

1996-97

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 97

THURSDAY, 19 JUNE 1997

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 HUMAN RIGHTS LEGISLATION 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.

**3 QUESTIONS**

Questions without notice being asked—

*Papers*

Mr G. J. Evans (Deputy Leader of the Opposition), in accordance with standing order 321, having called for documents quoted from by Mr Downer (Minister for Foreign Affairs)—

Mr Downer presented the following papers:

Travel itineraries for Mr Hawke, Prime Minister, 7 June 1983 and 23 June 1989.

Questions without notice continuing—

*Member ordered to withdraw*

At 2.47 p.m. the Member for Fraser (Mr Dargavel) was ordered, under standing order 304A, to withdraw from the House for one hour for continuing to interject after a general warning had been given by the Chair, and he accordingly withdrew from the Chamber.

Questions without notice continued.

**4 SUSPENSION OF STANDING AND SESSIONAL ORDERS—MOTION OF CENSURE OF THE MINISTER FOR SMALL BUSINESS AND CONSUMER AFFAIRS**

Mr Martin moved—That so much of the standing and sessional orders be suspended as would prevent the Member for Cunningham moving forthwith—That this House censures the Minister for Small Business and Consumer Affairs for his:

- (1) breaching the Prime Minister's Code of Ministerial Conduct in that he has been involved in the "daily work" of a business;
- (2) breaching the Prime Minister's Code of Ministerial Conduct in that he retained directorship of a company operating in an area conflicting with the Minister's public duty;
- (3) breaching the Prime Minister's Code of Ministerial Conduct in that he failed to divest himself of all shares in a company involved in the area of his portfolio responsibility;
- (4) failure to fully declare to the Registrar of Members' Interests the nature of his extensive property holdings—and in particular, their relationship to retail tenancy and franchising, clearly within the Minister's area of responsibility—as required under the standing and sessional orders of this House, instead only admitting to "Bunbury—various lots";
- (5) failure to declare to the Registrar of Members' Interests membership, by a company controlled by him, of a professional organisation whose activities so directly relate to the Minister's area of responsibility that a conflict of interest could readily be seen to arise; and
- (6) maladministration of the small business portfolio which has caused the WA Retailers Association and the Australian Independent Retailers Council to call for his resignation—

accordingly, this House calls upon the Acting Prime Minister to require the resignation of the Minister for Small Business and Consumer Affairs.

Debate ensued.

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

**5 MINISTER FOR SMALL BUSINESS AND CONSUMER AFFAIRS—MOTION OF CENSURE**

Mr Martin moved—That this House censures the Minister for Small Business and Consumer Affairs for his:

- (1) breaching the Prime Minister's Code of Ministerial Conduct in that he has been involved in the "daily work" of a business;
- (2) breaching the Prime Minister's Code of Ministerial Conduct in that he retained directorship of a company operating in an area conflicting with the Minister's public duty;

- (3) breaching the Prime Minister's Code of Ministerial Conduct in that he failed to divest himself of all shares in a company involved in the area of his portfolio responsibility;
- (4) failure to fully declare to the Registrar of Members' Interests the nature of his extensive property holdings—and in particular, their relationship to retail tenancy and franchising, clearly within the Minister's area of responsibility—as required under the standing and sessional orders of this House, instead only admitting to “Bunbury—various lots”;
- (5) failure to declare to the Registrar of Members' Interests membership, by a company controlled by him, of a professional organisation whose activities so directly relate to the Minister's area of responsibility that a conflict of interest could readily be seen to arise; and
- (6) maladministration of the small business portfolio which has caused the WA Retailers Association and the Australian Independent Retailers Council to call for his resignation—

accordingly, this House calls upon the Acting Prime Minister to require the resignation of the Minister for Small Business and Consumer Affairs.

Debate ensued.

Question—put.

