

1993-94

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 47

TUESDAY, 1 FEBRUARY 1994

1 The House met, at 2 p.m., pursuant to adjournment. The Speaker (the Honourable Stephen Martin) took the Chair, and read Prayers.

2 RESIGNATION OF MEMBERS AND ISSUE OF WRIT

The Speaker announced that he had, on 22 December 1993, received a letter from the Honourable John Charles Kerin resigning his seat as the Member for the electoral division of Werriwa in the State of New South Wales. The Speaker stated that on 24 December 1993 he had issued a writ for the election of a Member to serve for that electoral division. The dates in connection with the by-election were fixed as follows:

Close of rolls	Friday, 31 December 1993.
Date of nomination	Wednesday, 5 January 1994.
Date of polling	Saturday, 29 January 1994.
Return of writ	On or before Thursday, 31 March 1994.

The Speaker also informed the House that, on 14 January 1994, he had received a letter from the Honourable James Joseph Carlton resigning his seat as the Member for the electoral division of Mackellar in the State of New South Wales, and he was aware that the Honourable Michael John Randal MacKellar, Member for Warringah, had indicated his intention to resign from Parliament on Friday, 18 February 1994. The Speaker stated that, in consultation with Party leaders, consideration was being given to the dates for the by-elections.

3 MINISTERIAL CHANGES

Mr Keating (Prime Minister) informed the House that, following various ministerial changes, the Ministers and offices they hold are as follows:

<i>Ministerial Office</i>	<i>Minister</i>	<i>Representative in this Chamber</i>
*Prime Minister	The Hon. P. J. Keating, MP	
Minister for Aboriginal and Torres Strait Islander Affairs	The Hon. Robert Tickner, MP	
Special Minister of State	The Hon. Frank Walker, QC, MP (Vice-President of the Executive Council)	

<i>Ministerial Office</i>	<i>Minister</i>	<i>Representative in this Chamber</i>
Parliamentary Secretary	The Hon. Andrew Theophanous, MP	
*Minister for Housing, Local Government and Human Services	The Hon. Brian Howe, MP (Deputy Prime Minister)	
*Minister for Health	Senator the Hon. Graham Richardson	Mr Howe
Minister for Family Services	Senator the Hon. Rosemary Crowley	Mr Howe
Minister for Veterans' Affairs	Senator the Hon. John Faulkner (Manager of Government Business in the Senate)	Mr Howe
Parliamentary Secretary	The Hon. Andrew Theophanous, MP	
*Minister for Foreign Affairs	Senator the Hon. Gareth Evans, QC (Leader of the Government in the Senate)	Mr Bilney
*Minister for Trade	Senator the Hon. Bob McMullan	Mr Bilney
Minister for Development Co-operation and Pacific Island Affairs	The Hon. Gordon Bilney, MP	
*Minister for Defence	Senator the Hon. Robert Ray (Deputy Leader of the Government in the Senate)	Mr Beazley
Minister for Defence Science and Personnel	Senator the Hon. John Faulkner	Mr Beazley
Parliamentary Secretary	The Hon. Gary Punch, MP	
*Treasurer	The Hon. Ralph Willis, MP	
Assistant Treasurer	The Hon. George Gear, MP	
Special Minister of State	The Hon. Frank Walker, QC, MP	
Parliamentary Secretary	The Hon. Paul Elliott, MP	
*Minister for Finance	The Hon. Kim C. Beazley, MP (Leader of the House)	
*Minister for the Environment, Sport and Territories, Minister Assisting the Prime Minister for the Status of Women	The Hon. Ros Kelly, MP	
Parliamentary Secretary (Territories)	The Hon. Warren Snowdon, MP	
Parliamentary Secretary	The Hon. Janice Crosio, MBE, MP	
*Minister for Industry, Technology and Regional Development	Senator the Hon. Peter Cook	Mr Lee
Minister for Science and Small Business, Minister Assisting the Prime Minister for Science	Senator the Hon. Chris Schacht	Mr Lee
Parliamentary Secretary	The Hon. E. J. Lindsay, MP	

