

1996

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 20

MONDAY, 24 JUNE 1996

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

2 HEALTH AND OTHER SERVICES (COMPENSATION) AMENDMENT BILL 1996

Mr Lee, pursuant to notice, presented a Bill for an Act to amend the *Health and Other Services (Compensation) Act 1995*, and for related purposes.

Mr Lee made a statement in relation to the Bill.

Paper: Mr Lee, by leave, presented an explanatory memorandum to the Bill.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting, in accordance with standing order 104A.

3 OMBUDSMAN AMENDMENT BILL 1996

Mr Price, pursuant to notice, presented a Bill for an Act to amend the *Ombudsman Act 1976*.

Mr Price made a statement in relation to the Bill.

Paper: Mr Price, by leave, presented an explanatory memorandum to the Bill.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting, in accordance with standing order 104A.

4 RACISM

Mrs Crosio, pursuant to notice, moved—That the House:

- (1) condemns the racist comments made during the last federal election campaign and deplores the use of racism as a tool from which to gain political mileage;
- (2) recognises that Australians, whatever their race, creed or political beliefs, should never become victims of racial vilification or denigration;

- (3) recognises the achievements of Australia's indigenous population and endorses the continuing process of reconciliation between non-indigenous and indigenous Australians; and
- (4) recognises the achievements of Australia's immigration policy since 1945.

Debate ensued.

The time allotted for the debate having expired, the debate was interrupted, the resumption of the debate made an order of the day for the next sitting, and Mr Andren was granted leave to continue his speech when the debate is resumed.

5 GUN CONTROL

The order of the day having been read for the resumption of the debate on the motion of Ms Worth—That the House:

- (1) extends its sympathies to the family and friends of all the victims of the Port Arthur massacre;
- (2) recognises the outstanding work done by the police and emergency services during the tragedy and the efforts of those associated with the counselling of victims, their families and friends;
- (3) congratulates the Prime Minister and the State and Territory governments in making a significant contribution to public safety by moving to ban automatic and semi-automatic rifles and shotguns;
- (4) acknowledges the contribution made by the Leader of the Opposition in securing a bipartisan approach to the issue of gun control; and
- (5) acknowledges that many law abiding citizens who own guns may be inconvenienced by the ban on some types of firearms—

Debate resumed.

It being 1.45 p.m., the debate was interrupted in accordance with standing order 106A, the resumption of the debate made an order of the day for a later hour this day, and Mr Anthony was granted leave to continue his speech when the debate is resumed.

6 MEMBERS' STATEMENTS

Members' statements were made.

7 MINISTERIAL ARRANGEMENTS

Mr Howard (Prime Minister) informed the House that, during the absence of Mr McLachlan (Minister for Defence), Mrs Bishop (Minister for Defence Industry, Science and Personnel) would answer questions on his behalf.

8 DEATH OF MR ANDREAS PAPANDREOU

The Speaker informed the House of the death, on 23 June 1996, of Mr Andreas Papandreou, a former Prime Minister of Greece.

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

9 MR BRIAN FLANAGAN—30 YEARS OF SERVICE—STATEMENT BY SPEAKER

The Speaker referred to the completion of 30 years of service to the Department of the House of Representatives by Mr Brian Flanagan on 22 June 1996 and thanked him for his outstanding contribution and wished him well.

10 QUESTIONS

Questions without notice were asked.

11 SUSPENSION OF STANDING AND SESSIONAL ORDERS—MOTION OF CENSURE OF THE MINISTER FOR FOREIGN AFFAIRS

Mr Brereton moved—That so much of the standing and sessional orders be suspended as would prevent the Member for Kingsford-Smith moving forthwith—That this House censures the Minister for Foreign Affairs for:

- (1) having wilfully misled the House and the Australian people in his statement on 18 June 1996 concerning regional responses to the axing of the Development Import Finance Facility; and
- (2) having demonstrated by his disgraceful action that he is not fit to hold the high office of Minister for Foreign Affairs.

Question—put and passed, with the concurrence of an absolute majority.

