

1998-99

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 16

MONDAY, 8 FEBRUARY 1999

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

2 RAIL INFRASTRUCTURE

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

- (1) draws the attention of the Government to the condition of the national rail track;
- (2) commends the Government for its commitment of \$250 million to rail infrastructure but asks that it be expanded;
- (3) calls for the declaration of national rail highway from Brisbane to Perth; and
- (4) seeks removal of impediments to a seamless interstate rail system.

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

3 HOUSE SITTING ARRANGEMENTS

Ms Hoare, pursuant to notice, moved—That the House:

- (1) reverts to the previous sitting arrangements introduced in 1994, which were abandoned by this Government in 1996, to allow for a more family-friendly workplace;
- (2) notes the increased number of Members since the election, on both sides of the House, who have young families and/or recently formed partnerships;
- (3) also notes the hundreds of Members' staff who are required to be here to work while the House sits until 11 p.m. on Monday and Tuesday evenings and the effect that these absurd working hours has on their families and private lives; and

- (4) also notes that if it were to revert to the previous sitting pattern which includes sitting from the day's commencement through until adjournment at 8 p.m. there will be a loss of only three sitting hours per week in the House of Representatives chamber.

Debate ensued.

At 1.45 p.m., the debate was interrupted in accordance with standing order 106A, Mr Wakelin 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 a later hour this day.

4 MEMBERS' STATEMENTS

Members' statements were made.

5 DEATH OF THE HONOURABLE JAMES FRANCIS COPE

Mr Howard (Prime Minister) referred to the death of the Honourable James Francis Cope, and moved—That this House expresses its deep regret at the death on Wednesday, 3 February 1999, of the Honourable James Francis Cope, CMG, Speaker of the House of Representatives from 1973 to 1975; Member of the House of Representatives for the Division of Sydney, New South Wales, from 1969 to 1975, for the Division of Watson, New South Wales from 1956 to 1969 and for the Division of Cook, New South Wales from 1955 to 1956; places on record its appreciation of his long and meritorious public service, and tenders its profound sympathy to his family in their bereavement.

Mr Beazley (Leader of the Opposition) seconded the motion, and Mr Fischer (Leader of the National Party of Australia) and other Members addressed the House in support thereof.

Debate adjourned (Mr Reith—Leader of the House), and the resumption of the debate made an order of the day for a later hour this day.

6 DEATH OF FORMER SENATOR (THE HONOURABLE JAMES ROBERT McCLELLAND)

Mr Howard (Prime Minister) referred to the death of the Honourable James Robert McClelland, and moved—That this House expresses its deep regret at the death on Saturday, 16 January 1999, of the Honourable James Robert McClelland, Chairman of the Royal Commission into British Nuclear Weapons Tests in Australia from 1984 to 1985; Chief Justice of the Land and Environment Court of New South Wales from 1980 to 1985; Judge of the New South Wales Industrial Court from 1978 to 1980; Minister for Labour and Immigration and Minister assisting the Prime Minister in matters relating to the Public Service from June until November 1975; Minister for Manufacturing Industry from February until June 1975; and Senator for New South Wales from 1971 until 1978; places on record its appreciation of his long and meritorious public service, and tenders its profound sympathy to his family in their bereavement.

Mr Beazley (Leader of the Opposition) seconded the motion, and Mr Fischer (Leader of the National Party of Australia) and Mr Crean (Deputy Leader of the Opposition) addressed the House in support thereof.

Debate adjourned (Mr Reith—Leader of the House), and the resumption of the debate made an order of the day for a later hour this day.

7 DEATH OF FORMER SENATOR (MR NEVILLE THOMAS BONNER)

Mr Howard (Prime Minister) referred to the death of Mr Neville Thomas Bonner, and moved—That this House expresses its deep regret at the death on Friday, 5 February 1999, of Neville Thomas Bonner, AO, Senator for the State of Queensland from 1971 to 1983; places on record its appreciation of his long and meritorious public service, and tenders its profound sympathy to his family in their bereavement.

Mr Beazley (Leader of the Opposition) seconded the motion, and Mr Fischer (Leader of the National Party of Australia) and Mr Crean (Deputy Leader of the Opposition) addressed the House in support thereof.

Debate adjourned (Mr Reith—Leader of the House), and the resumption of the debate made an order of the day for a later hour this day.

