

1993-94-95

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 126

MONDAY, 6 MARCH 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 **LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—EXPOSURE DRAFT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER**

Mr Melham (Chair) presented the following paper:

Legal and Constitutional Affairs—Standing Committee—The third paragraph of section 53 of the Constitution—Exposure draft, 6 March 1995.

Mr Melham and Mr Williams made statements in connection with the paper.

Mr Melham moved—That the House take note of the paper.

In accordance with standing order 102B, the debate was adjourned, the resumption of the debate made an order of the day for the next sitting Monday, and Mr Melham was granted leave to continue his speech when the debate is resumed.

3 **COMMUNITY AFFAIRS—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER**

Ms Fatin presented the following report and related papers:

Community Affairs—Standing Committee—The management and treatment of breast cancer—

Report, 17 February 1995.

Evidence received by the committee.

Minutes of proceedings.

Ordered—That the report be printed.

Ms Fatin, Ms Worth and Mr Quick made statements in connection with the report.

Ms Fatin moved—That the House take note of the report.

In accordance with standing order 102B, the debate was adjourned, the resumption of the debate made an order of the day for the next sitting Monday, and Ms Fatin was granted leave to continue her speech when the debate is resumed.

4 NATIONAL CAPITAL AND EXTERNAL TERRITORIES—JOINT STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER

Mr Chynoweth (Chairman) presented the following report and related papers:

National Capital and External Territories—Joint Standing Committee—
Delivering the goods—

Report, incorporating a dissenting report, February 1995.

Evidence received by the committee.

Ordered—That the report be printed.

Mr Chynoweth and Mr Jenkins made statements in connection with the report.

Mr Chynoweth moved—That the House take note of the report.

In accordance with standing order 102B, the debate was adjourned, the resumption of the debate made an order of the day for the next sitting Monday, and Mr Chynoweth was granted leave to continue his speech when the debate is resumed.

5 MISSING PERSONS

Mr P. F. Morris, pursuant to notice, moved—That this House:

- (1) notes that (a) about 26 000 persons go missing in Australia each year of whom about 200 are not heard of again, (b) families of missing persons experience endless anguish and anxiety and (c) federal departments and agencies may hold information about a missing person which is not available to third parties, because of privacy considerations, except under very limited circumstances; and
- (2) is of the opinion that a missing person's ombudsman be appointed who would ascertain at the request of a family member of the missing person whether any current information is held by any federal government agency or department on that missing person.

Debate ensued.

Debate adjourned, and the resumption of the debate made an order of the day for the next sitting Monday.

6 CHILD CARE

Mr Bradford, pursuant to notice, moved—That this House:

- (1) condemns the Government for refusing to give parents real freedom of choice when it comes to caring for their children;
- (2) notes that the new Home Child Care Allowance replaces the dependent spouse rebate and many families with a stay-at-home parent gain next to nothing from this allowance and that some families will be worse off; and
- (3) calls on the Government to introduce real choice by offering an equal subsidy for all parents which can either be used to pay for child care or to offset the cost of one parent staying home to care for their children themselves.

Debate ensued.

Mr Bradford, by leave, again addressed the House without closing the debate.

It being 2.45 p.m., the debate was interrupted in accordance with standing order 104A and the resumption of the debate made an order of the day for the next sitting Monday.

7 MEMBERS' STATEMENTS

Members' statements were made.

8 WENTWORTH ELECTORAL DIVISION—ISSUE OF WRIT

The Speaker informed the House that he had issued a writ on 3 March 1995 for the election of a Member to serve for the electoral division of Wentworth, in the State of New South Wales, in the place of Dr Hewson. The dates in connection with the election were fixed as follows:

Close of rolls	Friday, 10 March 1995.
Date of nominations	Tuesday, 14 March 1995.
Date of polling	Saturday, 8 April 1995.
Return of writ	On or before Sunday, 11 June 1995.

9 MINISTERIAL ARRANGEMENTS

Mr Howe (Acting Prime Minister) informed the House that, during the absence abroad of Mr Keating (Prime Minister), he would answer questions on behalf of Mr Keating.

10 QUESTIONS

Questions without notice being asked—

Paper: Dr Lawrence (Minister for Human Services and Health) presented the following paper:

Health insurance reform policy—Meetings and correspondence sent—List of organisations consulted by the Department of Human Services and Health during the development of the health insurance reform policy, 28 October 1993 to 27 February 1995.

Questions without notice continued.

