

1996-97-98

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

## HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 147

TUESDAY, 24 MARCH 1998

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1 The House met, at 2 p.m., pursuant to adjournment. The Speaker (the Right Honourable Ian Sinclair) took the Chair, and read Prayers.

**2 MINISTERIAL ARRANGEMENTS**

Mr Howard (Prime Minister) informed the House that, during the absence abroad of Mr McLachlan (Minister for Defence), Mrs Bishop (Minister for Defence Industry, Science and Personnel) would act as Minister for Defence.

**3 QUESTIONS**

Questions without notice being asked—

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*Motion of censure of the Prime Minister*

Mr Beazley (Leader of the Opposition), by leave, moved—That this House censures the Prime Minister for:

- (1) his continuing unwillingness to enforce proper ministerial standards in relation to his Minister for Resources and Energy, who remains in breach of the Prime Minister's Guidelines on Ministerial Conduct and the Senate's Register of Senators' Interests, and who has misled the Parliament in relation to his interest in Pan Australian NL;
- (2) his endorsement of the flawed certification by the Secretary of the Department of the Prime Minister and Cabinet (Mr Moore-Wilton) that the Minister's financial affairs were in compliance with the Prime Minister's guidelines, when all of the evidence which has emerged regarding the Minister's conflicts of interest points to serious non-compliance;
- (3) his approval of the revised arrangement, announced yesterday only ten minutes before question time, whereby Senator Parer has been allowed to divest his financial interests in the two Parer family trusts to his children, in defiance of the Prime Minister's guidelines which state "The transfer of interests to a family member or to a nominee or trust is not an acceptable form of divestment";

- (4) his constant re-definition of the meaning of his own guidelines to suit his political needs, and doing so in a manner which has no regard to the standing of those guidelines, or to their consistent application, credibility or transparency, most recently demonstrated by the Prime Minister's spokesperson now conveniently saying that the rule against divesting to children was only ever meant to apply to "young children"; and
- (5) his refusal to require—in the face of all of the compelling evidence regarding serious breaches of the Prime Minister's guidelines, and ignoring universal editorial opinion—Senator Parer's immediate resignation.

Debate ensued.

Question—put.

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

AYES, 48

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

## NOES, 87

Mr Anderson	Mr R. D. C. Evans	Mr Lieberman	Mr Ronaldson
Mr J. N. Andrew	Mr Fahey	Mr Lindsay	Mr Ruddock
Mr K. J. Andrews	Mr Fischer	Mr Lloyd	Mr Scott
Mr Anthony	Mr Forrest	Mr McArthur*	Mr Sharp
Mrs Bailey	Mrs Gallus	Mr McDougall	Mr Slipper*
Mr Barresi	Ms Gambaro	Mr McGauran	Mr A. C. Smith
Mr Bartlett	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 Halverson	Mrs Moylan	Mrs Stone
Mr Broadbent	Mr Hardgrave	Mr Mutch	Mr Taylor
Mr Brough	Mr Hawker	Mr Nairn	Mr A. P. Thomson
Mr Cadman	Mr Hicks*	Mr Nehl	Mr Truss
Mr E. H. Cameron	Mr Hockey	Dr Nelson	Mr Tuckey
Mr Causley	Mr Howard	Mr Neville	Mr M. A. J. Vaile
Mr Charles	Ms Jeanes	Mr Nugent	Mrs D. S. Vale
Mr Cobb	Mrs Johnston	Mr Prosser	Mr Wakelin
Mr Costello	Mr Jull	Mr Pyne	Mrs West
Mr Dondas	Mr Katter	Mr Randall	Mr Williams
Mrs Draper	Mrs D. M. Kelly	Mr Reid	Dr Wooldridge
Mrs Elson	Miss J. M. Kelly	Mr Reith	Ms Worth
Mr Entsch	Dr Kemp	Mr Rocher	

\* Tellers

And so it was negatived.

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Questions without notice concluded.

**4 PAPERS**

The following papers were presented:

Aboriginal and Torres Strait Islander Commission Act—Aboriginal and Torres Strait Islander Commission—Review of the operation of the Act, February 1988.

