

1993-94-95

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 117

THURSDAY, 2 FEBRUARY 1995

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 MEMBERS' STATEMENTS

Members' statements were made.

3 GRIEVANCE DEBATE

Pursuant to the resolution of the House of 1 February 1995, the order of the day having been read—

Question proposed—That grievances be noted.

Debate ensued.

It being 11 a.m., the debate was interrupted in accordance with the resolution agreed to on 1 February 1995.

Question—That grievances be noted—put and passed.

4 DECLARATION OF BILLS AS COGNATE BILLS

Dr Lawrence (Minister for Human Services and Health), by leave, declared that the Health Legislation (Private Health Insurance Reform) Amendment Bill 1994 and the Private Health Insurance Complaints Levy Bill 1994 were cognate Bills.

5 HEALTH LEGISLATION (PRIVATE HEALTH INSURANCE REFORM) AMENDMENT BILL 1994

The order of the day having been read for the second reading—Dr Lawrence (Minister for Human Services and Health) moved—That the Bill be now read a second time.

Mrs Bishop moved, as an amendment—That all words after "That" be omitted with a view to substituting the following words: "the House will not decline to give the Bill a second reading if the following assertions of principle are agreed to, being of the opinion that:

- (1) there is no evidence that the Bill will meet the objective of reducing private health insurance premiums so as to stem the flow from health fund membership; in fact the evidence is to the contrary;

- (2) freedom of choice of doctor and hospital is effectively denied;
- (3) there is no adequate default payment provision for patients treated in hospitals other than under hospital purchase-provider agreements;
- (4) the community rating principle is undermined by allowing contracts between health funds and contributors to exclude coverage for the treatment of certain illnesses and conditions;
- (5) there is no specific appeal mechanism from the Complaints Commissioner;
- (6) the Bill grants the Minister excessive power, specifically:
 - (a) the ability to intervene in contracts, applicable benefits arrangements, complaints, and mergers of health funds;
 - (b) power to intrude upon the privacy of individual patients, without adequate guidelines and safeguards being provided, and
 - (c) to avoid competition policy and the provisions of the Trade Practices Act;
- (7) many in the industry have not been able to have their view heard, and accordingly, the Bill should be referred to the Senate Committee on Community Affairs to examine inter alia:
 - (a) the question as to whether the amendments to the Principal Act made by this Bill may be construed as an authorisation of any form of civil conscription in relation to medical and dental services as prohibited by section 51 (xxiiiA) of the Constitution;
 - (b) the submission made by the Australian Private Hospital Association that the date of the implementation of the mandatory contractual agreements be delayed until 1 July 1996 with the agreements remaining in place till then, and the apparent inflexibility of Casemix based payment systems; and
 - (c) the provision of an independent agency to receive information under the Hospital Casemix Protocol; and
- (8) should this second reading amendment not be agreed to, the Bill's second reading should be declined".

Debate continued.

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

6 SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED

Mr Anderson (Deputy Leader of the National Party of Australia) moved—That so much of the standing and sessional orders be suspended as would prevent the Deputy Leader of the National Party of Australia from moving forthwith—That this House, recognising the damage to regional economies and jobs, re-affirms its commitment to the National Forestry Policy Statement and requests the Government to bring about its immediate implementation.

Closure of Member: Mr McLeay (Chief Government Whip) moved—That the Member be not further heard.

Question—put and passed.

Mr McLachlan seconded the motion.

Question—That the motion for the suspension of standing and sessional orders be agreed to—put—