12 MINISTER FOR FOREIGN AFFAIRS—MOTION OF CENSURE

Mr Brereton moved—That this House censures the Minister for Foreign Affairs for:

- (1) having wilfully misled the House and the Australian people in his statement on 18 June 1996 concerning regional responses to the axing of the Development Import Finance Facility; and
- (2) having demonstrated by his disgraceful action that he is not fit to hold the high office of Minister for Foreign Affairs.

Debate ensued.

Question—put.

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

AYES, 47

Mr Adams	Mr M. J. Evans	Mr Latham	Mr O'Keefe
Mr Albanese	Mr L. D. T. Ferguson	Dr Lawrence	Mr Price
Mr P. J. Baldwin	Mr M. J. Ferguson	Mr Lee	Mr Quick
Mr Beazley	Mr Fitzgibbon	Mr McClelland	Mr Sawford*
Mr Beddall	Mr E. L. Grace*	Ms Macklin	Mr Sercombe
Mr Bevis	Mr Griffin	Mr McLeay	Mr S. F. Smith
Mr Brereton	Mr Hatton	Mr McMullan	Mr Tanner
Mr Brown	Mr Holding	Mr Martin	Dr Theophanous
Mr Crean	Mr Hollis	Mr Melham	Mr K. J. Thomson
Mrs Crosio	Mr Jenkins	Mr A. A. Morris	Mr Willis
Ms Ellis	Mr Kerr	Mr P. F. Morris	Mr Wilton
Mr G. J. Evans	Mr Langmore	Mr Mossfield	

NOES, 92

Mr Abbott	Mrs Draper	Dr Kemp	Mr Ronaldson
Mr Anderson	Mrs Elson	Mr Lieberman	Mr Ruddock
Mr Andren	Mr Entsch	Mr Lindsay	Mr Scott
Mr J. N. Andrew	Mr R. D. C. Evans	Mr Lloyd	Mr Sharp
Mr K. J. Andrews	Mr Fahey	Mr McArthur*	Mr Sinclair
Mr Anthony	Mr Filing	Mr McDougall	Mr Slipper
Mrs Bailey	Mr Fischer	Mr McGauran	Mr A. C. Smith
Mr R. C. Baldwin	Mr Forrest	Mr Marek	Mr W. L. Smith
Mr Barresi	Ms Gambaro	Mr Miles	Mr Somlyay
Mr Bartlett	Mrs Gash	Mr Moore	Dr Southcott
Mr Billson	Mr Georgiou	Mrs Moylan	Mrs Stone
Mrs Bishop	Mrs E. J. Grace	Mr Mutch	Mrs Sullivan
Mr Broadbent	Mr Hardgrave	Mr Naim	Mr Taylor
Mr Brough	Mr Hawker	Mr Nehl	Mr A. P. Thomson
Mr Cadman	Mr Hicks*	Dr Nelson	Mr Truss
Mr E. H. Cameron	Mr Hockey	Mr Neville	Mr M. A. J. Vaile
Mr R. A. Cameron	Mr Howard	Mr Nugent	Ms D. S. Vale
Mr Causley	Ms Jeanes	Mr Prosser	Mr Wakelin
Mr Charles	Mrs Johnston	Mr Pyne	Mrs West
Mr Cobb	Mr Jull	Mr Randall	Mr Williams
Mr Costello	Mr Katter	Mr Reid	Dr Wooldridge
Mr Dondas	Mrs D. M. Kelly	Mr Reith	Ms Worth
Mr Downer	Miss J. M. Kelly	Mr Rocher	Mr Zammit

* Tellers

And so it was negatived.

13 AUDITOR-GENERAL'S REPORT—PUBLICATION OF PAPER

The Speaker presented the following paper:

Audit Act—Auditor-General—Audit report No. 31 of 1995-96—Performance audit—Environmental management of Commonwealth land: Site contamination and pollution prevention.

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

- (1) this House authorises the publication of the Auditor-General's audit report No. 31 of 1995-96; and
- (2) the report be printed.

