

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 89

WEDNESDAY, 9 OCTOBER 1991

- 1 The House met, at 10 a.m., pursuant to adjournment. The Acting Speaker (Mr R. F. Edwards) took the Chair, and read Prayers.
- 2 **DEATH OF FORMER MEMBER (MR H. H. HANDBY):** The Acting Speaker informed the House of the death, on 2 October 1991, of Mr Herbert Harry Handby, OBE, a Member of this House for the Division of Kingston from 1949 to 1951.
As a mark of respect to the memory of the deceased all Members present stood, in silence.
- 3 **MESSAGES FROM THE SENATE:** Messages from the Senate were reported returning the following Bills without amendment:
8 October 1991—Message—
No. 296—Loan (No. 2) 1991.
No. 298—Sales Tax (Exemptions and Classifications) Amendment 1991.
- 4 **MESSAGE FROM THE SENATE—AUSSAT REPEAL BILL 1991:** The following message from the Senate was reported:

Message No. 297

Mr Speaker,

The Senate returns to the House of Representatives the bill for "*An Act to provide for some matters connected with the sale of AUSSAT Pty Ltd, to repeal the 'AUSSAT Act 1984' and amend other Acts following that sale, and to amend other Acts relating to telecommunications*", and acquaints the House that the Senate has agreed to the bill with the amendment indicated by the annexed schedule, in which amendment the Senate requests the concurrence of the House of Representatives.

KERRY SIBRAA
PresidentThe Senate,
Canberra, 8 October 1991

Ordered—That the amendment be taken into consideration, in committee of the whole House, forthwith.

In the committee

SCHEDULE OF THE AMENDMENT MADE BY THE SENATE

After clause 5, page 3, insert the following clauses:

AUSSAT not within the shield of the Crown**"5A. To avoid doubt, AUSSAT:**

- (a) is not, does not form part of, does not represent, and is not an instrumentality or agency of, the Crown; and

(b) is taken never to have been, formed part of, represented, or been an instrumentality or agency of, the Crown.

Clarification of AUSSAT's status for income tax purposes

"**5B.** AUSSAT is not, and is taken never to have been, a public authority for the purposes of paragraph 23 (d) of the *Income Tax Assessment Act 1936*."

Paper: Mr Snowdon (Parliamentary Secretary to the Minister for Transport and Communications) presented a supplementary explanatory memorandum to the Bill.

On the motion of Mr Snowdon, the amendment was agreed to, after debate. Resolution to be reported.

The House resumed; Mr L. J. Scott reported accordingly.

On the motion of Mr Snowdon, the House adopted the report.

- 5 **APPROPRIATION BILL (NO. 1) 1991-92:** The House, according to order, resolved itself into a committee of the whole for the further consideration of the Bill.

In the committee

Schedule 3—

Proposed expenditure—Department of Transport and Communications, \$1 358 873 000—further debated and agreed to.

Proposed expenditure—Department of Employment, Education and Training, \$3 720 166 000—debated.

It being approximately 12.45 p.m., in accordance with sessional order 101A—Progress to be reported.

The House resumed; Mr Dubois reported accordingly.

Ordered—That the House will, at a later hour this day, again resolve itself into the said committee.

- 6 **QUESTIONS:** Questions without notice were asked.

- 7 **SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED:** Dr R. L.

Woods moved—That so much of the standing and sessional orders be suspended as would prevent the Minister for Health, Housing and Community Services making a statement to the House forthwith concerning the crisis state of Australia's health care system which has divided the Government, led to a revolt in the caucus and caused fear and trepidation in the hearts and minds of millions of Australians.

Closure of Member: Mr Beazley (Leader of the House) moved—That the honourable Member be not further heard.

Question—put.

