

1993

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 39

THURSDAY, 25 NOVEMBER 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 J. N. Andrew, Mr Hawker and Mr Taylor, from 19, 60 and 125 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 Chynoweth, Mr Snow and Mr Snowdon, from 27, 71 and 78 parents and friends of childcare centres, respectively, praying that the linkage of accreditation to eligibility for childcare assistance be rejected.

Mr Filing and Mr Williams, from 1332 and 898 petitioners, respectively, praying that certain action be taken to lift television standards.

Mr Forrest and Mr Hawker, from 174 and 101 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.

Dr Kemp and Mr Slipper, from 499 and 79 petitioners, respectively, praying that the increases in petrol excise proposed in the 1993-94 Budget be opposed.

Mr J. N. Andrew, from 1856 petitioners, praying that the proposal to increase the level of wholesale sales tax on wine from 20 to 31 per cent be abandoned.

Mr J. N. Andrew, from 18 petitioners, 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 J. N. Andrew, from 5 petitioners, praying that Members of the House cease promoting an Australian republic, uphold the existing Constitution and oppose the removal of the Queen of Australia as head of state.

Mr Beale, from 15 petitioners, praying that importation of goods supported by subsidies and other non-tariff or dumping measures be stopped and that tariffs remain in place while other nations use such measures.

Mr Beazley, from 2674 residents of Queensland, praying that the new campus for the Queensland University of Technology on the Sunshine Coast be situated at Nambour.

Mr Beazley, from 1262 electors of the Division of Swan, praying that the retirement age of women and men not be increased above 60 years.

Mr Beazley, from 293 petitioners, praying that certain action be taken to provide free, public and accessible education.

Mr Beazley, from 210 electors of the Division of Swan, praying that the retirement age for women not be increased above 60 years and the retirement age of men be reduced to 60 years.

Mr Beazley, from 96 petitioners, praying that Medicare continue to be a universal health insurance system and that all eye examinations by optometrists be covered.

Mr Beddall, from 121 electors of the Division of Rankin, praying that the submission of the Wongaburra nursing home, Beaudesert, Qld, for extra nursing home beds be considered favourably.

Mr Braithwaite, from 489 petitioners, praying that the national flag not be changed, replaced, or diminished without being voted upon and approved in a national referendum.

Mr Cobb, from 19 petitioners, praying that action be taken to ensure the continued availability of high octane petrol to Australian motorists.

Mr Crean, from 2461 petitioners, praying that Medicare continue to be a universal health insurance system and that eye tests be covered.

Mr Downer, from 2 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 Filing, from 39 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 Fischer, from 125 petitioners, praying that no change be made to the design or colour of the Australian national flag and that it continue to represent a true manifestation of the nation's history.

Mr Hawker, from 37 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 Lieberman, from 14 residents of the Division of Indi, praying that expanded mammography services be introduced and covered by medical benefits.

Mr Lloyd, from 125 petitioners, praying that Australia remain a democratic constitutional monarchy with the Queen as head of state, represented in Australia by a Governor-General.

Mr Mack, from 60 petitioners, praying that the use of genetic engineering and cloning of human beings, animals, plant life, microbes and foods be prohibited.

Mr Nehl, from 27 petitioners, praying that the current national flag be preserved and no change be made to its design unless supported by referendum by the majority of Australians in the majority of States.

Mr Taylor, from 18 petitioners, praying that sections of the Social Security Act which treat unrealised capital gains on shares as income under the social security income test for pensioners be repealed.

Mr Tuckey, from 68 petitioners, praying that the rights of State governments alone to define and issue land title be reaffirmed through a referendum.

Petitions received.

**3 CORPORATIONS AND SECURITIES—PARLIAMENTARY JOINT COMMITTEE—REPORTS—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER**

Mr Cleeland presented the following reports:

Corporations and Securities—Parliamentary Joint Committee—

Role of audit committees in corporate governance—Progress report, November 1993.

Trading of shares in Jupiter's Limited, November 1993.

Committee exchange with the New Zealand Parliament, November 1993.

Severally ordered to be printed.

Mr Cleeland and Mr Sinclair made statements in connection with the reports.

Mr Cleeland moved—That the House take note of the report on trading of shares in Jupiter's Limited.

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.