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

AYES, 40

Mr Albanese	Mr M. J. Evans	Mr Jones	Mr A. A. Morris
Mr Andren	Mr L. D. T. Ferguson	Mr Kerr	Mr P. F. Morris
Mr Beddall	Mr M. J. Ferguson	Dr Lawrence	Mr Mossfield
Mr Bevis	Mr Fitzgibbon	Mr Lee	Mr O'Connor
Mr Brown	Mr E. L. Grace*	Mr McClelland	Mr Price
Mr Crean	Mr Griffin*	Ms Macklin	Mr Quick
Mrs Crosio	Mr Hatton	Mr McLeay	Mr Sercombe*
Mr Dargavel	Mr Holding	Mr McMullan	Dr Theophanous
Ms Ellis	Mr Hollis	Mr Martin	Mr K. J. Thomson
Mr G. J. Evans	Mr Jenkins	Mr Melham	Mr Willis

## NOES, 75

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

\* Tellers

And so it was negated.

## 6 PAPERS

The following papers were presented:

Committee reports—Government responses to parliamentary committee reports—Response to the schedule tabled by the Speaker in the House of Representatives on 12 December 1996.

Employment, Education and Training Act—National Board of Employment, Education and Training—Higher Education Council—11th report, including the Board's comments, on the operation of section 14 of the *Higher Education Funding Act 1988* and the Higher Education Contribution Scheme.

University of Canberra Act—Council of the University of Canberra—Report for 1996.

## 7 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—SMALL BUSINESS

The House was informed that Mr Martin had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The failure of the Government to protect the interests of small business, particularly franchisees".

The proposed discussion not having received the necessary support (the proposer not being present) the matter was not proceeded with.

## 8 SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED

Mr Albanese moved—That so much of the standing and sessional orders be suspended as would prevent the Member for Grayndler from moving

forthwith—That order of the day No. 1, private Members' business, Sydney Airport Regulation of Movements Bill 1996, be brought on for immediate debate.

*Closure of Member*

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

Question—put.

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

AYES, 72

Mr Abbott	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 Sinclair
Mr K. J. Andrews	Mr Fahey	Mr McArthur*	Mr Slipper
Mr Barresi	Mr Forrest	Mr McDougall	Mr A. C. Smith
Mr Bartlett	Ms Gambaro	Mr Marek	Mr W. L. Smith
Mr Billson	Mrs Gash	Mr Miles	Mr Somlyay
Mrs Bishop	Mr Georgiou	Mrs Moylan	Dr Southcott
Mr Bradford	Mrs E. J. Grace	Mr Mutch	Mrs Sullivan
Mr Broadbent	Mr Hardgrave	Mr Nairn	Mr A. P. Thomson
Mr Brough	Mr Hawker	Dr Nelson	Mr Truss
Mr Cadman	Mr Hicks*	Mr Nugent	Mr M. A. J. Vaile
Mr R. A. Cameron	Mr Hockey	Mr Prosser	Mrs D. S. Vale
Mr Charles	Ms Jeanes	Mr Pyne	Mr Wakelin
Mr Cobb	Mrs Johnston	Mr Randall	Mrs West
Mr Costello	Mr Jull	Mr Reid	Mr Williams
Mr Downer	Mrs D. M. Kelly	Mr Reith	Ms Worth*
Mrs Draper	Miss J. M. Kelly	Mr Ronaldson	Mr Zammit

NOES, 39

Mr Albanese	Mr L. D. T. Ferguson	Mr Kerr	Mr P. F. Morris
Mr Beddall	Mr M. J. Ferguson	Dr Lawrence	Mr Mossfield
Mr Bevis	Mr Fitzgibbon	Mr Lee	Mr O'Connor
Mr Brown	Mr E. L. Grace*	Mr McClelland	Mr Price
Mr Crean	Mr Griffin*	Ms Macklin	Mr Quick
Mrs Crosio	Mr Hatton	Mr McLeay	Mr Sercombe*
Mr Dargavel	Mr Holding	Mr McMullan	Dr Theophanous
Ms Ellis	Mr Hollis	Mr Martin	Mr K. J. Thomson
Mr G. J. Evans	Mr Jenkins	Mr Melham	Mr Willis
Mr M. J. Evans	Mr Jones	Mr A. A. Morris	

\* Tellers

And so it was resolved in the affirmative.

