

1993-94-95

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 157

MONDAY, 28 AUGUST 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 FOREST INDUSTRY**

Mr Nehl, pursuant to notice, moved—That this House expresses concern over the future of Australian forest families, particularly in New South Wales, because of the uncertainty facing the forest industry.

Debate ensued.

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

The time allotted for the debate having expired, the debate was interrupted and the resumption of the debate made an order of the day for the next sitting Monday.

**3 HUMAN RIGHTS IN VIETNAM**

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

- (1) notes that:
  - (a) 11 May 1995 was the fifth anniversary of the issuance of the Manifesto of the Non-Violent Movement for Human Rights in Vietnam;
  - (b) the Manifesto, which calls upon Hanoi to respect basic human rights, accept a multiparty system and restore the rights of the Vietnamese people to choose their own form of government through free and fair elections, reflects the will and aspirations of the people of Vietnam;
  - (c) the author of the Manifesto, Dr Nguyen Dan Que, and thousands of innocent Vietnamese, including religious leaders, are imprisoned by the Socialist Republic of Vietnam because of their non-violent struggle for freedom and human rights; and
  - (d) the leaders of the Socialist Republic of Vietnam are seeking to expand diplomatic and trade relations with the rest of the world;
- (2) calls on Hanoi to (a) release immediately and unconditionally all political prisoners, including Dr Nguyen Dan Que, with full restoration of their civil and human rights, (b) guarantee equal protection under the law to all

Vietnamese, regardless of religious belief, political philosophy or previous associations, (c) restore all basic human rights such as freedom of speech, religion, movement and association, (d) abolish the single party system and permit the functioning of all political organisations without intimidation or harassment and (e) announce a framework and timetable for free and fair elections under the sponsorship of the UN that will allow the Vietnamese people to choose their own form of government; and

- (3) calls upon the Australian Government to designate 11 May 1996 as Vietnam Human Rights Day in support of efforts by the Non-Violent Movement for Human Rights in Vietnam to achieve freedom and human rights for the people of Vietnam.

Debate ensued.

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

#### 4 ADULT LEARNERS WEEK

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

- (1) notes that 10 to 16 September 1995 is Adult Learners Week;
- (2) commends all involved in Adult Learners Week for their initiative;
- (3) recognises that learning is a life-long experience; and
- (4) recognises that adult and community education is making an important contribution to skilling Australians, creating an informed and active citizenry and helping adults with special learning needs.

Debate ensued.

Mr Hollis, 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.

#### 5 MEMBERS' STATEMENTS

Members' statements were made.

#### 6 PRIVILEGE—COMPLAINT OF BREACH

Mr Keating (Prime Minister) raised, as a matter of privilege, words used by Dr Wooldridge in making a personal explanation to the House on 24 August 1995.

The Speaker stated that he would consider the matter.

#### 7 QUESTIONS

Questions without notice being asked—

*Member ordered to withdraw:* At 4.06 p.m. the Member for Casey (Mr Halverson) was ordered, under standing order 304A, to withdraw from the House for 1 hour for interjecting when the Speaker was addressing the House, and he accordingly withdrew from the Chamber.

Questions without notice continued.

*Paper:* Mr Costello (Deputy Leader of the Opposition), by leave, presented the following paper:

Dr Lawrence (Minister for Human Services and Health)—Copy of transcript of press conference at the National Press Club, 19 April 1995.

*Member ordered to withdraw:* At 4.18 p.m. the Member for Higgins (Mr Costello) was ordered, under standing order 304A, to withdraw from the House for 1 hour for offensive behaviour, and he accordingly withdrew from the Chamber.

Questions without notice concluded.

## 8 SUSPENSION OF STANDING AND SESSIONAL ORDERS—GRIEVANCE DEBATE

Mr Beazley (Leader of the House), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent Grievance debate continuing until 5.45 p.m.

Question—put and passed.

