

1993-94-95

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES**VOTES AND PROCEEDINGS**

No. 145

MONDAY, 19 JUNE 1995

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

2 SUSPENSION OF STANDING AND SESSIONAL ORDERS—MOTION BY PRIME MINISTER

Mr Beazley (Leader of the House), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent the Prime Minister moving forthwith a motion relating to the decision of the French Government to resume nuclear testing in the Pacific and for debate on the motion taking precedence over all other business until 3 p.m. this day.

Question—put and passed.

3 FRENCH NUCLEAR TESTING

Mr Keating (Prime Minister) moved—That this House:

- (1) condemns the decision of the Government of France to resume nuclear testing in the South Pacific;
- (2) calls on the French Government to reverse its decision and not to resume testing;
- (3) shares the resentment of South Pacific countries at nuclear testing in the South Pacific and endorses the statement condemning the decision issued by the South Pacific Forum;
- (4) deplores France's decision to breach its 1992 moratorium which had improved relations between France and countries in the region;
- (5) expresses its outrage that France's decision undermines the outcome of the recent Treaty on the Non-Proliferation of Nuclear Weapons Review and Extension Conference, particularly the commitment made at the Conference that, pending entry into force of the Comprehensive Test Ban Treaty (CTBT), the nuclear weapon states should exercise utmost restraint;
- (6) notes that Australia will do all in its power and urge all other countries to hold France to President Chirac's statement that France would sign a CTBT without reservation in autumn 1996; and

(7) calls on France to sign and ratify the protocols of the South Pacific Nuclear Free Zone Treaty.

Mr Howard (Leader of the Opposition) moved, as an amendment—That the following words be added to the motion: “requires the Government to:

- (a) join with New Zealand and suspend military cooperation with France, except for surveillance, United Nations and humanitarian activities;
- (b) cease refuelling all French non-humanitarian military transit flights;
- (c) recall the Australian Ambassador to show the depth of our concern, and to develop in association with the South Pacific Forum a regional plan of action to embarrass and if possible hinder French nuclear testing, including action in the United Nations condemning French nuclear testing as a gross abuse of colonial power and, along with similar tests by the People’s Republic of China, as gross violations of the world environment; and
- (d) discuss with the United States of America the possibility of data sharing to remove the public French excuse for the tests”.

Debate continued.

Mr Snowdon (Parliamentary Secretary to the Minister for Employment, Education and Training) addressing the House—

It being 3 p.m., the debate was interrupted in accordance with the resolution agreed to this day, and the resumption of the debate made an order of the day for a later hour this day.

4 DEATH OF FORMER MEMBER (MR S. D. EINFELD)

The Speaker informed the House of the death, on Friday, 16 June 1995, of Mr Sydney David Einfeld, AO, a Member of this House for the Division of Phillip from 1961 to 1963.

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

5 QUESTIONS

Questions without notice being asked—

Paper: Mr Keating (Prime Minister) presented the following paper:

Regional development—Copy of briefing paper to Shadow Cabinet by Mr Bruce Scott, MP, Shadow Minister for Regional Development and Infrastructure, 7 April 1994.

Questions without notice continued.

6 PETITIONS

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

Mr Beale, Mr Hawker, Mr McArthur and Mr O’Connor, from 43, 3015, 1672 and 1000 petitioners, respectively, praying for certain changes to the Family Law Act and the Child Support Scheme.

Mr Baldwin, from 117 petitioners, praying that the proposed privatisation of Sydney (Kingsford-Smith) Airport be opposed.

Mr R. D. C. Evans, from 70 petitioners, praying that greater resources be made available for research into breast cancer.

Mr Hawker, from 40 petitioners, praying that Anzac Day be declared Australia's National Day of Commemoration and that it be held on 25 April each year and on no other day.

Mr Hawker, from 40 petitioners, praying that the Australian National Flag not be changed without approval through a national poll.

Mr Hicks, from 190 petitioners, praying that the House call on the Minister for Human Services and Health to withdraw her endorsement of the sex guide published in the December 1994 issue of *Cleo* magazine and on the Prime Minister to indicate his disapproval of it.