Christmas Island Act—Casino Control Ordinance—Casino Surveillance Authority and Casino Controller—Report for 1996-97.

Department of Industry, Science and Tourism—Report for 1996-97—Corrigenda.

Employment, Education and Training Act—National Board of Employment, Education and Training—Higher Education Council—Report, including the Board's comments—Quality implementation and reporting in Australian higher education 1997, January 1998.

Wheat Marketing Act—Australian Wheat Board—Report for period 1 October 1996 to 30 September 1997.

**5 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—  
MINISTERIAL CODE OF CONDUCT**

The House was informed that Mr Beazley (Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The need to maintain ministerial standards and to strictly observe the Prime Minister’s guidelines on ministerial conduct”.

The proposed discussion having received the necessary support—

Mr Beazley rising to address the House—

Mr Reith (Leader of the House) moved—That the business of the day be called on.

Question—put and passed.

**6 SELECTION COMMITTEE—REPORT**

Mr Nehl (Chair) presented the following paper:

Selection Committee—Report relating to the consideration of committee and delegation reports and private Members’ business on Monday, 30 March 1998.

**7 BILL REFERRED TO MAIN COMMITTEE**

Mr J. N. Andrew (Chief Government Whip), pursuant to notice, moved—That the Criminal Code Amendment Bill 1997 be referred to the Main Committee for further consideration.

Question—put and passed.

**8 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE  
OF WORK—DEVELOPMENT OF EASTERN REGION OPERATIONS CENTRE AT  
RAAF BASE WILLIAMTOWN, NSW**

Mr Fahey (Minister for Finance and Administration), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Development of the Eastern Region Operations Centre at RAAF Base Williamtown, NSW.

Question—put and passed.

**9 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE  
OF WORK—REDEVELOPMENT OF FACILITIES AT RAAF BASE AMBERLEY,  
QLD**

Mr Fahey (Minister for Finance and Administration), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Redevelopment of facilities at RAAF Base Amberley, Qld.

Question—put and passed.

**10 MESSAGES FROM THE SENATE**

Messages from the Senate, 23 March 1998, were reported returning the following Bills without amendment:

No. 442—Family Trust Distribution Tax (Primary Liability) 1997 (*without requests*).

No. 443—Family Trust Distribution Tax (Secondary Liability) 1997 (*without requests*).

No. 444—Medicare Levy Consequential Amendment (Trust Loss) 1997.

**11 PUBLIC ACCOUNTS AND AUDIT—JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER**

Mr Charles (Chairman) presented the following paper:

Public Accounts and Audit—Joint Committee—Report 357—Jindalee Operational Radar Network Project, March 1998.

Ordered to be printed.

Mr Charles, Mr Beddall, Mr Georgiou and Mr Griffin, by leave, made statements in connection with the report.

Mr Charles, by leave, moved—That the House take note of the paper.

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

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

**12 ELECTORAL AND REFERENDUM AMENDMENT 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.

*Consideration in detail*

Bill, by leave, taken as a whole.

Mr McMullan moved the Opposition amendment as circulated.

Debate continued.

Amendment negatived.

Mr Fahey (Minister for Finance and Administration), by leave, moved Government amendments (1) and (2) as circulated, together.

Debate continued.

*Paper*

Mr Fahey 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 Fahey, by leave, the Bill was read a third time.

**13 AGED CARE AMENDMENT BILL 1998**

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.

*Member ordered to withdraw*

At 9.39 p.m. the Member for Makin (Mrs Draper) was ordered, under standing order 304A, to withdraw from the House for one hour for continuing to interject after a warning had been given from the Chair, and she accordingly withdrew from the Chamber.

Debate continued.

Mr Price addressing the House—

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**14 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 9.30 a.m.

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**PAPERS**

The following papers were deemed to have been presented on 24 March 1998:

Civil Aviation Act—Civil Aviation Regulations—Exemptions 1998 Nos. CASA 9, CASA 10.

Social Security Act—Determination—Parenting Payment Rate Calculator—Higher Amount 1998.

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**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Abbott, Mr R. C. Baldwin, Mr R. A. Cameron, Mr Downer, Mr McLachlan and Mrs Sullivan.

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**I. C. HARRIS**

Clerk of the House of Representatives