The House divided (the Acting Speaker, Mr R. F. Edwards, in the Chair)—

AYES, 68

Mr Baldwin	Mr Duncan	Mr Jenkins	Mr O'Neil
Mr Beazley	Mr Elliott	Mr Johns	Mr Price
Mr Beddall	Ms Fatin	Mr Keating	Mr Punch
Mr Bevis	Mr Ferguson	Mrs Kelly	Mr Sawford*
Mr Bilney	Mr Fitzgibbon	Mr Kerin	Mr J. L. Scott
Dr Blewett	Mr Free	Mr Kerr	Mr L. J. Scott
Mr Brereton	Mr Gibson	Mr Langmore	Mr Simmons
Mr R. J. Brown	Mr Gorman	Mr Lavarch	Mr Snow
Mr Campbell	Mr Grace*	Mr Lee	Mr Snowdon
Dr Catley	Mr Griffiths	Mr Lindsay	Mr Staples
Dr Charlesworth	Mr Hand	Ms McHugh	Dr Theophanous
Mr Courtice	Mr Hawke	Mr Martin	Mr Tickner
Ms Crawford	Mr Hollis	Mr Melham	Mr Walker
Mr Crean	Mr Howe	Mr A. A. Morris	Mr West
Mr Dawkins	Mr Hulls	Mr P. F. Morris	Mr Willis
Mr Dubois	Mr Humphreys	Mr Newell	Mr H. F. Woods
Mr Duffy	Mrs Jakobsen	Mr O'Keefe	Mr Wright

NOES, 64

Mr Aldred	Mr Cobb	Dr Hewson	Mr Riggall
Mr Anderson	Mr Connolly	Mr Hicks*	Mr Ronaldson
Mr J. N. Andrew*	Mr Costello	Mr Howard	Mr Ruddock
Mr K. J. Andrews	Mr Cowan	Mr Jull	Mr B. C. Scott
Mr Atkinson	Mr Dobie	Dr Kemp	Mr Shack
Mrs Bailey	Mr Downer	Mr Lloyd	Mr Sharp
Mr Beale	Dr H. R. Edwards	Mr McArthur	Mr Sinclair
Mr Bradford	Mr Fife	Mr McGauran	Mr Smith
Mr Braithwaite	Mr T. A. Fischer	Mr Mack	Mr Somlyay
Mr Broadbent	Mr P. S. Fisher	Mr MacKellar	Mr Taylor
Mr Burr	Mr Ford	Mr McLachlan	Mr Truss
Mr Cadman	Mrs Gallus	Mr Miles	Mr Tuckey
Mr Cameron	Mr Goodluck	Mr Moore	Mr Webster
Mr Carlton	Mr Hall	Mr Nehl	Mr Wilson
Mr Chaney	Mr Halverson	Mr Nugent	Dr R. L. Woods
Mr Charles	Mr Hawker	Mr Reith	Dr Wooldridge

* Tellers

And so it was resolved in the affirmative.

Mr Nehl (seconder) addressing the House—

Closure of Member: Mr Beazley moved—That the honourable Member be not further heard.

Question—put.

The House divided (the Acting Speaker, Mr R. F. Edwards, in the Chair)—

AYES, 68

Mr Baldwin	Mr Duncan	Mr Jenkins	Mr O'Neil
Mr Beazley	Mr Elliott	Mr Johns	Mr Price
Mr Beddall	Ms Fatin	Mr Keating	Mr Punch
Mr Bevis	Mr Ferguson	Mrs Kelly	Mr Sawford*
Mr Bilney	Mr Fitzgibbon	Mr Kerin	Mr J. L. Scott
Dr Blewett	Mr Free	Mr Kerr	Mr L. J. Scott
Mr Brereton	Mr Gibson	Mr Langmore	Mr Simmons
Mr R. J. Brown	Mr Gorman	Mr Lavarch	Mr Snow
Mr Campbell	Mr Grace*	Mr Lee	Mr Snowdon
Dr Catley	Mr Griffiths	Mr Lindsay	Mr Staples
Dr Charlesworth	Mr Hand	Ms McHugh	Dr Theophanous
Mr Courtice	Mr Hawke	Mr Martin	Mr Tickner
Ms Crawford	Mr Hollis	Mr Melham	Mr Walker
Mr Crean	Mr Howe	Mr A. A. Morris	Mr West
Mr Dawkins	Mr Hulls	Mr P. F. Morris	Mr Willis
Mr Dubois	Mr Humphreys	Mr Newell	Mr H. F. Woods
Mr Duffy	Mrs Jakobsen	Mr O'Keefe	Mr Wright