Mr Cadman, from 248 petitioners, and Mr Slipper, from 11 residents of the Division of Fisher, respectively, in similar terms.

Mr Hicks, from 100 petitioners, praying that Austudy payments be raised to the same level as the Job Search and Newstart allowances.

Mr Newell, from 37 petitioners, praying that family day care providers, users and sponsors be consulted before decisions are made concerning home based child care workers.

Petitions received.

7 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.

8 PROCEDURE—STANDING COMMITTEE—REPORT—MOTION TO TAKE NOTE OF PAPER

Mr Brown (Chair) presented the following report and related papers:

Procedure—Standing Committee—Time for review—Bills, questions and working hours: Report of the review of procedural changes operating since 21 February 1994—

Report, 1 June 1995.

Evidence received by the committee.

Minutes of proceedings.

Ordered—That the report be printed.

Mr Brown, by leave, moved—That the House take note of the report.

Mr Brown 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.

9 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT

The Speaker presented the following report:

Australian Parliamentary Delegation to Egypt, Israel and the 93rd Inter-Parliamentary Conference, Madrid, 12 March-1 April 1995—Report.

10 MESSAGES FROM THE SENATE

Messages from the Senate were reported returning the following Bills without amendment:

9 June 1995—Message—

No. 458—Dairy Produce Amendment 1995.

No. 459—Dairy Produce Levy (No. 1) Amendment 1995 (*without requests*).

No. 460—Dairy Produce Levy (No. 2) Amendment 1995 (*without requests*).

No. 461—Superannuation Legislation Amendment (No. 1) 1995.

No. 462—Small Superannuation Accounts 1995.

No. 463—Superannuation Laws Amendment (Small Accounts and Other Measures) 1995.

No. 464—Loan 1995.

No. 465—Housing Legislation Amendment 1995.

No. 466—Interstate Road Transport Amendment 1995.

No. 467—Interstate Road Transport Charge Amendment 1995 (*without requests*).

11 MESSAGE FROM THE SENATE—HUMAN SERVICES AND HEALTH LEGISLATION AMENDMENT BILL (NO. 1) 1995

The following message from the Senate was reported:

Message No. 469

Mr Speaker,

The Senate has considered the bill for “*An Act to amend legislation relating to human services and health, and for related purposes*”, and has divided the bill into two bills:

a bill for “*An Act to amend legislation relating to human services and health, and for related purposes*” (Human Services and Health Legislation Amendment Bill (No. 1) 1995), consisting of clause 1, subclauses 2(1) to 2(3) and 2(6) to 2(9), clause 3, items 1 to 79 of Schedule 1, items 1 to 14 of Schedule 2, the words of enactment and the title of the original bill; and

a bill for “*An Act to amend the ‘Therapeutic Goods Act 1989’*” (Therapeutic Goods Amendment Bill 1995), consisting of items 80 to 150 (inclusive) of Schedule 1 and item 15 of Schedule 2 of the original bill, renumbered 1 to 71 and 72, respectively, has amended the bill and inserted words of enactment and a title in the bill as indicated by the annexed schedule.

The Senate requests the concurrence of the House of Representatives in the action taken by the Senate.

MICHAEL BEAHAN
President

The Senate

Canberra, 9 June 1995

Ordered—That the message be considered at the next sitting.

12 MESSAGE FROM THE SENATE—HUMAN RIGHTS LEGISLATION AMENDMENT BILL 1995

Message No. 468, dated 9 June 1995, from the Senate was reported transmitting for the concurrence of the House a Bill for “*An Act to amend the law relating to human rights, and for related purposes*”.

Bill read a first time.

Paper: Mr Bilney (Minister for Development Co-operation and Pacific Island Affairs) presented an explanatory memorandum to the Bill.

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

13 MESSAGE FROM THE GOVERNOR-GENERAL—NATIONAL CATTLE DISEASE ERADICATION TRUST ACCOUNT AMENDMENT BILL 1995

Message No. 283, dated 8 June 1995, from His Excellency the Governor-General was announced recommending an appropriation for the purpose of amendments of a Bill for an Act to amend the *National Cattle Disease Eradication Trust Account Act 1991*.