Mr McLeay (seconder) addressing the House—

*Closure of Member*

Mr Reith moved—That the Member be not further heard.

Question—put and passed.

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

**9 APPROPRIATION BILL (NO. 1) 1997-98—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the Bill had been fully considered by the Main Committee and agreed to without amendment, and presented a certified copy of the Bill.

Bill agreed to.

On the motion of Mr Ruddock (Minister for Immigration and Multicultural Affairs), by leave, the Bill was read a third time.

**10 APPROPRIATION BILL (NO. 2) 1997-98—REPORT FROM MAIN COMMITTEE**

The Second Deputy Speaker reported that the Bill had been fully considered by the Main Committee and agreed to without amendment, and presented a certified copy of the Bill.

Bill agreed to.

On the motion of Mr Ruddock (Minister for Immigration and Multicultural Affairs), by leave, the Bill was read a third time.

**11 APPROPRIATION (PARLIAMENTARY DEPARTMENTS) BILL 1997-98—REPORT FROM MAIN COMMITTEE**

The Second Deputy Speaker reported that the Bill had been fully considered by the Main Committee and agreed to without amendment, and presented a certified copy of the Bill.

Bill agreed to.

On the motion of Mr Ruddock (Minister for Immigration and Multicultural Affairs), by leave, the Bill was read a third time.

**12 SELECTION COMMITTEE—AMENDED REPORT**

Mr Nehl (Chair) presented the following paper:

Selection Committee—Amended report relating to the consideration of committee and delegation reports and private Members' business on Monday, 23 June 1997—

and, by leave, moved—That the report be adopted in lieu of the report presented on 17 June 1997.

Question—put and passed.

**13 MESSAGES FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS**

Messages from His Excellency the Governor-General were announced informing the House that His Excellency, in the name of Her Majesty, had assented to the following Bills:

18 June 1997—Message—

No. 155—

Hearing Services Administration 1997.

Hearing Services and AGHS Reform 1997.

No. 156—

International Transfer of Prisoners 1997.  
Natural Heritage Trust of Australia 1997.  
Dairy Produce Levy (No. 1) Amendment 1997.  
Excise Tariff Amendment (No. 2) 1997.  
Petroleum Excise (Prices) Amendment 1997.  
International Tax Agreements Amendment (No. 1) 1997.

**14 MESSAGES FROM THE SENATE**

Messages from the Senate, dated 19 June 1997, were reported returning the following Bills without amendment:

Message—

No. 247—Veterans' Affairs Legislation Amendment (Budget and Simplification Measures) 1997.

No. 248—Wine Export Charge 1997 (*without requests*).

No. 249—Wine Export Charge (Consequential Amendments) 1997.

No. 250—Industry, Science and Tourism Legislation Amendment 1997.

No. 251—National Residue Survey (Ratite Slaughter) Levy 1997 (*without requests*).

No. 252—Primary Industries and Energy Legislation Amendment (No. 2) 1997.

No. 253—Taxation Laws Amendment (No. 2) 1997.

No. 255—Migration Legislation Amendment (No. 3) 1997.

**15 MESSAGE FROM THE SENATE—ABORIGINAL AND TORRES STRAIT ISLANDER COMMISSION AMENDMENT (TSRA) BILL 1997**

Message No. 254, dated 19 June 1997, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend the *Aboriginal and Torres Strait Islander Commission Act 1989* in relation to the TSRA budget, and for related purposes.

Bill read a first time.

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

**16 HUMAN RIGHTS LEGISLATION 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.

Ordered—That Mr Williams (Attorney-General and Minister for Justice) be granted an extension of time.

