

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
 HOUSE OF REPRESENTATIVES
VOTES AND PROCEEDINGS

No. 88

WEDNESDAY, 28 APRIL 1982

- 1 The House met, at 1.45 p.m., pursuant to adjournment. Mr Speaker (the Right Honourable Sir Billy Snedden) took the Chair, and read Prayers.
- 2 **QUESTIONS:** Questions without notice were asked.
- 3 **AUSTRALIA-CHINA COUNCIL—ANNUAL REPORT 1980-81—PAPER AND MINISTERIAL STATEMENT:** Mr Street (Minister for Foreign Affairs), by command of His Excellency the Governor-General, presented the following paper:
 Australia-China Council—3rd Annual Report, for year 1980-81—
 and, by leave, made a ministerial statement in connection with the paper.
 Mr Bowen (Deputy Leader of the Opposition), by leave, also made a statement with reference to the matter.
- 4 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—TASMANIA'S ECONOMY:** Mr Deputy Speaker informed the House that Dr Blewett had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The neglect by the Federal Government of the real needs of the Tasmanian economy".
 The proposed discussion having received the necessary support—
 Dr Blewett addressed the House.
 Discussion ensued.
 Discussion concluded.
- 5 **PETITIONS:** The Clerk announced that the following Members had each lodged petitions for presentation, viz.:
- Mr Fisher, Mr Giles, Mr Hicks and Mr Lloyd—from certain electors of the Electoral Divisions of Mallee, Wakefield, Riverina and Murray, respectively, praying that the liquefied petroleum gas subsidy be extended for a further 3 years and that a specific appropriation be included in the 1982-83 Budget.
- Mr Bradfield and Mr O'Keefe—from certain citizens praying that no further tax be imposed on those items needed for the educational progress of Australia's students.
- Mr Braithwaite and Mr Dean—from certain residents of north Queensland praying that sufficient expenditure be allocated to raise the standard of the national highway in north Queensland to Department of Transport standards.
- Mrs Darling and Mr Milton—from certain citizens praying that Australia call on the Canadian Government to end the harp seal hunt and halt the importation of products derived from the harp seal.
- Mr Duffy and Mr Lloyd—from certain citizens praying that any proposal for an increase in tobacco excise be rejected.
- Mr Beazley—from certain citizens praying that a curfew be implemented and a parallel runway constructed at Perth Airport and legislation be introduced to allow payment for injurious affection.
- Mr Beazley—from certain citizens praying that plans to close Cloverdale North Post Office, W.A., be abandoned.

Mr Cross—from certain citizens praying that the Commonwealth's constitutional and legislative powers be used to grant full land rights and self-management to the Aboriginal people of Queensland.

Mrs Darling—from certain citizens praying that Family Radio Limited's application for a broadcasting licence be supported and more category "S" F.M. licences be made available in Brisbane.

Mrs Darling—from certain citizens praying that the Sex Discrimination Bill 1981 be passed.

Mrs Darling—from certain citizens praying that the proposed sales tax on books, magazines and newspapers be withdrawn from the Budget proposals.

Mrs Darling—from certain citizens praying that any proposal to establish a ceiling on the allowable amount of savings in pensioners' non-interest bearing accounts not be proceeded with.

Mr Humphreys—from certain citizens praying that carcass trade be promoted and that exports of live animals for slaughter be banned.

Mr Humphreys—from certain citizens praying that steps be taken to prevent sand mining on Moreton Island, Qld, and that action be taken to declare Moreton Island a national park.

Mr Humphreys—from certain citizens praying that the importation of marine mammal by-products be banned and an international ban on the slaughter of marine mammals be supported.

Mr Humphreys—from certain citizens praying that legislation be enacted to require the production of annual statistics on the numbers of live animals involved in research and that the National Health and Medical Research Council be required to develop humane and responsible standards of conduct for research using live animals in laboratories.

Mr Maher—from certain citizens praying that all provisions of the Heritage Act and the Environment Protection (Impact of Proposals) Act be fully complied with in respect of national estate areas.

Mr Shipton—from certain citizens praying that funds be provided to ensure the continuing effectiveness of the Family Planning Association of Victoria.

Dr Theophanous—from certain citizens praying that the latest increase in taxes be stopped and a referendum be held on taxes and interest rates.

Dr Theophanous—from certain citizens praying that steps be taken to re-introduce a system of health care based on ability to pay and that access to health care be based on medical need.