8 DEATH OF HIS MAJESTY KING HUSSEIN OF JORDAN

Mr Howard (Prime Minister) referred to the death of His Majesty King Hussein of Jordan, and moved—That this House records its deep regret at the death on Sunday, 7 February 1999, of His Majesty King Hussein bin Talal of Jordan, and expresses its deep sympathy to Queen Noor and their family and to the people of Jordan in their bereavement and requests that this motion be conveyed by the Speaker on behalf of the Australian Parliament to the Government of Jordan.

Mr Beazley (Leader of the Opposition) seconded the motion, and Mr Fischer (Leader of the National Party of Australia) and Mr Brereton addressed the House in support thereof.

Debate adjourned (Mr Reith—Leader of the House), and the resumption of the debate made an order of the day for a later hour this day.

9 DEATH OF FORMER SENATOR (MR CLEAVER ERNEST BUNTON)

The Speaker informed the House of the death, on 20 January 1999, of Mr Cleaver Ernest Bunton, AO, OBE, a Senator for the State of New South Wales from 27 February to 11 November 1975.

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

10 DEATH OF THE HONOURABLE DONALD ALLAN DUNSTAN

The Speaker informed the House of the death, on 6 February 1999, of the Honourable Donald Allan Dunstan, AC, former Premier of South Australia.

Mr Howard (Prime Minister) and Mr Beazley (Leader of the Opposition) paid tribute to the deceased.

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

11 QUESTIONS

Questions without notice being asked—

Paper

Dr Wooldridge (Minister for Health and Aged Care) presented the following paper:

Psychiatrist dubbed “Dr 747”—Talking points note.

Questions without notice concluded.

12 PRIVILEGE—COMPLAINT OF BREACH

Mr Price raised, as a matter of privilege, the receipt of a subpoena from the Family Court of Australia ordering the production of records held by him.

Papers

Mr Price presented the following papers:

Members’ records—Production in court—Copies of—

Letter from Mr Price to the Registrar, Family Court of Australia.

Subpoena served on Mr Price by the Family Court of Australia, 8 January 1999.

The Speaker stated that he would consider the matter and report to the House at a later time.

13 PRODUCTION OF RECORDS IN COURT PROCEEDINGS—STATEMENT BY SPEAKER

The Speaker made a statement concerning the approval of the production in court of the Hansard record of 2 speeches made by Mr Mack in 1993 and 1994.

14 VOTES AND PROCEEDINGS AND HANSARD—STATEMENT BY SPEAKER

The Speaker made a statement concerning the publication of the proof Votes and Proceedings and Hansard in a combined document.

15 PETITIONS

Petitions lodged for presentation were announced.

16 HOUSE SITTING ARRANGEMENTS

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

- (1) reverts to the previous sitting arrangements introduced in 1994, which were abandoned by this Government in 1996, to allow for a more family-friendly workplace;
- (2) notes the increased number of Members since the election, on both sides of the House, who have young families and/or recently formed partnerships;
- (3) also notes the hundreds of Members’ staff who are required to be here to work while the House sits until 11 p.m. on Monday and Tuesday evenings

and the effect that these absurd working hours has on their families and private lives; and

- (4) also notes that if it were to revert to the previous sitting pattern which includes sitting from the day's commencement through until adjournment at 8 p.m. there will be a loss of only three sitting hours per week in the House of Representatives chamber—

Debate resumed.

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

17 **PROSTATE CANCER**

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

- (1) places on record concern about the lack of awareness in the community of prostate cancer;
- (2) notes that the number of deaths per year ascribed to prostate cancer has nearly doubled, rising from 1355 in 1982 to 2660 in 1996; and
- (3) calls on the Government to support the designation of one day or week per year as National Prostate Cancer Day/Week as a means of heightening awareness.

Debate ensued.

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

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.

Debate ensued.

Question—That grievances be noted—put and passed.

19 **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:

11 December 1998—Message—

No. 29—

Migration Legislation Amendment (No. 1) 1998.

Migration Legislation Amendment (Strengthening of Provisions relating to Character and Conduct) 1998.

Education Services for Overseas Students (Registration of Providers and Financial Regulation) Amendment 1998.

No. 30—

1998 Budget Measures Legislation Amendment (Social Security and Veterans' Entitlements) 1998.

Agriculture, Fisheries and Forestry Legislation Amendment (No. 1) 1998.

Superannuation Legislation Amendment (Resolution of Complaints) 1998.

Telecommunications Amendment (No. 2) 1998.

15 December 1998—Message—

No. 31—Child Support Legislation Amendment 1998.

No. 32—Private Health Insurance Incentives 1998.

21 December 1998—Message—

No. 33—Aged Care Amendment (Accreditation Agency) 1998.

No. 34—

Private Health Insurance Incentives Amendment 1998.