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Mr Atkinson	Mr Dobie	Dr Kemp	Mr Shack
Mrs Bailey	Mr Downer	Mr Lloyd	Mr Sharp
Mr Beale	Dr H. R. Edwards	Mr McArthur	Mr Sinclair
Mr Bradford	Mr Fife	Mr McGauran	Mr Smith
Mr Braithwaite	Mr T. A. Fischer	Mr Mack	Mr Somlyay
Mr Broadbent	Mr P. S. Fisher	Mr MacKellar	Mr Taylor
Mr Burr	Mr Ford	Mr McLachlan	Mr Truss
Mr Cadman	Mrs Gallus	Mr Miles	Mr Tuckey
Mr Cameron	Mr Goodluck	Mr Moore	Mr Webster
Mr Carlton	Mr Hall	Mr Nehl	Mr Wilson
Mr Chaney	Mr Halverson	Mr Nugent	Dr R. L. Woods
Mr Charles	Mr Hawker	Mr Reith	Dr Wooldridge

* Tellers

And so it was resolved in the affirmative.

Mr Chaney rising to address the House—

Closure: Mr Beazley moved—That the question be now put.

Question—That the question be now put—put.

The House divided (the Acting Speaker, Mr R. F. Edwards, in the Chair)—

AYES, 70

Mr Baldwin	Mr Elliott	Mr Johns	Mr Punch
Mr Beazley	Ms Fatin	Mr Keating	Mr Sawford*
Mr Beddall	Mr Ferguson	Mrs Kelly	Mr Scholes
Mr Bevis	Mr Fitzgibbon	Mr Kerin	Mr J. L. Scott
Mr Bilney	Mr Free	Mr Kerr	Mr L. J. Scott
Dr Blewett	Mr Gayler	Mr Langmore	Mr Simmons
Mr Brereton	Mr Gibson	Mr Lavarch	Mr Snow
Mr R. J. Brown	Mr Gorman	Mr Lee	Mr Snowdon
Mr Campbell	Mr Grace*	Mr Lindsay	Mr Staples
Dr Catley	Mr Griffiths	Ms McHugh	Dr Theophanous
Dr Charlesworth	Mr Hand	Mr Martin	Mr Tickner
Mr Courtice	Mr Hawke	Mr Melham	Mr Walker
Ms Crawford	Mr Hollis	Mr A. A. Morris	Mr West
Mr Crean	Mr Howe	Mr P. F. Morris	Mr Willis
Mr Dawkins	Mr Hulls	Mr Newell	Mr H. F. Woods
Mr Dubois	Mr Humphreys	Mr O'Keefe	Mr Wright
Mr Duffy	Mrs Jakobsen	Mr O'Neil	
Mr Duncan	Mr Jenkins	Mr Price	

NOES, 64

Mr Aldred	Mr Cobb	Dr Hewson	Mr Riggall
Mr Anderson	Mr Connolly	Mr Hicks*	Mr Ronaldson
Mr J. N. Andrew*	Mr Costello	Mr Howard	Mr Ruddock
Mr K. J. Andrews	Mr Cowan	Mr Jull	Mr B. C. Scott
Mr Atkinson	Mr Dobie	Dr Kemp	Mr Shack
Mrs Bailey	Mr Downer	Mr Lloyd	Mr Sharp
Mr Beale	Dr H. R. Edwards	Mr McArthur	Mr Sinclair
Mr Bradford	Mr Fife	Mr McGauran	Mr Smith
Mr Braithwaite	Mr T. A. Fischer	Mr Mack	Mr Somlyay
Mr Broadbent	Mr P. S. Fisher	Mr MacKellar	Mr Taylor
Mr Burr	Mr Ford	Mr McLachlan	Mr Truss
Mr Cadman	Mrs Gallus	Mr Miles	Mr Tuckey
Mr Cameron	Mr Goodluck	Mr Moore	Mr Webster
Mr Carlton	Mr Hall	Mr Nehl	Mr Wilson
Mr Chaney	Mr Halverson	Mr Nugent	Dr R. L. Woods
Mr Charles	Mr Hawker	Mr Reith	Dr Wooldridge

* Tellers

And so it was resolved in the affirmative.

