

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

No. 152

WEDNESDAY, 14 OCTOBER 1992

1 The House met, at 10 a.m., pursuant to adjournment. The Speaker (the Honourable Leo McLeay) took the Chair, and read Prayers.

2 **STUDENT ASSISTANCE AMENDMENT 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—*And on the amendment moved thereto by Dr Kemp, viz.*—That all words after “That” be omitted with a view to substituting the following words: “whilst not opposing the passage of this Bill, the House condemns the Government for its failure to adequately address the problems in the administration and targeting of student financial assistance to ensure that it is fair and accessible to all”.

Debate resumed.

Amendment negated.

Question—That the Bill be now read a second time—put and passed—Bill read a second time.

Message from the Governor-General: Message No. 318, dated 12 October 1992, 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 Baldwin (Minister for Higher Education and Employment Services), the Bill was read a third time.

3 **NATIONAL CRIME AUTHORITY AMENDMENT BILL (NO. 2) 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—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.

Mr Costello, by leave, moved the following amendments together:

Clause 9—

Page 4, line 23, omit “request”, substitute “require”.

Page 4, line 27, omit “except to the extent that it contains, or is, sensitive information”, substitute “and the Chairperson must comply with the requirement”.

Pages 4 and 5, omit proposed subsections (3), (4), (5) and (6), substitute the following subsections:

“(3) If the Committee, or a member of the Committee, considers that it is necessary, in a report to the Parliament or otherwise, to disclose:

- (a) oral evidence taken by the Committee *in camera*, from persons who, at the time they gave evidence, were officers of the Authority or to provide a report of such oral evidence; or
- (b) a document which has been submitted to the Committee by an officer of the Authority and which has been requested by the officer of the Authority or ordered by the Committee to be treated as evidence taken *in camera*,

the Committee or the member of the Committee, as the case may be, must inform the Chairperson in writing of the evidence or the document proposed to be disclosed or provided.

“(4) The Chairperson may, within 14 days after a proposal under subsection (3) has been provided to the Chairperson, certify, by writing signed by the Chairperson and provided to the Committee, that the evidence or the document to which the proposal relates contains, or is, sensitive information.

“(5) If a certificate has been so provided by the Chairperson the Committee or a member of the Committee must not, in a report to the Parliament or otherwise, except in accordance with subsection (10) or (12), disclose any evidence or document which is the subject of that certificate.

“(6) If:

- (a) the Committee makes a decision that evidence or a document of the kind described in subsection (3) contains, or is, sensitive information and should not be disclosed in a report to the Parliament or otherwise; or
- (b) the Chairperson provides a certificate under subsection (4) in relation to evidence or a document:

then, if a member of the Committee so requests, the Committee must refer the evidence or document to the Minister.

“(7) If the Committee refers evidence or a document to the Minister under subsection (6), the Minister must:

- (a) in writing, determine whether the evidence or document contains, or is, sensitive information; and
- (b) include reasons for that decision in the determination; and
- (c) provide copies of that determination to the Chairperson, the Committee and the Inspector-General.

“(8) The Minister may, before making the determination, in writing, direct the Inspector-General to inquire into the question whether the evidence or document contains, or is, sensitive information.

“(9) If the Minister makes a direction under subsection (8), the Inspector-General must:

- (a) conduct an inquiry under that direction; and
- (b) report to the Minister upon completion of the inquiry; in accordance with Part IIIA.

“(10) If the Minister determines under subsection (7) that the evidence or document does not contain, or is not, sensitive information, that evidence or document may be disclosed by the Committee in a report to the Parliament by the Committee or in a special report to the Parliament by a member of the Committee.

“(11) A special report by a member of the Committee under subsection (10) may be attached to a report by the Committee or

may be presented to each House of the Parliament in the absence of a report by the Committee.

'(12) If the Committee considers that a matter relating to the Authority requires remedial action, the Committee may make a report, which may include sensitive information, to the Minister.