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

*Consideration in detail*

Bill, by leave, taken as a whole:

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

*Amendment—*

Page 1 (after line 3), before clause 1, insert:

## **Part 1—Preliminary**

*New Part—*

Page 2 (after line 9), after clause 3, insert:

## **Part 2—Transitional and application provisions**

### **Division 1—Interpretation**

#### **3A Interpretation**

In this Part:

*appropriate Commissioner* means:

- (a) in relation to a complaint lodged under the old DDA—the Disability Discrimination Commissioner; and
- (b) in relation to a complaint lodged under the old RDA—the Race Discrimination Commissioner; and
- (c) in relation to a complaint lodged under the old SDA—the Sex Discrimination Commissioner.

*Court* means the Federal Court of Australia.

*holding of an inquiry* means a holding of an inquiry referred to in a notice given under:

- (a) section 83 of the old DDA; or
- (b) section 25E of the old RDA; or
- (c) section 63 of the old SDA.

*new HREOCA* means the *Human Rights and Equal Opportunity Commission Act 1986* as amended by Schedule 1 to this Act.

*old DDA* means the *Disability Discrimination Act 1992* before being amended by Schedule 1 to this Act.

*old RDA* means the *Racial Discrimination Act 1975* before being amended by Schedule 1 to this Act.

*old SDA* means the *Sex Discrimination Act 1984* before being amended by Schedule 1 to this Act.

*purported complaint* means a document purporting to be a complaint.

*starting day* means the day on which this Part commences.

### **Division 2—Treatment of complaints lodged before starting day**



**Subdivision A—Treatment of complaint depends on the stage it has reached****3B Purported complaint lodged but no decision as to whether it is a complaint**

- (1) A purported complaint is treated in the way set out in subsection (2) if before the starting day:
  - (a) it was lodged with the Commission; and
  - (b) the Commission had not decided whether it was a complaint within the meaning of the old DDA, old RDA or old SDA.
- (2) On the starting day:
  - (a) the purported complaint is taken to have been lodged under section 46P of the new HREOCA; and
  - (b) the Commission must then decide whether it is a complaint within the meaning of the new HREOCA.

**3C Administrative appeal on Commission's decision as to whether complaint**

- (1) A purported complaint is treated in the way set out in subsection (2) if:
  - (a) before the starting day, the Commission decided that it was, or was not, a complaint within the meaning of the old DDA, old RDA or old SDA; and
  - (b) on or after the starting day, the Court makes an order under the *Administrative Decisions (Judicial Review) Act 1977* to refer the matter to which the decision relates to the Commission for further consideration.
- (2) On the day on which the order is made:
  - (a) the purported complaint is taken to have been lodged under section 46P of the new HREOCA; and
  - (b) the Commission must then decide whether it is a complaint within the meaning of the new HREOCA.

**3D Complaint lodged but Commissioner not notified of it**

- (1) A purported complaint is treated in the way set out in subsection (2) if before the starting day:
  - (a) it was lodged with the Commission; and
  - (b) the Commission decided that it was a complaint within the meaning of the old DDA, old RDA or old SDA; and
  - (c) the Commission had not notified the appropriate Commissioner of it.
- (2) On the starting day:
  - (a) the purported complaint is taken to have been lodged under section 46P of the new HREOCA; and

- (b) the Commission is taken to have decided that it is a complaint within the meaning of the new HREOCA.

**3E Commissioner notified of complaint but had not decided to dismiss or refer it**

- (1) A complaint is treated in the way set out in subsection (2) if before the starting day:
  - (a) the Commission had notified the appropriate Commissioner of the complaint; and
  - (b) the appropriate Commissioner had not made a decision not to inquire, or not to continue to inquire, into the complaint; and
  - (c) the appropriate Commissioner had not referred the complaint to the Commission.
- (2) On the starting day, the complaint is taken to have been referred to the President under section 46PC of the new HREOCA.

