

1993-94

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 50

MONDAY, 7 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 MEMBER AND ISSUE OF WRIT—FREMANTLE DIVISION

The Speaker informed the House that he had, on 4 February 1994, received a letter from the Honourable John Sydney Dawkins resigning his seat as the Member for the electoral division of Fremantle, in the State of Western Australia. The Speaker stated that he had issued a writ on that day in connection with the by-election, and that the dates fixed were those announced to the House on 3 February 1994.

3 QUESTIONS

Questions without notice being asked—

Papers: Mrs Kelly (Minister for the Environment, Sport and Territories) presented the following papers:

Community Cultural, Recreational and Sporting Facilities Program—Copies of—

File note—G. W. 29/1.

Letters from—

Kaye Dal Bon, Assistant Secretary, Department of the Arts, Sport, the Environment and Territories to Mr Edward Hay, Australian National Audit Office, 7 June 1993.

Mrs Kelly to Mr J. C. Taylor, Auditor-General, 17 June 1993, 16 July 1993.

Mr S. A. Hamilton, Secretary, Department of the Environment, Sport and Territories to Mr Edward Hay, 7 May 1993.

Mr Edward Hay to Mr S. A. Hamilton, 13 April 1993, 24 June 1993.

Mr M. K. Rollinson, Director, Legal Section, Department of the Arts, Sport, the Environment and Territories to the Secretary, Attorney-General's Department.

Mr J. C. Taylor to Mrs Kelly, 31 May 1993, 24 June 1993.

Mr George Witynski, Attorney-General's Department to Mr M. K. Rollinson, 11 June 1993.

Media release by Mrs Kelly, 6 February 1994.

Minute from Kaye Dal Bon to the Secretary, Department of the Environment, Sport and Territories, 2 July 1993.

Note from Kaye Dal Bon to Mr Dempster, 15 June 1993.

Questions without notice continued.

4 SCHOOLING IN AUSTRALIA—PAPERS—MOTION TO TAKE NOTE OF PAPERS:

Mr Beazley (Leader of the House) presented the following papers:

Australian Education Council—National report on schooling in Australia—1992—

Report.

Statistical annex—

and moved—That the House take note of the papers.

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

5 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—COMMUNITY CULTURAL, RECREATIONAL AND SPORTING FACILITIES PROGRAM

The House was informed that Mr Costello had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The failure of administration and accountability in the Community Cultural, Recreational and Sporting Facilities Program".

The proposed discussion having received the necessary support—

Mr Costello addressed the House.

Discussion ensued.

Discussion concluded.

6 MESSAGE FROM THE SENATE—BROADCASTING OF PARLIAMENTARY PROCEEDINGS—JOINT COMMITTEE—PROPOSED REFERENCE

The following message from the Senate was reported:

Message No. 189

Mr Speaker,

The Senate transmits to the House of Representatives the following resolution which was agreed to by the Senate this day:

That the following matter be referred to the Joint Committee on the Broadcasting of Parliamentary Proceedings for inquiry and report on or before 24 March 1994: reconsideration of—

- (a) the general principle which prohibits broadcasting of Senate proceedings after 11.30 p.m. but prior to the moving of the adjournment, with a view to recommending the adoption by each House of a change to this principle to permit such broadcasting; and
- (b) the standing determination of 25 March 1953 which prohibits broadcasting of the Senate when it sits on a Saturday, with a view to the committee making a new determination to permit such broadcasting.

The Senate requests the concurrence of the House of Representatives in this resolution.

MICHAEL BEAHAN
President

The Senate,
Canberra, 2 February 1994

Ordered—That consideration of the message be made an order of the day for the next sitting.

7 MESSAGE FROM THE SENATE—CHEMICAL WEAPONS (PROHIBITION) BILL 1993

Message No. 193, dated 3 February 1994, from the Senate was reported transmitting for the concurrence of the House a Bill for "*An Act relating to the prohibition of the development, production, stockpiling or use of chemical weapons and the control of certain chemicals capable of being used as chemical weapons, and related provisions*".

Bill read a first time.