## 9 PETITIONS AND MINISTER'S RESPONSES

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

Mr Adams, Mr K. J. Andrews, Mr Costello, Mr Forrest, Mr Griffin, Mr Halverson and Mr Ronaldson, from 406, 308, 124, 2976, 136, 350 and 36 petitioners, respectively, praying for certain changes to the Family Law Act and the Child Support Scheme.

Mr Dodd, Mr Ferguson, Mr Grace, Mr Melham, Mr Ronaldson and Mr Ruddock, from 44, 1038, 821, 125, 188 and 199 petitioners, respectively, praying that certain actions be taken with respect to the application for refugee status by East Timorese in Australia.

Mr Downer, Mr Ruddock and Mr Somlyay, from 401, 29 and 170 petitioners, respectively, praying that the proposed sales tax on basic hardware and building products not be implemented.

Mr Adams and Mr Crean, from 20 and 34 petitioners, respectively, praying that certain action be taken to ensure the equitable provision of postgraduate education.

Mr K. J. Andrews and Mr Filing, from 16 and 234 petitioners, respectively, praying that certain legislative action be taken to prevent the transmission of indecent or obscene material on the information superhighway.

Mr M. J. Evans, from 1127 residents of South Australia, and Mr Swan, from 1890 residents of Queensland, respectively, praying that multilateral and bilateral diplomatic action be initiated to bring about the reversal of the French Government's decision to resume nuclear testing in the South Pacific.

Mr Free and Mr Vaile, from 17 and 2205 petitioners, respectively, praying that legislative action be taken to ensure family members are not denied access to children of their extended family.

Dr Kemp and Mr Sinclair, from 127 and 18 petitioners, respectively, praying that a classification system be applied to all audio tapes and compact discs and that certain items be restricted from sale to minors.

Mr Bevis, from 4088 petitioners, praying that condemnation of, and action against, the French Government's decision to resume nuclear testing in the South Pacific be continued.

Mr Bilney, from 116 petitioners, praying that the sales tax on wine not be increased nor excise imposed.

Mr Campbell, from 381 persons of Aboriginal descent and residents of the Kimberley region in Western Australia, praying that Mr Peter Yu be excluded from any position on the Indigenous Land Corporation Land Fund Board.

Mr Cleeland, from 1466 petitioners, praying that certain action be taken with respect to the invasion of Serbian Krajina and Western Slavonia.

Mr Cleeland, from 910 petitioners, praying that certain action be taken with respect to the visit to Australia by the President of Croatia and the recruitment of Australian-Croatians into the Croatian armed forces.

Mr Cobb, from 260 petitioners, praying that non-custodial parents with low incomes be required to make at least a nominal financial contribution towards child support.

Mr Connolly, from 954 petitioners, praying that all three runways at Sydney (Kingsford-Smith) Airport be used.

Mr Crean, from 16 petitioners, praying that certain action be taken to ensure the equitable provision of undergraduate and postgraduate education.

Mr Elliott, from 252 petitioners, praying that Australia's opposition to the decision of the French Government to resume nuclear testing in the South Pacific be conveyed to the French Parliament.

Mr Elliott, from 109 residents of New South Wales, praying that the Adult Migrant English Service in Auburn, NSW, continue to be provided with at least the current level of funding.

Mr R. D. C. Evans, from 1401 petitioners, praying that Australia's opposition to nuclear testing in the Pacific be conveyed to the French Government in the strongest terms.

Mr Grace, from 420 petitioners, praying that recognition of the Republic of China (Taiwan) as a nation within the UN be actively assisted.

Mr Griffiths, from 26 petitioners, praying that any future declaration of independence by former French colonies in the Pacific be recognised and French nuclear testing in the Pacific be opposed.

Mr Hicks, from 122 petitioners, praying that the House call on the Minister for Human Services and Health to withdraw her endorsement of the sex guide published in the December 1994 issue of *Cleo* magazine and on the Prime Minister to indicate his disapproval of it.

Mr Cadman, from 34 petitioners, and Mr Slipper, from 17 residents of Queensland, respectively, in similar terms.

Mr Hicks, from 39 petitioners, praying that Austudy payments be raised to the same level as the Job Search and Newstart allowances.