And the question—That the motion for the suspension of standing and sessional orders be agreed to—being accordingly put—

The House divided (the Acting Speaker, Mr R. F. Edwards, in the Chair)—

AYES, 63

Mr Aldred	Mr Cobb	Dr Hewson	Mr Ronaldson
Mr Anderson	Mr Connolly	Mr Hicks*	Mr Ruddock
Mr J. N. Andrew*	Mr Costello	Mr Howard	Mr B. C. Scott
Mr K. J. Andrews	Mr Cowan	Mr Jull	Mr Shack
Mr Atkinson	Mr Dobie	Dr Kemp	Mr Sharp
Mrs Bailey	Mr Downer	Mr Lloyd	Mr Sinclair
Mr Beale	Dr H. R. Edwards	Mr McArthur	Mr Smith
Mr Bradford	Mr Fife	Mr McGauran	Mr Somlyay
Mr Braithwaite	Mr T. A. Fischer	Mr MacKellar	Mr Taylor
Mr Broadbent	Mr P. S. Fisher	Mr McLachlan	Mr Truss
Mr Burr	Mr Ford	Mr Miles	Mr Tuckey
Mr Cadman	Mrs Gallus	Mr Moore	Mr Webster
Mr Cameron	Mr Goodluck	Mr Nehl	Mr Wilson
Mr Carlton	Mr Hall	Mr Nugent	Dr R. L. Woods
Mr Chaney	Mr Halverson	Mr Reith	Dr Wooldridge
Mr Charles	Mr Hawker	Mr Riggall	

NOES, 71

Mr Baldwin	Mr Elliott	Mr Johns	Mr Price
Mr Beazley	Ms Fatin	Mr Keating	Mr Punch
Mr Beddall	Mr Ferguson	Mrs Kelly	Mr Sawford*
Mr Bevis	Mr Fitzgibbon	Mr Kerin	Mr Scholes
Mr Bilney	Mr Free	Mr Kerr	Mr J. L. Scott
Dr Blewett	Mr Gayler	Mr Langmore	Mr L. J. Scott
Mr Brereton	Mr Gibson	Mr Lavarch	Mr Simmons
Mr R. J. Brown	Mr Gorman	Mr Lee	Mr Snow
Mr Campbell	Mr Grace*	Mr Lindsay	Mr Snowdon
Dr Catley	Mr Griffiths	Ms McHugh	Mr Staples
Dr Charlesworth	Mr Hand	Mr Mack	Dr Theophanous
Mr Courtice	Mr Hawke	Mr Martin	Mr Tickner
Ms Crawford	Mr Hollis	Mr Melham	Mr Walker
Mr Crean	Mr Howe	Mr A. A. Morris	Mr West
Mr Dawkins	Mr Hulls	Mr P. F. Morris	Mr Willis
Mr Dubois	Mr Humphreys	Mr Newell	Mr H. F. Woods
Mr Duffy	Mrs Jakobsen	Mr O'Keefe	Mr Wright
Mr Duncan	Mr Jenkins	Mr O'Neil	

* Tellers

And so it was negatived.

8 AUSTRALIAN NATIONAL AUDIT OFFICE—REPORT—PUBLICATION OF PAPER:

The Acting Speaker presented the following paper:

Audit Act—Australian National Audit Office—Report for 1990-91.

Mr Beazley (Leader of the House), by leave, moved—That:

(1) this House, in accordance with the provisions of the *Parliamentary Papers Act 1908*, authorises the publication of the annual report of the Australian National Audit Office for 1990-91; and

(2) the report be printed.

Question—put and passed.