**4 BANKING, FINANCE AND PUBLIC ADMINISTRATION—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER**

Mr Elliott (Chairman) presented the following report and related papers:

Banking, Finance and Public Administration—Standing Committee—

Focusing on fraud: Report on the inquiry into fraud on the Commonwealth—

Report, 18 November 1993.

Minutes of proceedings.

Ordered—That the report be printed.

Mr Elliott made a statement in connection with the report.

Mr Elliott, by leave, continued his speech.

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

Mr Elliott 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 PROCEDURE—STANDING COMMITTEE—REPORT—MOTION TO TAKE NOTE OF PAPER**

The order of the day having been read for the resumption of the debate on the motion of Dr Blewett—That the House take note of the paper (*presented on 28 October 1993*), viz.:

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—

Debate resumed.

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 Mr Gibson was granted leave to continue his speech when the debate is resumed.

**6 INDUSTRIAL RELATIONS (MEMBERSHIP OF ASSOCIATIONS) BILL 1993**

Mr Charles, pursuant to notice, presented a Bill for an Act to ensure that individuals shall have, as well as the right to belong to industrial associations, the right not to belong to those associations, and for purposes connected therewith.

Mr Charles made a statement in relation to the Bill.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting Thursday, in accordance with standing order 104A.

## 7 UKRAINE

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

- (1) notes that:
  - (a) the victims of the Soviet-engineered Ukraine famine of 1932-33 should be solemnly remembered on its 60th anniversary; and
  - (b) this anniversary underscores the hardship and inhumanity of life under the repressive regime of the Soviet Union;
- (2) condemns the systematic disregard for human life, human rights and human liberty that characterised the policies of the Government of the Soviet Union during the Ukraine famine of 1932-33;
- (3) observes that the man-made Ukraine famine is a graphic illustration of the unacceptable alternative to democratic pluralism and social justice; and
- (4) therefore is of the opinion that Australia should seek to help Ukraine as it transforms its society.

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.

## 8 NATURAL DISASTER RELIEF

Mr Lieberman, pursuant to notice, moved—That:

- (a) noting the serious and widespread damage to property in the recent floods in Victoria; and
- (b) observing that many farmers, small business operators, families, landlords, employers/employees, community groups and local government authorities whose property has been seriously damaged by the floods have been unable to receive adequate or appropriate assistance from existing State or federal natural disaster programs—

this House:

- (c) is of the opinion that a major and urgent review of the adequacy, effectiveness and relevance of federal and State natural disaster relief policies, programs and procedures must be undertaken; and
- (d) calls on the Government to initiate an appropriate review without delay.

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.

## 9 POPULATION DRIFT

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

- (1) acknowledges the population drift from inland Australia to coastal and northern regions;
- (2) should enunciate policy directed at stemming this flow; and

- (3) deplores the lack of empathy shown by this Government to the residents of regional and rural Australia.

Debate ensued.

It being approximately 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.

#### 10 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.

It being 1.45 p.m., the debate was interrupted in accordance with standing order 106.

Question—That grievances be noted—put and passed.

#### 11 MEMBERS' STATEMENTS

Members' statements were made.

#### 12 DEATH OF FORMER SENATOR (MR CONDON BRYAN BYRNE)

The Speaker informed the House of the death, today, of Mr Condon Bryan Byrne, a Senator for the State of Queensland from 1951 to 1959 and 1968 to 1974.

As a mark of respect to the memory of the deceased all Members present stood, in silence.

#### 13 QUESTIONS

Questions without notice being asked—

*Member named and suspended:* The Speaker named the Member for Gippsland (Mr McGauran) for continuing to interject after having been warned by the Chair.

Mr Beazley (Leader of the House) moved—That the Member for Gippsland be suspended from the service of the House.

Question—put.

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

AYES, 72

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

## NOES, 56

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

\* Tellers

And so it was resolved in the affirmative.

The Member was, therefore, suspended at 2.48 p.m. for the remainder of the day and for the next 7 consecutive days, this being his second occasion of suspension during the year, and he accordingly withdrew from the Chamber.

Questions without notice continued.

#### 14 PAPER

The Speaker presented the following paper:

Public Service Act—Joint House Department—Report for 1992-93.

#### 15 AUDITOR-GENERAL'S REPORT—PUBLICATION OF PAPER

The Speaker presented the following paper:

Audit Act—Auditor-General—Audit report No. 14 of 1993-94—Efficiency audit—Growth, change and equity: Recurrent funding of higher education.

