

1993

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 32

THURSDAY, 28 OCTOBER 1993

1 The House met, at 9.30 a.m., pursuant to adjournment. The Speaker (the Honourable Stephen Martin) took the Chair, and read Prayers.

2 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation, viz.:

Mr Cadman, Mr Evans, Mr Miles and Mr B. C. Scott, from 2391, 1379, 162 and 139 petitioners, respectively, praying that the increases in petrol excise proposed in the 1993-94 Budget be opposed.

Mr Forrest, Mr Reid and Mr Ronaldson, from 878, 110 and 87 petitioners, respectively, praying that the proposal to charge off-road users of diesel fuel a tax equal to one per cent of the diesel fuel rebate be abandoned.

Mr Evans and Mr Hawker, from 52 and 22 petitioners, respectively, praying that measures to treat unrealised capital gains and losses on listed securities as income under the *Social Security Act 1991* and the *Veterans' Entitlements Act 1986* be abandoned.

Mr Hawker and Mr Lieberman, from 98 and 20 petitioners, respectively, praying that no action be taken to change the national flag unless approved by the people of Australia in a national poll.

Mr Cameron, from 1249 residents of Western Australia, praying that action be taken to stop the practice in China of extracting bile from caged bears for medical purposes.

Mr Downer, from 33 petitioners, praying that the increases in wholesale sales tax, petrol excise, tax on wine and tax on lump sums received for unused leave proposed in the 1993-94 Budget be rejected.

Mr Hawker, from 578 petitioners, praying that the increase in excise on leaded fuel be rejected and that certain action be taken to reduce the cost of manufacturing cars in Australia.

Mr Hawker, from 27 petitioners, praying that Medicare continue to be a universal health insurance system and that all eye examinations by optometrists be covered.

Mr Miles, from 69 petitioners, praying that the guidelines for homeless rate recipients be reviewed and greater commitment shown to programs which prevent family breakdown.

Mr Moore, from 605 petitioners, praying that planned expenditure on government buildings in Canberra and on a proposed new flag be opposed and the funds be applied to the betterment of this country.

Mr Ronaldson, from 40 petitioners, praying that certain action be taken to tighten restrictions against violence in the media.

Mr B. C. Scott, from 23 residents of Queensland, praying that any proposal to change the Australian flag be rejected.

Petitions received.

3 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENTS BY MEMBERS

The Speaker presented the following report:

Australian Parliamentary Delegation to the United States of America, June-July 1993: Fighting friendly fire—Report—

and made a statement in connection with the report.

Mr Rocher and Mr Reid also made statements in connection with the report.

4 PROCEDURE—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER

Dr Blewett (Chairman) presented the following report and related papers:

Procedure—Standing Committee—About time: Bills, questions and working hours—Inquiry into reform of the House of Representatives—

Report, incorporating a dissenting report, 21 October 1993.

Evidence received by the committee.

Minutes of proceedings.

Ordered—That the report be printed.

Dr Blewett and Mr Filing made statements in connection with the report.

Mr McLeay also made a statement in connection with the report.

Mr McLeay, by leave, continued his speech.

Mr Nehl also made a statement in connection with the report.

Mr Nehl, by leave, continued his speech.

Mr Price and Mr Melham also made statements in connection with the report.

Dr Blewett moved—That the House take note of the report.

In accordance with standing order 102B, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting Thursday.

5 SOLUTIONS FOR UNEMPLOYMENT

Mr Sawford, pursuant to notice, moved—That this House:

- (1) recognises the need for innovative solutions to reduce unemployment;
 - (2) in particular, acknowledges the export potential of environmental industries;
- and

- (3) takes note of the preliminary Scan Report of the Green Jobs Unit jointly set up by the Australian Council of Trade Unions and the Australian Conservation Foundation.

Debate ensued.

The time allotted for the debate having expired, the debate was interrupted, the resumption of the debate made an order of the day for the next sitting Thursday, and Ms Worth was granted leave to continue her speech when the debate is resumed.