14 MESSAGE FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS

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

15 June 1995—Message No. 282—

Commonwealth Electoral Amendment 1995.

Defence Legislation Amendment 1995.

Qantas Sale Amendment 1995.

15 FRENCH NUCLEAR TESTING

The order of the day having been read for the resumption of the debate on the motion of Mr Keating (Prime Minister) relating to the decision of the French Government to resume nuclear testing in the Pacific—*And on the amendment moved thereto by Mr Howard (Leader of the Opposition) (see entry No. 3)*—

Debate resumed.

Question—That the amendment be agreed to—put.

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

AYES, 66

Mr Abbott	Mr Downer	Mr McArthur	Mr Sharp
Mr Aldred	Mr R. D. C. Evans	Mr McGauran	Mr Sinclair
Mr Anderson	Mr Filing	Mr Mack	Mr Slipper
Mr J. N. Andrew	Mr Fischer	Mr Miles	Mr B. M. Smyth
Mr K. J. Andrews	Mr Forrest	Mr Moore	Mr Somlyay
Mr Atkinson	Mrs Gallus	Mrs Moylan	Mrs Sullivan
Mrs Bishop	Mr Georgiou	Mr Nehl	Mr Taylor
Mr Bradford	Mr Hall	Mr Neville	Mr Thomson
Mr Braithwaite	Mr Halverson	Mr Nugent	Mr Truss
Mr Cadman	Mr Hawker*	Mr Prosser	Mr Tuckey
Mr Cameron	Mr Hicks*	Mr Pyne	Mr Vaile
Mr Charles	Mr Howard	Mr Reid	Mr Wakelin
Mr Cleary	Mr Jull	Mr Reith	Mr Williams
Mr Cobb	Mr Katter	Mr Rocher	Dr Wooldridge
Mr Connolly	Dr Kemp	Mr Ronaldson	Ms Worth
Mr Costello	Mr Lieberman	Mr Ruddock	
Mr Dowie	Mr Lloyd	Mr B. C. Scott	

NOES, 76

Mr Adams	Mrs Easson	Mr Jenkins	Mr O'Keefe
Mr Baldwin	Mr Elliott	Mr Johns	Mr Price
Mr Beazley	Mr M. J. Evans	Mr Jones	Mr Punch
Mr Beddall	Ms Fatin	Mr Keating	Mr Quick
Mr Bevis	Mr Ferguson	Mr Kerr	Mr Sawford*
Mr Bilney	Mr Fitzgibbon	Mr Knott	Mr Sciacca
Mr Brereton	Mr Free	Mr Langmore	Mr Simmons
Mr Brown	Mr Gear	Mr Latham	Mrs S. J. Smith
Mr Campbell	Mr Gibson	Mr Lavarch	Mr S. F. Smith
Mr Chynoweth	Mr Grace*	Dr Lawrence	Mr Snow
Mr Cleeland	Mr Griffin	Mr Lee	Mr Snowdon
Ms Crawford	Mr Griffiths	Mr Lindsay	Mr Staples
Mr Crean	Mr Haviland	Ms McHugh	Mr Swan
Mrs Crosio	Ms Henzell	Mr McLeay	Mr Tanner
Mr Cunningham	Mr Holding	Mr Melham	Dr Theophanous
Ms Deahm	Mr Hollis	Mr A. A. Morris	Mr Tickner
Mr Dodd	Mr Horne	Mr P. F. Morris	Mr Walker
Mr Duffy	Mr Howe	Mr Newell	Mr Willis
Mr Duncan	Mr Humphreys	Mr O'Connor	Mr Woods

* Tellers

And so it was negatived.

Question—That the motion be agreed to—put and passed.

16 SOCIAL SECURITY LEGISLATION AMENDMENT BILL (NO. 1) 1995

The order of the day having been read for the second reading—Mrs Crosio (Parliamentary Secretary to the Minister for Social Security) moved—That the Bill be now read a second time.

Paper: Mrs Crosio presented a supplementary explanatory memorandum to the Bill.

Mr Ruddock 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.

