

- 5 TRANSPORT, COMMUNICATIONS AND INFRASTRUCTURE—STANDING COMMITTEE—REPORT—GOVERNMENT RESPONSE—MOTION TO TAKE NOTE OF PAPER:** Mr Beazley (Leader of the House) moved—That the House take note of the following paper:  
 Transport, Communications and Infrastructure—Standing Committee—Report—Management of the radio frequency spectrum, 14 October 1991—Government response, September 1992.  
 Debate adjourned (Mr Smith), and the resumption of the debate made an order of the day for the next sitting.
- 6 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—LIVING STANDARDS:** 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 to undertake taxation and other economic reforms to arrest the decline in Australian living standards”.  
 The proposed discussion having received the necessary support—  
 Mr Reith rising to address the House—  
 Mr Beazley (Leader of the House) moved—That the business of the day be called on.  
 Question—put and passed.
- 7 SELECTION COMMITTEE—AMENDED REPORT:** Mr Halverson (Deputy Chairman) presented the following report:  
 Selection Committee—Amended report relating to the program of business prior to 12.30 p.m. on Thursday, 17 September 1992—  
 and, by leave, moved—That the report be adopted in lieu of the report presented on 10 September 1992.  
 Question—put and passed.
- 8 CORPORATIONS AND SECURITIES—PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENT BY MEMBER:** Mr Kerr presented the following report:  
 Corporations and Securities—Parliamentary Joint Committee—Privilege: Mr James Gaffey—Report, September 1992.  
 Mr Kerr, by leave, made a statement in connection with the report.
- 9 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REPORTS—STATEMENTS BY MEMBERS:** Mr Hollis (Chairman) presented the following reports:  
 Public Works—Parliamentary Standing Committee—Reports—  
 Christmas Island rebuilding program (5th report of 1992).  
 Refurbishment of the Reserve Bank of Australia, Perth (6th report of 1992).  
 Severally ordered to be printed.  
 Mr Hollis, Mr O’Neil and Mr Prosser, by leave, made statements in connection with the reports.
- 10 APPROPRIATION BILL (NO. 1) 1992-93—BUDGET DEBATE:** 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.  
*Paper:* Mr Free (Minister for Science and Technology), by leave, presented the following paper:  
 Liberal and National Parties’ science and technology strategy—An innovation statement, June 1992.  
 Debate continued.  
 Debate adjourned (Mr Gear), and the resumption of the debate made an order of the day for a later hour this day.

- 11 NATIONAL HEALTH AND MEDICAL RESEARCH COUNCIL BILL 1992: 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—That the Bill be now read a second time—put.

The House divided (the Acting Speaker, Mr R. F. Edwards, in the Chair)—

AYES, 63

|                 |               |                 |                |
|-----------------|---------------|-----------------|----------------|
| Mr Baldwin      | Mr Dubois     | Mr Hulls        | Mr O'Neil      |
| Mr Beazley      | Mr Duffy      | Mr Humphreys    | Mr Sawford     |
| Mr Beddall      | Mr Duncan     | Mrs Jakobsen    | Mr Scholes     |
| Mr Bevis        | Mr Elliott    | Mr Jenkins      | Mr Sciacca     |
| Mr Bilney       | Ms Fatin      | Mr Jones        | Mr J. L. Scott |
| Dr Blewett      | Mr Ferguson   | Mr Kerin        | Mr L. J. Scott |
| Mr Brereton     | Mr Fitzgibbon | Mr Kerr         | Mr Simmons     |
| Mr R. J. Brown  | Mr Free       | Mr Lavarch      | Mr Snow        |
| Mr Campbell     | Mr Gear*      | Mr Lee          | Mr Snowdon     |
| Dr Catley       | Mr Gibson     | Mr Lindsay      | Mr Staples     |
| Dr Charlesworth | Mr Gorman     | Ms McHugh       | Dr Theophanous |
| Mr Cleary       | Mr Grace*     | Mr Martin       | Mr Tickner     |
| Mr Courtice     | Mr Griffiths  | Mr Melham       | Mr Walker      |
| Ms Crawford     | Mr Hand       | Mr A. A. Morris | Mr Willis      |
| Mrs Darling     | Mr Hollis     | Mr Newell       | Mr H. F. Woods |
| Mr Dawkins      | Mr Howe       | Mr O'Keefe      |                |

