

1993

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 42

WEDNESDAY, 15 DECEMBER 1993

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

2 **AUSTRALIAN BROADCASTING 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.

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 Beddall (Minister for Communications), by leave, moved the following amendments together:

Pages 1 and 2, clause 3, omit the clause, substitute the following clause:

Interpretation

“3. Section 3 of the Principal Act is amended:

(a) by omitting from subsection (1) the definitions of ‘broadcast receiver’, ‘broadcasting program’, ‘broadcasting station’, ‘broadcasting translator station’, ‘national broadcasting station’, ‘national television station’, ‘telegraph line’, ‘television program’, ‘television receiver’, ‘television repeater station’, ‘television station’ and ‘television translator station’;

(b) by inserting in subsection (1) the following definitions:

‘**“broadcasting service”** means a service that delivers programs to persons having equipment appropriate for receiving that service, whether the delivery uses the radiofrequency spectrum, cable, optical fibre, satellite or any other means or a combination of those means, but does not include:

(a) a service (including a teletext service) that provides no more than data or no more than text (with or without associated still images);

or

- (b) a service that makes programs available on demand on a point-to-point basis, including a dial-up service; or
 - (c) a service, or a class of service, determined by the Minister under paragraph (c) of the definition of “broadcasting service” in subsection 6(1) of the *Broadcasting Services Act 1992*;
- “**program**” means a radio program or a television program;’.”

Page 9, Schedule 1, after the amendment of subsection 70(2) insert the following amendments:

“Section 73:

Omit the definition of ‘transmitting station’.

Subsection 74(4):

Omit ‘broadcasting or television’.”.

Page 9, Schedule 1, omit the amendments of paragraph 82(1)(a), paragraph 82(1)(b) and subsection 82(5).

Paper: Mr Beddall presented a supplementary explanatory memorandum to the Bill.

Debate continued.

Amendments agreed to.

Bill, as amended, agreed to.

Bill to be reported with amendments.

The House resumed; Mr L. J. Scott reported accordingly.

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

3 TRANSPORT AND COMMUNICATIONS LEGISLATION 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 11.55 a.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.

4 TRANSPORT AND COMMUNICATIONS LEGISLATION AMENDMENT BILL (NO. 2) 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.

Leave granted for third reading to be moved forthwith.

On the motion of Mr O'Keefe (Parliamentary Secretary to the Minister for Transport and Communications), the Bill was read a third time.

5 ARTS, ENVIRONMENT AND TERRITORIES LEGISLATION 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.

Question—put and passed—Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Sciacca (Parliamentary Secretary to the Minister for Social Security), the Bill was read a third time.

6 QUESTIONS

Questions without notice being asked—

Papers: Mr Keating (Prime Minister) presented the following papers:

Committee on Employment Opportunities—Restoring full employment, December 1993—

A discussion paper.

The issues in brief.

Questions without notice continued.

Papers: Mr Katter, in accordance with standing order 321, having called for a document quoted from by Mr Crean (Minister for Primary Industries and Energy)—

Mr Crean laid upon the Table the following papers:

Native Title Bill—Amendments—Copies of—

Letter from Mr Graham Blight, President, National Farmers Federation to Dr J. Hewson, MP, Leader of the Opposition, 15 December 1993.

Memorandum from Mr Rick Farley, Executive Director, National Farmers Federation to Executive Committee, Chief Executive Officers of Member Bodies and Aboriginal Affairs Committee, 15 December 1993.

News release (NR 90/93) by National Farmers Federation, 3 September 1993.

Questions without notice concluded.

7 PRIVILEGE—ACTIONS TAKEN TO WITHHOLD MAIL SERVICES FROM THE OFFICES OF MEMBERS—REFERENCE TO COMMITTEE OF PRIVILEGES

The Speaker referred to the matter of privilege raised on 13 December 1993 by Mr Howard concerning actions taken by the Communications Workers' Union to withhold mail services from the offices of Members. The Speaker advised the House that, on the information available to him, the actions complained of were directed quite specifically at Members and would have been affecting their capacity to perform their duties as Members. The Speaker stated that he had concluded that a *prima facie* case existed and accordingly, would be justified in allowing precedence to a motion.

Mr Howard then moved—That the matter of bans by the Communications Workers' Union on the delivery to and despatch of mail articles from the offices of Members be referred to the Committee of Privileges.

Question—put and passed.

8 AUDITOR-GENERAL'S REPORTS—PUBLICATION OF PAPERS

The Speaker presented the following papers:

Audit Act—Auditor-General—Audit reports of 1993-94—

No. 22—Efficiency audit—Cash management in Commonwealth Government departments.

No. 23—Efficiency audit—Department of Social Security: Protection of confidential client information from unauthorised disclosure.