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

- (1) this House authorises the publication of the Auditor-General's audit report No. 14 of 1993-94; and
- (2) the report be printed.

Question—put and passed.

#### 16 PAPERS—PUBLICATION OF PAPER

The following papers were presented:

Affirmative Action (Equal Employment Opportunity for Women) Act—Affirmative Action Agency—Report for period 1 June 1992 to 31 May 1993.

Australian Maritime Safety Authority Act—Australian Maritime Safety Authority—Report for 1992-93.

Australia's Overseas Development Cooperation Program—Poverty reduction and economic growth—Ministerial policy paper and 4th annual report, November 1993.

Coal Mining Industry Long Service Leave (Funding) Corporation—Report for period 27 to 30 June 1993.

Commonwealth Electoral Act—Australian Electoral Commission—Report for 1992-93.

Employment, Education and Training Act—National Board of Employment, Education and Training—Advice of the Australian Research Council including the Board's comments—High energy physics in Australia, September 1993.

Equal Employment Opportunity (Commonwealth Authorities) Act—Equal employment opportunity program—Telstra Corp Ltd—Report for 1992-93.

Federal Airports Corporation Act—Federal Airports Corporation—Report for 1992-93.

Genetic Manipulation Advisory Committee—Report for 1992-93.

Human rights—World conference—Vienna, 14-25 June 1993—

Australian delegation report.

Accompanying paper by Senator the Hon. Gareth Evans, QC, (Minister for Foreign Affairs), to the report, 25 November 1993.

Industrial Relations Act—Australian Industrial Registry—Report for 1992-93.

International Labour Organisation—International Labour Conference—79th Session, 1992—

Convention 173—Protection of workers' claims in the event of the insolvency of their employer.

Recommendation 180—Protection of workers' claims in the event of the insolvency of their employer.

Statement by Mr Brereton (Minister for Industrial Relations), relating to instruments adopted by the Conference.

Merit Protection (Australian Government Employees) Act—Merit Protection and Review Agency—Report for 1992-93.

Murray-Darling Basin Act—Murray-Darling Basin Commission—Report for 1992-93.

Public Accounts—Joint Committee—Reports—

318—Public sector research and development: Volume 1 of a report on research and development, 24 June 1992—Government response.

324—Commonwealth support for private sector investment in research and development: Volume 2 of a report on research and development—Government response.

Public Service Act—

Department of the Arts and Administrative Services—Report for 1992-93—

Volume 1—Program reports and appendixes.

Volume 2—Financial statements.

Department of Industrial Relations—Report, incorporating a report on the operation of Part V of the Industrial Relations Act, for 1992-93.

Department of Tourism—Report for 1992-93.

Remuneration Tribunal Act—Remuneration Tribunal—Report for 1992-93.

Social Security Act and Public Service Act—Department of Social Security—Report for 1992-93.

*Telecommunications Act 1991*—Australian Telecommunications Authority (AUSTEL)—Report for 1992-93.

Trade Union Training Authority Act—Trade Union Training Authority—Report for 1992-93.

Mr Beazley (Leader of the House), by leave, moved—That this House authorises the publication of the report of the Affirmative Action Agency for 1992-93.

Question—put and passed.

#### 17 PAPERS—MOTION TO TAKE NOTE OF PAPERS

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

Affirmative Action (Equal Employment Opportunity for Women) Act—Affirmative Action Agency—Report for period 1 June 1992 to 31 May 1993.

Australian Maritime Safety Authority Act—Australian Maritime Safety Authority—Report for 1992-93.

Coal Mining Industry Long Service Leave (Funding) Corporation—Report for period 27 to 30 June 1993.

Commonwealth Electoral Act—Australian Electoral Commission—Report for 1992-93.

Employment, Education and Training Act—National Board of Employment, Education and Training—Advice of the Australian Research Council including the Board's comments—High energy physics in Australia, September 1993.

Equal Employment Opportunity (Commonwealth Authorities) Act—Equal employment opportunity program—Telstra Corp Ltd—Report for 1992-93.

Federal Airports Corporation Act—Federal Airports Corporation—Report for 1992-93.

Genetic Manipulation Advisory Committee—Report for 1992-93.

Human rights—World conference—Vienna, 14-25 June 1993—

Australian delegation report.

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International Labour Organisation—International Labour Conference—79th Session, 1992—

Convention 173—Protection of workers' claims in the event of the insolvency of their employer.