9 PAPER: The following paper was presented:

Employment, Education and Training Act—National Board of Employment, Education and Training—Higher Education Council report, including the Board's comment—Overenrolments and overcrowding in higher education institutions, September 1991.

10 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—AUSTRALIAN TAXATION SYSTEM: The House was informed that Mr Jull had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The impact of the Australian taxation system on business costs, competitiveness of exports and the incentives for Australians to work".

The proposed discussion having received the necessary support—

Mr Jull addressed the House.

Discussion ensued.

Discussion concluded.

11 MESSAGES FROM THE SENATE: Messages from the Senate were reported returning the following Bills without amendment:

8 October 1991—Message No. 299—Overseas Students Charge Amendment 1991.

9 October 1991—Message—

No. 300—Aboriginal Education (Supplementary Assistance) Amendment 1991.

No. 301—Export Finance and Insurance Corporation 1991.

No. 302—Export Finance and Insurance Corporation (Transitional Provisions and Consequential Amendments) 1991.

- 12 **PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—RELOCATION OF SPECIAL BROADCASTING SERVICE RADIO AND TELEVISION, ARTARMON, NSW:** Mr Price (Parliamentary Secretary to the Prime Minister), for Mr Beddall (Minister representing the Minister for Administrative Services), 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: Special Broadcasting Service, relocation of radio and television, Artarmon, NSW.
Mr Price presented plans in connection with the proposed work.
Debate ensued.
Question—put and passed.
- 13 **FAMILY LAW AMENDMENT BILL (NO. 2) 1991:** Mr Duffy (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Family Law Act 1975*.
Bill read a first time.
Mr Duffy moved—That the Bill be now read a second time.
Paper: Mr Duffy presented an explanatory memorandum to the Bill.
Debate adjourned (Mr Wilson), and the resumption of the debate made an order of the day for the next sitting.
- 14 **APPROPRIATION BILL (NO. 1) 1991-92:** The House, according to order, again resolved itself into a committee of the whole for the further consideration of the Bill.

In the committee

Schedule 3—

Proposed expenditure—Department of Employment, Education and Training, \$3 720 166 000—further debated and agreed to.

Proposed expenditure—Department of Defence, \$8 923 506 000—debated and agreed to.

Proposed expenditure—Department of Primary Industries and Energy, \$458 011 000—debated.

It being 10.30 p.m.—Progress to be reported.

The House resumed; Mr Nehl reported accordingly.

Adjournment negatived: The question was proposed—That the House do now adjourn.

Ms Fatin (Minister for Local Government) requiring the question to be put forthwith without debate—

Question—put and negatived.

The House again resolved itself into a committee of the whole.

In the committee

Debate continued.

Proposed expenditure agreed to.

Proposed expenditure—Department of Social Security, \$1 071 607 000—debated and agreed to.

Proposed expenditure—Department of Administrative Services, \$410 275 000—agreed to.

Proposed expenditures—

Department of Health, Housing and Community Services, \$1 823 995 000—

Department of Veterans' Affairs, \$1 431 133 000—

together debated.

Progress to be reported, and leave asked to sit again.

The House resumed; Mr MacKellar reported accordingly.

Ordered—That the House will, at the next sitting, again resolve itself into the said committee.

15 **ADJOURNMENT:** Mr Humphreys (Minister for Veterans' Affairs) moved—That the House do now adjourn.

Question—put and passed.

And then the House, at 11.55 p.m., adjourned until tomorrow at 9.30 a.m.

PAPERS: The following papers were deemed to have been presented on 9 October 1991:

Australian Horticultural Corporation Amendment Act—Determination under subsection 25A(2), 24 September 1991.

Defence Act—Determination under section 52—1991—No. 2.

Migration Act—Instrument under section 179, 18 August 1991.

ATTENDANCE: All Members attended (at some time during the sitting) except Mrs Crosio, Mrs Darling*, Mr Filing, Mr Gear*, Mr Holding, Mr Jones, Mr McLeay, Mr Peacock, Mr Reid, Mr Rocher*, Mr Sciacca and Mrs Sullivan.

* On leave

L. M. BARLIN
Clerk of the House of Representatives