

1996-97

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 130

MONDAY, 24 NOVEMBER 1997



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

Mr Forrest (Chair) presented the following papers:

Family and Community Affairs—Standing Committee—Health on line: Health information management and telemedicine—

Report, incorporating a dissenting report, October 1997.

Evidence received by the committee.

Minutes of proceedings.

Ordered—That the report be printed.

Mr Forrest and Mr Quick made statements in connection with the report.

The time allotted for making statements on the report having expired—

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

Mr Forrest was granted leave to continue his speech when the debate is resumed.

In accordance with standing order 102B, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting.

**3 COMMUNICATIONS, TRANSPORT AND MICROECONOMIC REFORM—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER**

Mr Neville (Chair) presented the following papers:

Communications, Transport and Microeconomic Reform—Standing Committee—Planning not patching: An inquiry into Federal road funding—

Report, incorporating a dissenting report, October 1997.

Evidence received by the committee.

Minutes of proceedings.

Ordered—That the report be printed.

Mr Neville, Mr P. F. Morris and Mr R. A. Cameron made statements in connection with the report.

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

Mr Neville was granted leave to continue his speech when the debate is resumed.

In accordance with standing order 102B, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting.

**4 TREATIES—JOINT STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER**

Mr Taylor (Chair) presented the following papers:

Treaties—Joint Standing Committee—Eleventh report—

Report, November 1997.

Evidence received by the committee.

Minutes of proceedings.

Ordered—That the report be printed.

Mr Taylor and Mr McClelland made statements in connection with the report.

The time for consideration of committee and delegation reports having expired—

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

Mr Taylor was granted leave to continue his speech when the debate is resumed.

In accordance with standing order 102B, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting.

**5 CUSTOMS LEGISLATION (ECONOMIES IN TRANSITION) AMENDMENT BILL 1997**

Mr Crean, pursuant to notice, presented a Bill for an Act to amend the *Customs Act 1901*.

Mr Crean made a statement in relation to the Bill.

*Paper*

Mr Crean, 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.

**6 CUSTOMS LEGISLATION (WILLETT REVIEW OF ANTI-DUMPING MEASURES) AMENDMENT BILL 1997**

Mr Crean, pursuant to notice, presented a Bill for an Act to amend the *Customs Act 1901*.

Mr Crean made a statement in relation to the Bill.

*Paper*

Mr Crean, 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.

**7 HELLFIRE PASS**

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

- (1) recognises the importance of Hellfire Pass, the immediate railway line route and adjacent camps in Kanchanaburi Province, Thailand, where Australians were prisoners of war;
- (2) calls on the Government to set in motion the means by which the Thai Government can be approached to have these sites officially recognised as important to Australia;
- (3) calls on the Government to seek a special status of this area in the form of a reserve or park, to be administered under the War Graves Act, and which will ensure Australians have permanent access; and
- (4) is of the opinion that the museum under construction and being built with Australian funds should be guaranteed sufficient funds to allow a curator to be located permanently in the region to continue the development of the site.

Debate ensued.

At 1.45 p.m., the time allotted for the debate having expired, the debate was interrupted in accordance with standing order 106A, Mr Brough was granted leave to continue his speech when the debate is resumed, and the resumption of the debate was made an order of the day for the next sitting.

**8 MEMBERS' STATEMENTS**

Members' statements being made—

*Paper*

Mr Sawford, by leave, presented the following paper:

Constitutional Convention election 1997—Return of ballot paper envelopes—Statistics, 20 November 1997.

Members' statements continued.

**9 MINISTERIAL ARRANGEMENTS**

Mr Fischer (Acting Prime Minister) informed the House that, during the absence abroad of Mr Downer (Minister for Foreign Affairs), he would be Acting Minister for Foreign Affairs and would answer questions on Mr Downer's behalf.

**10 QUESTIONS**

Questions without notice were asked.

**11 PETITIONS**

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

Mr Andren, from 135 residents of New South Wales and Mr Brown and Mr Latham, from 9 and 21 petitioners, respectively, praying that nursing home care be available to all and that the family home be exempted from assets tests relating to payment for such care.

Ms Macklin, from 1600 petitioners, in similar terms.

Mr K. J. Andrews, from 13 residents of Victoria, praying that legislation be introduced to ban the sale of X-rated videos.

Mr Bevis, from 977 petitioners, praying that the role of union officials in the collective bargaining process be recognised and the right of choice of union membership be retained.

Mr Bevis, from 143 residents of Queensland, praying that data communication services be charged on an untimed basis.

Mr Bevis, from 88 residents of Queensland, praying that changes to the Pharmaceutical Benefits Scheme be reversed.

Mr Bevis, from 87 petitioners, praying that a high profile anti-racism campaign be mounted.

Mr Bevis, from 74 residents of Queensland, praying that the proposal to introduce nursing home entry fees be abandoned and full funding for capital assistance to nursing homes be restored.

Mr Bevis, from 15 residents of Queensland, praying that the recommendations of the parliamentary committee's report on fair trading be fully supported and implemented.

Mr E. H. Cameron, from 563 petitioners, praying that action be taken to stop the practice in China of extracting bile from caged bears for medical purposes.

Mr Hawker, from 29 pensioners, superannuants and retirees, praying that funding be provided to the Australian Pensioners' and Superannuants' Federation.

