

1993-94-95

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 115

TUESDAY, 31 JANUARY 1995

1 The House met, at 12.30 p.m., pursuant to adjournment. The Speaker (the Honourable Stephen Martin) took the Chair, and read Prayers.

**2 CHAMBER ATTIRE OF CLERKS**

Mr Sinclair, by indulgence, referred to the fact that the Clerks at the Table were not wearing wigs, and asked the Speaker whether he might adopt some distinctive apparel to add to the dignity and status of the Speaker's position.

The Speaker indicated that the Clerks were not wearing wigs at his direction, and that he did not intend to wear any clothing which distinguished him from other members of the House.

Mr Reith, by indulgence, also referred to the matter.

**3 RESIGNATION OF MEMBER**

The Speaker announced that, on 30 January 1995, he had received from the Honourable Roslyn Joan Kelly, a letter resigning her seat as Member for the electoral division of Canberra, in the Australian Capital Territory, and that he would be consulting with Party Leaders concerning the date of the by-election.

**4 SPEAKER'S PANEL**

The following warrant revoking a nomination and nominating a member of the Speaker's panel pursuant to standing order 18, was laid on the Table by the Speaker:

**HOUSE OF REPRESENTATIVES**

Pursuant to the provisions of standing order 18, I revoke the nomination of Warren Truss to be a member of the Speaker's panel.

Pursuant to the provisions of standing order 18, I nominate Mark Vaile to be a member of the Speaker's panel to assist the Chair when requested to do so by the Speaker or Deputy Speaker.

Given under my hand on 31 January 1995.

STEPHEN MARTIN  
Speaker

**5 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:

13 December 1994—Message No. 226—

Copyright (World Trade Organization Amendments) 1994.

Customs Legislation (World Trade Organization Amendments) 1994.

Customs Tariff (Anti-Dumping) (World Trade Organization Amendments) 1994.

Customs Tariff (World Trade Organization Amendments) 1994.

Dairy Produce (World Trade Organization Amendments) 1994.

Patents (World Trade Organization Amendments) 1994.

Sales Tax (World Trade Organization Amendments) 1994.

Trade Marks 1994.

Social Security (New Zealand Agreement) Amendment 1994.

15 December 1994—Message No. 225—Industrial Relations Legislation Amendment (No. 2) 1994.

16 December 1994—Message—

No. 227—

Departure Tax Collection Amendment 1994.

Infrastructure Certificate Cancellation Tax 1994.

Social Security (1994 Budget and White Paper) Amendment 1994.

Supported Accommodation Assistance 1994.

Taxation Laws Amendment (Infrastructure Borrowings) 1994.

Veterans' Affairs (1994-95 Budget Measures) Legislation Amendment (No. 2) 1994.

No. 228—

Australian Capital Territory Electoral Legislation Amendment 1994.

Complaints (Australian Federal Police) Amendment 1994.

Pipeline Legislation Amendment 1994.

Qantas Sale Amendment 1994.

Quarantine Amendment 1994.

Royal Commission into the New South Wales Police Service (Access to Information) 1994.

No. 230—

Income Tax (Former Complying Superannuation Funds) 1994.

Income Tax (Former Non-resident Superannuation Funds) 1994.

Income Tax Rates Amendment 1994.

Social Security (Parenting Allowance and Other Measures) Legislation Amendment 1994.

Supported Accommodation Assistance Amendment 1994.

19 December 1994—Message—

No. 229—Crimes and Other Legislation Amendment 1994.

No. 231—

Employment Services 1994.

Employment Services (Consequential Amendments) 1994.

Higher Education Funding (Student Organisations) Amendment 1994.

Human Rights (Sexual Conduct) 1994.

Income Tax (Deficit Deferral) 1994.

Taxation Laws Amendment (No. 4) 1994.

23 December 1994—Message No. 232—

Student Assistance (Youth Training Allowance) Amendment 1994.

Student Assistance (Youth Training Allowance—Transitional Provisions and Consequential Amendments) 1994.

**6 TRADE PRACTICES AMENDMENT (ORIGIN LABELLING) BILL 1994**

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.

Mr Dodd addressing the House—

It being 3 p.m., the debate was interrupted in accordance with standing order 101A, and the resumption of the debate made an order of the day for a later hour this day.

