

1996

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 57

THURSDAY, 5 DECEMBER 1996

1 The House met, at 9.30 a.m., pursuant to adjournment. The Speaker (the Honourable Bob Halverson) took the Chair, and read Prayers.

2 TELECOMMUNICATIONS BILL 1996

Mr W. L. Smith (Minister representing the Minister for Communications and the Arts), pursuant to notice, presented a Bill for an Act about telecommunications, and for related purposes.

Bill read a first time.

Mr W. L. Smith moved—That the Bill be now read a second time.

Papers: Mr W. L. Smith presented an explanatory memorandum to the Bill (3 volumes) and an explanation of the principles of the Bill.

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

3 TRADE PRACTICES AMENDMENT (TELECOMMUNICATIONS) BILL 1996

Mr W. L. Smith (Minister representing the Minister for Communications and the Arts), pursuant to notice, presented a Bill for an Act to amend the *Trade Practices Act 1974*, and for related purposes.

Bill read a first time.

Mr W. L. Smith moved—That the Bill be now read a second time.

Papers: Mr W. L. Smith presented an explanatory memorandum to the Bill and an explanation of the principles of the Bill.

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

4 AUSTRALIAN COMMUNICATIONS AUTHORITY BILL 1996

Mr W. L. Smith (Minister representing the Minister for Communications and the Arts), pursuant to notice, presented a Bill for an Act to establish the Australian Communications Authority (ACA), and for related purposes.

Bill read a first time.

Mr W. L. Smith moved—That the Bill be now read a second time.

Papers: Mr W. L. Smith presented an explanatory memorandum to the Bill and an explanation of the principles of the Bill.

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

5 TELECOMMUNICATIONS (UNIVERSAL SERVICE LEVY) BILL 1996

Mr W. L. Smith (Minister representing the Minister for Communications and the Arts) presented a Bill for an Act to impose a levy in connection with ensuring that standard telephone services, payphones and prescribed carriage services are reasonably accessible to all people in Australia.

Bill read a first time.

Mr W. L. Smith moved—That the Bill be now read a second time.

Papers: Mr W. L. Smith presented an explanatory memorandum to the Bill and an explanation of the principles of the Bill.

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

6 TELECOMMUNICATIONS (CARRIER LICENCE CHARGES) BILL 1996

Mr W. L. Smith (Minister representing the Minister for Communications and the Arts) presented a Bill for an Act to impose charges in relation to carrier licences under the *Telecommunications Act 1996*.

Bill read a first time.

Mr W. L. Smith moved—That the Bill be now read a second time.

Papers: Mr W. L. Smith presented an explanatory memorandum to the Bill and an explanation of the principles of the Bill.

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

7 TELECOMMUNICATIONS (NUMBERING CHARGES) BILL 1996

Mr W. L. Smith (Minister representing the Minister for Communications and the Arts) presented a Bill for an Act to impose charges in relation to numbers allocated to certain carriage service providers under the *Telecommunications Act 1996*.

Bill read a first time.

Mr W. L. Smith moved—That the Bill be now read a second time.

Papers: Mr W. L. Smith presented an explanatory memorandum to the Bill and an explanation of the principles of the Bill.

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

8 TELECOMMUNICATIONS (TRANSITIONAL PROVISIONS AND CONSEQUENTIAL AMENDMENTS) BILL 1996

Mr W. L. Smith (Minister representing the Minister for Communications and the Arts), pursuant to notice, presented a Bill for an Act to enact transitional provisions, and to make consequential amendments, in connection with the enactment of the *Telecommunications Act 1996*, and for other purposes.

Bill read a first time.

Mr W. L. Smith moved—That the Bill be now read a second time.

Papers: Mr W. L. Smith presented an explanatory memorandum to the Bill and an explanation of the principles of the Bill.

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

9 TELECOMMUNICATIONS (CARRIER LICENCE FEES) TERMINATION BILL 1996

Mr W. L. Smith (Minister representing the Minister for Communications and the Arts) presented a Bill for an Act to terminate the imposition of fees under the *Telecommunications (Carrier Licence Fees) Act 1991*, and for related purposes.

Bill read a first time.

Mr W. L. Smith moved—That the Bill be now read a second time.

Papers: Mr W. L. Smith presented an explanatory memorandum to the Bill and an explanation of the principles of the Bill.

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

10 RADIOCOMMUNICATIONS (TRANSMITTER LICENCE TAX) AMENDMENT BILL 1996

Mr W. L. Smith (Minister representing the Minister for Communications and the Arts) presented a Bill for an Act to amend the *Radiocommunications (Transmitter Licence Tax) Act 1983*, and for related purposes.

Bill read a first time.

Mr W. L. Smith moved—That the Bill be now read a second time.