Ms Jeanes, from 1081 petitioners, praying that regulations governing food advertisements directed at children be reviewed and optimal nutrition promoted.

Ms Jeanes, from 96 residents of South Australia, praying that all families have access to affordable and quality child care.

Mr Jenkins, from 30 residents of Victoria, praying that funding to the Whittlesea Plenty Valley Family Resource Centre, Vic., be restored.

Dr Lawrence, from 431 petitioners, praying that certain action be taken to protect high conservation value forests.

Mr Price, from 197 residents of western Sydney, praying that the Mt Druitt, NSW, Medicare office remain open.

Mr Price, from 3 residents of western Sydney, praying that plans to build an airport at Badgery's Creek, NSW, be abandoned.

Mr Sawford, from 27 petitioners, praying that an Australian citizen be Head of State.

Mr Scott, from 3 electors of the Division of Maranoa, praying that the Veterans' Entitlements Act be amended to restore pension entitlement to certain war widows.

Mr S. F. Smith, from 2903 residents of Perth, praying that the accommodation bond requirement for nursing home residents be removed and funds for upgrading nursing home buildings be provided from consolidated revenue.

Petitions received.

## 12 AUSTRALIANS OF BALTIC BACKGROUND

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

- (1) notes that November 1997 marks the fiftieth anniversary of the arrival in Australia of the first postwar migrants from Lithuania, Latvia and Estonia;
- (2) recognises the important contribution made to migrant welfare, education and support by the (a) Baltic Council of Australia, (b) Council of Estonian Societies in Australia, (c) Latvian Federation of Australia and New Zealand and (d) Australian Lithuanian Community; and
- (3) records its appreciation for the significant contribution which Australians of Baltic background have made to our nation's economic, social and cultural development.

Debate ensued.

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.

## 13 CORPORATE RESTRUCTURING

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

- (1) notes the increasing occurrence of corporate restructuring;
- (2) acknowledges that corporate restructuring frequently results in substantial job redundancies; and
- (3) amend the Workplace Relations Act to:
  - (a) redefine transmission of business to include the phenomena of outsourcing of services;
  - (b) protect the accrued entitlements of workers where employment is transferred to a new entity as a result of corporate restructuring or outsourcing; and
  - (c) recognise continuity of service for workers transferred to another entity as a result of corporate restructuring or outsourcing.

Debate ensued.

The time allotted for private Members' business having expired, the debate was interrupted, the resumption of the debate made an order of the day for the next

sitting, and Mr Charles was granted leave to continue his speech when the debate is resumed.

#### 14 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.

Question—That grievances be noted—put and passed.

#### 15 AUDITOR-GENERAL'S REPORT

The Deputy Speaker presented the following paper:

Audit Act—Auditor-General—Audit report No. 14 of 1997-98—Financial control and administration audit—Official travel by public sector employees.

Ordered to be printed.

#### 16 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:

21 November 1997—Message—

No. 214—Excise Tariff Amendment (No. 1) 1997.

No. 215—

Taxation Laws Amendment (No. 4) 1997.

Social Security and Veterans' Affairs Legislation Amendment (Male Total Average Weekly Earnings Benchmark) 1997.

Snowy Hydro Corporatisation 1997.

Snowy Hydro Corporatisation (Consequential Amendments) 1997.

#### 17 MESSAGE FROM THE SENATE

A message from the Senate was reported returning the following Bill without amendment:

24 November 1997—Message No. 386—Wheat Marketing Amendment 1997.

#### 18 BALLAST WATER RESEARCH AND DEVELOPMENT FUNDING LEVY BILL 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 resumed.

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Truss (Minister for Customs and Consumer Affairs), the Bill was read a third time.

**19 BALLAST WATER RESEARCH AND DEVELOPMENT FUNDING LEVY COLLECTION BILL 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—

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

*Message from the Governor-General*

Message No. 216, 17 October 1997, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Truss (Minister for Customs and Consumer Affairs), the Bill was read a third time.

**20 TRADE PRACTICES AMENDMENT (FAIR TRADING) BILL 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 resumed by Mr Martin who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “whilst not declining to give the Bill a second reading, the House:

- (1) is of the opinion that the Government’s response to the report of the Standing Committee on Industry, Science and Technology entitled ‘Finding a balance: Towards fair trading in Australia’ does not reflect the intent or recommendations of the Committee;
- (2) recommends the Bill be amended to incorporate the recommendations of the Committee;
- (3) considers the Government’s response is inadequate and its rhetoric does not match either its election commitments or the Committee’s findings; and
- (4) calls on the Government members of the Committee, namely the honourable Members for Bendigo, McEwen, Paterson, Cowan, Mallee, Petrie, Canning, Aston and Lowe to support the Opposition’s amendments which reflect the recommendations in the Committee’s report”.

Debate continued.

Mr Reid addressing the House—

---

**21 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 November 1997:

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Statement 1997 No. 4.

Health Insurance Act—Determination 1997 No. HS/5.

Native Title Act—Determination 1997 No. 1.

Safety, Rehabilitation and Compensation Act—Notices 1997 Nos. 9, 10.

---

#### **ATTENDANCE**

All Members attended (at some time during the sitting) except Mr R. C. Baldwin, Mr Dondas, Mr Downer, Mr Georgiou, Mrs E. J. Grace. Mr Howard, Mr Katter, Mr Lindsay and Mr Pyne.

---

**I. C. HARRIS**

Clerk of the House of Representatives