Mr Hicks, from 19 petitioners, praying that the House request the Prime Minister to note and act on serious concerns about French nuclear testing.

Mr Jull, from 1107 residents of Queensland, praying that an application to establish a pharmacy to service the residents of Jacobs Well, Qld, and district be approved.

Mr Keating, from 38 petitioners, praying that family day care providers, users and sponsors be consulted before decisions are made concerning home based child care workers.

Mr Langmore, from 147 petitioners, praying that certain action be taken with respect to Vietnamese asylum seekers in South East Asia and Hong Kong.

Dr Lawrence, from 549 petitioners, praying that the decision to renew export woodchip licences for 1995 be revoked and protection be given to the 1300 forest areas recommended for exclusion from woodchipping.

Dr Lawrence, from 92 petitioners, praying that certain actions be taken to protect native forests in the south west of Western Australia.

Ms McHugh, from 134 petitioners, praying that the proposed privatisation of Sydney (Kingsford-Smith) Airport be opposed.

Mr Neville, from 45 petitioners, praying that certain action be taken to create jobs in State forests.

Mr Newell, from 38 residents of the Division of Richmond, praying that the sale of uranium to the French Government cease and that a ship be provided for politicians to protest at Mururoa Atoll.

Mr Ronaldson, from 17 residents of Wendouree, Vic., praying that a CES office be established in Wendouree.

Mr B. C. Scott, from 34 petitioners, praying that a demand be made for France to shut down nuclear testing sites in the Pacific and that all military contracts and uranium sales to France be cancelled.

Mr Sharp, from 26 residents of New South Wales, praying that the French Government be prevented from resuming nuclear bomb testing in the Pacific.

Mr Sinclair, from 16 petitioners, praying that the exclusiveness of marriage as being between one male and one female be preserved and that the Marriage Act be amended to prohibit certain marriages.

Mr Slipper, from 97 residents of Beachmere, Qld, praying that the environmental impact of sand mining at Beachmere be examined.

Mr S. F. Smith, from 3815 residents of Perth, praying that diplomatic action be initiated to reverse the French Government's decision to resume nuclear testing in the South Pacific.

Mrs S. J. Smith, from 368 petitioners, praying that Australia's opposition to the resumption of nuclear testing in the South Pacific be conveyed to the French Parliament and the Government of France be called upon to abandon further tests.

Mr Snowdon, from 907 petitioners, praying that certain sanctions be initiated against France until the French Government agrees to no further nuclear tests at Mururoa Atoll.

Mr Truss, from 194 petitioners, praying that the freedom of information laws be amended with respect to pesticides and poisons.

Mr Vaile, from 547 electors of the Division of Lyne, praying that the resumption of nuclear testing at Mururoa Atoll be condemned and that certain economic and military sanctions be placed on the French Government.

Mr Vaile, from 290 petitioners, praying that all nuclear testing in the Pacific cease and fuelling and servicing of French aircraft proceeding to French Pacific territories be withdrawn.

Mr Vaile, from 63 electors of the Division of Lyne, praying that certain action be taken to make sure a comprehensive nuclear test ban treaty is reached.

Mr Vaile, from 43 petitioners, praying that the proposed restriction of child care assistance if one parent is outside the workforce be opposed.

Mr Vaile, from 4 electors of the Division of Lyne, praying that nuclear testing at Mururoa Atoll be condemned and a naval vessel be sent to monitor tests.

Mr Wakelin, from 1628 residents of rural areas of South Australia, praying that access to mobile phone networks be provided to rural areas of South Australia.

Mr Wakelin, from 50 residents of regional South Australia, praying that funding be made available for the expansion of the Triple J radio network to regional South Australia.

Petitions received.

The Clerk announced that the following Minister's responses to petitions previously presented to the House had been received, viz.:

From the Minister for Human Services and Health relating to the petition lodged by—

Dr Lawrence, on 29 May 1995, praying that the drug Imigran be made available to migraine sufferers under the Pharmaceutical Benefits Scheme.