<i>Ministerial Office</i>	<i>Minister</i>	<i>Representative in this Chamber</i>
*Minister for Immigration and Ethnic Affairs, Minister Assisting the Prime Minister for Multicultural Affairs	Senator the Hon. Nick Bolkus	Mr Brereton
*Minister for Employment, Education and Training	The Hon. Simon Crean, MP	
Minister for Schools, Vocational Education and Training	The Hon. Ross Free, MP	
Parliamentary Secretary	The Hon. Warren Snowdon, MP	
*Minister for Primary Industries and Energy	Senator the Hon. Bob Collins	Mr Beddall
Minister for Resources	The Hon. David Beddall, MP	
Parliamentary Secretary	Senator the Hon. Nick Sherry	
*Minister for Social Security	The Hon. Peter Baldwin, MP	
Parliamentary Secretary	The Hon. Con Sciacca, MP	
*Minister for Administrative Services	Senator the Hon. Bob McMullan	Mr Bilney
Parliamentary Secretary	The Hon. Con Sciacca, MP	
*Minister for Industrial Relations	The Hon. Laurie Brereton, MP	
Assistant Minister for Industrial Relations, Minister Assisting the Prime Minister for Public Service Matters	The Hon. Gary Johns, MP	
*Minister for Transport	The Hon. Laurie Brereton, MP	
Parliamentary Secretary	The Hon. Neil O'Keefe, MP	
*Attorney-General	The Hon. Michael Lavarch, MP	
Minister for Consumer Affairs	The Hon. Jeannette McHugh, MP	
Minister for Justice	The Hon. Duncan Kerr, MP	
Parliamentary Secretary	The Hon. Peter Duncan, MP	
*Minister for Communications and the Arts	The Hon. Michael Lee, MP	
*Minister for Tourism	The Hon. Michael Lee, MP	
(*Minister in the Cabinet)		

4 QUESTIONS

Questions without notice were asked.

5 RESIGNATION OF MEMBER

Mr Dawkins, by indulgence, informed the House of his intention to resign as the Member for the electoral division of Fremantle on Friday, 4 February 1994.

Mr Keating (Prime Minister) paid tribute to the service and achievements of Mr Dawkins.

The Speaker stated that he would be considering dates for the by-election and would be writing to Party leaders and independent Members in relation to the matter.

6 PAPERS

The following papers were presented:

Albury-Wodonga Development Act—Albury-Wodonga Development Corporation—20th report, for 1992-93.

Australian Institute of Aboriginal and Torres Strait Islander Studies Act—Australian Institute of Aboriginal and Torres Strait Islander Studies—Report for 1992-93.

Industry Commission Act—Industry Commission—Report No. 34—Public housing, 11 November 1993—

Volume I—Report.

Volume II—Appendices.

Ombudsman Act—Commonwealth and Defence Force Ombudsman—Report for 1992-93—Errata.

Primary Industries and Energy Research and Development Act—Honeybee Research and Development Council—Report for 1992-93—Errata.

Public Service Act—Department of the Treasury—Report for 1992-93—Corrigenda.

Telecommunications (Interception) Act—Report for 1992-93.

7 PAPERS—MOTION TO TAKE NOTE OF PAPERS

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

Albury-Wodonga Development Act—Albury-Wodonga Development Corporation—20th report, for 1992-93.

Australian Institute of Aboriginal and Torres Strait Islander Studies Act—Australian Institute of Aboriginal and Torres Strait Islander Studies—Report for 1992-93.

Industry Commission Act—Industry Commission—Report No. 34—Public housing, 11 November 1993—

Volume I—Report.

Volume II—Appendices.

Ombudsman Act—Commonwealth and Defence Force Ombudsman—Report for 1992-93—Errata.

Public Service Act—Department of the Treasury—Report for 1992-93—Corrigenda.

Telecommunications (Interception) Act—Report for 1992-93.

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

8 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—INCREASES IN FUEL EXCISE

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 impact of today's increases in fuel excise on low income Australians and the economy".

The proposed discussion having received the necessary support—
Mr Downer addressed the House.
Discussion ensued.
Discussion concluded.

9 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENT BY MEMBER

Mr Connolly, by leave, presented the following paper:

Australian Parliamentary Delegation to the second annual meeting of the Asia-Pacific Parliamentary Forum, Manila, 13-15 January 1994—Report, 31 January 1994.

Mr Connolly, by leave, made a statement in connection with the report.
The Speaker also made a statement in connection with the report.

10 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:

22 December 1993—Message—

No. 75—

Defence Legislation Amendment 1993.

Departure Tax Amendment 1993.

Financial Corporations (Transfer of Assets and Liabilities) 1993.

No. 76—Industrial Relations Reform 1993.

No. 77—

Customs Tariff Amendment (No. 2) 1993.

Domestic Meat Premises Charge 1993.

Export Inspection Charges Laws Amendment 1993.

Income Tax (Franking Deficit) Amendment 1993.

No. 78—

Telecommunications (Interception) Amendment 1993.

Industrial Relations Court (Judges' Remuneration) 1993.

No. 79—Bounty Legislation Amendment 1993.

No. 80—National Health Amendment (No. 2) 1993.

No. 81—Copyright Amendment (Re-enactment) 1993.