Recommendation 180—Protection of workers' claims in the event of the insolvency of their employer.

Statement by Mr Brereton (Minister for Industrial Relations), relating to instruments adopted by the Conference.

Merit Protection (Australian Government Employees) Act—Merit Protection and Review Agency—Report for 1992-93.

Murray-Darling Basin Act—Murray-Darling Basin Commission—Report for 1992-93.

Public Accounts—Joint Committee—Reports—

318—Public sector research and development: Volume 1 of a report on research and development, 24 June 1992—Government response.

324—Commonwealth support for private sector investment in research and development: Volume 2 of a report on research and development—Government response.



**Public Service Act—**

Department of the Arts and Administrative Services—Report for 1992-93—

Volume 1—Program reports and appendixes.

Volume 2—Financial statements.

Department of Industrial Relations—Report, incorporating a report on the operation of Part V of the Industrial Relations Act, for 1992-93.

Department of Tourism—Report for 1992-93.

Remuneration Tribunal Act—Remuneration Tribunal—Report for 1992-93.

Social Security Act and Public Service Act—Department of Social Security—Report for 1992-93.

*Telecommunications Act 1991*—Australian Telecommunications Authority (AUSTEL)—Report for 1992-93.

Trade Union Training Authority Act—Trade Union Training Authority—Report for 1992-93.

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

**18 PRIVILEGE—COMPLAINT OF BREACH**

Mr Ferguson raised, as a matter of privilege, an article in today's *Canberra Times* purporting to disclose draft recommendations relevant to the inquiry by the Joint Standing Committee on Migration into detention practices.

The Speaker stated that he would consider the matter.

**19 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—NATIONAL FISCAL OUTLOOK**

The House was informed that Mr Downer had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The damage done to the national fiscal outlook by the Treasurer's failure to ensure structural budget repair".

The proposed discussion having received the necessary support—

Mr Downer addressed the House.

Discussion ensued.

Discussion concluded.

**20 MESSAGE FROM THE SENATE**

Message No. 150, dated 23 November 1993, from the Senate was reported transmitting to the House a resolution of the Senate extending the time for the presentation of the report of the Joint Standing Committee on Migration on detention practices to 16 December 1993.

**21 SPECIAL ADJOURNMENT**

Mr Beazley (Leader of the House) moved—That the House, at its rising, adjourn until Monday, 13 December 1993, at 2 p.m., unless the Speaker fixes an alternative day or hour of meeting.

Debate ensued.

Question—put and passed.

**22 LEAVE OF ABSENCE TO ALL MEMBERS**

Mr Beazley (Leader of the House) moved—That leave of absence be given to every Member of the House of Representatives from the determination of this sitting of the House to the date of its next sitting.

Question—put and passed.

**23 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:

25 November 1993—Message—

No. 68—Australian Citizenship Amendment 1993.

No. 69—

Appropriation (No. 1) 1993-94.

Appropriation (No. 2) 1993-94.

Appropriation (Parliamentary Departments) 1993-94.

Australian Meat and Live-stock (Quotas) Amendment 1993.

Health and Community Services Legislation Amendment (No. 2) 1993.

Loan 1993.

**24 SELECTION COMMITTEE—REPORT**

Mr Atkinson (Acting Chairman) presented the following report:

Selection Committee—Report relating to the program of business prior to 12.30 p.m. on Thursday, 16 December 1993.

**25 PUBLICATIONS COMMITTEE—5TH REPORT**

Mr Fitzgibbon (Chairman) presented the following report:

**PUBLICATIONS COMMITTEE 5TH 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 27 October 1993, recommends that the following be printed:

Administrative Appeals Tribunal Act—Administrative Review Council—17th report, for 1992-93.

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Report for 1992-93.

Australian Federal Police Act—Australian Federal Police—Report for 1992-93.

Australian Securities Commission Act—

Australian Accounting Standards Board—Report for 1992-93.

Australian Securities Commission—Report for 1992-93.

Companies Auditors and Liquidators Disciplinary Board—Report for 1992-93.

Corporations and Securities Panel—Report for 1992-93.

Australian Wine and Brandy Corporation Act—Australian Wine and Brandy Corporation—12th report, for 1992-93.