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

8 MESSAGE FROM THE SENATE—NATIONAL HEALTH AMENDMENT BILL (NO. 3) 1993

The following message from the Senate was reported:

Message No. 190

Mr Speaker,

The Senate returns to the House of Representatives the bill for "*An Act to amend Part VD of the 'National Health Act 1953' to provide for the collection and recovery of nursing home charge imposed on certain nursing home proprietors, and for other purposes*", and acquaints the House that the Senate has agreed to the bill with the amendments indicated by the annexed schedule, in which amendments the Senate requests the concurrence of the House of Representatives.

MICHAEL BEAHAN
President

The Senate,
Canberra, 2 February 1994

Ordered—That the amendments be taken into consideration, in committee of the whole House, forthwith.

In the committee

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE

No. 1—Clause 15, page 15, proposed subsection 65SA(1), lines 20 and 21, omit "commercial rates", substitute "the rate determined by the regulations".

No. 2—Clause 16, page 15, proposed subsection 65SB(1), line 40, omit "at commercial rates", substitute "at the rate determined by the regulations".

On the motion of Dr Theophanous (Parliamentary Secretary to the Minister for Health), the amendments were agreed to.

Resolution to be reported.

The House resumed; Mr Newell reported accordingly.

On the motion of Dr Theophanous, the House adopted the report.

9 MESSAGE FROM THE SENATE—HEALTH LEGISLATION (PROFESSIONAL SERVICES REVIEW) AMENDMENT BILL 1993

The following message from the Senate was reported:

Message No. 192

Mr Speaker,

The Senate returns to the House of Representatives the bill for "*An Act to amend the 'Health Insurance Act 1973', and for related purposes*", and acquaints the House that the Senate has agreed to the bill with the amendments indicated by the annexed schedule, in which amendments the Senate requests the concurrence of the House of Representatives.

MICHAEL BEAHAN
President

The Senate,
Canberra, 2 February 1994

Ordered—That the amendments be taken into consideration, in committee of the whole House, forthwith.

In the committee

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE

- No. 1—Clause 2, page 1, line 7, omit "31 March 1994", substitute "1 July 1994".
 No. 2—Clause 6, page 5, proposed subsection 84(3), line 27, omit "may", substitute "must".
 No. 3—Clause 6, page 6, proposed subsection 85(2), line 1, omit "12", substitute "15".
 No. 4—Clause 6, page 6, proposed subsection 85(3), line 3, omit "may", substitute "must".
 No. 5—Clause 6, page 6, proposed subsection 86(4), line 28, omit "31 March 1994", substitute "1 July 1994".
 No. 6—Clause 6, page 9, proposed subsection 95(2), line 29, omit "other Panel members referred to in paragraph (1)(b)", substitute "Chairperson, and the other Panel members referred to in paragraph (1)(b)".
 No. 7—Clause 6, page 20, proposed subsection 106P(1), line 30, omit "may", substitute "must".
 No. 8—Schedule, page 36, proposed subsection 108(4), omit "The Minister may make", substitute "The Minister must make".

On the motion of Dr Theophanous (Parliamentary Secretary to the Minister for Health), the amendments were agreed to.

Resolution to be reported.

The House resumed; Mr Newell reported accordingly.

On the motion of Dr Theophanous, the House adopted the report.

10 AGRICULTURAL AND VETERINARY CHEMICALS 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.

11 AGRICULTURAL AND VETERINARY CHEMICALS CODE 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—

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.

12 AGRICULTURAL AND VETERINARY CHEMICALS (CONSEQUENTIAL AMENDMENTS) 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—

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

Message from the Governor-General: Message No. 106, dated 16 December 1993, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

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.

13 AGRICULTURAL AND VETERINARY CHEMICAL PRODUCTS (COLLECTION OF LEVY) 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—

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.

14 AGRICULTURAL AND VETERINARY CHEMICAL PRODUCTS LEVY IMPOSITION (EXCISE) 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—

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.

15 AGRICULTURAL AND VETERINARY CHEMICAL PRODUCTS LEVY IMPOSITION (CUSTOMS) 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—

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.