'(13) If the Committee makes a report to the Minister under subsection (12), the Committee may report to each House of the Parliament the fact that the Committee has made that report.'".

Clause 10—

Page 6, line 31, omit "55(5)", substitute "55(8)".

Page 10, line 26, omit "55(5)", substitute "55(8)".

Debate continued.

Question—put.

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

AYES, 51

Mr Aldred	Mr Dobie	Mr Lloyd	Mr B. C. Scott
Mr Anderson	Mr Downer	Mr McArthur	Mr Shack
Mr K. J. Andrews	Dr H. R. Edwards	Mr McGauran	Mr Sinclair
Mr Atkinson*	Mr Filing	Mr Mack	Mr Smith
Mrs Bailey	Mr T. A. Fischer	Mr Miles	Mr Somlyay
Mr Beale	Mr P. S. Fisher	Mr Moore	Mrs Sullivan
Mr Bradford	Mr Ford	Mr Nehl	Mr Taylor
Mr Braithwaite	Mr Hall	Mr Reid	Mr Truss
Mr Carlton	Mr Halverson	Mr Reith	Mr Webster
Mr Charles	Mr Hawker	Mr Riggall	Mr Wilson
Mr Cobb	Mr Hicks*	Mr Rocher	Dr R. L. Woods
Mr Costello	Mr Jull	Mr Ronaldson	Dr Wooldridge
Mr Cowan	Dr Kemp	Mr Ruddock	

NOES, 62

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

* Tellers

And so it was negatived.

On the motion of Mr Duncan (Parliamentary Secretary to the Attorney-General) the following amendment was made, after debate:

Clause 10, page 14, proposed subsection 55AR(2), lines 3 to 4, omit "criminal proceedings", substitute "proceedings in a court or before a person who is authorised to hear evidence,".

Bill, as amended, agreed to.

Bill to be reported with an amendment.

The House resumed; Mr MacKellar reported accordingly.

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

4 POSTPONEMENT OF ORDER OF THE DAY: Ordered—That order of the day No. 3, government business, be postponed until a later hour this day.

5 QUESTIONS: Questions without notice being asked—

Paper: Mr Keating (Prime Minister) presented the following paper:

Workplace bargaining: The first 100 agreements—Report by the Department of Industrial Relations, August 1992.

Questions without notice continued.

6 PAPERS: The following papers were presented:

Advance to the Minister for Finance—

Statement for September 1992.

Supporting applications of issues from the Advance during September 1992.

Audit Act—National Road Transport Commission—Financial statements for period 14 October 1991 to 30 June 1992.

Australian Wine and Brandy Corporation Act—Australian Wine and Brandy Corporation—11th report, for 1991-92.

Local Government (Financial Assistance) Act—Recommendations by State and Northern Territory Local Government Grants Commissions for 1992-93.

7 AUSTRALIAN WINE AND BRANDY CORPORATION—REPORT—MOTION TO TAKE NOTE OF PAPER: Mr Beazley (Leader of the House) moved—That the House take note of the following paper:

Australian Wine and Brandy Corporation Act—Australian Wine and Brandy Corporation—11th report, for 1991-92.

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

8 PAPER: Mr Beazley (Leader of the House) presented the following paper:

Petition not in accord with standing and sessional orders of the House—

Recognition of the independent and sovereign state of Macedonia (Mr R. F. Edwards, 4805 petitioners).

9 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—PAY TELEVISION: The House was informed that Mr Smith had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The inability of the Keating Government to develop a coherent policy for the implementation of pay television in Australia sending the potential industry into utter confusion and further compromising the benefits promised to consumers and the Australian economy at large”.

The proposed discussion having received the necessary support—

Mr Smith addressed the House.

Discussion ensued.

Discussion concluded.

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

14 October 1992—Message No. 535—Sales Tax (Exemptions and Classifications) Amendment 1992.

11 SELECTION COMMITTEE—AMENDED REPORT: Mr R. F. Edwards (Chairman) presented the following report:

Selection Committee—Amended report relating to the program of business prior to 12.30 p.m. on Thursday, 15 October 1992—

and, by leave, moved—That the report be adopted in lieu of the report presented on 8 October 1992.