Papers: Mr W. L. Smith presented an explanatory memorandum to the Bill and an explanation of the principles of the Bill.

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

11 RADIOCOMMUNICATIONS (RECEIVER LICENCE TAX) AMENDMENT BILL 1996

Mr W. L. Smith (Minister representing the Minister for Communications and the Arts) presented a Bill for an Act to amend the *Radiocommunications (Receiver Licence Tax) Act 1983*, and for related purposes.

Bill read a first time.

Mr W. L. Smith moved—That the Bill be now read a second time.

Papers: Mr W. L. Smith presented an explanatory memorandum to the Bill and an explanation of the principles of the Bill.

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

12 **RADIOCOMMUNICATIONS AMENDMENT BILL 1996**

Mr W. L. Smith (Minister representing the Minister for Communications and the Arts), pursuant to notice, presented a Bill for an Act to amend the *Radiocommunications Act 1992*, and for related purposes.

Bill read a first time.

Mr W. L. Smith moved—That the Bill be now read a second time.

Papers: Mr W. L. Smith presented an explanatory memorandum to the Bill and an explanation of the principles of the Bill.

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

13 **VETERANS' AFFAIRS LEGISLATION AMENDMENT (1996-97 BUDGET MEASURES) BILL 1996**

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.

Mrs E. J. Grace was granted leave to continue her speech when the debate is resumed.

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

14 **COMMENTS MADE BY MR LATHAM—STATEMENT BY SPEAKER**

The Speaker stated that comments recorded at page 7470 in the proof *Hansard* of 4 December 1996 made by Mr Latham constituted a serious reflection on the office of Speaker.

Mr Latham withdrew the remarks and apologised.

15 **VETERANS' AFFAIRS LEGISLATION AMENDMENT (1996-97 BUDGET MEASURES) BILL 1996**

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 McLeay), and the resumption of the debate made an order of the day for a later hour this day.

16 MESSAGE FROM THE GOVERNOR-GENERAL—HIGHER EDUCATION LEGISLATION AMENDMENT BILL 1996

Message No. 74, dated 27 November 1996, from His Excellency the Governor-General was announced recommending an appropriation for the purpose of a request by the Senate for an amendment of a Bill for an Act to amend legislation relating to higher education, and for related purposes.

17 MESSAGE FROM THE SENATE—HIGHER EDUCATION LEGISLATION AMENDMENT BILL 1996

The following message from the Senate was reported:

Message No. 112

Mr Speaker

The Senate returns to the House of Representatives the bill for **An Act to amend legislation relating to higher education, and for related purposes**, and requests the House to amend the bill as indicated by schedule A annexed.

The Senate informs the House that the amendments indicated by schedule B annexed have been made by the Senate.

MARGARET REID

President

The Senate

4 December 1996

Ordered—That the amendment requested by the Senate be considered forthwith.

SCHEDULE A

REQUEST BY THE SENATE FOR AN AMENDMENT

Schedule 1, item 20, page 8 (line 5), omit “\$326”, substitute “\$332”.

On the motion of Mr Abbott (Parliamentary Secretary to the Minister for Employment, Education, Training and Youth Affairs), the requested amendment was made, after debate.

18 MESSAGE FROM THE SENATE

Message No. 113, dated 4 December 1996, from the Senate was reported acquainting the House that Senator Carr had been discharged from attendance on the Joint Standing Committee on Treaties, and Senator Cooney had been appointed a member of the committee.

19 VETERANS’ AFFAIRS LEGISLATION AMENDMENT (1996-97 BUDGET MEASURES) BILL 1996

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.

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

Message from the Governor-General: Message No. 75, dated 23 September 1996, 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.

Mr Martin, by leave, moved the following amendments together:

Schedule 1—

Part 2, page 4 (line 2) to page 5 (line 29), omit the Part.

Part 3, page 6 (lines 1 to 16), omit the Part.

Items 27 and 28, page 9 (line 24) to page 11 (line 2), omit the items.

Item 33, page 12 (lines 3 to 5), omit all the words from and including “Jane” to and including “ago”, substitute “Jane is not a member of a couple. She has no dependent children. She is receiving an invalidity service pension when a lump sum compensation award of \$11,000 is made to her on 25 March 1997. The compensation part of this lump sum is \$5,500 (see subsection 5NB(7)). Jane’s lump sum preclusion period is:

$$\frac{\$5,500}{\$530 \text{ (average weekly earnings)}} = \$10 \text{ [rounded down]}$$

That preclusion period commenced 6 weeks ago”.

Item 33, page 12 (line 13), omit “7”, substitute “4”.

Item 33, page 12 (line 14), omit “7”, substitute “4”.