6 COMMUNITY USE FOR HMAS NIRIMBA

Mr Gorman, pursuant to notice, moved—That this House:

- (1) welcomes and supports the recommendation of the Community Advisory Committee, chaired by the Member for Greenway, which recommended that an educational precinct, comprising a public and Catholic senior high school, TAFE and university campus, was the best community use for HMAS *Nirimba* following the decision to transfer training to HMAS *Cerberus*;
- (2) further endorses the decision by Ministers Beazley and Ray to implement the educational precinct subject to agreement with the NSW Government; and
- (3) calls upon the NSW Government urgently to conclude negotiations with the federal Government and the purchase of land before December 1993 at which date the Navy will march out of HMAS *Nirimba*.

Debate ensued.

The time allotted for the debate having expired, the debate was interrupted and the resumption of the debate made an order of the day for the next sitting Thursday.

7 AUSTRALIAN DEFENCE FORCE

Mr Taylor, pursuant to notice, moved—That this House:

- (1) acknowledges the substantial national and international contribution by service men and women of the Australian Defence Force (ADF);
- (2) regrets recent decisions by the Government which places ADF morale at risk; and
- (3) calls on the Government to recognise its contractual conditions of service responsibilities to ADF personnel, particularly those in recognition of the exigencies of service life.

Debate ensued.

It being 12.30 p.m., the debate was interrupted in accordance with standing order 104A and the resumption of the debate made an order of the day for the next sitting Thursday.

8 GRIEVANCE DEBATE

Pursuant to the provisions of standing order 106, the order of the day having been read—

Question proposed—That grievances be noted.

Debate ensued.

Question—That grievances be noted—put and passed.

9 MEMBERS' STATEMENTS

Members' statements were made.

10 QUESTIONS

Questions without notice being asked—

Papers: Mr Gear (Assistant Treasurer) presented the following papers:

Taxation rates—

Australian Taxation Office—Media release (90/51): Higher incomes pay more tax, 20 December 1990.

Net tax and net tax including imputation credits to taxable income by income class: 1991-92—Table.

Questions without notice concluded.

11 PRIVILEGE—

NEWSPAPER AND TELEVISION REPORTS ON PROCEEDINGS OF JOINT COMMITTEE OF PUBLIC ACCOUNTS—REFERENCE TO COMMITTEE OF PRIVILEGES

MATTER RAISED BY MRS SULLIVAN

The Speaker referred to the matter of privilege raised yesterday by Mr L. J. Scott concerning articles published in the *Australian* of 21 October 1993 and the *Financial Review* of 21 and 25 October 1993 and a news report on the WIN television evening news of 25 October 1993 which appeared to reveal details of a forthcoming report of the Joint Committee of Public Accounts and its private deliberations. The Speaker stated that the unauthorised disclosure or publication of the contents of a draft report or of the private deliberations of a committee could be regarded as a contempt. He noted that the committee had considered the matter and was of the view that the publication of the material had caused substantial interference with its work. The Speaker stated that he was prepared to allow precedence to a motion in respect of the matter.

Mr L. J. Scott then moved—That the matter of articles in the *Australian* of 21 October 1993, the *Australian Financial Review* of 21 and 25 October 1993 and comments by Mr L. Oakes on the WIN evening news of 25 October 1993 which appeared to reveal a knowledge of the contents of a draft report and/or deliberations of the Joint Committee of Public Accounts be referred to the Committee of Privileges.

Question—put and passed—Mr Mack dissenting.

The Speaker also referred to the matter raised yesterday by Mrs Sullivan concerning an article in the *Sydney Morning Herald* of 27 October 1993 concerning a forthcoming report of the Standing Committee on Procedure.

The Speaker stated that, in accordance with the Speaker's statement of 7 May 1992, the Procedure Committee should now consider this matter and the effect of the publication of the article and should take steps to ascertain the source of any disclosure and report to the House accordingly.

12 AUDITOR-GENERAL'S REPORT—PUBLICATION OF PAPERS

The Speaker presented the following papers:

Audit Act—Auditor-General—

Australian National Audit Office—Report for 1992-93.