No. 82—Export Market Development Grants Legislation Amendment 1993.

No. 83—Industrial Relations and other Legislation Amendment 1993.

24 December 1993—Message—

No. 84—Native Title 1993.

No. 85—

Australian National Training Authority Amendment (No. 2) 1993.

Childcare Rebate 1993.

Customs and Excise Legislation Amendment 1993.

Education Services for Overseas Students (Registration of Providers and Financial Regulation) Amendment 1993.

Excise Tariff Amendment (No. 2) 1993.

Higher Education Funding Legislation Amendment 1993.

Overseas Students Tuition Assurance Levy 1993.

Taxation Laws Amendment (No. 3) 1993.

Vocational Education and Training Funding Laws Amendment 1993.

No. 86—

Social Security Amendment (No. 2) 1993.

Social Security (Budget and Other Measures) Legislation Amendment 1993.

14 January 1994—Message—

No. 87—Aboriginal and Torres Strait Islander Commission Amendment (No. 3) 1993.

18 January 1994—Message—

No. 88—Development Allowance Authority Amendment 1993.

No. 89—Australian Broadcasting Corporation Amendment 1993.

No. 90—Transport and Communications Legislation Amendment 1993.

No. 91—Transport and Communications Legislation Amendment (No. 2) 1993.

No. 92—Arts, Environment and Territories Legislation Amendment 1993.

No. 93—Bounty (Ships) Amendment 1993.

No. 94—Customs Legislation Amendment 1993.

No. 95—Road Transport Reform (Vehicles and Traffic) 1993.

No. 96—Occupational Health and Safety (Maritime Industry) 1993.

No. 97—Occupational Health and Safety (Maritime Industry) Consequential Amendments 1993.

No. 98—Health and Community Services Legislation Amendment 1993.

No. 99—Law and Justice Legislation Amendment 1993.

19 January 1994—Message—

No. 100—Migration Amendment (“Points” System) 1993.

No. 101—Protection of the Sea (Shipping Levy) Amendment 1993.

No. 102—Environment Protection (Sea Dumping) Amendment 1993.

No. 103—Environment Protection (Alligator Rivers Region) Amendment 1993.

11 STATES GRANTS (PRIMARY AND SECONDARY EDUCATION ASSISTANCE) AMENDMENT BILL 1993—SENATE’S MESSAGE NO. 188

The order of the day having been read for the consideration of Message No. 188 from the Senate (*reported 22 December 1993 a.m., see page 663*)—

In the committee

On the motion of Mr Free (Minister for Schools, Vocational Education and Training), the amendments insisted on by the Senate were agreed to, after debate. Resolution to be reported.

The House resumed; Mr Hollis reported accordingly.
On the motion of Mr Free, the House adopted the report.

12 CORPORATE LAW REFORM 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 Lavarch (Attorney-General), the Bill was read a third time.

13 CRIMES (SEARCH WARRANTS AND POWERS OF ARREST) 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 by Mr Williams who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “whilst not declining to give the Bill a second reading, the Bill be referred to the Standing Committee on Legal and Constitutional Affairs for review”.

Debate continued.

Mr Kerr (Minister for Justice) addressing the House—

14 ADJOURNMENT

It being approximately 10.30 p.m.—The question was proposed—That the House do now adjourn.

Question—put and passed.

And then the House, at 10.30 p.m., adjourned until tomorrow at 10 a.m.

PAPERS

The following papers were deemed to have been presented on 1 February 1994:

Aboriginal and Torres Strait Islander Commission Act—

Notice 1994—No. 1.

Regulations—Statutory Rules 1993 No. 379.

Zone Election Rules—1994 Amendment No.1.

Aged or Disabled Persons Care Act—Guidelines 1994 No. 9BG 1.

Air Navigation Act—Regulations—Statutory Rules 1993 No. 369.

Anti-Dumping Authority Act—Instrument of approval 1993 No. 1.

Audit Act—Regulations—Statutory Rules 1993 Nos. 360, 361, 381.

Australian Citizenship Act—Regulations—Statutory Rules 1993 No. 362.

Australian Wine and Brandy Corporation Act—Regulations—Statutory Rules 1993 No. 374.

Banking Act—Regulations—Statutory Rules 1993 No. 378.

Christmas Island Act—Ordinances 1993 Nos. 12, 13, 14.

Civil Aviation Act—

Civil Aviation Regulations—Civil Aviation Orders—Parts—

20—Amendment, 14 January 1994.

40—Amendment, 13 January 1994.

105—Amendments, 21, 22(2), 24 December 1993, 10, 12(2) January 1994.

106—Amendments 1994—January 10, 12.

107—Amendments 1994—January 5, 7, 12.