**7 LEADERSHIP OF THE LIBERAL PARTY OF AUSTRALIA**

Mr Howard, as Leader of the Opposition, informed the House that the Parliamentary Liberal Party had elected him as its Leader and Mr Costello would continue as Deputy Leader.

**8 DEATHS OF FORMER MEMBERS (MR T. V. GILMORE AND MR R. J. BIRNEY)**

The Speaker informed the House of the deaths of:

Mr Thomas Vernon Gilmore, on 15 November 1994, a Member of this House for the Division of Leichhardt from 1949 to 1951; and

Mr Reginald John Birney, on 1 January 1995, a Member of this House for the Division of Phillip from 1975 to 1983.

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

**9 PAPER**

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

Roster of Ministers to attend question time as at 31 January 1995.

**10 QUESTIONS**

Questions without notice were asked.

**11 AUDITOR-GENERAL'S REPORTS—PUBLICATION OF PAPERS**

The Speaker presented the following papers:

Audit Act—Auditor-General—Audit reports of 1994-95—

No. 17—National Media Liaison Service: A loophole in accountability?

No. 18—Audit strategy 1994-95.

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

- (1) this House authorises the publication of the Auditor-General's audit reports Nos. 17 and 18 of 1994-95; and
- (2) the reports be printed.

Question—put and passed.

## 12 PAPERS

The following papers were presented:

Aboriginal and Torres Strait Islander Commission Act—Aboriginal and Torres Strait Islander Commercial Development Corporation—Report for 1993-94.

Aboriginal Deaths in Custody—Royal Commission—Implementation of Tasmanian Government responses to the recommendations of the Royal Commission—Progress report on implementation to December 1993.

Agribusiness Programs—1st report, for period 27 September 1993 to 30 June 1994.

ANL Act—ANL Limited—Report for 1993-94.

Australia-India Council—Report for 1993-94.

Australian Horticultural Corporation Act—Australian Dried Fruits Board—3rd report, for 1993-94.

Employment, Education and Training Act—National Board of Employment, Education and Training—

Higher Education Council—Report, including the Board's comments—Increasing the learning options, November 1994.

Report No. 33—Costs and quality in resource-based learning on- and off-campus, October 1994.

Report No. 34—A study of the academic results of on-campus and off-campus students, October 1994.

Report—Credit transfer and the recognition of prior learning, October 1994.

Federal Airports Corporation Act—Federal Airports Corporation—Report for 1993-94.

Housing Loans Insurance Act—Housing Loans Insurance Corporation—30th report, for 1993-94.

Industry, Science and Technology—Standing Committee—Report—Australian Government purchasing policies: Buying our future, 3 March 1994—Government response.

Law Reform Commission Act—Law Reform Commission—Report No. 69—Part II—Equality before the law: Women's equality.

Leasing by the Commonwealth of accommodation in Centenary House—Royal Commission—Report of the Commissioner (Hon T R Morling QC)—Government response.

National Residue Survey Administration Act—National Residue Survey—Report for 1993-94.

Pig Industry Act—Australian Pork Corporation—7th report, for 1993-94.

Primary Industries and Energy Research and Development Act—Dried Fruits Research and Development Council and Dried Fruits Research and Development Selection Committee—Report for 1993-94.

Public Service Act Review Group—Report on the review of the Public Service Act, December 1994.

Snowy Mountains Hydro-electric Power Act—Snowy Mountains Hydro-electric Authority—45th report, for 1993-94.

**13 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—NATIONAL FOREST POLICY STATEMENT**

The House was informed that Mr Anderson (Deputy Leader of the National Party of Australia) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The Government's failure to implement the National Forest Policy Statement and its failure to honour a contractual obligation".

The proposed discussion having received the necessary support—

Mr Anderson addressed the House.

Discussion ensued.

Discussion concluded.

**14 TRADE PRACTICES AMENDMENT (ORIGIN LABELLING) BILL 1994**

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.

Debate adjourned (Mr Griffin), and the resumption of the debate made an order of the day for a later hour this day.

**15 SELECTION COMMITTEE—REPORT**

Mr Jenkins (Chair) presented the following report:

Selection Committee—Report relating to the program of business prior to 2.45 p.m. on Monday, 6 February 1995.

**16 MAIN COMMITTEE—DAY OF NEXT MEETING**

The Deputy Speaker informed the House that he had fixed Thursday, 2 February 1995, at 10 a.m., for the next meeting of the Main Committee.