- Bankruptcy Act—Report for 1992-93.
- Civil Aviation Act—Civil Aviation Authority Australia—Report for 1992-93.
- Commonwealth Banks Act—  
Commonwealth Bank of Australia—Report for 1992-93.  
Commonwealth Development Bank of Australia—Financial statements 1993.
- Commonwealth Fire Board—Report for 1992-93.
- Commonwealth Funds Management Limited—Report for 1992-93.
- Commonwealth Funds Management Limited Act—Commonwealth Funds Management Limited—Annual return for 1992-93.
- Commonwealth Grants Commission Act—Commonwealth Grants Commission—Cocos (Keeling) Islands Inquiry—  
Third report 1993.  
Supplementary report 1993.
- Commonwealth Legal Aid Act—National Legal Aid Advisory Committee—Report for 1992-93.
- Complaints (Australian Federal Police) Act—Federal Police Disciplinary Tribunal—Report for 1992-93.
- Customs Administration Act—Australian Customs Service—Report for 1992-93.
- Data-matching Program (Assistance and Tax) Act—Department of Health, Housing, Local Government and Community Services—Operations in relation to the First Home Owners Scheme—Report, September 1993.
- Defence Force Retirement and Death Benefits Act—Defence Force Retirement and Death Benefits Authority—Report for 1992-93.
- Defence Housing Authority Act—Defence Housing Authority—Report for 1992-93.
- Economic Planning Advisory Council Act—Economic Planning Advisory Council—Report for 1992-93.
- Employment, Education and Training Act—National Board of Employment, Education and Training—Report for 1992-93.
- High Court of Australia Act—High Court of Australia—Report for 1992-93.
- House of Representatives Committees and Joint Committees—Register of reports (1970-1993), October 1993.
- Human Rights and Equal Opportunity Commission Act—Human Rights and Equal Opportunity Commission—Aboriginal and Torres Strait Islander Social Justice Commissioner—1st report, for period 13 January to 30 June 1993.
- Immigration Review Tribunal—Report for 1992-93.
- Industry Research and Development Act—Industry Research and Development Board—Report for 1992-93.
- International Air Services Commission Act—International Air Services Commission—Report for 1992-93.
- Military Superannuation and Benefits Act—Military Superannuation and Benefits Board of Trustees No. 1—Report for 1992-93.
- National Library Act—National Library of Australia—Report for 1992-93.

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

Papua New Guinea (Staffing Assistance) Act—Commissioner for Superannuation—Report on the Papua New Guinea Superannuation Scheme and certain other schemes, for 1992-93.

Pharmaceutical Benefits Pricing Authority—Report for 1992-93.

Primary Industries and Energy Research and Development Act—Dairy Research and Development Corporation—Report for 1992-93.

Public Service Act—Department of Employment, Education and Training—Report for 1992-93.

QANTAS Airways Limited—Report for 1992-93.

Resource Assessment Commission Act—Resource Assessment Commission—Report for 1992-93.

Royal Australian Air Force Veterans' Residences Act—Royal Australian Air Force Veterans' Residences Trust—Report for 1992-93.

Snowy Mountains Council—Report for 1992-93.

ERIC FITZGIBBON  
Chairman

25 November 1993

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

Question—put and passed.

**26 PUBLIC ACCOUNTS—JOINT COMMITTEE—REPORT—STATEMENT BY MEMBER**

Mr L. J. Scott (Chairman) presented the following report:

Public Accounts—Joint Committee—Report 327—Finance minute on report 325—Midford Paramount case and related matters—Customs and Midford shirts: The Paramount case of a failure of Customs, incorporating a dissenting report, 17 December 1992.

Ordered to be printed.

Mr L. J. Scott, by leave, made a statement in connection with the report.

**27 AUSTRALIAN PARLIAMENTARY DELEGATIONS TO THE REPUBLIC OF COLOMBIA AND THE 38TH COMMONWEALTH PARLIAMENTARY CONFERENCE—REPORTS—STATEMENT BY MEMBER**

Mr Tuckey, by leave, presented the following reports:

Australian Parliamentary Delegation to the Republic of Colombia, September 1992—Report.

Commonwealth Parliamentary Association—38th Commonwealth Parliamentary Conference, Nassau, The Bahamas, October 1992—Report of Delegation from Commonwealth of Australia Branch.

Mr Tuckey, by leave, made a statement in connection with the reports.