Question—put and passed.

14 PAPER

The Speaker presented the following paper:

House of Representatives and joint committees—Release of evidence and records—Report by the Speaker for period 10 May 1995 to 20 June 1996.

15 PETITIONS

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

Mr Charles and Mr Ronaldson, from 497 and 38 petitioners, and Mr Slipper, from 52 electors of the Division of Fisher, respectively, praying that certain moves to tighten gun laws be supported.

Mr Andren and Mr Crean, from 1448 and 1392 petitioners, respectively, praying that Betaferon be made available as a subsidised drug.

Mrs E. J. Grace and Mr Marek, from 18 and 23 petitioners, respectively, 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 Albanese, from 496 petitioners, praying that certain action be taken to protect indigenous programs and services and that the social justice recommendations of the Aboriginal Reconciliation Council be implemented.

Mr Andren, from 163 residents of New South Wales, praying that the Treasurer be instructed to overturn the decision of the Commissioner of Taxation to close the Orange Regional Taxation Office.

Mr J. N. Andrew, from 3611 petitioners, praying that illegal immigrants be opposed in seeking compensation for detention and that they be promptly returned to their home country.

Mr Bevis, from 262 residents of Queensland, praying that the extra tertiary places and facilities previously announced for Queensland universities be delivered.

Mrs Crosio, from 12 residents of New South Wales, praying that certain action be taken to restrict access to violent material in the electronic media.

Mr Dondas, from 14 208 petitioners, praying that certain action be taken to reduce the tax on fuel.

Mr Downer, from 284 petitioners, praying that the decision to recognise Indonesia as ruler of East Timor be reversed, an appeal be made for the release of Xanana Gusmao and human rights violations in East Timor be condemned.

Mr Entsch, from 6909 electors of the Division of Leichhardt, praying that certain action be taken to deliver cheaper petrol to Far North Queensland and to increase the percentage of collected revenue being spent on roads.

Mr M. J. Ferguson, from 15 204 petitioners, praying that the SkillShare program be defended against funding cuts.

Mr Fitzgibbon, from 12 petitioners, praying that certain action be taken to promote the recognition of human rights in Sudan.

Dr Lawrence, from 2581 petitioners, praying that full funding be restored to all SkillShare programs.

Dr Lawrence, from 29 petitioners, praying that plans to force migrants to wait two years to gain benefits be stopped.

Mr Marek, from 541 petitioners, praying that certain action be taken with respect to the portrayal of violence on television, video and video games.

Mr McGauran, from 111 residents of Mirboo North, Vic., praying that the sale of military style ammunition and automatic and semi-automatic weapons be banned.

Mr McMullan, from 60 residents of the Australian Capital Territory, praying that laws be introduced to remedy the lack of national gun control.

Mr Pyne, from 187 petitioners, praying that the recommendations of the Prices Surveillance Authority be effected to allow parallel importing of compact discs to reduce costs to consumers.

Mr Truss, from 195 petitioners, praying that tough uniform censorship laws be developed to restrict access to media containing excessive violence.

Mr Truss, from 13 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.

Petitions received.

16 DOWNSIZING

Mr Langmore, pursuant to notice, moved—That, in view of the (a) increase in unemployment resulting from downsizing in both business and the public sector, (b) damage to effective enterprise functioning from downsizing due to the decline of employee morale, greater insecurity and loss of initiative and dynamism and (c) the repudiation of downsizing by business opinion leaders in the USA, the House calls on both business and public sector organisations to reject the perverse and destructive strategy of downsizing and contribute instead to employment generating economic and social development.

Debate ensued.

Presentation of Address in Reply

At 4.58 p.m., the sitting was suspended until 8 p.m. The Speaker, after resuming the Chair, reported that, accompanied by Members he had waited that day upon His Excellency the Governor-General at Government House, and had presented to him the Address in Reply to His Excellency's speech on the Opening of the 1st Session of the 38th Parliament, agreed to by the House on 20 June 1996, and that His Excellency had been pleased to make the following reply:

Mr Speaker

Thank you for your Address in Reply.