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

AYES, 59

Mr Abbott	Mr Costello	Mr Lloyd	Mr B. C. Scott
Mr Aldred	Mr Dobie	Mr McArthur	Mr Sharp
Mr Anderson	Mr R. D. C. Evans	Mr McLachlan	Mr Sinclair
Mr J. N. Andrew	Mr Filing	Mr Miles	Mr Slipper
Mr K. J. Andrews	Mr Fischer	Mr Moore	Mr Somlyay
Mr Atkinson	Mr Forrest	Mrs Moylan	Mrs Sullivan
Mr Beale	Mrs Gallus	Mr Nehl	Mr Taylor
Mrs Bishop	Mr Georgiou	Mr Neville	Mr Truss
Mr Bradford	Mr Hall	Mr Nugent	Mr Tuckey
Mr Braithwaite	Mr Hawker*	Mr Prosser	Mr Vaile
Mr Cadman	Mr Hicks*	Mr Pyne	Mr Wakelin
Mr Cameron	Mr Jull	Mr Reid	Mr Williams
Mr Charles	Mr Katter	Mr Reith	Dr Wooldridge
Mr Cobb	Dr Kemp	Mr Rocher	Ms Worth
Mr Connolly	Mr Lieberman	Mr Ruddock	

NOES, 74

Mr Adams	Mrs Easson	Mr Jenkins	Mr Punch
Mr Baldwin	Mr Elliott	Mr Johns	Mr Quick
Mr Beazley	Mr M. J. Evans	Mr Kerr	Mr Sawford*
Mr Beddall	Ms Fatin	Mr Knott	Mr Sciacca
Mr Bevis	Mr Ferguson	Mr Langmore	Mr L. J. Scott
Mr Bilney	Mr Fitzgibbon	Mr Latham	Mr Simmons
Mr Brereton	Mr Free	Dr Lawrence	Mrs S. J. Smith
Mr Brown	Mr Gear	Mr Lee	Mr S. F. Smith
Mr Campbell	Mr Gibson	Mr Lindsay	Mr Snowdon
Mr Chynoweth	Mr Gorman	Ms McHugh	Mr Staples
Mr Cleland	Mr Grace*	Mr Mack	Mr Swan
Ms Crawford	Mr Griffin	Mr McLeay	Mr Tanner
Mr Crean	Mr Griffiths	Mr Melham	Dr Theophanous
Mrs Crosio	Mr Haviland	Mr A. A. Morris	Mr Tickner
Mr Cunningham	Ms Henzell	Mr P. F. Morris	Mr Walker
Ms Deahm	Mr Hollis	Mr Newell	Mr Willis
Mr Dodd	Mr Horne	Mr O'Connor	Mr Woods
Mr Duffy	Mr Howe	Mr O'Keefe	
Mr Duncan	Mr Humphreys	Mr Price	

* Tellers

And so it was negated.

7 POSTPONEMENT OF ORDER OF THE DAY

Ordered—That order of the day No. 3, government business, be postponed until the next sitting.

8 AUDIT (TRANSITIONAL AND MISCELLANEOUS) AMENDMENT BILL 1994

The order of the day having been read for the second reading—Mr Elliott (Parliamentary Secretary to the Treasurer) moved—That the Bill be now read a second time.

Debate ensued.

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

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

Message from the Governor-General: Message No. 233, dated 12 December 1994, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

Consideration in detail

Bill, by leave, taken as a whole.

On the motion of Mr Elliott, the following amendment was made, after debate: Clause 8, page 3, line 24, after “1994” insert “for a term of 7 years commencing on the day on which that Act commences”.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Mr Elliott, by leave, the Bill was read a third time.

9 POSTPONEMENT OF ORDER OF THE DAY

Ordered—That order of the day No. 5, government business, be postponed until a later hour this day.

10 BEATIFICATION OF THE BLESSED MARY MACKILLOP

Mr Keating (Prime Minister), for Mr Beazley (Leader of the House), pursuant to notice, moved—That this House:

- (1) acknowledges the Beatification by His Holiness, Pope John Paul II, of Mother Mary MacKillop, founder of Australia’s first religious order, the Congregation of the Sisters of St Joseph; and
- (2) recognises the contribution to the people and society of Australia by Blessed Mary MacKillop and the beneficent and enduring work of the Congregation of the Sisters of St Joseph.

Debate ensued.

Question—put and passed.

11 QUESTIONS

Questions without notice being asked—

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

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

Question—put.