**28 NATIVE TITLE 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—*And on the amendment*

*moved thereto by Dr Hewson (Leader of the Opposition), viz.*—That all words after “That” be omitted with a view to substituting the following words: “the House declines to give the Bill a second reading, and

- (1) notes that, as a consequence of the High Court’s Mabo (No. 2) decision, Australia already has a national native title system without the need for any legislative action;
- (2) acknowledges that, in order to meet the requirements of the Racial Discrimination Act, a government dealing with native title must do so on a non-discriminatory basis including the payment of just terms compensation for any extinguishment of native title;
- (3) condemns the Keating Government for using the Bill to make an unnecessary intrusion into the land management responsibilities of State Governments; and
- (4) further notes that the only additional federal law that may be necessary would be to facilitate the validation of past grants”—

Debate resumed.

*Declaration of Bill as urgent Bill:* Mr Beazley (Leader of the House) declared that the Bill was an urgent Bill.

Question—That the Bill be considered an urgent Bill—put.

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

AYES, 72

Mr Adams	Mr Duncan	Mr Humphreys	Mr O’Keefe
Mr Baldwin	Mrs Easson	Mr Johns	Mr Price
Mr Beazley	Mr Elliott	Mr Jones	Mr Punch
Mr Beddall	Ms Fatin	Mr Keating	Mr Quick
Mr Bevis	Mr Ferguson	Mrs Kelly	Mr Sawford
Mr Bilney	Mr Fitzgibbon	Mr Kerin	Mr Sciacca
Dr Blewett	Mr Free	Mr Knott	Mr L. J. Scott
Mr Brereton	Mr Gear	Mr Langmore	Mr S. F. Smith
Mr Campbell	Mr Gibson	Mr Lavarch	Mr Snow
Mr Chynoweth	Mr Gorman	Mr Lee	Mr Snowdon
Mr Cleeland	Mr Grace*	Mr Lindsay	Mr Staples
Ms Crawford	Mr Griffin	Ms McHugh	Mr Swan
Mr Crean	Mr Griffiths	Mr Mack	Mr Tanner
Mr Cunningham	Mr Haviland	Mr McLeay*	Dr Theophanous
Mr Dawkins	Ms Henzell	Mr A. A. Morris	Mr Tickner
Ms Deahm	Mr Holding	Mr P. F. Morris	Mr Walker
Mr Dodd	Mr Home	Mr Newell	Mr Willis
Mr Duffy	Mr Howe	Mr O’Connor	Mr Woods

## NOES, 55

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

\* Tellers

And so it was resolved in the affirmative.

*Allotment of time:* Mr Beazley then moved—That the time allotted for the remaining stages of the Bill be until 9 p.m. this day.

Debate ensued.

The time allowed by standing order 92 for debate on the motion having expired—

Question—put.

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

## AYES, 72

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

## NOES, 56

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

## \* Tellers

And so it was resolved in the affirmative.

Debate on the original question and the amendment continued.

*Limitation of debate:* At 9 p.m., the 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 words proposed to be omitted stand part of the question—put.

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

## AYES, 72

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

## NOES, 56

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

\* Tellers

And so it was resolved in the affirmative.

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

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

## AYES, 72

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

## NOES, 56

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

\* Tellers

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



*Message from the Governor-General:* Message No. 70, dated 17 November 1993, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.

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

**29 REDEVELOPMENT OF CSIRO SITE, PROSPECT, NSW—APPROVAL OF WORK**

Mr Punch (Parliamentary Secretary to the Minister for Defence), for Mr Willis (Minister representing the Minister for the Arts and 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: Redevelopment of CSIRO site at Prospect, NSW.

Question—put and passed.

**30 UPGRADING OF MOUNT WELLINGTON BROADCASTING FACILITIES, HOBART—APPROVAL OF WORK**

Mr Punch (Parliamentary Secretary to the Minister for Defence), for Mr Willis (Minister representing the Minister for the Arts and 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: Upgrading of Mount Wellington broadcasting facilities, Hobart.

Question—put and passed.

**31 AIR TRAFFIC CONTROL CENTRES AT BRISBANE AND MELBOURNE—APPROVAL OF WORK**

Mr Punch (Parliamentary Secretary to the Minister for Defence), for Mr Willis (Minister representing the Minister for the Arts and 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: Air traffic control centres at Brisbane and Melbourne.

Question—put and passed.