Question—put and passed.

12 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS: Mr Hollis (Chairman) presented the following report:

Public Works—Parliamentary Standing Committee—Report relating to office construction at section 45, Belconnen, ACT (9th report of 1992). Ordered to be printed.

Mr Hollis, Mr Taylor and Mr Langmore, by leave, made statements in connection with the report.

13 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—RELOCATION OF AUSTRALIAN HYDROGRAPHIC OFFICE TO WOLLONGONG: Mr Staples (Minister for Aged, Family and Health Services), for 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: Relocation of the Australian Hydrographic Office (AHO) to Wollongong.

Debate ensued.

Question—put and passed.

14 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORKS—REDEVELOPMENT OF LAVARACK ARMY BARRACKS, TOWNSVILLE, STAGE 1: Mr Staples (Minister for Aged, Family and Health Services), for 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 works be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Redevelopment of Lavarack Army Barracks in Townsville, stage 1.

Debate ensued.

Question—put and passed.

15 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—STORAGE/DISPLAY FACILITY FOR AUSTRALIAN WAR MEMORIAL, MITCHELL, ACT: Mr Staples (Minister for Aged, Family and Health Services), for 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: Storage/display facility for the Australian War Memorial, Mitchell, ACT.

Mr Staples presented plans in connection with the proposed work.

Debate ensued.

Question—put and passed.

16 CONSTRUCTION OF OFFICES, CORNER OF ADELAIDE AND CREEK STREETS, BRISBANE—APPROVAL OF WORK: Mr Staples (Minister for Aged, Family and Health Services), for 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*, 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: Construction of offices at the corner of Adelaide and Creek Streets, Brisbane, for the Australian Estate Management to be leased by the Australian Taxation Office and other Commonwealth Government agencies.

Debate ensued.

Question—put and passed.

- 17 **BOUNTY (COMPUTERS) AMENDMENT BILL 1992:** Mr Staples (Minister for Aged, Family and Health Services), for Mr Beddall (Minister for Small Business, Construction and Customs), pursuant to notice, presented a Bill for an Act to amend the *Bounty (Computers) Act 1984*, and for related purposes.
Bill read a first time.
Mr Staples moved—That the Bill be now read a second time.
Paper: Mr Staples presented an explanatory memorandum to the Bill.
Debate adjourned (Mr Beale), and the resumption of the debate made an order of the day for the next sitting.
- 18 **SEAFARERS REHABILITATION AND COMPENSATION BILL 1992:** Mr Snowdon (Parliamentary Secretary to the Minister for Employment, Education and Training), pursuant to notice, presented a Bill for an Act relating to rehabilitation and workers' compensation for seafarers and certain other persons, and for related purposes.
Bill read a first time.
Mr Snowdon moved—That the Bill be now read a second time.
Paper: Mr Snowdon presented an explanatory memorandum to the Bill.
Debate adjourned (Mr Beale), and the resumption of the debate made an order of the day for the next sitting.
- 19 **SEAFARERS REHABILITATION AND COMPENSATION (TRANSITIONAL PROVISIONS AND CONSEQUENTIAL AMENDMENTS) BILL 1992:** Mr Snowdon (Parliamentary Secretary to the Minister for Employment, Education and Training), pursuant to notice, presented a Bill for an Act to enact transitional provisions, and to repeal an Act and amend others, because of the enactment of the *Seafarers Rehabilitation and Compensation Act 1992*.
Bill read a first time.
Mr Snowdon moved—That the Bill be now read a second time.
Paper: Mr Snowdon presented an explanatory memorandum to the Bill.
Debate adjourned (Mr Rocher), and the resumption of the debate made an order of the day for the next sitting.
- 20 **SEAFARERS REHABILITATION AND COMPENSATION LEVY BILL 1992:** Mr Snowdon (Parliamentary Secretary to the Minister for Employment, Education and Training) presented a Bill for an Act to impose levy in respect of the employment of seafarers.
Bill read a first time.
Mr Snowdon moved—That the Bill be now read a second time.
Paper: Mr Snowdon presented an explanatory memorandum to the Bill.
Debate adjourned (Mr Rocher), and the resumption of the debate made an order of the day for the next sitting.
- 21 **SEAFARERS REHABILITATION AND COMPENSATION LEVY COLLECTION BILL 1992:** Mr Snowdon (Parliamentary Secretary to the Minister for Employment, Education and Training) presented a Bill for an Act relating to the collection of levy imposed by the *Seafarers Rehabilitation and Compensation Levy Act 1992*.
Bill read a first time.
Mr Snowdon moved—That the Bill be now read a second time.
Paper: Mr Snowdon presented an explanatory memorandum to the Bill.
Debate adjourned (Mr Rocher), and the resumption of the debate made an order of the day for the next sitting.
- 22 **ANTARCTIC (ENVIRONMENT PROTECTION) LEGISLATION AMENDMENT BILL 1992:** Mrs Kelly (Minister for the Arts, Sport, the Environment and