NOES, 57

|                  |                  |              |                |
|------------------|------------------|--------------|----------------|
| Mr Aldred        | Mr Connolly      | Mr Jull      | Mr Ruddock     |
| Mr J. N. Andrew* | Mr Costello      | Dr Kemp      | Mr B. C. Scott |
| Mr K. J. Andrews | Mr Cowan         | Mr Lloyd     | Mr Shack       |
| Mrs Bailey       | Mr Dobie         | Mr McArthur  | Mr Sinclair    |
| Mr Beale         | Mr Downer        | Mr Mack      | Mr Smith       |
| Mr Bradford      | Mr Fife          | Mr MacKellar | Mr Somlyay     |
| Mr Braithwaite   | Mr Filing        | Mr Miles     | Mr Taylor      |
| Mr Broadbent     | Mr T. A. Fischer | Mr Moore     | Mr Truss       |
| Mr Burr          | Mr P. S. Fisher  | Mr Nehl      | Mr Tuckey      |
| Mr Cadman        | Mr Ford          | Mr Nugent    | Mr Webster     |
| Mr Cameron       | Mrs Gallus       | Mr Prosser   | Dr R. L. Woods |
| Mr Carlton       | Mr Hall          | Mr Reith     | Dr Wooldridge  |
| Mr Chaney        | Mr Halverson     | Mr Riggall   |                |
| Mr Charles       | Mr Hawker        | Mr Rocher    |                |
| Mr Cobb          | Mr Hicks*        | Mr Ronaldson |                |

\* Tellers

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

*Message from the Governor-General:* Message No. 311, dated 1 July 1992, 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 7, by leave, taken together, and agreed to.

*New clause—*

On the motion of Mr Howe (Minister for Health, Housing and Community Services), the following new clause was inserted in the Bill, after debate:

**Ethics guidelines**

“7A.(1) Without limiting any of the matters on which the Council may issue guidelines under subparagraph 7(1)(a)(v), the Council must issue guidelines under that subparagraph for the conduct of medical research involving humans.

“(2) In issuing guidelines for the conduct of medical research involving humans, the Council must take into account the recommendations of a Principal Committee established under subsection 34(3) for purposes that include the making of such recommendations.”.

Clauses 8 to 18, by leave, taken together, and agreed to.

Clause 19—

On the motion of Dr R. L. Woods, the following amendment was made:

Page 10, omit paragraph (q), substitute the following paragraphs:

- “(q) a person with a background in, and knowledge of, public health issues;
- (r) no more than 2 other persons with expertise relevant to the functions of the Council.”.

Clause, as amended, agreed to.

Clause 20—

On the motion of Dr R. L. Woods, the following amendment was made:

Page 11, at the end of subclause (3) insert the following paragraph:

- “(k) before appointing the member referred in paragraph 19(q), seek nominations from such peak broad public health organisations as are prescribed for the purpose.”.

Clause, as amended, agreed to.

Clauses 21 to 33, by leave, taken together, and agreed to.

Clause 34—

On the motion of Mr Howe, the following amendment was made: Page 17, after subclause (3), insert the following subclause:

“(3A) A Principal Committee established under subsection (3) for purposes including the making of recommendations to the Council in relation to guidelines on the conduct of medical research involving humans:

- (a) must not have more than one member of the Medical Research Committee among its members; and
- (b) must have as its Chairperson a person who is not a member of the Medical Research Committee.”.

Clause, as amended, agreed to.