Taxation Laws Amendment (Private Health Insurance) 1998.

No. 35—

Wool International Amendment 1998.

Acts Interpretation Amendment 1998.

Anti-Personnel Mines Convention 1998.

No. 36—

National Environment Protection Measures (Implementation) 1998.

National Transmission Network Sale 1998.

National Transmission Network Sale (Consequential Amendments) 1998.

No. 37—Space Activities 1998.

24 December 1998—Message—

No. 38—

Australian Radiation Protection and Nuclear Safety 1998.

Australian Radiation Protection and Nuclear Safety (Licence Charges) 1998.

Australian Radiation Protection and Nuclear Safety (Consequential Amendments) 1998.

No. 39—Payment Processing Legislation Amendment (Social Security and Veterans' Entitlements) 1998.

20 AUSTRALIAN SECURITY INTELLIGENCE ORGANIZATION— PARLIAMENTARY JOINT COMMITTEE

The House was informed that the Speaker had received advice from Mr Howard (Prime Minister) nominating Members to be members of the Parliamentary Joint Committee on the Australian Security Intelligence Organization.

Jackie Kelly (Minister for Sport and Tourism), by leave, moved—That, in accordance with the provisions of the *Australian Security Intelligence Organization Act 1979*, Mr Jull, Mr McArthur, Mr Nehl and Mr McLeay be

appointed members of the Parliamentary Joint Committee on the Australian Security Intelligence Organization.

Question—put and passed.

21 RETAILING SECTOR—JOINT SELECT COMMITTEE

Jackie Kelly (Minister for Sport and Tourism), by leave, moved—That Mr Baird, Mrs Elson and Mr Nairn be members of the Joint Select Committee on the Retailing Sector.

Question—put and passed.

22 DEATH OF THE HONOURABLE JAMES FRANCIS COPE—MOTION OF CONDOLENCE

The order of the day having been read for the resumption of the debate on the motion of Mr Howard (Prime Minister) (*see* entry No. 5)—That this House expresses its deep regret at the death on Wednesday, 3 February 1999, of the Honourable James Francis Cope, CMG, Speaker of the House of Representatives from 1973 to 1975; Member of the House of Representatives for the Division of Sydney, New South Wales, from 1969 to 1975, for the Division of Watson, New South Wales from 1956 to 1969 and for the Division of Cook, New South Wales from 1955 to 1956; places on record its appreciation of his long and meritorious public service, and tenders its profound sympathy to his family in their bereavement—

Debate resumed.

All Members present having risen, in silence—

Question—passed.

23 DEATH OF FORMER SENATOR (THE HONOURABLE JAMES ROBERT McCLELLAND)—MOTION OF CONDOLENCE

The order of the day having been read for the resumption of the debate on the motion of Mr Howard (Prime Minister) (*see* entry No. 6)—That this House expresses its deep regret at the death on Saturday, 16 January 1999, of the Honourable James Robert McClelland, Chairman of the Royal Commission into British Nuclear Weapons Tests in Australia from 1984 to 1985; Chief Justice of the Land and Environment Court of New South Wales from 1980 to 1985; Judge of the New South Wales Industrial Court from 1978 to 1980; Minister for Labour and Immigration and Minister assisting the Prime Minister in matters relating to the Public Service from June until November 1975; Minister for Manufacturing Industry from February until June 1975; and Senator for New South Wales from 1971 until 1978; places on record its appreciation of his long and meritorious public service, and tenders its profound sympathy to his family in their bereavement—

All Members present having risen, in silence—

Question—passed.

24 DEATH OF FORMER SENATOR (MR NEVILLE THOMAS BONNER)—MOTION OF CONDOLENCE

The order of the day having been read for the resumption of the debate on the motion of Mr Howard (Prime Minister) (*see* entry No. 7)—That this House expresses its deep regret at the death on Friday, 5 February 1999, of Neville Thomas Bonner, AO, Senator for the State of Queensland from 1971 to 1983; places on record its appreciation of his long and meritorious public service, and tenders its profound sympathy to his family in their bereavement—

Debate resumed.

All Members present having risen, in silence—

Question—passed.

25 DEATH OF HIS MAJESTY KING HUSSEIN OF JORDAN—MOTION OF CONDOLENCE

The order of the day having been read for the resumption of the debate on the motion of Mr Howard (Prime Minister) (*see* entry No. 8)—That this House records its deep regret at the death on Sunday, 7 February 1999, of His Majesty King Hussein bin Talal of Jordan, and expresses its deep sympathy to Queen Noor and their family and to the people of Jordan in their bereavement and requests that this motion be conveyed by the Speaker on behalf of the Australian Parliament to the Government of Jordan—

Debate resumed.