Part 7, page 13 (line 2) to page 16 (line 25), omit the Part.

Amendments negatived.

Bill agreed to.

Consideration in detail concluded.

On the motion of Mr Scott (Minister for Veterans’ Affairs), by leave, the Bill was read a third time.

20 PROCEEDS OF CRIME AMENDMENT BILL 1996

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.

It being 2 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.

21 QUESTIONS

Questions without notice being asked—

Papers: Mr Crean, in accordance with standing order 321, having called for a document quoted from by Mr Reith (Minister for Industrial Relations)—

Mr Reith presented the following papers:

Family tax initiatives—Leaflets—
Good news for '97—Tax cuts now.
Hands up those who win from the new Family Tax Initiative.
Questions without notice continued.

22 PAPERS

The following papers were presented:

National Capital and External Territories—Joint Standing Committee—
Report—National Capital Plan—Draft amendment No. 14 (Broadacre areas) to
the National Capital Plan, October 1995—Government response.

National Road Transport Commission Act—National Road Transport
Commission—Report for 1995-96.

Procedure—Standing Committee—Report—Bills—Consideration in detail:
Review of the operation of standing order 226, October 1996—Government
response.

23 TRANSPORT, COMMUNICATIONS AND INFRASTRUCTURE—STANDING COMMITTEE—REPORT OF THE INQUIRY INTO AVIATION SAFETY— GOVERNMENT RESPONSE—MINISTERIAL STATEMENT AND PAPER

Mr Sharp (Minister for Transport and Regional Development), by leave, made a
ministerial statement on the Government's response to the report of the
Standing Committee on Transport, Communications and Infrastructure entitled
"Plane safe" on an inquiry into aviation safety: The commuter and general
aviation sectors, and presented the following paper:

Transport, Communications and Infrastructure—Standing Committee—Plane
safe—Report of the inquiry into aviation safety: The commuter and general
aviation sectors—Government response.

Mr Tanner, by leave, also made a statement with reference to the matter.

24 LOCAL GOVERNMENT NATIONAL REPORT AND COMMONWEALTH POLICY ON LOCAL GOVERNMENT—MINISTERIAL STATEMENT AND PAPERS

Mr W. L. Smith (Minister for Sport, Territories and Local Government), by
leave, made a ministerial statement on the local government national report and
Commonwealth policy on local government, and presented the following
papers:

Commonwealth, councils and community: Looking ahead—Commonwealth
policy on local government, 5 December 1996.

Local Government (Financial Assistance) Act—First report for 1995-96,
December 1996.

Local Government national report and Commonwealth policy on local
government—Ministerial statement, 5 December 1996.

Mr Latham, by leave, also made a statement with reference to the matter.

25 PROPOSED RESIGNATION OF MEMBER—STATEMENTS BY MEMBERS

Mr Langmore, by leave, referred to his forthcoming resignation.

Mr Beazley (Leader of the Opposition), Mr Ruddock (Minister for Immigration and Multicultural Affairs) and Mr Sinclair, by indulgence, also made statements on the matter.

26 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—LOW INCOME WORKERS

The House was informed that Mr McMullan had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The failure of the Government to look after low income workers and the interests of their families, in particular because of the impact of the \$8 per week offer from the Government which will see their overall living standards fall substantially”.

The proposed discussion having received the necessary support—

Mr McMullan addressed the House.

Discussion ensued.

Discussion concluded.

27 EUTHANASIA LAWS BILL 1996—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the Main Committee had completed the second reading stage up to but not including the putting of any questions at the conclusion of the debate on the Euthanasia Laws Bill 1996 and had returned the Bill with an unresolved question, and presented a certified copy of the Bill together with a schedule of the unresolved question.

Ordered—That the report be considered at the next sitting.

28 PUBLICATIONS COMMITTEE—5TH REPORT

Mr Lieberman (Chair) presented the following paper:

PUBLICATIONS COMMITTEE 5TH REPORT

The Publications Committee reports that it has met in conference with the Publications Committee of the Senate.

The Committee, having considered petitions and documents presented to the Parliament since 5 November 1996, recommends that the following be printed:

Aboriginal and Torres Strait Islander Commission Act—Indigenous Land Corporation—Report for 1995-96.

Affirmative Action (Equal Employment Opportunity for Women) Act—Affirmative Action Agency—Report for period 1 June 1995 to 31 May 1996—Errata.

Australia and the Asian Development Bank—Report for 1995-96.

Australian Horticultural Corporation Act—Australian Dried Fruits Board—Report for 1995-96.

Australian Horticultural Corporation Act—Australian Horticultural Corporation—Report for 1995-96.

Australian National University Act—Council of the Australian National University—

Report for 1995.