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

AYES, 80

Mr Adams	Mrs Easson	Mr Jenkins	Mr O'Keefe
Mr Baldwin	Mr Elliott	Mr Johns	Mr Price
Mr Beazley	Mr M. J. Evans	Mr Jones	Mr Punch
Mr Beddall	Ms Fain	Mr Keating	Mr Quick
Mr Bevis	Mr Ferguson	Mr Kerr	Mr Sawford*
Mr Bilney	Mr Fitzgibbon	Mr Knott	Mr Sciacca
Mr Brereton	Mr Free	Mr Langmore	Mr L. J. Scott
Mr Brown	Mr Gear	Mr Latham	Mr Simmons
Mr Campbell	Mr Gibson	Mr Lavarch	Mrs S. J. Smith
Mr Chynoweth	Mr Gorman	Dr Lawrence	Mr S. F. Smith
Mr Cleary	Mr Grace*	Mr Lee	Mr Snow
Mr Cleland	Mr Griffin	Mr Lindsay	Mr Snowdon
Ms Crawford	Mr Griffiths	Ms McHugh	Mr Staples
Mr Crean	Mr Haviland	Mr Mack	Mr Swan
Mrs Crosio	Ms Henzell	Mr McLeay	Mr Tanner
Mr Cunningham	Mr Holding	Mr Melham	Dr Theophanous
Ms Deahm	Mr Hollis	Mr A. A. Morris	Mr Tickner
Mr Dodd	Mr Horne	Mr P. F. Morris	Mr Walker
Mr Duffy	Mr Howe	Mr Newell	Mr Willis
Mr Duncan	Mr Humphreys	Mr O'Connor	Mr Woods

NOES, 63

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

* Tellers

And so it was resolved in the affirmative.

The Member was, therefore, suspended at 3.23 p.m. for 24 hours under standing order 305, and he accordingly withdrew from the Chamber.

Questions without notice continued.

Prime Minister—Motion of censure: Mr Howard (Leader of the Opposition), by leave, moved—That this House censures the Prime Minister for his continued deceiving of the Australian people in relation to:

- (1) his management of the economy and his threats to impose new burdens on Australian families through higher interest rates and higher taxation;
- (2) his failure after 12 years in office to tackle the fundamental problems of Australia's current account deficit;
- (3) the massive accumulation of foreign debt under his stewardship;
- (4) his failure to provide a stable and predictable environment in which families and small businesses can plan their futures;

- (5) presiding over a nation in which the rich have got richer and the poor have got poorer; and
- (6) his cynical use of interest group politics at the expense of timber workers and their families.

Debate ensued.

Paper: Mr Fischer (Leader of the National Party of Australia), by leave, presented the following paper:

Logging protest—Transcript from unedited ABC tape report of address by Mr Fischer to protesters, 2 February 1995.

Debate continued.

Closure: Mr Willis (Treasurer) moved—That the question be now put.

Question—That the question be now put—put and passed.

And the question—That the motion be agreed to—being accordingly put—

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

AYES, 59

Mr Abbott	Mr Dobie	Mr McArthur	Mr Ruddock
Mr Aldred	Mr R. D. C. Evans	Mr McGauran	Mr B. C. Scott
Mr Anderson	Mr Filing	Mr McLachlan	Mr Sharp
Mr J. N. Andrew	Mr Fischer	Mr Miles	Mr Sinclair
Mr K. J. Andrews	Mr Forrest	Mr Moore	Mr Somlyay
Mr Atkinson	Mrs Gallus	Mrs Moylan	Mrs Sullivan
Mr Beale	Mr Georgiou	Mr Nehl	Mr Taylor
Mrs Bishop	Mr Hall	Mr Neville	Mr Truss
Mr Braithwaite	Mr Hawker*	Mr Nugent	Mr Tuckey
Mr Cadman	Mr Hicks*	Mr Prosser	Mr Vaile
Mr Cameron	Mr Jull	Mr Pyne	Mr Wakelin
Mr Charles	Mr Katter	Mr Reid	Mr Williams
Mr Cobb	Dr Kemp	Mr Reith	Dr Wooldridge
Mr Connolly	Mr Lieberman	Mr Rocher	Ms Worth
Mr Costello	Mr Lloyd	Mr Ronaldson	

NOES, 75

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

* Tellers

And so it was negatived.