It will be my pleasure and my duty to convey to Her Majesty The Queen the message of loyalty from the House of Representatives, to which the Address gives expression.

Debate continued.

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.

17 DEVELOPMENT IMPORT FINANCE FACILITY—STATEMENT BY MINISTER AND PAPER

Mr Downer (Minister for Foreign Affairs), by indulgence, made a statement concerning the Development Import Finance Facility and presented the following paper:

Development Import Finance Facility—Message from the Chinese Embassy—Minute from Murray McLean, Assistant Secretary, East Asia Branch, Department of Foreign Affairs and Trade to Bill Tweddell, Chief of Staff, Minister for Foreign Affairs, 24 June 1996.

18 GRIEVANCE DEBATE

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

Question proposed—That grievances be noted.

Question—put and passed.

19 PARLIAMENTARY RETIRING ALLOWANCES TRUST

Mr Scott (Minister for Veterans' Affairs), by leave, moved—That, in accordance with the provisions of the *Parliamentary Contributory Superannuation Act 1948*, Mr Charles be appointed a trustee to serve on the Parliamentary Retiring Allowances Trust.

Question—put and passed.

20 ADVISORY COUNCIL ON AUSTRALIAN ARCHIVES

Mr Scott (Minister for Veterans' Affairs), by leave, moved—That, in accordance with the provisions of section 10 of the *Archives Act 1983*, this House appoints Mr Somlyay as a member of the Advisory Council on Australian Archives for a period of three years.

Question—put and passed.

21 TAXATION LAWS AMENDMENT BILL (NO. 1) 1996—SENATE'S AMENDMENT

The order of the day having been read for the consideration of the amendment made by the Senate, viz.:

SCHEDULE OF THE AMENDMENT MADE BY THE SENATE

Schedule 1, item 1, page 3 (lines 5 to 11), omit the item, substitute:

1 Subsection 221YA(1) (definition of *provisional tax uplift factor*)

Repeal the definition, substitute:

provisional tax uplift factor, in relation to a year of income, means, until the Parliament otherwise provides, 6%—

Mr Miles (Parliamentary Secretary (Cabinet) to the Prime Minister) moved—That the amendment be disagreed to.

Debate ensued.

Question—put.

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

AYES, 86

Mr Abbott	Mr Entsch	Mr Lloyd	Mr Sharp
Mr J. N. Andrew	Mr R. D. C. Evans	Mr McArthur*	Mr Sinclair
Mr K. J. Andrews	Mr Fahey	Mr McDougall	Mr Slipper
Mr Anthony	Mr Fischer	Mr McGauran	Mr A. C. Smith
Mrs Bailey	Mr Forrest	Mr Marek	Mr W. L. Smith
Mr R. C. Baldwin	Ms Gambaro	Mr Miles	Mr Somlyay
Mr Barresi	Mrs Gash	Mr Moore	Dr Southcott
Mr Bartlett	Mr Georgiou	Mrs Moylan	Mrs Stone
Mr Billson	Mrs E. J. Grace	Mr Mutch	Mrs Sullivan
Mrs Bishop	Mr Hardgrave	Mr Nairn	Mr Taylor
Mr Broadbent	Mr Hawker	Mr Nehl	Mr A. P. Thomson
Mr Brough	Mr Hicks*	Dr Nelson	Mr Truss
Mr Cadman	Mr Hockey	Mr Neville	Mr M. A. J. Vaile
Mr E. H. Cameron	Ms Jeanes	Mr Nugent	Ms D. S. Vale
Mr R. A. Cameron	Mrs Johnston	Mr Prosser	Mr Wakelin
Mr Causley	Mr Jull	Mr Pyne	Mrs West
Mr Charles	Mr Katter	Mr Randall	Mr Williams
Mr Cobb	Mrs D. M. Kelly	Mr Reid	Dr Wooldridge
Mr Dondas	Miss J. M. Kelly	Mr Reith	Ms Worth
Mr Downer	Dr Kemp	Mr Ronaldson	Mr Zammit
Mrs Draper	Mr Lieberman	Mr Ruddock	
Mrs Elson	Mr Lindsay	Mr Scott	