**32 PARTIAL REFURBISHMENT OF STAGE 1, COMMONWEALTH CENTRE, HOBART—APPROVAL OF WORK**

Mr Punch (Parliamentary Secretary to the Minister for Defence), for Mr Willis (Minister representing the Minister for the Arts and 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: Partial refurbishment of stage 1, Commonwealth Centre, Hobart.

Question—put and passed.

**33 RATIONALISATION OF INNER MELBOURNE ACCOMMODATION—APPROVAL OF WORK**

Mr Punch (Parliamentary Secretary to the Minister for Defence), for Mr Willis (Minister representing the Minister for the Arts and 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: Rationalisation of inner Melbourne accommodation.

Question—put and passed.

**34 MESSAGE FROM THE SENATE—ABORIGINAL AND TORRES STRAIT ISLANDER COMMISSION AMENDMENT BILL (NO. 3) 1993**

Message No. 152, dated 22 November 1993, from the Senate was reported transmitting for the concurrence of the House a Bill for “*An Act to amend the ‘Aboriginal and Torres Strait Islander Commission Act 1989’*, and for related purposes”.

Bill read a first time.

Mr Tickner (Minister for Aboriginal and Torres Strait Islander Affairs) moved—That the Bill be now read a second time.

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

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

**35 EVIDENCE AND PROCEDURE (NEW ZEALAND) BILL 1993**

Mr Duncan (Parliamentary Secretary to the Attorney-General), pursuant to notice, presented a Bill for an Act about certain matters relating to evidence and procedure in Australia and New Zealand, and for related 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 Williams), and the resumption of the debate made an order of the day for the next sitting.

**36 EVIDENCE AND PROCEDURE (NEW ZEALAND) (TRANSITIONAL PROVISIONS AND CONSEQUENTIAL AMENDMENTS) BILL 1993**

Mr Duncan (Parliamentary Secretary to the Attorney-General), pursuant to notice, presented a Bill for an Act to make transitional provisions and certain amendments relating to the *Evidence and Procedure (New Zealand) Act 1993*.

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

**37 SOCIAL SECURITY LEGISLATION AMENDMENT BILL (NO. 3) 1993**

Mr Sciacca (Parliamentary Secretary to the Minister for Social Security), pursuant to notice, presented a Bill for an Act to amend the *Social Security Act 1991*, and for related purposes.

Bill read a first time.

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

*Paper:* Mr Sciacca presented an explanatory memorandum to the Bill.

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

**38 MESSAGE FROM THE SENATE—TRANSPORT AND COMMUNICATIONS LEGISLATION AMENDMENT BILL (NO. 2) 1993**

Message No. 151, dated 23 November 1993, from the Senate was reported transmitting for the concurrence of the House a Bill for “*An Act to amend various Acts relating to transport and communications, and for related purposes*”.

Bill read a first time.

Mr O’Keefe (Parliamentary Secretary to the Minister for Transport and Communications) moved—That the Bill be now read a second time.

*Paper:* Mr O’Keefe presented an explanatory memorandum to the Bill.

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

**39 ADJOURNMENT**

Mr O’Keefe (Parliamentary Secretary to the Minister for Transport and Communications) moved—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 10.59 p.m., adjourned until Monday, 13 December 1993, at 2 p.m., in accordance with the resolution agreed to this day.

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**PAPERS**

The following papers were deemed to have been presented on 25 November 1993:

Civil Aviation Act—Civil Aviation Regulations—Civil Aviation Orders—Parts—

105—Amendments 1993—November 8, 11(2), 15, 19(2).

106—Amendments 1993—November 19(4).

107—Amendments 1993—November 15, 19.

Defence Act—Determinations under section 58H—1993 No. 30.

Fisheries Act and Fisheries Legislation (Consequential Provisions) Act—Plan of management—No. 33.

National Health Act—Medicare and pharmaceutical benefits programs: Privacy guidelines 1994.

Public Service Act—Determination—1993 No. 162.

Remuneration Tribunal Act—Remuneration Tribunal—Determinations—1993 Nos. 12, 13.

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**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Bradford, Mr Brown, Mr Cleary, Mr Connolly, Mr Costello, Mrs Crosio, Mr Hollis, Mr Jenkins, Mr Kerr, Mr McArthur, Mr Melham, Mr Miles, Mr Moore, Mr B. C. Scott, Mr Simmons\*, Mrs S. J. Smith and Mr Somlyay.

\*On leave

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**L. M. BARLIN**

Clerk of the House of Representatives