Audit report No. 8 of 1993-94—Project audit—Civil Aviation Authority: Centre for Air Traffic Services.

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

- (1) this House authorises the publication of the report of the Australian National Audit Office for 1992-93 and the Auditor-General's audit report No. 8 of 1993-94; and
- (2) the reports be printed.

Mr Connolly, by leave, made a statement in connection with the 1992-93 report of the Australian National Audit Office.

Question—put and passed.

13 PAPERS

The following papers were presented:

Bankruptcy Act—Report for 1992-93.

Commonwealth Fire Board—Report for 1992-93.

Customs Administration Act—Australian Customs Service—Report for 1992-93.

Economic Planning Advisory Council Act—Economic Planning Advisory Council—Report for 1992-93.

National Road Transport Commission Act—National Road Transport Commission—Report for 1992-93.

14 PAPERS—MOTION TO TAKE NOTE OF PAPERS

Mr Beazley (Leader of the House) moved—That the House take note of the following papers:

Bankruptcy Act—Report for 1992-93.

Economic Planning Advisory Council Act—Economic Planning Advisory Council—Report for 1992-93.

National Road Transport Commission Act—National Road Transport Commission—Report for 1992-93.

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

15 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:

27 October 1993—Message—

No. 62—

Excise Tariff (Deficit Reduction) 1993.

Taxation (Deficit Reduction) (No. 1) 1993.

Taxation (Deficit Reduction) (No. 3) 1993.

No. 63—

Customs Tariff (Deficit Reduction) 1993.

Sales Tax (Customs) (Deficit Reduction) 1993.
 Sales Tax (Excise) (Deficit Reduction) 1993.
 Sales Tax (General) (Deficit Reduction) 1993.
 Sales Tax (Customs) (Wine—Deficit Reduction) 1993.
 Sales Tax (Excise) (Wine—Deficit Reduction) 1993.
 Sales Tax (General) (Wine—Deficit Reduction) 1993.
 Snowy Mountains Engineering Corporation Limited Sale 1993.
 Taxation (Deficit Reduction) (No. 2) 1993.

16 SELECTION COMMITTEE—REPORT

Mr Jenkins (Chairman) presented the following report:

Selection Committee—Report relating to the program of business prior to 12.30 p.m. on Thursday, 18 November 1993.

17 PUBLICATIONS COMMITTEE—4TH REPORT

Mr Fitzgibbon (Chairman) presented the following report:

PUBLICATIONS COMMITTEE 4TH REPORT

The Publications Committee reports that it has met in conference with the Publications Committee of the Senate.

The Committee, having considered petitions and documents presented to the Parliament since 6 October 1993, recommends that the following be printed:

Aboriginal Deaths in Custody—Royal Commission—Implementation of Commonwealth Government responses to the recommendations of the Royal Commission into Aboriginal Deaths in Custody—1992-93 interim report.

Australian and Overseas Telecommunications Corporation Act—Telstra Corporation Limited—Report for 1992-93.

Australian Meat and Live-stock Corporation Act—Australian Meat and Live-stock Corporation—Report for 1992-93.

Australian Postal Corporation Act—Australian Postal Corporation (Australia Post)—Report for 1992-93.

Australian Science and Technology Council Act—Australian Science and Technology Council—Summary report—Research and technology in tropical Australia and their application to the development of the region, August 1993.

Dairy Produce Act—Australian Dairy Corporation—Report for 1992-93.

Data-matching Program (Assistance and Tax) Act—Reports, October 1993—
 Commissioner of Taxation.

Department of Employment, Education and Training.

Department of Social Security and the Data-Matching Agency.

Department of Veterans' Affairs—Report.

Financial Transaction Reports Act—Australian Transaction Reports and Analysis Centre (AUSTRAC)—Report for 1992-93.

Higher Education Funding Act 1988—Report detailing determinations made under the Act in respect of 1992.

Human Rights and Equal Opportunity Commission Act—Human Rights and Equal Opportunity Commission—Report—Human Rights and Mental Illness: National inquiry into the human rights of people with mental illness—

Volume 1.