Petitions received.

6 INCOME TAX ASSESSMENT AMENDMENT BILL 1982: 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 Willis who moved, as an amendment—That all words after "That" be omitted with a view to substituting the following words: "whilst not opposing the Bill, the House is of the opinion that it is deficient in that—

- (1) penalties contained in the Bill for participation in transfer pricing type tax avoidance arrangements are insufficient to provide suitable deterrents against tax avoidance and are inconsistent with penalties contained elsewhere in the Act;
- (2) without the accompanying adoption of a code of conduct for transnational corporations, as recommended by the OECD and the United Nations, the effectiveness of Division 13 is likely to be limited by the difficulty confronting the Taxation Commissioner in obtaining adequate information;
- (3) the Bill fails to take retrospective action against persons flouting the tax system through the blatant avoidance schemes utilising section 26AAA of the Act, and
- (4) the Bill endorses use by the medical profession of corporate and trust arrangements with significant tax avoidance implications".

Debate continued.

Question—That the words proposed to be omitted stand part of the question—put.

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

AYES, 63

Mr Adermann	Mr Coleman	Mr Hodgman	Mr Peacock
Mr Anthony	Mr Connolly	Mr Hunt	Mr Rocher
Mr Baume	Mr Cowan	Mr Hyde	Mr Ruddock
Mr Birney	Mr Dean	Mr Jarman	Mr Sainsbury
Mr Bouchier	Mr Dobie	Mr Jull	Mr Shack
Mr Bradfield	Dr Edwards	Mr Katter	Mr Shipton
Mr Braithwaite	Mr Falconer	Mr Killen	Mr Sinclair
Mr N. A. Brown	Mr Fife	Mr Lusher	Mr Spender
Mr Bungey	Mr Fisher*	Sir Phillip Lynch	Mr Street
Mr Burr	Mr Giles	Mr MacKellar	Mr Tambling
Mr Cadman	Mr Goodluck	Mr MacKenzie	Mr Thomson
Mr D. M. Cameron	Mr Groom	Mr McLean	Mr Tuckey
Mr E. C. Cameron	Mr Hall	Mr McVeigh	Mr Viner
Mr I. M. D. Cameron	Mr Harris	Mr Macphee	Mr White
Mr Carlton	Mr Hicks	Mr Newman	Mr Wilson
Mr Chapman	Mr Hodges*	Mr O'Keefe	

NOES, 51

Mr Armitage	Mrs Darling	Dr Jenkins	Mr Milton
Mr Beazley	Mr Dawkins	Mr Johnson*	Mr Morris
Dr Blewett	Mr Duffy	Mr B. O. Jones	Mr Morrison
Mr Bowen	Dr Everingham	Mr C. K. Jones	Mr Mountford
Mr J. J. Brown	Mr Free	Mr Keating	Mr Scholes
Mr R. J. Brown	Mr Fry	Mrs Kelly	Mr Scott
Mr Campbell	Mr Hawke	Mr Kent	Dr Theophanous
Dr Cass	Mr Holding	Mr Kerin	Mr Uren
Mr Charles	Mr Howe	Dr Klugman	Mr Wallis
Mrs Child	Mr Humphreys*	Mr McLeay	Mr West
Mr Cohen	Mr Hurford	Mr McMahan	Mr Willis
Mr Cross	Mr Innes	Mr Maher	Mr Young
Mr Cunningham	Mr Jacobi	Mr Mildren	

* Tellers

And so it was resolved in the affirmative.

Question—That the Bill be now read a second time—put and passed—Bill read a second time.

The House resolved itself into a committee of the whole.

In the committee

Clauses 1 to 3, by leave, taken together, and agreed to.

Clause 4—

Mr Willis, by leave, moved the following amendments together:

Page 4, lines 9 and 10, omit "10 September 1981", substitute "1 July 1979".

Page 4, line 22, omit "10 September 1981", substitute "1 July 1979".

Page 6, lines 16 and 17, omit "10 September 1981", substitute "1 July 1979".

Page 8, line 13, omit "10 September 1981", substitute "1 July 1979".

Page 8, line 19, omit "10 September 1981", substitute "1 July 1979".

Debate continued.

Question—That the amendments be agreed to—put.