**3F Commissioner decided to dismiss complaint**

- (1) A complaint is treated in the way set out in subsection (2) if:
  - (a) before the starting day, the appropriate Commissioner decided not to inquire, or not to continue to inquire, into the complaint; and
  - (b) on the starting day, the complainant could have required the appropriate Commissioner to:
    - (i) refer the complaint to the President under section 71 of the old DDA if that section had not been repealed by this Act; or
    - (ii) refer the Commissioner's decision to the President, or refer the complaint to the Commission, under section 24 of the old RDA if that section had not been repealed by this Act; or
    - (iii) refer the Commissioner's decision to the President, or refer the complaint to Commission, under section 52 of the old SDA if that section had not been repealed by this Act.
- (2) On the starting day, the President is taken to have terminated the complaint under section 46PE of the new HREOCA.

Note: The President is required to give a notice of termination of the complaint under section 3L of this Act.

**3G Presidential review of Commissioner's decision to dismiss complaint**

- (1) A complaint is treated in the way set out in subsection (2) if before the starting day:
  - (a) the appropriate Commissioner decided not to inquire, or not to continue to inquire, into the complaint; and

- (b) the complainant required the appropriate Commissioner to refer the complaint, or the Commissioner's decision, to the President; and
  - (c) the President had not made a decision under whichever of the following sections is applicable:
    - (i) section 101 of the old DDA;
    - (ii) section 24AA of the old RDA;
    - (iii) section 52A of the old SDA.
- (2) On the starting day, the President is taken to have terminated the complaint under section 46PE of the new HREOCA.

Note: The President is required to give a notice of termination of the complaint under section 3L of this Act.

### **3H Administrative review of President's decision**

- (1) A complaint is treated in the way set out in subsection (2) if:
- (a) before the starting day, the President made a decision in relation to the complaint under:
    - (i) section 101 of the old DDA; or
    - (ii) section 24AA of the old RDA; or
    - (iii) section 52A of the old SDA; and
  - (b) on or after the starting day, the Court makes an order under the *Administrative Decisions (Judicial Review) Act 1977* to refer the matter to which the decision relates to the Commission for further consideration.
- (2) On the day the order is made, the President is taken to have terminated the complaint under section 46PE of the new HREOCA.

Note: The President is required to give a notice of termination of the complaint under section 3L of this Act.

### **3J Complaint referred to Commission but inquiry not started**

- (1) A complaint is treated in the way set out in subsection (2) if before the starting day:
- (a) the appropriate Commissioner referred the complaint to the Commission; and
  - (b) a holding of an inquiry into the complaint had not started under the old DDA, old RDA or old SDA; and
  - (c) the complaint had not been withdrawn under whichever of the following sections is applicable:
    - (i) section 79 of the old DDA;
    - (ii) section 25A of the old RDA;
    - (iii) section 59 of the old SDA.
- (2) On the starting day, the President is taken to have terminated the complaint under section 46PE of the new HREOCA.

Note: The President is required to give a notice of termination of the complaint under section 3L of this Act.

### **3K Inquiry started**

- (1) A complaint is treated in the way set out in subsection (2) if before the starting day:
  - (a) a holding of an inquiry into the complaint had started under the old DDA, old RDA or old SDA; and
  - (b) the complaint had not been withdrawn under whichever of the following sections is applicable:
    - (i) section 79 of the old DDA;
    - (ii) section 25A of the old RDA;
    - (iii) section 59 of the old SDA.
- (2) The amendments made by Schedule 1 to this Act do not apply in relation to the complaint.

### **Subdivision B—Other rules about complaints lodged before starting day**

#### **3L Notice of termination**

- (1) If the President is taken to have terminated a complaint under section 3F, 3G, 3H or 3J, then the President must notify the complainants in writing of the termination and the reasons for the termination.
- (2) Subsection (1) does not apply if all the complainants requested the appropriate Commissioner not to inquire into the complaint.
- (3) The President must give a person a copy of the notice that was given to the complainants under subsection (1) if:
  - (a) the person was a person on whose behalf the complaint was lodged; and
  - (b) the person requested the President for a copy of the notice.
- (4) The President is not required to notify any person under section 46PE of the new HREOCA.