Volume 2.

Meat Research Corporation Act—Meat Research Corporation—Report for 1992-93.

National Debt Sinking Fund Act—National Debt Commission—70th Report, for 1992-93.

National Road Trauma Advisory Council—Report for 1992.

Torres Strait Fisheries Act—Protected Zone Joint Authority—Report for 1991-92.

Trade Practices Act—Trade Practices Commission—Report for 1992-93.

Veterans' Entitlements Act—Veterans' Review Board—Report for 1992-93.

ERIC FITZGIBBON
Chairman

28 October 1993

Mr Fitzgibbon, by leave, moved—That the report be agreed to.

Question—put and passed.

18 INDUSTRIAL RELATIONS REFORM BILL 1993

Mr Brereton (Minister for Industrial Relations), pursuant to notice, presented a Bill for an Act to amend the *Industrial Relations Act 1988*, the *Trade Practices Act 1974* and certain other Acts, and for related purposes.

Bill read a first time.

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

Paper: Mr Brereton 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.

19 INDUSTRIAL RELATIONS COURT (JUDGES' REMUNERATION) BILL 1993

Mr Brereton (Minister for Industrial Relations), pursuant to notice, presented a Bill for an Act to amend the *Industrial Relations Act 1988* in order to appropriate money to pay the remuneration of Judges of the Industrial Relations Court of Australia.

Bill read a first time.

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

Paper: Mr Brereton 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 FINANCIAL CORPORATIONS (TRANSFER OF ASSETS AND LIABILITIES) BILL 1993

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, and agreed to, after debate.

Bill to be reported without amendment.

The House resumed; Mr Newell reported accordingly.

On the motion of Mr Gear (Assistant Treasurer), the House adopted the report, and the Bill was read a third time.

21 AUSTRALIAN WINE AND BRANDY CORPORATION AMENDMENT BILL 1993

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.

Limitation of debate: At 6.30 p.m., the Deputy Speaker having called the attention of the House to the fact that the time allotted for the remaining stages of the Bill had expired—

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

Further question—That the remaining stages of the Bill be agreed to—put and passed—Bill read a third time.

22 MESSAGES FROM THE SENATE

Messages from the Senate were reported:

(a) acquainting the House that it concurs with the resolution of the House relating to amendments to the resolution of appointment of the Joint Standing Committee on Electoral Matters—Message No. 105, dated 28 October 1993.

(b) returning the following Bill without amendment:

Therapeutic Goods (Charges) Amendment 1993—Message No. 107, dated 27 October 1993.

23 MESSAGE FROM THE SENATE—NATIONAL HEALTH AMENDMENT BILL (NO. 2) 1993

Message No. 106, dated 27 October 1993, from the Senate was reported transmitting for the concurrence of the House a Bill for “*An Act to amend the ‘National Health Act 1953’*”.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting.

**24 MESSAGE FROM THE SENATE—HEALTH AND COMMUNITY SERVICES
LEGISLATION AMENDMENT BILL (NO. 2) 1993**

The following message from the Senate was reported:

Message No. 108

Mr Speaker,

The Senate returns to the House of Representatives the bill for "*An Act to amend legislation relating to health and community services, and for related purposes*", and acquaints the House that the Senate has agreed to the bill with the amendment indicated by the annexed schedule, in which amendment the Senate requests the concurrence of the House of Representatives.

KERRY SIBRAA
President

The Senate,

Canberra, 27 October 1993

Ordered—That the amendment be taken into consideration, in committee of the whole House, at the next sitting.

25 DOMESTIC MEAT PREMISES CHARGE BILL 1993

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.