NOES, 45

Mr Adams	Mr M. J. Ferguson	Mr Lee	Mr Rocher
Mr Albanese	Mr Filing	Mr McClelland	Mr Sawford*
Mr Andren	Mr Fitzgibbon	Ms Macklin	Mr Sercombe
Mr P. J. Baldwin	Mr E. L. Grace*	Mr McLeay	Mr S. F. Smith
Mr Bevis	Mr Griffin	Mr McMullan	Mr Tanner
Mr Brereton	Mr Hatton	Mr Martin	Dr Theophanous
Mr Brown	Mr Holding	Mr Melham	Mr K. J. Thomson
Mr Crean	Mr Jenkins	Mr A. A. Morris	Mr Willis
Mrs Crosio	Mr Kerr	Mr P. F. Morris	Mr Wilton
Ms Ellis	Mr Langmore	Mr Mossfield	
Mr G. J. Evans	Mr Latham	Mr O'Keefe	
Mr L. D. T. Ferguson	Dr Lawrence	Mr Quick	

* Tellers

And so it was resolved in the affirmative.

Mr Miles moved—That Mrs Bailey, Mr R. C. Baldwin and the mover be appointed a committee to draw up reasons for the House of Representatives disagreeing to the amendment of the Senate.

Question—put and passed.

Mr Miles, on behalf of the committee, brought up a reason, which was circulated, and is as follows:

Reason of the House of Representatives for disagreeing to the amendment of the Senate

The provisional tax uplift factor should be set one year at a time, having regard to the relevant economic information available at that time. The Government intends to review the factor annually, on the basis of current information. While it is appropriate to have a “default” uplift factor, it is not appropriate that it should be regularly changed — it will not be applied in the normal course of events and is not based on information current at that time. The “default” uplift factor has been 10 per cent since it was introduced.

On the motion of Mr Miles, the committee’s reason was adopted.

22 EXPORT MARKET DEVELOPMENT GRANTS AMENDMENT BILL (NO. 1) 1996

The order of the day having been read for the second reading—Mr Fischer (Minister for Trade) moved—That the Bill be now read a second time.

Paper: Mr Fischer presented an explanatory memorandum to the Bill.

Mr S. F. Smith moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “while not declining to give the Bill a second reading, the House:

- (1) is of the opinion that the Export Market Development Grants Scheme is:
 - (a) a successful scheme which enhances Australia’s export performance,
 - (b) a source of job creation and benefits Australia’s balance of payments, and
 - (c) a successful export incentive for small and medium sized enterprises;
- (2) expresses grave concern at the Government’s mooted abolition of the Scheme which would be:
 - (a) a cynical and blatant breach of an express election commitment to retain and expand the Scheme, and
 - (b) counter to any reasonable assessment of the evidence given to the Senate Legislative Committee on Foreign Affairs, Defence and Trade in the course of the Committee’s consideration of the Bill; and
- (3) condemns the Government for its failure to meet its election commitment to extend the Scheme by making full Export Market Development grants of 50% available to the tourism industry”.

Debate continued.

Mr Martin addressing the House—

23 ADJOURNMENT

It being 10.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 11 p.m.—The Speaker adjourned the House until tomorrow at 2 p.m.

PAPERS

The following papers were deemed to have been presented on 24 June 1996:

Defence Act—Determinations under section 58B 1996 Nos. 19, 20, 21, 22.

Privacy Act—Determination 1996 No. 1.

Social Security Act—Social Security (Mature Age Allowance) Determination 1996 No. 1.

Sydney Airport Curfew Act—Instrument No. M35/96.

Therapeutic Goods Act—Customs (Prohibited Imports) Regulations—Notification of importation, 24 June 1996.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Bradford, Mrs Gallus, Mr Jones, Mr McLachlan, Mr O'Connor and Mr Tuckey.

L. M. BARLIN

Clerk of the House of Representatives