#### **3M Work done by Commissioner is taken to have been done by President**

Any thing done, or information obtained, by the appropriate Commissioner in relation to a complaint that is referred to the President under section 3E is taken to have been done or obtained by the President.

#### **3N Special rules apply to proceedings to enforce a determination**

Sections 46PN, 46PO and 46PQ of the new HREOCA apply for the purposes of proceedings in the Court:

- (a) for an order to enforce a determination in relation to a complaint; or

- (b) for an order directing a Commonwealth agency (or the principal executive of a Commonwealth agency) to comply; if the proceedings started on or after the starting day under:
  - (c) section 105A or 106F of the old DDA; or
  - (d) section 25ZC or 25ZI of the old RDA; or
  - (e) section 83A or 84F of the old SDA.

## **Division 3—Other transitional and application provisions**

### **3P Protection from civil actions**

The amendments made by items 28, 29, 76, 77, 110 and 111 of Schedule 1 do not apply to a complaint lodged before the starting day under the old DDA, old RDA or old SDA.

### **3Q Referrals under the old SDA**

The amendments made by items 1, 2, 78, 79, 90, 92, 113, 114, 115 and 116 of Schedule 1 do not apply to a complaint lodged before the starting day under section 50A, 50C or 50E of the old SDA.

### **3R Inquiries started by Human Rights Commissioner**

The amendment made by item 49 of Schedule 1 does not apply in relation to an inquiry that the Human Rights Commissioner started before the starting day.

### **3S When a person cannot lodge a complaint under the new HREOCA**

A person cannot lodge a complaint under section 46P of the new HREOCA if:

- (a) the person is a class member for a representative complaint in respect of the same subject matter; and
- (b) a holding of an inquiry into the representative complaint had started under the old DDA, old RDA or old SDA.

#### *Amendments—*

#### *Schedule 1—*

Item 9, page 3 (lines 25 to 27), omit the item, substitute:

#### **9 Paragraph 13(4)(b)**

Omit “this Act”, substitute “the *Human Rights and Equal Opportunity Commission Act 1986* alleging that the act or omission is unlawful under a provision of Part 2 of this Act”.

Item 10, page 4 (lines 1 to 3), omit the item, substitute:

#### **10 Subsection 13(4)**

Omit all the words after “institute a proceeding under”, substitute “the *Human Rights and Equal Opportunity Commission Act 1986* alleging that the act or omission is unlawful under a provision of Part 2 of this Act”.

Item 11, page 4 (lines 4 to 6), omit the item, substitute:

**11 At the end of paragraph 42(2)(a)**

Add “or the *Human Rights and Equal Opportunity Commission Act 1986*”.

Items 14 and 15, page 4 (lines 13 to 19), omit the items, substitute:

**14 Paragraph 42(2)(d)**

Omit all the words after “under”, substitute “this Act or the *Human Rights and Equal Opportunity Commission Act 1986*”.

**15 Paragraph 42(2)(e)**

Omit all the words after “witness”, substitute “in a proceeding under this Act or the *Human Rights and Equal Opportunity Commission Act 1986*”.

*New item—*

Page 5 (after line 6), after item 20, insert:

**20A At the end of subsection 67(1)**

Add:

Note: For the provisions about inquiries into complaints of discrimination and conciliation of those complaints: see Part IIB of the *Human Rights and Equal Opportunity Commission Act 1986*.

*Amendments—*

Item 31—

Page 6 (line 6), omit “**After**”, substitute “**Before**”.

Page 6 (line 8), omit “(3A)”, substitute “(2B)”.

Items 32 and 33, page 6 (lines 15 to 22), omit the items, substitute:

**31A Subsection 18AB(3)**

Before “, Rules”, insert “or (2B)”.

**32 Subsection 18AB(6)**

Before “, as if a reference”, insert “or (2B)”.

**33 Subsection 18AB(7)**

Before “, the Judicial Registrars”, insert “or (2B)”.