Limitation of debate: At 10.25 p.m., the Deputy Speaker having called the attention of the House to the fact that the time allotted for the remaining stages of the Bill had expired—

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

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

AYES, 69

Mr Adams	Mr Duncan	Mrs Kelly	Mr Sawford
Mr Baldwin	Mrs Easson	Mr Kerr	Mr Sciacca
Mr Beazley	Mr Elliott	Mr Knott	Mr L. J. Scott
Mr Beddall	Ms Fatin	Mr Lavarch	Mrs S. J. Smith
Mr Bevis	Mr Ferguson	Mr Lee	Mr S. F. Smith
Mr Bilney	Mr Fitzgibbon	Mr Lindsay	Mr Snow
Dr Blewett	Mr Free	Ms McHugh	Mr Snowdon
Mr Brereton	Mr Gear	Mr Mack	Mr Staples
Mr Brown	Mr Gibson	Mr McLeay*	Mr Swan
Mr Campbell	Mr Grace*	Mr Melham	Mr Tanner
Mr Cleary	Mr Griffin	Mr A. A. Morris	Dr Theophanous
Mr Cleeland	Mr Haviland	Mr P. F. Morris	Mr Tickner
Mr Crean	Ms Henzell	Mr Newell	Mr Walker
Mrs Crosio	Mr Hollis	Mr O'Connor	Mr Willis
Mr Cunningham	Mr Horne	Mr O'Keefe	Mr Woods
Ms Deahm	Mr Humphreys	Mr Price	
Mr Dodd	Mr Jenkins	Mr Punch	
Mr Duffy	Mr Johns	Mr Quick	

NOES; 56

Mr Aldred	Mr Costello	Mr Lieberman	Mr Rocher
Mr Anderson	Mr Downer	Mr Lloyd	Mr Ronaldson
Mr J. N. Andrew	Mr Evans	Mr McArthur	Mr Ruddock
Mr K. J. Andrews	Mr Filing*	Mr McGauran	Mr Sharp
Mr Atkinson	Mr Forrest	Mr MacKellar	Mr Sinclair
Mr Beale	Mrs Gallus	Mr McLachlan	Mr Slipper
Mr Bradford	Mr Hall	Mr Miles	Mr Taylor
Mr Braithwaite	Mr Halverson	Mrs Moylan	Mr Truss
Mr Cadman	Mr Hawker	Mr Nehl	Mr Tuckey
Mr Cameron	Mr Hicks*	Mr Nugent	Mr Vaile
Mr Carlton	Mr Howard	Mr Prosser	Mr Wakelin
Mr Charles	Mr Jull	Mr Pyne	Mr Williams
Mr Cobb	Mr Katter	Mr Reid	Dr Wooldridge
Mr Connolly	Dr Kemp	Mr Reith	Ms Worth

* Tellers

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

Further question—That the remaining stages of the Bill be agreed to—put and passed—Bill read a third time.

26 EXPORT INSPECTION CHARGES LAWS AMENDMENT BILL 1993

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—

Limitation of debate: The time allotted for the remaining stages of the Bill having expired—

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

Further question—That the remaining stages of the Bill be agreed to—put and passed—Bill read a third time.

27 MESSAGE FROM THE SENATE—LAW AND JUSTICE LEGISLATION AMENDMENT BILL 1993

Message No. 110, dated 27 October 1993, from the Senate was reported transmitting for the concurrence of the House a Bill for “*An Act to amend various Acts relating to law and justice, and for related purposes*”.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting.

28 MESSAGE FROM THE SENATE—AUDIT (AUDITOR-GENERAL AN OFFICER OF THE PARLIAMENT) AMENDMENT BILL 1993 [S]

Message No. 109, dated 28 October 1993, from the Senate was reported transmitting for the concurrence of the House a Bill for “*An Act to amend the ‘Audit Act 1901’ to make the Auditor-General an Officer of the Parliament*”.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting.

29 ADJOURNMENT

Mr Crean (Minister for Primary Industries and Energy) moved—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 10.59 p.m., adjourned until Tuesday, 16 November 1993, at 2 p.m.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Chynoweth, Ms Crawford, Mr Dawkins, Mr Dobie, Mr Holding, Mr Jones, Mr Keating, Mr Kerin, Mr Langmore, Mr Simmons, Mr Somlyay and Mrs Sullivan.

L. M. BARLIN

Clerk of the House of Representatives