No. 24—Efficiency audit—Australian Taxation Office: Management of appeals and review.

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

(1) this House authorises the publication of the Auditor-General's audit reports Nos. 22, 23 and 24 of 1993-94; and

(2) the reports be printed.

Question—put and passed.

9 PAPERS

Aboriginal Hostels Limited—Report for 1992-93.

Australia-Indonesia Institute—Report for 1992-93.

Australian Film Finance Corporation Pty Ltd—Report for 1992-93.

Australian Meat and Livestock Industry Policy Council Act—Australian Meat and Livestock Industry Policy Council—Report for 1992-93.

Australian Nuclear Science and Technology Organisation Act—Nuclear Safety Bureau—Report for 1992-93.

Australian Sports Commission Act—Australian Sports Commission—Report for 1992-93.

Australian Tourist Commission Act—Australian Tourist Commission—Report for 1992-93.

Council of Financial Supervisors—Report, 1993.

Criminology Research Act—

Australian Institute of Criminology—21st report, for 1992-93.

Criminology Research Council—21st report, for 1992-93.

Environment, Recreation and the Arts—Standing Committee—Report—Moving pictures inquiry, 24 June 1992—Government response.

Equal Employment Opportunity (Commonwealth Authorities) Act—Equal employment opportunity program—Snowy Mountains Hydro-electric Authority—Report for 1992-93.

Family Law Act—Australian Institute of Family Studies—Report for 1992-93.

Horticultural Research and Development Corporation Act—Horticultural Research and Development Corporation—Report for 1992-93.

Housing Loans Insurance Act—Housing Loans Insurance Corporation—29th report, for 1992-93.

National Competition Policy Review—Report by the Independent Committee of Inquiry, August 1993.

Primary Industries and Energy Research and Development Act—

Chicken Meat Research and Development Council—Report for 1992-93.

- Egg Industry Research and Development Council—Report for 1992-93.
Energy Research and Development Corporation—Report for 1992-93.
Grape and Wine Research and Development Corporation—Report for 1992-93.
Pig Research and Development Corporation—Report for 1992-93.
Rural Industries Research and Development Corporation and Rural Industries Research and Development Corporation Selection Committee—Reports for 1992-93.
Print Media—Select Committee—Report—News and fair facts: The Australian print media industry, March 1992—Government response.
Provision for running costs borrowing—
Statement for November 1993.
Supporting applications of issues from the Provision during November 1993.
Public Service Act—Department of the Arts and Administrative Services—Report for 1992-93—Corrigenda.
Rural Adjustment Act—Rural Adjustment Scheme Advisory Council—Report for period 1 January to 30 June 1993 including Rural Adjustment Scheme—Report for 1992-93.
Small Business in Australia—Third annual review by the Department of Industry, Technology and Regional Development, December 1993.
Tax expenditures statement—Report by the Department of the Treasury, December 1993.

10 PAPERS—MOTION TO TAKE NOTE OF PAPERS

- Mr Beazley (Leader of the House) moved—That the House take note of the following papers:
- Australian Sports Commission Act—Australian Sports Commission—Report for 1992-93.
Australian Tourist Commission Act—Australian Tourist Commission—Report for 1992-93.
Criminology Research Act—Australian Institute of Criminology—21st report, for 1992-93.
Equal Employment Opportunity (Commonwealth Authorities) Act—Equal employment opportunity program—Snowy Mountains Hydro-electric Authority—Report for 1992-93.
Family Law Act—Australian Institute of Family Studies—Report for 1992-93.
Housing Loans Insurance Act—Housing Loans Insurance Corporation—29th report, for 1992-93.
National Competition Policy Review—Report by the Independent Committee of Inquiry, August 1993.
Primary Industries and Energy Research and Development Act—
Energy Research and Development Corporation—Report for 1992-93.
Rural Industries Research and Development Corporation and Rural Industries Research and Development Corporation Selection Committee—Reports for 1992-93.
Print Media—Select Committee—Report—News and fair facts: The Australian print media industry, March 1992—Government response.

Public Service Act—Department of the Arts and Administrative Services—Report for 1992-93—Corrigenda.

Small Business in Australia—Third annual review by the Department of Industry, Technology and Regional Development, December 1993.

Tax expenditures statement—Report by the Department of the Treasury, December 1993.

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

11 MESSAGE FROM THE SENATE

A message from the Senate was reported returning the following Bill without amendment:

14 December 1993—Message No. 162—Industrial Relations Court (Judges' Remuneration) 1993.

12 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—EMPLOYMENT GREEN PAPER

The House was informed that Mr Howard had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The failure of the employment Green Paper to address the industrial relations cause of high unemployment".