The committee divided (the Deputy Chairman, Mr Giles, in the Chair)—

AYES, 44

Mr Armitage	Mr Cunningham	Mr Johnson*	Mr Milton
Mr Beazley	Mrs Darling	Mr C. K. Jones	Mr Morris
Mr Bowen	Mr Dawkins	Mr Keating	Mr Morrison
Mr J. J. Brown	Mr Duffy	Mrs Kelly	Mr Mountford
Mr R. J. Brown	Dr Everingham	Mr Kent	Mr Scholes
Mr Campbell	Mr Free	Mr Kerin	Mr Scott
Dr Cass	Mr Howe	Dr Klugman	Dr Theophanous
Mr Charles	Mr Humphreys*	Mr McLeay	Mr Uren
Mrs Child	Mr Hurford	Mr McMahan	Mr West
Mr Cohen	Mr Jacobi	Mr Maher	Mr Willis
Mr Cross	Dr Jenkins	Mr Mildren	Mr Young

NOES, 60

Mr Adermann	Mr Cowan	Mr Hyde	Mr Porter
Mr Baume	Mr Dean	Mr Jarman	Mr Rocher
Mr Birney	Mr Dobie	Mr Jull	Mr Ruddock
Mr Bouchier	Mr Drummond	Mr Katter	Mr Sainsbury
Mr Bradford	Dr Edwards	Mr Killen	Mr Shack
Mr Braithwaite	Mr Falconer	Mr Lusher	Mr Shipton
Mr N. A. Brown	Mr Fife	Sir Phillip Lynch	Mr Sinclair
Mr Bungey	Mr Fisher*	Mr MacKellar	Mr Spender
Mr Burr	Mr Groom	Mr MacKenzie	Mr Street
Mr Cadman	Mr Hall	Mr McLean	Mr Tambling
Mr D. M. Cameron	Mr Harris	Mr McVeigh	Mr Thomson
Mr E. C. Cameron	Mr Hicks	Mr Macphee	Mr Tuckey
Mr I. M. D. Cameron	Mr Hodges*	Mr Newman	Mr Viner
Mr Carlton	Mr Hodgman	Mr O'Keefe	Mr White
Mr Connolly	Mr Hunt	Mr Peacock	Mr Wilson

* Tellers

And so it was negatived.

Clause agreed to.

Clauses 5 to 22, by leave, taken together, and agreed to.

Clause 23—

Mr Willis, by leave, moved the following amendments together:

Page 38, lines 16-18, omit "calculated, in respect of the period commencing on the last day allowed for furnishing the return of income for the year of income and ending on the day on which the assessment is made, at the rate of 10% per annum of", substitute "equal to".

Page 38, line 19, before "the amount" insert "double".

Page 38, line 21, before "the amount" insert "double".

Debate continued.

Amendments negatived.

Clause agreed to.

Remainder of Bill, by leave, taken as a whole, and agreed to.

Bill to be reported without amendment.

The House resumed; Mr Giles reported accordingly.

On the motion of Mr Fife (Minister representing the Acting Treasurer), the House adopted the report, and, by leave, the Bill was read a third time.

7 **LOAN BILL 1982:** 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.

Message from the Governor-General: Message No. 143, dated 21 April 1982, from His Excellency the Governor-General was announced recommending an appropriation of moneys for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Fife (Minister representing the Minister for Finance), the Bill was read a third time.

8 **STATES GRANTS (SCHOOLS ASSISTANCE) AMENDMENT BILL 1982:** 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.

Dr Theophanous addressing the House—

Adjournment negatived: It being 10 p.m.—The question was proposed—That the House do now adjourn.

Mr Fife (Minister for Education) requiring the question to be put forthwith without debate—

Question—put and negatived.

Debate continued.

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

Message from the Governor-General: Message No. 144, dated 21 April 1982, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Fife, the Bill was read a third time.

- 9 COMMONWEALTH SCHOOLS COMMISSION—RECOMMENDATIONS FOR 1983—REPORT—PAPER NOTED: The order of the day having been read for the resumption of the debate on the motion of Mr Sinclair (Leader of the House)—That the House take note of the paper (*presented on 11 March 1982*), viz.:

Commonwealth Schools Commission—Recommendations for 1983—Report, dated March 1982—

Question—put and passed.

- 10 SUSPENSION OF STANDING ORDER 103: Mr Fife (Minister for Education), by leave, moved—That standing order 103 (11 o'clock rule) be suspended for this sitting.

Question—put and passed.