17 SUSPENSION OF STANDING AND SESSIONAL ORDERS—REFERENCE OF BILL TO MAIN COMMITTEE

Mr McLeay (Chief Government Whip), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent the Chief Government Whip from moving a motion to refer the Social Security Legislation Amendment Bill (No. 1) 1995 to the Main Committee for further consideration.

Question—put and passed.

18 BILL REFERRED TO MAIN COMMITTEE

Mr McLeay (Chief Government Whip) moved—That the Social Security Legislation Amendment Bill (No. 1) 1995 be referred to the Main Committee for further consideration.

Question—put and passed.

19 MAIN COMMITTEE—DAY OF NEXT MEETING

The Speaker reported that the Deputy Speaker had fixed Tuesday, 20 June 1995, at 12.45 p.m., for the next meeting of the Main Committee.

20 ADJOURNMENT

It being approximately 7.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

Paper: Mr Cameron, by leave, presented the following paper:

Hemp: A discussion paper on hemp and its potential uses as an industrial resource in Australia, June 1995.

Debate continued.

The House continuing to sit until 8 p.m.—The Speaker adjourned the House until tomorrow at 12.30 p.m.

PAPERS

The following papers were deemed to have been presented on 19 June 1995:

Aboriginal and Torres Strait Islander Commission Act—Indigenous Land Corporation—Determination of allowances of—

Full-time chairperson—1995 No. 1.

Part-time appointed directors—1995 No. 1.

Agricultural and Veterinary Chemical Products (Collection of Levy) Act—Regulations—Statutory Rules 1995 No. 120.

Australian National University Act—Statutes Nos. 240, 241.

Civil Aviation Act—Regulations—Statutory Rules 1995 No. 122.

Corporations Act—Regulations—Statutory Rules 1995 No. 124.

Defence Act—

Defence Force Remuneration Tribunal—Determinations 1995 Nos. 5, 6, 7, 8, 9, 10.

Determination under section 58B 1995 No. 19.

Regulations—Statutory Rules 1995 Nos. 113, 114.

Fisheries Management Act—Regulations—Statutory Rules 1995 No. 125.

Fishing Levy Act and Fisheries Management Act—Regulations—Statutory Rules 1995 Nos. 126, 127, 128.

Horticultural Levy Act—Regulations—Statutory Rules 1995 No. 121.

Housing Assistance Act—Determination No. HAA 3/95.

Immigration (Education) Charge Act—Regulations—Statutory Rules 1995 No. 118.

Income Tax Assessment Act—Occupational clothing guidelines, 7 June 1995.

Lands Acquisition Act—

Regulations—Statutory Rules 1995 No. 112.

Statement under section 40.

Migration Act—Regulations—Statutory Rules 1995 No. 117.

National Health Act—Regulations—Statutory Rules 1995 No. 116.

Papua New Guinea Independence Act—Regulation—Statutory Rules 1995 No. 115.

Proclamation by His Excellency the Governor-General fixing 7 June 1995 as the date on which paragraphs 3(a) and 3(b) and sections 4 and 5 of the *Archives Amendment Act 1995* shall come into operation.

Public Service Act—

Determinations 1995 Nos. 39, 52, 53, 54, 55, 60, 61, 62, 65, 120, 121, 122, 123, 124, LES 17.

Parliamentary Presiding Officers' Determination 1995 No. 3.

Radiocommunications Act—

Radiocommunications (Qualified Operators) Determination 1993 No. 1 (Amendment No. 4).

Radiocommunications (Definitions) Determination 1993 No. 2 (Amendment No. 2).

Radiocommunications Transmitter and Receiver Licences Determination, 30 March 1995.

Radiocommunications (Receiver Licence Tax) Act—Determination 1995 No. 1.

Radiocommunications (Transmitter Licence Tax) Act—Determinations 1995—No. 2.

No. 2 (Amendment No. 1).

No. 2 (Amendment No. 2).

Remuneration Tribunal Act—Remuneration Tribunal—Determination 1995 No. 7.

Seafarers Rehabilitation and Compensation Act—Specification of a rate, 11 May 1995.

Therapeutic Goods Act—Therapeutic Goods Order No. 51.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Beale, Mr McLachlan and Mr L. J. Scott.

L. M. BARLIN

Clerk of the House of Representatives