16 AGRICULTURAL AND VETERINARY CHEMICAL PRODUCTS LEVY IMPOSITION (GENERAL) 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—

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.

17 OFFSHORE MINERALS 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.

Message from the Governor-General: Message No. 107, dated 16 December 1993, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

On the motion of Mrs Crosio (Parliamentary Secretary to the Minister for the Environment, Sport and Territories), the Bill was read a third time.

18 OFFSHORE MINERALS (CONSEQUENTIAL PROVISIONS) 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—

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

Leave granted for third reading to be moved forthwith.

On the motion of Mrs Crosio (Parliamentary Secretary to the Minister for the Environment, Sport and Territories), the Bill was read a third time.

19 OFFSHORE MINERALS (RETENTION LICENCE FEES) 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—

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

Leave granted for third reading to be moved forthwith.

On the motion of Mrs Crosio (Parliamentary Secretary to the Minister for the Environment, Sport and Territories), the Bill was read a third time.

20 MINERALS (SUBMERGED LANDS) (ROYALTY) 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—

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

Leave granted for third reading to be moved forthwith.

On the motion of Mrs Crosio (Parliamentary Secretary to the Minister for the Environment, Sport and Territories), the Bill was read a third time.

21 VETERANS' AFFAIRS LEGISLATION AMENDMENT BILL (NO. 3) 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.

Message from the Governor-General: Message No. 108, dated 26 November 1993, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.

The House resolved itself into a committee of the whole.

In the committee

Clauses 1 to 28, by leave, taken together, and agreed to.

Clauses 29 to 39, by leave, taken together, and debated.

Question—That the clauses be agreed to—put.

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

AYES, 70

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

NOES, 58

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|-----------------|--------------|--------------|----------------|
| Mr Aldred | Mr Evans | Mr McLachlan | Mr B. C. Scott |
| Mr Anderson | Mr Filing* | Mr Miles | Mr Sinclair |
| Mr J. N. Andrew | Mr Forrest | Mr Moore | Mr Slipper |
| Mr Atkinson | Mr Hall | Mrs Moylan | Mr Somlyay |
| Mr Beale | Mr Halverson | Mr Nehl | Mrs Sullivan |
| Mr Bradford | Mr Hawker | Mr Neville | Mr Taylor |
| Mr Braithwaite | Mr Hicks* | Mr Nugent | Mr Truss |
| Mr Cadman | Mr Jull | Mr Peacock | Mr Tuckey |
| Mr Cameron | Mr Katter | Mr Prosser | Mr Vaile |
| Mr Charles | Dr Kemp | Mr Pyne | Mr Wakelin |
| Mr Cobb | Mr Lieberman | Mr Reid | Mr Williams |
| Mr Connolly | Mr Lloyd | Mr Reith | Dr Wooldridge |
| Mr Costello | Mr McArthur | Mr Rocher | Ms Worth |
| Mr Dobie | Mr McGauran | Mr Ronaldson | |
| Mr Downer | Mr Mack | Mr Ruddock | |

* Tellers

And so it was resolved in the affirmative.

Remainder of Bill, by leave, taken as a whole, and agreed to.

Bill to be reported without amendment.

The House resumed; Mr Newell reported accordingly.

On the motion of Mr Snowdon (Parliamentary Secretary to the Minister for Employment, Education and Training), the House adopted the report, and, by leave, the Bill was read a third time.

22 ADJOURNMENT

Mr Snowdon (Parliamentary Secretary to the Minister for Employment, Education and Training) moved—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 10.03 p.m., adjourned until tomorrow at 2 p.m.

PAPERS

The following papers were deemed to have been presented on 7 February 1994:
Student Assistance Act—Amendments to guidelines, 13 December 1993.

Superannuation Act 1990—Sixth amending deed to the deed to establish an occupational superannuation scheme for Commonwealth employees and certain other persons, pursuant to section 5, 24 January 1994.

ATTENDANCE

All Members attended (at some time during the sitting) except Ms Crawford, Mr Fischer, Mr Langmore, Mr MacKellar and Mr Sharp.

L. M. BARLIN

Clerk of the House of Representatives