The proposed discussion having received the necessary support—

Mr Howard addressed the House.

Discussion ensued.

Discussion concluded.

13 PRIVILEGES COMMITTEE—STATEMENT BY MEMBER

Mr Sawford (Chairman), by leave, made a statement on the inquiry by the Committee of Privileges into the matter of articles in newspapers and comments on television during 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.

14 PRIVILEGES COMMITTEE—ATTENDANCE OF SENATOR AS WITNESS

Mr Tickner (Minister for Aboriginal and Torres Strait Islander Affairs), by leave, moved—That a message be sent to the Senate requesting that leave be given to Senator Parer, a member of the Joint Committee of Public Accounts, to appear before the House of Representatives Committee of Privileges.

Question—put and passed.

15 EXCISE TARIFF PROPOSAL

Mr Lindsay (Parliamentary Secretary to the Minister for Industry, Technology and Regional Development) moved Excise Tariff Proposal No. 4 (1993).

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

16 SUSPENSION OF STANDING AND SESSIONAL ORDERS—PRIVATE MEMBERS' BUSINESS

Mr Tickner (Minister for Aboriginal and Torres Strait Islander Affairs), for Mr Beazley (Leader of the House), pursuant to notice, moved—That so much of the

standing and sessional orders be suspended as would prevent Notice No. 3, private Members' business, given by Mr MacKellar and accorded priority for Thursday, 16 December 1993, being moved in his absence by Mr Sinclair.

Question—put and passed.

17 HIGHER EDUCATION FUNDING AMENDMENT BILL 1993

Mr Tickner (Minister for Aboriginal and Torres Strait Islander Affairs), for Mr Beazley (Minister for Employment, Education and Training), pursuant to notice, presented a Bill for an Act to amend the *Higher Education Funding Act 1988*.

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

18 CORPORATE LAW REFORM BILL 1993

Mr Lavarch (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the Corporations Law and the *Australian Securities Commission Act 1989*.

Bill read a first time.

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

Paper: Mr Lavarch 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.

19 EVIDENCE BILL 1993

Mr Kerr (Minister for Justice), pursuant to notice, presented a Bill for an Act about the law of evidence, and for related purposes.

Bill read a first time.

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

Paper: Mr Kerr 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.

20 SOCIAL SECURITY (HOME CHILD CARE AND PARTNER ALLOWANCES) LEGISLATION AMENDMENT BILL 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.

21 MILITARY COMPENSATION BILL 1993

Mr Punch (Parliamentary Secretary to the Minister for Defence), pursuant to notice, presented a Bill for an Act to amend the *Safety Rehabilitation and*

Compensation Act 1988 and the *Veterans' Entitlements Act 1986*, and for related purposes.

Bill read a first time.

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

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

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

22 RAAF WILLIAMS RATIONALISATION PROJECT, LAVERTON AND POINT COOK, VIC.—APPROVAL OF WORK

Mrs Crosio (Parliamentary Secretary to 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: RAAF Williams rationalisation project at Laverton and Point Cook, Vic.

Question—put and passed.

23 TRANSPORT, COMMUNICATIONS AND INFRASTRUCTURE—STANDING COMMITTEES—JOINT DELEGATION—REPORT

Mr P. F. Morris, by leave, presented the following report:

Transport, Communications and Infrastructure—Standing Committees—Visit to New Zealand by a joint delegation of the committees of the House of Representatives and the Senate, 17-22 May 1992—Report.

24 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENTS BY MEMBERS

Ms Crawford, by leave, presented the following report:

Australian Parliamentary Delegation to Vietnam, Laos and Cambodia—17 October-5 November 1993—Report, December 1993.

Ms Crawford and Mr Dobie, by leave, made statements in connection with the report.

25 BOUNTY (SHIPS) 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 6.25 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 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.

26 CUSTOMS LEGISLATION 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.

Question—put and passed—Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Lindsay (Parliamentary Secretary to the Minister for Industry, Technology and Regional Development), the Bill was read a third time.

27 ROAD TRANSPORT REFORM (VEHICLES AND TRAFFIC) 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 7.30 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.

28 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 8 p.m., adjourned until tomorrow at 9.30 a.m.

PAPERS

The following papers were deemed to have been presented on 15 December 1993:

Copyright Act—Declaration pursuant to paragraph 10A(1)(b), 26 October 1993.

Public Service Act—Determinations—1993 Nos. LES 20, LES 21.

Superannuation Act 1976—Determinations under subsections 240(1) and 241(1), 7 December 1993.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Bilney, Mr Connolly, Mr MacKellar, Mr Simmons* and Mr Somlyay.

*On leave

L. M. BARLIN

Clerk of the House of Representatives