Clauses 35 to 48, by leave, taken together, and agreed to.

Clause 49—

On the motion of Mr Howe, the following amendment was made: Page 23, after subclause (2), insert the following subclause:

“(3) Without limiting the generality of the conditions to which a grant of assistance can be made under subparagraphs (1)(a)(i), (ii) or (iii), such assistance must not be provided unless the recipient agrees to comply with guidelines in force under subparagraph 7(1)(a)(v) that relate to the conduct of medical research involving humans.”.

Clause, as amended, agreed to.

Clauses 50 to 62, by leave, taken together, and agreed to.

Clause 63—

On the motion of Mr Howe, the following amendment was made: Page 28, line 20, omit “liable to any penalty under the provisions of any other Act”, substitute “subject to any liability or penalty under the law of the Commonwealth, a State or a Territory”.

Clause, as amended, agreed to.

Clauses 64 to 87, by leave, taken together, and agreed to.

*New clauses—*

On the motion of Mr Howe, by leave, the following new clauses were together added to the Bill:

**Existing ethics guidelines**

“88. The guidelines entitled the ‘NHMRC Statement on Human Experimentation and Supplementary Notes’ in force immediately before the proclaimed day are taken, with effect from that day, to be in force as if they had been made under subparagraph 7(1)(a)(v) and in compliance with section 7A until they are revised by the Council under this Act.

**References in other laws to NHMRC Statement etc.**

“89. In any Commonwealth law, or in any document issued under such a law:

- (a) a reference to the NHMRC Statement on Human Experimentation and Supplementary Notes is to be treated, on and after the proclaimed day, as if it were a reference to the guidelines in force, or taken to be in force, from time to time, under subparagraph 7(1)(a)(v) of this Act, that relate to the conduct of medical research involving humans; and
- (b) a reference either to a particular Supplementary Note to that Statement, or to the Statement itself, is to be treated, on and after that day, as if it were a reference to such of those guidelines as relate in particular to the matters the subject of that Supplementary Note or that Statement.”.

Title agreed to.

Bill to be reported with amendments.

---

The House resumed; Mr Nehl reported accordingly.

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

- 12 **APPROPRIATION BILL (NO. 1) 1992-93—BUDGET DEBATE:** 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.

Debate adjourned (Mr Staples—Minister for Aged, Family and Health Services), and the resumption of the debate made an order of the day for the next sitting.

- 13 **ADJOURNMENT:** Mr Staples (Minister for Aged, Family and Health Services) moved—That the House do now adjourn.

Debate ensued.

Several Members rising to address the House—

*Closure:* Mr Staples moved—That the question be now put.

Question—That the question be now put—put and passed.

And the question—That the House do now adjourn—was put accordingly, and passed.

And then the House, at 11.01 p.m., adjourned until tomorrow at 10 a.m.

---

**PAPERS:** The following papers were deemed to have been presented on 15 September 1992:

Civil Aviation Act—Civil Aviation Regulations—Civil Aviation Orders—  
Part 105—Amendments 17, 18, 21(3), 27(5) and 28 August and 4(3), 7,  
8, 10(2) and 15(6) September 1992.

Defence Act—Determinations under section 58B—1992 Nos. 42, 43.

Public Service Act—Determinations—1992 Nos. 154, 163, 164, 165.

World Heritage Properties Conservation Act—Refusal of consent under  
section 9, 14 September 1992.

---

**ATTENDANCE:** All Members attended (at some time during the sitting) except Mr Anderson, Mr Atkinson, Mrs Crosio, Dr H. R. Edwards, Mr Goodluck, Mr Holding, Mr Johns, Mr Langmore, Mr McGauran, Mr McLeay, Mr P. F. Morris, Mr Price, Mr Punch, Mr Reid, Mr Sharp, Mrs Sullivan and Mr Wright.

---

**L. M. BARLIN**  
Clerk of the House of Representatives