All Members present having risen, in silence—

Question—passed.

26 JUDICIARY 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.

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

27 ADJOURNMENT

Mr Entsch (Parliamentary Secretary to the Minister for Industry, Science and Resources) moved—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 8 February 1999:

Air Force Act—Regulations—Statutory Rules 1998 No. 332.

Airports Act—Regulations—Statutory Rules 1998 No. 349.

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposals 1999 Nos. 1, 2.

Australian Capital Territory (Planning and Land Management) Act—National Capital Plan—Certification of draft amendment No. 21.

Australian Meat and Live-stock Industry Act—Order No. LC2/98 Amendment 1998 (No. 1).

Australian National Railways Commission Act—Regulations—Statutory Rules 1998 No. 352.

Australian Postal Corporation Act—Regulations—Statutory Rules 1998 No. 368.

Chemical Weapons (Prohibition) Act—
Instrument of approval of forms 6 January 1999.
Regulations—Statutory Rules 1998 No. 366.

Child Support (Assessment) Act—Regulations—Statutory Rules 1999 No. 5.

Circuit Layouts Act—Regulations—Statutory Rules 1998 No. 358.

Civil Aviation Act—

Civil Aviation Regulations—

Exemptions—

1998 Nos. CASA 46, CASA 47, CASA 49, CASA 50, CASA 51.

1999 Nos. CASA 1, CASA 2.

Instruments—

1998 Nos. CASA 495, CASA 497, CASA 502.

1999 Nos. CASA 1, CASA 3, CASA 16, CASA 27, CASA 36.

Civil Aviation Orders—

Part 82—Amendments 21 January 1999.

Part 105—Amendments—

1998 18 (2), 19 (2), 20 November, 2 (3), 3, 7, 9 (10), 10 (11), 11 (7), 14, 15 December.

1999 5 (3), 7, 11 (10), 13 (4), 14 (6), 15 (8) January.

Part 106—Amendments—

1998 13 November, 9 (5), 10, 11 (2), 15 December.

1999 13, 15 (2), 18 January.

Part 107—Amendments—

1998 25 November.

1999 14 January.

Section 12B—Directions (2) 30 November 1998.

Copyright Act—Regulations—Statutory Rules 1998 Nos. 357, 359, 360.

Crimes Act—Regulations—Statutory Rules 1998 No. 361.

Customs Act—Instruments of approval 1998 Nos. 44, 45, 46.

Defence Act—

Determinations—

Defence Force Remuneration Tribunal 1998 Nos. 30, 31, 32, 33.

Under section 52 1999 No. 1.

Under section 58B—

1998 Nos. 42, 43, 44.

1999 Nos. 1, 2, 3.

Defence Force Discipline Act—Rules of procedure—Statutory Rules 1998 No. 377.

Designs Act—Regulations—Statutory Rules 1998 Nos. 344, 347.

Director of Public Prosecutions Act—Regulations—Statutory Rules 1998 No. 356.

Export Inspection (Quantity Charge) Act—Regulations—Statutory Rules 1998 No. 328.

Extradition Act—Regulations—Statutory Rules 1998 No. 362.

Family Law Act—Regulations—Statutory Rules 1998 Nos. 329, 340, 341.

Financial Management and Accountability Act—Regulations—Statutory Rules 1998 No. 333.

Fisheries Levy Act—Regulations—Statutory Rules 1998 No. 327.

Fisheries Management Act—Regulations—Statutory Rules 1998 No. 363.

Grape Research Levy Act—Regulations—Statutory Rules 1999 No. 3.

Health Insurance Act—Regulations—Statutory Rules 1998 Nos. 334, 370, 371, 372, 373.

Higher Education Funding Act—Determinations—
1998 No. T23.

1999 Nos. T1, T3, T4, T5, T6, T7.

Income Tax Assessment Act 1936—Regulations—Statutory Rules 1998 No. 348.

Insurance (Agents and Brokers) Act—Forms approved for the purposes of section 9C 29 January 1999.

Migration Act—

Notice under section 502 13 December 1998.

Statements (11) under section 345.

Motor Vehicle Standards Act—Road Vehicle (National Standards) Determination 1998 No. 2

Mutual Assistance in Criminal Matters Act—Regulations—Statutory Rules 1998 No. 336.

National Gallery Act—Regulations—Statutory Rules 1998 No. 376.