Item 51, page 10 (line 3), omit “section”.

Item 62, page 27 (lines 14 to 16), omit the item, substitute:

**62 Paragraph 6A(2)(b)**

Omit “this Act”, substitute “the *Human Rights and Equal Opportunity Commission Act 1986* alleging that the act or omission is unlawful under a provision of Part II or IIA of this Act”.

Item 63, page 27 (lines 17 to 19), omit the item, substitute:

**63 Subsection 6A(2)**

Omit “this Act in respect of that act or omission”, substitute “the *Human Rights and Equal Opportunity Commission Act 1986* alleging that the act or omission is unlawful under a provision of Part II or IIA of this Act”.

*New item—*

Page 28 (after line 6), after item 67, insert:

**67A At the end of subsection 20(1)**

Add:

Note: For the provisions about inquiries into complaints of discrimination and conciliation of those complaints: see Part IIB of the *Human Rights and Equal Opportunity Commission Act 1986*.

*Amendments—*

Item 71, page 28 (lines 13 to 15), omit the item, substitute:

**71 At the end of paragraph 27(2)(e)**

Add “or the *Human Rights and Equal Opportunity Commission Act 1986*”.

Item 73, page 28 (lines 19 to 21), omit the item, substitute:

**73 Paragraph 27(2)(g)**

Omit all the words after “conference”, substitute “held under this Act or the *Human Rights and Equal Opportunity Commission Act 1986*”.

Item 84, page 29 (line 26) to page 30 (line 2), omit the item, substitute:

**84 Paragraph 10(4)(b)**

Omit “this Act”, substitute “the *Human Rights and Equal Opportunity Commission Act 1986* alleging that the act or omission is unlawful under a provision of Part II of this Act”.

Item 85, page 30 (lines 3 to 5), omit the item, substitute:

**85 Subsection 10(4)**

Omit all the words after “institute a proceeding under”, substitute “the *Human Rights and Equal Opportunity Commission Act 1986* alleging that the act or omission is unlawful under a provision of Part II of this Act”.

Items 86 and 87, page 30 (lines 6 to 11), omit the items, substitute:

**86 Paragraph 11(4)(b)**

Omit “this Act”, substitute “the *Human Rights and Equal Opportunity Commission Act 1986* alleging that the act or omission is unlawful under a provision of Part II of this Act”.

**87 Subsection 11(4)**

Omit all the words after “institute a proceeding under”, substitute “the *Human Rights and Equal Opportunity Commission Act 1986* alleging that the act or omission is unlawful under a provision of Part II of this Act”.

*New item—*

Page 30 (after line 19), after item 90, insert:

**90A At the end of subsection 48(1)**

Add:

Note: For the provisions about inquiries into complaints of discrimination and conciliation of those complaints: see Part IIB of the *Human Rights and Equal Opportunity Commission Act 1986*.

*Amendments—*

Item 102, page 31 (lines 21 to 23), omit the item, substitute:

**102 At the end of paragraph 94(2)(a)**

Add “or the *Human Rights and Equal Opportunity Commission Act 1986*”.

Items 105 and 106, page 32 (lines 3 to 9), omit the items, substitute:

**105 Paragraph 94(2)(d)**

Omit all the words after “under”, substitute “this Act or the *Human Rights and Equal Opportunity Commission Act 1986*”.

**106 Paragraph 94(2)(e)**

Omit all the words after “witness”, substitute “in a proceeding under this Act or the *Human Rights and Equal Opportunity Commission Act 1986*”.

*Paper*

Mr Williams presented a supplementary explanatory memorandum to the Bill.

Amendments agreed to.

Bill, as amended, agreed to.

Consideration in detail concluded.

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

**17 STANDING AND JOINT STANDING COMMITTEES—MEMBERSHIP**

The House was informed of the nominations by the Chief Opposition Whip of Members to be members of the following committees:

*Corporations and Securities—Parliamentary Joint Committee*

Mr K. J. Thomson in place of Mr Latham.