Regulations—Statutory Rules 1993 No. 368.

Cocos (Keeling) Islands Act—Ordinances 1993 Nos. 10, 11, 12.

Commonwealth Electoral Act and Referendum (Machinery Provisions) Act—
Regulations—Statutory Rules 1993 No. 356.

Currency Act—Determination 1993 No. 15.

Customs Act—Regulations—Statutory Rules 1993 No. 382.

Defence Act—Determinations under section 58B—1993 Nos. 41, 42, 43, 44, 45,
46, 47, 48.

Family Law Act—Regulations—Statutory Rules 1993 No. 358.

Fisheries Levy Act—Regulations—Statutory Rules 1993 No. 354.

Fishing Levy Act—Regulations—Statutory Rules 1993 Nos. 355,364.

Health Insurance Act—Statements under section 106AA—

(Dr Prabhat Raj Sinha), 27 December 1993.

(Dr Robert Rustem Molnar), 28 December 1993.

Higher Education Funding Act—Determinations—Nos. T74/93, T75/93,
T76/93, T77/93, T78/93, T79/93, T80/93, T81/93, T82/93, T83/93, T84/93,
T85/93, T86/93, T87/93.

Income Tax Assessment Act—Regulations—Statutory Rules 1993 No. 370.

Judiciary Act—Rules of Court—Statutory Rules 1994 No. 1.

Meat Inspection Act—Meat Inspection Orders 1993 Nos. 3, 5.

Migration Act—Regulations—Statutory Rules 1993 Nos. 363, 371.

Murray-Darling Basin Act—Murray-Darling Basin Agreement—Schedule D,
application of agreement to Queensland.Mutual Assistance in Criminal Matters Act—Regulations—Statutory Rules 1993
No. 357.

National Health Act—

Declarations—1994 No. PB 1.

Determination 1994 No. PB 2.

Native Title Act—Regulations—Statutory Rules 1993 No. 380.

Navigation Act—Orders 1993 No. 5.

Ozone Protection Act—Regulations—Statutory Rules 1993 No. 359.

Proclamations by His Excellency the Governor-General fixing the dates on which
the following provisions of Acts shall come into operation—*Industrial Relations Reform Act 1993*—Sections 75 and 76—2 January 1994.*Native Title Act 1993*—

Act other than sections 1 and 2 and Part 10—1 January 1994.

Part 10—1 July 1994.

Vocational Education and Training Funding Act 1992—Part 3—31 December 1993.

Public Service Act—Determinations 1993 Nos. 98, 99, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 235, 236, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 252, 253, 256, 257, LEC 2, LES 22, LES 23.

Quarantine Act—Proclamations Nos. 149A, 151A, 152A.

Radiocommunications Act—Determinations Nos. CR 1993/2, RC 1993/2, RCL 1993/4, RCL 1993/5, RCL 1993/6, RD 1993/2, RQO 1993/2, RT 1993/2.

Radiocommunications Act and Radiocommunications (Transmitter Licence Tax) Act—Determination No. RD 1993/2.

Radiocommunications (Permit Tax) Act—Determination 1993 No. 1.

Radiocommunications (Receiver Licence Tax) Act—Determination 1993 No. 1.

Radiocommunications (Transmitter Licence Tax) Act—Determination 1993 No. 1.

Remuneration Tribunal Act—Remuneration Tribunal—Determination 1993 No. 14.

States Grants (TAFE Assistance) Act—Determinations Nos. TAFE 30/93, TAFE 31/93, TAFE 32/93, TAFE 33/93, TAFE 34/93, TAFE 35/93, TAFE 36/93, TAFE 37/93, TAFE 38/93, TAFE 39/93, TAFE 40/93, TAFE 41/93, TAFE 42/93, TAFE 43/93, TAFE 44/93, TAFE 45/93.

Student Assistance Act—Regulations—Statutory Rules 1993 Nos. 365, 367.

Superannuation Act 1976—Regulations—Statutory Rules 1993 No. 353.

Superannuation Benefits (Supervisory Mechanisms) Act—Determinations 1993 Nos. 3, 4, 5, 6.

Superannuation Industry (Supervision) Act—Regulations—Statutory Rules 1993 Nos. 352, 373.

Telecommunications Act 1991—Determination of technical standard 1993 No. TS 11.

Tradesmen's Rights Regulation Act—Regulations—Statutory Rules 1993 No. 372.

Training Guarantee (Administration) Act—Regulations—Statutory Rules 1993 No. 366.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Costello, Mr Fischer, Mr Katter, Mr Langmore, Mr Miles, Mr Price and Mr Sharp.

L. M. BARLIN

Clerk of the House of Representatives