- 11 STATES GRANTS (TERTIARY EDUCATION ASSISTANCE) AMENDMENT BILL (NO. 2) 1981 [NO. 2]: 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.

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

AYES, 63

Mr Adermann	Mr Connolly	Mr Hodgman	Mr Peacock
Mr Baume	Mr Cowan	Mr Hunt	Mr Rocher
Mr Birney	Mr Dean	Mr Hyde	Mr Ruddock
Mr Bouchier	Mr Dobie	Mr Jarman	Mr Sainsbury
Mr Bradfield	Mr Drummond	Mr Jull	Mr Shack
Mr Braithwaite	Dr Edwards	Mr Katter	Mr Shipton
Mr N. A. Brown	Mr Falconer	Mr Lusher	Mr Sinclair
Mr Bungey	Mr Fife	Sir Phillip Lynch	Mr Spender
Mr Burr	Mr Fisher*	Mr MacKellar	Mr Street
Mr Cadman	Mr Giles	Mr MacKenzie	Mr Tambling
Mr D. M. Cameron	Mr Goodluck	Mr McLean	Mr Thomson
Mr E. C. Cameron	Mr Groom	Mr McVeigh	Mr Tuckey
Mr I. M. D. Cameron	Mr Hall	Mr Macphee	Mr Viner
Mr Carlton	Mr Harris	Mr Moore	Mr White
Mr Chapman	Mr Hicks	Mr Newman	Mr Wilson
Mr Coleman	Mr Hodges*	Mr O'Keefe	

NOES, 45

Mr Armitage	Mrs Darling	Mr Johnson*	Mr Morris
Mr Beazley	Mr Dawkins	Mr B. O. Jones	Mr Morrison
Dr Blewett	Mr Duffy	Mr C. K. Jones	Mr Mountford
Mr Bowen	Dr Everingham	Mr Keating	Mr Scholes
Mr J. J. Brown	Mr Free	Mrs Kelly	Mr Scott
Mr R. J. Brown	Mr Hawke	Mr Kent	Mr Wallis
Mr Campbell	Mr Holding	Dr Klugman	Mr West
Dr Cass	Mr Howe	Mr McLeay	Mr Willis
Mr Charles	Mr Humphreys*	Mr McMahan	Mr Young
Mrs Child	Mr Hurford	Mr Maher	
Mr Cross	Mr Jacobi	Mr Mildren	
Mr Cunningham	Dr Jenkins	Mr Milton	

* Tellers

And so it was resolved in the affirmative—Bill read a second time.

Leave granted for third reading to be moved forthwith.
On the motion of Mr Fife (Minister for Education), the Bill was read a third time.

- 12 **AUSTRALIAN NATIONAL UNIVERSITY AMENDMENT BILL (NO. 3) 1981 [NO. 2]:** 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.
Leave granted for third reading to be moved forthwith.
On the motion of Mr Fife (Minister for Education), the Bill was read a third time.
- 13 **CANBERRA COLLEGE OF ADVANCED EDUCATION AMENDMENT BILL 1981 [NO. 2]:** 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.
Leave granted for third reading to be moved forthwith.
On the motion of Mr Fife (Minister for Education), the Bill was read a third time.
- 14 **STATES GRANTS (TERTIARY EDUCATION ASSISTANCE) LEGISLATION AMENDMENT BILL 1982:** 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. 145, dated 21 April 1982, from His Excellency the Governor-General was announced recommending an appropriation of revenue and moneys for the purposes of the Bill.
Leave granted for third reading to be moved forthwith.
On the motion of Mr Fife (Minister for Education), the Bill was read a third time.
- 15 **COMMONWEALTH RESEARCH CENTRES OF EXCELLENCE COMMITTEE—REPORT—PAPER NOTED:** The order of the day having been read for the resumption of the debate on the motion of Mr Sinclair (Leader of the House)—That the House take note of the paper (*presented on 18 February 1982*), viz.:
Commonwealth Research Centres of Excellence Committee—Report, dated 30 November 1981—
Question—put and passed.
- 16 **ADJOURNMENT:** Mr Fife (Minister for Education) moved—That the House do now adjourn.
Debate ensued.
Question—put and passed.
And then the House, at 11.53 p.m., adjourned until tomorrow at 10 a.m.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Howard, Mr Nixon and Mr Robinson.

J. A. PETTIFER,
Clerk of the House of Representatives