Research Report for 1995.

Australian Nuclear Science and Technology Organisation Act—Safety Review Committee—Report for 1995-96.

Australian Securities Commission Act—Reports for 1995-96—

Australian Accounting Standards Board.

Australian Securities Commission.

Companies Auditors and Liquidators Disciplinary Board.

Corporations and Securities Panel.

Bankruptcy Act—Report for 1995-96—Errata.

Commonwealth Fire Board—Report for 1995-96.

Complaints (Australian Federal Police) Act—Federal Police Disciplinary Tribunal—Report for 1995-96.

Data-matching Program (Assistance and Tax) Act—Department of Social Security and the Data-matching Agency—Report for 1995-96.

Defence Housing Authority Act—Defence Housing Authority—Report for 1995-96.

Development Allowance Authority Act—Development Allowance Authority—Report for 1995-96.

Federal Airports Corporation Act—Federal Airports Corporation—Report for 1995-96.

Federal Court of Australia Act—Federal Court of Australia—Report for 1995-96.

Industrial Relations Act—Industrial Relations Court of Australia—Report for 1995-96.

National Health Act—Private Health Insurance Administration Council—Reports for 1995-96, including a report on the operations of the registered health benefits organisations and statistical supplement.

Nuclear Non-Proliferation (Safeguards) Act and Chemical Weapons (Prohibition) Act—Australian Safeguards Office and the Chemical Weapons Convention Office—Report for 1995-96.

Parliamentary Counsel Act—Office of Parliamentary Counsel—Report for 1995-96.

Privacy Act—Privacy Commissioner—Report for 1995-96.

Snowy Mountains Hydro-electric Power Act—Snowy Mountains Hydro-electric Authority—Report for 1995-96.

Social Security Act—Social Security Appeals Tribunal—Report for 1995-96 [Tabled 18 September 1996]

Wool International Act—Wool International—Report for 1995-96.

LOU LIEBERMAN

Chair

5 December 1996

Mr Lieberman, by leave, moved—That the report be agreed to.

Question—put and passed.

29 PROCEEDS OF CRIME AMENDMENT BILL 1996

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.

30 ADJOURNMENT

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

Debate ensued.

The House continuing to sit until 6 p.m.—The Speaker adjourned the House until Monday next at 12.30 p.m.

PAPERS

The following papers were deemed to have been presented on 5 December 1996:

Aboriginal and Torres Strait Islander Commission Act—Determination, 21 November 1996.

Civil Aviation Act—Civil Aviation Regulations—

Civil Aviation Orders—Part 100—Amendment 30 November 1996.

Exemption 1996 No. CASA 23.

Student and Youth Assistance Act—Regulations—Statutory Rules 1996 No. 261.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Holding, Mr Lee, Mr Reid*, Mr S. F. Smith, Mr Williams and Mr Willis*.

* On leave

L. M. BARLIN

Clerk of the House of Representatives

1996

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 57

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 5 DECEMBER 1996

1 The Main Committee met at 10 a.m.

2 EUTHANASIA LAWS BILL 1996

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—*And on the amendment moved thereto by Mr Dondas, viz.*—That all words after “That” be omitted with a view to substituting the following words: “the House declines to give the Bill a second reading as it is of the opinion that to do so would be inappropriate given the conventions of self government, the judicial finding that voluntary euthanasia is a matter within the legislative and executive powers of the self governing Northern Territory and that such legislation would be within the capacity of the States and other self governing Territories of Australia”—

Debate resumed.

The debate having been concluded by Mr. K. J. Andrews having spoken in reply—

Bill to be returned to the House with an unresolved question.

3 PUBLIC ACCOUNTS—JOINT COMMITTEE—REPORT—GUARDING THE INDEPENDENCE OF THE AUDITOR-GENERAL—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 Somlyay—That the House take note of the paper (*presented on 10 October 1996*), viz.:

Public Accounts—Joint Committee—Report 346—Guarding the independence of the Auditor-General, October 1996—

Debate resumed.

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

**4 COMMUNICATIONS, TRANSPORT AND MICROECONOMIC REFORM—
STANDING COMMITTEE—REPORT—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 M. A. J. Vaile—That the House take note of the paper (*presented on 16 September 1996*), viz.:

Communications, Transport and Microeconomic Reform—Standing Committee—Report—An inquiry into Australia Post: Rural and remote letter service delivery, August 1996—

Debate resumed.

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

5 ADJOURNMENT

On the motion of Mr. M. A. J. Vaile, the Main Committee adjourned at 1.11 p.m.

The Deputy Speaker fixed Wednesday, 11 December 1996, at 10 a.m., for the next meeting of the Main Committee.

I. C. HARRIS
Clerk of the Main Committee