*Employment, Education and Training—Standing Committee*

Mr Latham in place of Mr P. J. Baldwin.



*Foreign Affairs, Defence and Trade—Joint Standing Committee*

Mr McLeay in place of Mr S. F. Smith.

**18 PUBLIC ACCOUNTS—JOINT COMMITTEE**

Mr Ruddock (Minister for Immigration and Multicultural Affairs), by leave, moved—That Mr L. D. T. Ferguson be discharged from attendance on the Joint Committee of Public Accounts and that, in his place, Mr P. J. Baldwin be appointed a member of the committee.

Question—put and passed.

**19 HEALTH INSURANCE AMENDMENT BILL (NO. 1) 1997**

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 having been resumed by Mr Lee—

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**20 ADJOURNMENT**

It being 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 Deputy Speaker adjourned the House until Monday next at 12.30 p.m.

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**PAPERS**

The following papers were deemed to have been presented on 19 June 1997:

Christmas Island Act—Casino Control Ordinance—Appointment of Administrator of Casino Operations, 7 May 1997.

Civil Aviation Act—Civil Aviation Regulations—Exemptions 1997 Nos. 45/FRS, 46/FRS, 47/FRS.

Income Tax Assessment Act—RHQ Company Determinations 1997 No. 4.

Public Service Act—Determinations 1997 Nos. 15, 16, 17, 18.

Taxation Administration Act—  
Determination 1997 No. TD 14.  
Ruling 1997 No. TR 12.

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**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Adams, Mr Anthony, Mrs Bailey, Mr P. J. Baldwin, Mr R. C. Baldwin, Mr Beazley, Mr

Causley, Mr Dondas, Mrs Gallus, Mr Howard, Mr Latham, Mr Neville, Mr O'Keefe, Mr Sawford, Mr Sharp, Mrs Stone, Mr Tanner, Mr Taylor and Mr Wilton.

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**L. M. BARLIN**  
Clerk of the House of Representatives

1996-97

**HOUSE OF REPRESENTATIVES**  
**SUPPLEMENT TO VOTES AND PROCEEDINGS**

No. 97

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

**THURSDAY, 19 JUNE 1997**

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1 The Main Committee met at 9.45 a.m.

**2 APPROPRIATION BILL (NO. 1) 1997-98**

The order of the day having been read for the further consideration in detail of the Bill—

Schedule—

Proposed expenditure—Department of Health and Family Services,  
\$2 879 850 000—further debated and agreed to.

Proposed expenditures—

Department of Social Security, \$1 584 755 000—

Department of Immigration and Multicultural Affairs, \$523 395 000—  
together agreed to.

Proposed expenditure—Department of Employment, Education, Training and  
Youth Affairs, \$2 400 635 000—debated and agreed to.

Proposed expenditure—Attorney-General's Department, \$786 701 000—  
debated and agreed to.

Proposed expenditures—

Department of the Environment, Sport and Territories, \$527 016 000—

Department of Communications and the Arts, \$1 074 926 000—  
together debated and agreed to.

Proposed expenditure—Department of Administrative Services,  
\$561 138 000—agreed to.

Remainder of Bill, by leave, taken as a whole, and agreed to.

Bill agreed to.

Consideration in detail concluded.

Ordered—That the Bill be reported to the House without amendment.

**3 APPROPRIATION BILL (NO. 2) 1997-98**

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—

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

Leave granted for the question on the report to be put forthwith.

Question—That the Bill be reported to the House without amendment—put and passed.

**4 APPROPRIATION (PARLIAMENTARY DEPARTMENTS) BILL 1997-98**

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—

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

Leave granted for the question on the report to be put forthwith.

Question—That the Bill be reported to the House without amendment—put and passed.

**5 ADJOURNMENT**

On the motion of Mr Jull (Minister for Administrative Services), the Main Committee adjourned at 1.41 p.m.

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**I. C. HARRIS**  
Clerk of the Main Committee