**17 TRADE PRACTICES AMENDMENT (ORIGIN LABELLING) BILL 1994**

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.

Mr Cleary addressing the House—

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**18 ADJOURNMENT**

It being 7.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 8 p.m.—The Speaker adjourned the House until tomorrow at 9.30 a.m.

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**PAPERS**

The following papers were deemed to have been presented on 31 January 1995:  
 Aboriginal and Torres Strait Islander Heritage Protection Act—Declaration under section 12—1994 No. 11.

Administrative Appeals Tribunal Act—Code of practice for notification of reviewable decisions and rights of review, 30 November 1994.

Aged or Disabled Persons Care Act—Determination No. 1994-95/10.

Air Navigation Act—Regulations—Statutory Rules 1994 Nos. 437, 438.

Anti-Dumping Authority Act—Instrument of approval 1994 No. 1.

Australian Nuclear Science and Technology Organisation Act—Regulations—Statutory Rules 1994 No. 415.

Australian Securities Commission Act—Regulations—Statutory Rules 1994 No. 443.

Australian Sports Drug Agency Act—Regulations—Statutory Rules 1994 No. 410.

Banking Act—Regulations—Statutory Rules 1994 No. 417.

Banks (Shareholdings) Act—Regulations—Statutory Rules 1994 No. 431.

Charter of the United Nations Act—Regulations—Statutory Rules 1994 Nos. 448, 449.

Cheques and Payment Orders Act—Regulations—Statutory Rules 1994 No. 406.

Child Care Act—Guidelines CCA/12A/94/2.

Christmas Island Act—

Casino Control Ordinance—

Appointment of members to the Casino Surveillance Authority, 22 December 1994.

Declaration of authorised game, 7 December 1994.

Ordinances 1994 Nos. 3, 4.

Civil Aviation Act—Civil Aviation Regulations—

Civil Aviation Orders—Parts—

40—Amendment, 19 January 1995.

105—Amendments 1994, 6, 7, 8, 9, 13(6), 20(4), 21(2), 22(8), 23(3) December, 1995, 3(2), 5, 6(2), 12(9), 13(2), 18(5), 19(4), 23(10), 24 January.

106—Amendments 1994, 22(2) December, 1995, 9, 18(63), 20(2), 23 January.

107—Amendments 1994, 15, 20 December, 1995, 9, 17 January.

Exemption 1994 No. 8.

Cocos (Keeling) Islands Act—Ordinance 1994 No. 4.

Corporations Act—Regulations—Statutory Rules 1994 Nos. 422, 430.

Currency Act—Determinations 1994 Nos. 4, 5.

Customs Act—

Instrument of approval 1994 No. 3.

Regulations—Statutory Rules 1994 Nos. 416, 435.

- Defence (Visiting Forces) Act—Regulations—Statutory Rules 1994 No. 407.
- Defence Act—
- Defence Force Remuneration Tribunal—Determinations 1994 Nos. 17, 18, 19, 20.
  - Determinations under section 58B—
    - 1994 Nos. 58, 59, 60.
    - 1995 Nos. 1, 2, 3, 5.
- Employment Services Act—Regulations—Statutory Rules 1994 No. 445.
- Export Control Act—Export Control Orders 1994 No. 2.
- Export Inspection (Establishment Registration Charges) Act—Regulations—Statutory Rules 1994 No. 457.
- Export Inspection (Quantity Charge) Act—Regulations—Statutory Rules 1994 No. 456.
- Extradition Act—Regulations—Statutory Rules 1994 No. 441.
- Family Law Act—Rules of Court—Statutory Rules 1994 No. 401.
- Federal Court of Australia Act—Rules of Court—Statutory Rules 1994 No. 463.
- Fisheries Levy Act—Regulations—Statutory Rules 1994 No. 405.
- Fisheries Management Act—Regulations—Statutory Rules 1994 No. 419.
- Fishing Levy Act and Fisheries Management Act—Regulations—Statutory Rules 1994 Nos. 418, 425, 426, 427, 428, 429.
- Freedom of Information Act—Regulations—Statutory Rules 1994 Nos. 433, 434.
- Grape Research Levy Act—Regulations—Statutory Rules 1994 No. 455.
- Health Insurance Act—
- Declaration QAA No. 5/1994.
  - Regulations—Statutory Rules 1994 No. 413.
  - Statement under section 106AA (Dr Ashraf Thabit Selim), 15 December 1994.
- Health Insurance Commission Act—Regulations—Statutory Rules 1994 Nos. 404, 450.
- Income Tax Assessment Act—Regulations—Statutory Rules 1994 Nos. 399, 412, 460, 461, 462.
- Industrial Chemicals (Notification and Assessment) Act—Regulations—Statutory Rules 1994 No. 454.
- Migration Act—
- Policy directions 1994 Nos. 2, 3.
  - Regulations—Statutory Rules 1994 Nos. 402, 403, 452.
- Military Superannuation and Benefits Act—Instrument 1994 No. 3.
- Mutual Assistance in Business Regulation Act—Regulations—Statutory Rules 1994 No. 421.
- Mutual Assistance in Criminal Matters Act—Regulations—Statutory Rules 1994 No. 442.
- National Health Act—
- Determinations Nos. HIT 13/1994, 24SH 4/94, 1994-95/13.
  - Instrument for the purposes of paragraph 40AA(6)(ce), 23 November 1994.
  - Regulations—Statutory Rules 1994 No. 451.