National Health Act—

Determinations—

1998—

No. ACC.DNCB.98-02.

No. HIG 10.

1999 No. IHS 1.

Regulations—Statutory Rules 1998 No. 374.

Naval Defence Act—Regulations—Statutory Rules 1998 No. 331.

Navigation Act—Marine orders—

1998 Nos. 14, 15, 16, 17, 18.

1999 Nos. 1, 2, 3, 4, 5.

Occupational Health and Safety (Commonwealth Employment) Act—
Regulations—Statutory Rules 1998 No. 355.

Patents Act—Regulations—Statutory Rules 1998 Nos. 342, 345.

Private Health Insurance Incentives Act—Regulations—Statutory Rules—
1998 No. 375.

1999 No. 2.

Proceeds of Crime Act—Regulations—Statutory Rules 1998 No. 335.

Protection of Movable Cultural Heritage Act—Regulations—Statutory Rules
1998 No. 367.

Public Service Act—

Determinations—

1998—

Attorney-General's Department No. 1.

Commonwealth Services Delivery Agency (Centrelink) No. 1.

Department of Veterans' Affairs No. 1.

Nos. 24, 25, 26, LES 42, LES 43, SESROB 80, SESROB 81, SESROB 82,
SESROB 83, SESROB 84, SESROB 85, SESROB 86, SESROB 87, SESROB
88.

1999—

Defence Nos. 1, 2.

Nos. FAT 1, FAT 2, FAT 3, FAT 4, SESROB 1, SESROB 2, SESROB 3,
SESROB 4, SESROB 5, SESROB 6, SESROB 7.

Quarantine Act—Determinations—

1998 No.3.

1999 No. 1.

Radiocommunications Act—

Australian Radiofrequency Spectrum Plan.

Determinations—1998 Radiocommunications (Frequency Assignment
Certificates) No. 1 of 1996—Amendment.

Licence variation—1998—Radiocommunications Class Licence (Low
Interference Potential Devices) (No. 1).

Notices—

1998—Radiocommunications (Compliance Labelling—Incidental Emissions).

1999—Radiocommunications (Compliance Labelling—Cordless and Mobile
Phones).

Principles—1998—Radiocommunications (Accreditation—Frequency
Assignment and Interference Impact Certificates) No. 1 of 1996—Amendment.
Regulations—Statutory Rules 1998 No. 330.

Standard—1999—Radiocommunications (Electromagnetic Radiation—Human
Exposure).

Remuneration Tribunal Act—Remuneration Tribunal—Determinations 1998
Nos. 25, 26, 27.

Safety, Rehabilitation and Compensation Act—Notices 1998 Nos. 16, 17.
 Sales Tax Assessment Act—Ruling No. SST 14.
 Stevedoring Levy (Collection) Act—Regulations—Statutory Rules 1998 No. 350.
 Stevedoring Levy (Imposition) Act—Regulations—Statutory Rules 1998 No. 351.
 Student Assistance Act—Determination 1998 No. 1.
 Sydney Airport Curfew Act—Dispensation 1998 No. 13.
 Sydney Airport Demand Management Act—Regulations—Statutory Rules 1998 No. 337.
 Taxation Administration Act—
 Determinations 1998 Nos. TD 98/28, TD 98/29.
 Rulings—
 1998 Nos. PR 98/4, PR 98/5, TR 98/22, TR 98/23.
 1999 Nos. PR 1, PR 2, SCR 1, TR 92/14 (Addendum), TR 98/3 (Addendum), TR 1, TR 2.
Telecommunications Act 1997—Regulations—Statutory Rules 1998 No. 339.
 Telstra Corporation Act—Telstra carrier charges—Price control arrangements, notification and disallowance—Determination 1997—Amendment No. 1 of 1998.
 Therapeutic Goods Act—
 Determinations—1998 Nos. MP 2, MP 3.
 Regulations—Statutory Rules 1998 No. 369.
 Trade Marks Act—Regulations—Statutory Rules 1998 Nos. 343, 346.
 Trade Practices Act—Regulations—Statutory Rules 1998 Nos. 364, 365.
 Veterans' Entitlements Act—Instruments 1999 Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20.
 Wine Grapes Levy Act—Regulations—Statutory Rules 1999 No. 4.
 Workplace Relations Act—
 Regulations—Statutory Rules—
 1998 Nos. 338, 353, 354.
 1999 No. 1.



ATTENDANCE

All Members attended (at some time during the sitting) except Mrs Gallus, Mr Melham and Mrs Sullivan.



I. C. HARRIS

Clerk of the House of Representatives