11 SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED

Mr Costello (Deputy Leader of the Opposition) moved—That so much of the standing and sessional orders be suspended as would prevent the Deputy Leader of the Opposition moving forthwith—That the Acting Prime Minister detail to the House all the alleged facts relied on by the Prime Minister to make his repeated allegations that the Leader of the Opposition has made a secret deal with Mr Kerry Packer to change Australia's media ownership laws.

Closure of Member: Mr Beazley (Leader of the House) moved—That the Member be not further heard.

Question—put.

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

AYES, 74

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 Kerr	Mr L. J. Scott
Mr Bilney	Mr Fitzgibbon	Mr Latham	Mr Simmons
Mr Brereton	Mr Free	Mr Lavarch	Mrs S. J. Smith
Mr Brown	Mr Gear	Dr Lawrence	Mr S. F. Smith
Mr Campbell	Mr Gibson	Mr Lee	Mr Snow
Mr Chynoweth	Mr Gorman	Mr Lindsay	Mr Staples
Mr Cleeland	Mr Grace*	Ms McHugh	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 Holding	Mr Newell	Mr Willis
Mr Dodd	Mr Hollis	Mr O'Connor	Mr Woods
Mr Duffy	Mr Horne	Mr O'Keefe	
Mr Duncan	Mr Howe	Mr Price	

NOES, 63

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

* Tellers

And so it was resolved in the affirmative.

Mr Fischer (Leader of the National Party of Australia—seconder) addressing the House—

Closure of Member: Mr Beazley moved—That the Member be not further heard.

Question—put.

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

AYES, 74

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 Kerr	Mr L. J. Scott
Mr Bilney	Mr Fitzgibbon	Mr Latham	Mr Simmons
Mr Brereton	Mr Free	Mr Lavarch	Mrs S. J. Smith
Mr Brown	Mr Gear	Dr Lawrence	Mr S. F. Smith
Mr Campbell	Mr Gibson	Mr Lee	Mr Snow
Mr Chynoweth	Mr Gorman	Mr Lindsay	Mr Staples
Mr Cleeland	Mr Grace*	Ms McHugh	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 Holding	Mr Newell	Mr Willis
Mr Dodd	Mr Hollis	Mr O'Connor	Mr Woods
Mr Duffy	Mr Horne	Mr O'Keefe	
Mr Duncan	Mr Howe	Mr Price	

NOES, 63

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

* Tellers

And so it was resolved in the affirmative.

Closure: Mr Beazley moved—That the question be now put.

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

And the question—That the motion for the suspension of standing and sessional orders be agreed to—being accordingly put—

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

AYES, 61

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

NOES, 75

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

* Tellers

And so it was negatived.

12 INJUNCTION CONCERNING REPORT OF COMMONWEALTH OMBUDSMAN—STATEMENT BY SPEAKER

The Speaker referred to his statement to the House on 1 March 1995 concerning a report by the Commonwealth Ombudsman and the subsequent request by Mr Howard (Leader of the Opposition) as to whether precedence would be given to a motion concerning the presentation of the report. The Speaker stated that as no *prima facie* case of breach of privilege or contempt had been made out there was no basis for allowing precedence to such a motion.

13 AUDITOR-GENERAL'S REPORT—PUBLICATION OF PAPER

The Speaker presented the following paper:

Audit Act—Auditor-General—Audit report No. 22 of 1994-95—Results of 1993-94 financial statement audits of Commonwealth entities.

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

- (1) this House authorises the publication of the Auditor-General's audit report No. 22 of 1994-95; and

(2) the report be printed.

Question—put and passed.

14 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation, viz.:

Mr Atkinson, Mr Beale, Mr Chynoweth and Mr Reith, from 1536, 28, 458 and 680 petitioners, respectively, praying for certain changes to the Family Law Act and the Child Support Scheme.

Mr Abbott, from 10 petitioners, praying that certain action be taken to control technology-related intrusions into the residential environment and find neater solutions.

Mr Beale, from 18 petitioners, praying that no change be made to the national flag without a full referendum.

Mr Braithwaite, from 276 petitioners, praying that discrimination against single-income families in the tax and social security systems be removed.

Ms Deahm, from 1491 petitioners, praying that certain actions be taken to protect all native old growth, wilderness and other high conservation value forests in Australia.

Mr R. D. C. Evans, from 80 petitioners, praying that greater resources be made available for research into breast cancer.

Ms McHugh, from 62 petitioners, praying that certain action be taken at the UN Fourth World Conference on Women to recognise women's contribution to sustainable agriculture.

Mr Mack, from 13 petitioners, praying that certain actions be taken to protect the remaining high conservation value forests and other areas which support flora and fauna habitats unique to Australia.