Territories), pursuant to notice, presented a Bill for an Act to amend the legislation relating to the protection of the environment in the Antarctic.

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 Rocher), and the resumption of the debate made an order of the day for the next sitting.

- 23 **WHEAT MARKETING AMENDMENT BILL 1992:** Mr Crean (Minister for Primary Industries and Energy), pursuant to notice, presented a Bill for an Act to amend the *Wheat Marketing Act 1989*.

Bill read a first time.

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

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

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

- 24 **LAW AND JUSTICE LEGISLATION AMENDMENT BILL (NO. 4) 1992:** Mr Duncan (Parliamentary Secretary to the Attorney-General), pursuant to notice, presented a Bill for an Act to amend various Acts relating to law and justice.

Bill read a first time.

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

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

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

- 25 **COMMONWEALTH SUPERANNUATION SCHEMES AMENDMENT BILL 1992:** Mr Duncan (Parliamentary Secretary to the Attorney-General), pursuant to notice, presented a Bill for an Act to amend various Acts to remove certain discriminatory provisions from a range of Commonwealth superannuation schemes, and for other purposes.

Bill read a first time.

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

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

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

- 26 **ABORIGINAL EDUCATION (SUPPLEMENTARY ASSISTANCE) AMENDMENT BILL 1992:** Mr Tickner (Minister for Aboriginal and Torres Strait Islander Affairs), pursuant to notice, presented a Bill for an Act to amend the *Aboriginal Education (Supplementary Assistance) Act 1989*.

Bill read a first time.

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

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

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

- 27 **STATES GRANTS (GENERAL PURPOSES) 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—put and passed—Bill read a second time.

Message from the Governor-General: Message No. 319, dated 12 October 1992, 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 Johns (Parliamentary Secretary to the Minister for Health, Housing and Community Services), the Bill was read a third time.

28 **CUSTOMS TARIFF AMENDMENT BILL (NO. 2) 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.

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

29 **ADJOURNMENT:** Ms Fatin (Minister for the Arts and Territories) moved—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 8 p.m., adjourned until tomorrow at 9.30 a.m.

PAPERS: The following papers were deemed to have been presented on 14 October 1992:

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposals for the collection of information—1992 Nos. 17, 18, 19, 20, 21, 22.

Lands Acquisition Act—Statement under subsection 40(1).

ATTENDANCE: All Members attended (at some time during the sitting) except Mr J. N. Andrew, Mr Broadbent, Mr Cameron*, Dr Charlesworth, Mr Duffy, Mr Fitzgibbon, Mrs Gallus, Mr Gear, Mr Jones, Mr A. A. Morris, Dr Theophanous and Mr Tuckey.

* On leave

L. M. BARLIN

Clerk of the House of Representatives