Questions without notice concluded.

12 PAPER

The following paper was presented:

Electoral Matters—Joint Standing Committee—Women, elections and Parliament—Report, May 1994—Government response.

13 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ECONOMIC AND SOCIAL DISARRAY

The House was informed that Mr Fischer (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 economic and social disarray arising from the Government’s lack of leadership and management, as reflected by the current forestry policy chaos and the corruption of conservation evaluation processes—all of which adversely impact on the country’s vulnerable economic circumstances”.

The proposed discussion having received the necessary support—

Mr Fischer rising to address the House—

Mr Beazley (Leader of the House) moved—That the business of the day be called on.

Question—put and passed.

14 EXCISE TARIFF AMENDMENT BILL (NO. 2) 1994—REPORT FROM MAIN COMMITTEE

The Speaker reported that the Excise Tariff Amendment Bill (No. 2) 1994 had been fully considered in the Main Committee and agreed to without amendment, and presented a certified copy of the Bill.

Bill agreed to.

On the motion of Mr Bevis (Parliamentary Secretary to the Minister for Defence), by leave, the Bill was read a third time.

15 ADJOURNMENT

It being approximately 5.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 5.58 p.m., adjourned until Monday next at 12.30 p.m.

PAPERS

The following papers were deemed to have been presented on 2 February 1995:

Census and Statistics Act—Determination—Statutory Rules 1994 No. 465.

Copyright Act—Declaration under section 10A, 21 December 1994.

Family Law Act—Rules of Court—Statutory Rules 1995 No. 2.
Housing Assistance Act—Determination No. HAA 1/95.
Industrial Relations Act—Rules of the Australian Industrial Relations Commission—Statutory Rules 1994 No. 464.
Lands Acquisition Act—Statement under section 40.
Marine Navigation Levy Act—Regulations—Statutory Rules 1994 No. 469.
Migration Act—
 Regulations—Statutory Rules 1995 No. 3.
 Regulations—Statutory Rules 1995 No. 3—Ministerial statement.
National Health Act—Regulations—Statutory Rules 1995 No. 1.
Protection of the Sea (Prevention of Pollution from Ships) Act—
 Regulations—Statutory Rules 1994 Nos. 467, 468.
Protection of the Sea (Shipping Levy) Act—Regulations—Statutory Rules 1994
 No. 470.
Remuneration Tribunal Act—Regulations—Statutory Rules 1994 No. 466.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Halverson and Dr Hewson.

L. M. BARLIN

Clerk of the House of Representatives

1993-94-95

HOUSE OF REPRESENTATIVES

SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 117

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 2 FEBRUARY 1995

1 The Main Committee met at 10 a.m.

2 EXCISE TARIFF AMENDMENT BILL (NO. 2) 1994

The order of the day having been read for the second reading—Mr Lindsay (Parliamentary Secretary to the Minister for Industry, Science and Technology) moved—That the Bill be now read a second time—

Debate ensued.

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

Leave granted for the motion for the Bill to be reported to be moved forthwith.

On the motion of Mr Lindsay, Bill to be reported to the House without amendment.

3 AUSTRALIAN INVESTMENT IN SOUTH-EAST ASIA—PAPER—MOTION TO TAKE NOTE OF PAPER

The order of the day having been read for the resumption of the debate on the motion of Mr Beazley (Leader of the House)—That the House take note of the paper (*presented on 10 May 1994*), viz.:

East Asia Analytical Unit—Department of Foreign Affairs and Trade—
Report—Changing tack: Australian investment in South-East Asia—

Debate resumed.

Suspension of sitting: At 12.30 p.m., a division having been called in the House, the proceedings were suspended.

Resumption of sitting: At 12.41 p.m., the proceedings were resumed.

Debate continued.

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

4 ADJOURNMENT

On the motion of Ms Crawford (Parliamentary Secretary to the Minister for Housing and Regional Development), the Main Committee adjourned at 12.45 p.m.

The Deputy Speaker fixed Wednesday, 8 February 1995, at 10 a.m., for the next meeting of the Main Committee.

I. C. HARRIS

Clerk of the Main Committee