Mr Moore, from 1527 petitioners, praying that the national flag not be changed, replaced or diminished without being approved by a referendum.

Mr Ruddock, from 631 petitioners, praying that the guidelines for homeless rate recipients be reviewed and greater commitment shown to programs which prevent family breakdown.

Mr Truss, from 106 petitioners, praying that certain action be taken to establish by referendum whether the Constitution should be amended to ensure parliamentary scrutiny of all international treaties, conventions and agreements before they come into force in Australia.

Mr Truss, from 30 petitioners, praying that the current national flag be preserved and no change be made to its design unless supported by referendum by the majority of Australians in the majority of States.

Mr Tuckey, from 24 petitioners, praying that a national working group be established to devise a long term strategy for providing lasting infrastructure for drought-proofing inland Australia.

Mr Tuckey, from 21 petitioners, praying that appropriate action be taken to stop the unnecessary farming, killing and export of Australia's fauna.

Petitions received.

15 GRIEVANCE DEBATE

Pursuant to the provisions of standing order 106, the order of the day having been read—

Question proposed—That grievances be noted.

Debate ensued.

It being 5.15 p.m., the debate was interrupted in accordance with standing order 106.

Question—That grievances be noted—put and passed.

16 PRIVILEGES COMMITTEE—REPORT—STATEMENTS BY MEMBERS

Mr Sawford (Chair) presented the following report:

Committee of Privileges—Matter referred to the committee on 12 May 1994—Report concerning the unauthorised publication of material concerning an inquiry by the Standing Committee on Environment, Recreation and the Arts, including minutes of proceedings, 2 March 1995.

Ordered to be printed.

Mr Sawford and Mr K. J. Andrews, by leave, made statements in connection with the report.

17 ENVIRONMENT, RECREATION AND THE ARTS—STANDING COMMITTEE

The House was informed that Mr Adams had been nominated by the Chief Government Whip and Mr Miles had been nominated by the Chief Opposition Whip to be members of the Standing Committee on Environment, Recreation and the Arts for the purposes of the inquiry into the proposal to drain and restore Lake Pedder.

18 MESSAGES FROM THE SENATE

Messages from the Senate, dated 2 March 1995, were reported returning the following Bills without amendment:

Message—

No. 417—Classification (Publications, Films and Computer Games) 1994.

No. 418—Customs Tariff Amendment (No. 2) 1994 (*without requests*).

No. 419—Excise Tariff Amendment (No. 2) 1994 (*without requests*).

No. 420—Asian Development Bank (Additional Subscription) 1994.

19 MESSAGE FROM THE SENATE—WEAPONS OF MASS DESTRUCTION (PREVENTION OF PROLIFERATION) BILL 1995

Message No. 415, dated 27 February 1995, from the Senate was reported transmitting for the concurrence of the House a Bill for “*An Act to prohibit the supply or export of goods that will or may be used in, and the provision of services that will or may assist, the development, production, acquisition or stockpiling of weapons capable of causing mass destruction or missiles capable of delivering such weapons*”.

Bill read a first time.

Paper: Mr Bilney (Minister for Development Co-operation and Pacific Island Affairs) presented an explanatory memorandum to the Bill.

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

20 MESSAGE FROM THE SENATE—VETERANS’ AFFAIRS LEGISLATION AMENDMENT BILL (NO. 3) 1994

Message No. 421, dated 2 March 1995, from the Senate was reported transmitting for the concurrence of the House a Bill for “*An Act to amend the law relating to veterans’ affairs, and for related purposes*”.

Bill read a first time.

Paper: Mr Bilney (Minister for Development Co-operation and Pacific Island Affairs) presented an explanatory memorandum to the Bill.

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

21 POSTPONEMENT OF ORDER OF THE DAY

Ordered—That order of the day No. 2, government business, be postponed until the next sitting.

22 LAND FUND AND INDIGENOUS LAND CORPORATION (ATSIC AMENDMENT) 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.

Ms Henzell addressing the House—

23 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 12.30 p.m.

PAPERS

The following papers were deemed to have been presented on 6 March 1995:

Aboriginal and Torres Strait Islander Commission Act—Statement 1995 No. 1.

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposal 1995 No. 1.

Fisheries Management Act—Plans of management—1995 Nos. NPF01, SBT 01.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Katter, Mr Keating, Mr Knott, Mr Langmore, Mr Reith, Mr Snowdon and Mr Wakelin.

L. M. BARLIN

Clerk of the House of Representatives