National Parks and Wildlife Conservation Act—Regulations—Statutory Rules 1994 No. 411.

National Residue Survey (Game Animals) Levy Act—Regulations—Statutory Rules 1994 No. 459.

Native Title Act—Regulations—Statutory Rules 1994 No. 440.

Occupational Health and Safety (Commonwealth Employment) Act—  
Notice of approval 1994 No. H1.

Regulations—Statutory Rules 1994 No. 414.

Passenger Movement Charge Collection Act—Regulations—Statutory Rules 1994 No. 436.

Primary Industries Levies and Charges Collection Act, Horticultural Levy Act and Horticultural Export Charge Act—Regulations—Statutory Rules 1994 No. 424.

Public Service Act—Determinations—

1994 Nos. 91, 92, 93, 94, 95, 168, 186, 195, 196, 197, 198, 199, 200, 201, 202, 203.

1995 Nos. 100, 101, 102, 103.

Radiocommunications Act—Personal marine distress beacons class licence, 22 December 1994.

Remuneration Tribunal Act—

Remuneration Tribunal—Determinations 1994 Nos. 29, 30, 31, 32, 33, 34.

Report—1994 No. 2.

Safety, Rehabilitation and Compensation Act—Notice of declaration 1994 No. ACT2.

Service and Execution of Process Act—Regulations—Statutory Rules 1994 No. 420.

Social Security (Non-Budget Measures) Legislation Amendment Bill 1994—  
Explanatory memorandum—Correction.

States Grants (Petroleum Products) Act—Amendment to schemes No. 94/03.

States Grants (Primary and Secondary Education Assistance) Act—  
Regulations—Statutory Rules 1994 No. 439.

Stevedoring Industry Levy Collection Act—Regulations—Statutory Rules 1994 No. 453.

Student Assistance Act—Regulations—Statutory Rules 1994 Nos. 409, 444.

*Superannuation Act 1976*—

Declaration—Statutory Rules 1994 No. 397.

Determination under section 238 1994 No. 8.

Regulations—Statutory Rules 1994 No. 447.

*Superannuation Act 1990*—Declaration—Statutory Rules 1994 Nos. 398, 400, 446.

Superannuation Industry (Supervision) Act—Regulations—Statutory Rules 1994 No. 432.

*Telecommunications Act 1991*—Determination of a technical standard—Notices 1994 Nos. TN 3, TN 4.

Trade Practices Act—Regulations—Statutory Rules 1994 No. 408.

University of Canberra Act—Statute No. 25.

Veterans' Entitlements Act—Instruments—

1994 Nos. 11, 12, 75, 76, 77, 78, 79, 80.

1995 Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21,  
22, 23, 24, 25, 26.

Wheat Marketing Act—Regulations—Statutory Rules 1994 No. 458.

Wine Grapes Levy Act—Regulations—Statutory Rules 1994 No. 423.

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**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Bilney, Mr Brereton, Mr Duffy, Mr Free, Mr Halverson, Dr Hewson, Mr Howe, Mr Keating, Mr Sciacca, Mr Tickner and Mr Walker.

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**L. M. BARLIN**

Clerk of the House of Representatives