Mr Ruddock, on 29 May 1995, praying that a Medicare branch be established at Hamilton, NSW.

#### 10 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 5.45 p.m., the debate was interrupted in accordance with the resolution agreed to this day.

Question—That grievances be noted—put and passed.

#### 11 MESSAGE FROM THE SENATE—COMMONWEALTH AUTHORITIES (AUSTRALIAN CAPITAL TERRITORY PAY-ROLL TAX) BILL 1995

The following message from the Senate was reported:

Message No. 516

Mr Speaker,

The Senate returns to the House of Representatives the bill for "*An Act relating to the liability of certain Commonwealth authorities to pay Australian Capital Territory pay-roll tax*", and acquaints the House that the Senate has agreed to the bill with the amendment indicated by the annexed schedule, in which amendment the Senate requests the concurrence of the House of Representatives.

MICHAEL BEAHAN  
President

The Senate

Canberra, 24 August 1995

Ordered—That the amendment be considered forthwith.

#### SCHEDULE OF THE AMENDMENT MADE BY THE SENATE

Clause 6, page 3, lines 15 to 18, omit the clause, substitute the following clause:

**Payments made before commencement of this Act**

“6. If a Commonwealth authority made any payments before the commencement of this Act on the basis that the payments were payable under the pay-roll tax law of the Australian Capital Territory, the Commonwealth authority cannot recover those payments.”

On the motion of Dr Theophanous (Parliamentary Secretary to the Prime Minister), the amendment was agreed to.

**12 SUPERANNUATION SUPERVISORY LEVY AMENDMENT BILL 1995**

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 Ronaldson), and the resumption of the debate made an order of the day for the next sitting.

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

The Chair reported that the Deputy Speaker had fixed Wednesday, 30 August 1995, at 10 a.m., for the next meeting of the Main Committee.

**14 ADJOURNMENT**

Mr Elliott (Parliamentary Secretary to the Treasurer) moved—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 8 p.m., adjourned until tomorrow at 12.30 p.m.

**PAPERS**

The following papers were deemed to have been presented on 28 August 1995:

Audit Act—Regulations—Statutory Rules 1995 No. 242.

Banks (Shareholdings) Act—Regulations—Statutory Rules 1995 No. 238.

Customs Act—Regulations—Statutory Rules 1995 No. 244.

Defence Act—Determination under section 58B 1995 No. 23.

Federal Court of Australia Act—Rules of Court—Statutory Rules 1995 No. 239.

International War Crimes Tribunals Act—Regulations—Statutory Rules 1995 No. 250.

Merit Protection (Australian Government Employees) Act—Regulations—Statutory Rules 1995 No. 247.

Petroleum Retail Marketing Sites Act—Regulations—Statutory Rules 1995 Nos. 234, 235.

Prawn Export Promotion Act, Prawn Export Charge Act and Prawn Boat Levy Act—Regulations—Statutory Rules 1995 No. 245.

Proclamation by His Excellency the Governor-General fixing the date on which the following Act provision shall come into operation—*Aboriginal Land Rights (Northern Territory) Amendment Act 1987*—Paragraph 23(1)(ea)—1 September 1995.

Public Service Act—

Determinations 1995 Nos. 133, LES 23.

Regulations—Statutory Rules 1995 Nos. 243, 249.

Quarantine Act—Regulations—Statutory Rules 1995 No. 246.

Remuneration Tribunal Act—Regulations—Statutory Rules 1995 No. 237.

*Superannuation Act 1976*—Regulations—Statutory Rules 1995 No. 236.

Superannuation Industry (Supervision) Act—Regulations—Statutory Rules 1995 No. 240.

*Telecommunications Act 1991*—Regulations—Statutory Rules 1995 No. 241.

Trade Practices Act—Regulations—Statutory Rules 1995 No. 248.

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**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Brereton, Mr Crean, Mr Gear, Mr Johns, Mr Lee, Mr Lindsay, Mr O'Keefe, Mr Sciacca, Mr Walker and Mr Willis.

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**L. M. BARLIN**

Clerk of the House of Representatives