

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 12

WEDNESDAY, 25 MAY 1983

1 The House met, at 10 a.m., pursuant to adjournment. Mr Speaker (the Honourable Dr H. A. Jenkins) took the Chair, and read Prayers.

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

Mr Adermann, Mr Cadman, Mr I. M. D. Cameron, Mr Cowan, Mr Katter and Mr McGauran—from certain citizens praying that the Government refrain from ratifying the Convention on the Elimination of All Forms of Discrimination Against Women.

Mr Beddall, Dr Everingham and Mr Gayler—from certain residents of Mackay, Qld, praying that the Mackay Directory Assistance Centre not be closed.

Mr Beazley—from certain residents of Western Australia praying that legislation be enacted to ban the advertising of alcohol from commercial television and radio.

Mr Brumby—from certain citizens praying that an attendant care allowance for disabled persons be introduced immediately.

Mr Cadman—from certain citizens praying that the findings of the Major Airport Needs of Sydney Committee be endorsed and proposals for an airport at Scheyville, N.S.W., be rejected.

Mr Dobie—from certain citizens praying for the prohibition of oil exploration within the Great Barrier Reef region and that the entire region be declared a marine park.

Mr Fry—from certain citizens praying that the construction of Radford College, A.C.T., proceed and that a basic education grant be provided for all Australian children.

Mr Maher—from certain citizens praying that the Broadcasting and Television Act be amended in relation to program standards.

Mr O'Neil—from certain citizens praying that approval be given for construction of an overpass at the railway crossing on Highway 1, near Port Augusta, S.A.

Mr Reeves—from certain residents of the Northern Territory praying that the transcontinental (north-south) railway be commenced and completed at an early date.

Mr Scott—from certain residents of South Australia praying that the Parliament require General Motors-Holden to continue its operations at the Woodville plant, S.A.

Petitions received.

3 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—IVANOV/COMBE AFFAIR:** Mr Speaker informed the House that Mr Peacock (Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for

discussion, namely, "The Government's duplicitous handling of the Ivanov/Combe affair".

The proposed discussion having received the necessary support—
Mr Peacock addressed the House.

Discussion ensued.

Discussion concluded.

- 4 **CLOSED CIRCUIT TELEVISION FACILITIES—PROPOSED INSTALLATION:** Mr Young (Leader of the House), pursuant to notice, moved—That this House authorises Mr Speaker to have installed closed circuit television facilities which will enable the proceedings in the House of Representatives Chamber to be monitored in the offices of the Whips and at certain other locations within Parliament House as approved by Mr Speaker.

Debate ensued.

Question—put and passed.

- 5 **R.A.A.F. BASE, WILLIAMTOWN, N.S.W.—F/A 18 HORNET FACILITIES—DEVELOPMENT—APPROVAL OF WORK:** Mr Hurford (Minister for Housing and Construction), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969* and by reason of the urgent nature of the work, it is expedient that the following proposed work be carried out without having been referred to the Parliamentary Standing Committee on Public Works: R.A.A.F. Base Williamtown, N.S.W.—F/A 18 Hornet facilities development tactical fighter—time critical facilities.

Debate ensued.

Question—put and passed.

- 6 **NEW TACTICAL FIGHTER PROJECT, STAGE 2, AVALON, VIC.—NEW WORKS AND UPGRADING—APPROVAL OF WORK:** Mr Hurford (Minister for Housing and Construction), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969* and by reason of the urgent nature of the work, it is expedient that the following proposed work be carried out without having been referred to the Parliamentary Standing Committee on Public Works: Avalon, Vic.—Construction of new works and upgrading of existing facilities for the new tactical fighter project—stage 2.

Debate ensued.

Question—put and passed.

- 7 **NEW PARLIAMENT HOUSE—JOINT STANDING COMMITTEE—PROPOSED AMENDMENT OF RESOLUTION OF APPOINTMENT:** Mr Uren (Minister for Territories and Local Government), pursuant to notice, moved—

- (1) That the resolution of appointment of the Joint Standing Committee on the New Parliament House be amended by inserting after paragraph 3 the following new paragraph:

“(3A) That the committee consider and report on the use of the Provisional Parliament House after it is vacated by Parliament.”

- (2) That a message be sent to the Senate acquainting it of this resolution and requesting its concurrence.

Debate ensued.

Question—put and passed.

- 8 **RACIAL DISCRIMINATION AMENDMENT BILL 1983:** Mr Bowen (Minister representing the Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Racial Discrimination Act 1975*.

Bill read a first time.

Mr Bowen moved—That the Bill be now read a second time.

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

- 9 **POSTPONEMENT OF NOTICE:** Ordered—That notice No. 6, government business, be postponed until a later hour this day.
- 10 **MESSAGE FROM THE GOVERNOR-GENERAL—BOUNTY (STEEL PRODUCTS) BILL 1983:** Message No. 23, dated 24 May 1983, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of an amendment to be moved by a Minister upon request by the Senate to a Bill for an Act to provide for the payment of bounty on the production of certain steel products.
- 11 **MESSAGE FROM THE SENATE—BOUNTY (STEEL PRODUCTS) BILL 1983:** The following message from the Senate was reported:

Message No. 16

Mr Speaker,

The Senate returns to the House of Representatives the Bill for "*An Act to provide for the payment of bounty on the production of certain steel products*", and requests the House to amend the Bill as set forth in the annexed Schedule.

D. MCCLELLAND
President

The Senate,
Canberra, 24 May 1983

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

In the committee

SCHEDULE OF THE REQUEST BY THE SENATE FOR AN AMENDMENT

Page 5, clause 3, paragraph (2) (a), line 4, after "the ingot", insert "for a purpose other than the removal of impurities from the ingot by the process known as electro slag refining".

On the motion of Mr J. J. Brown (Minister Assisting the Minister for Industry and Commerce), the requested amendment was made, after debate.

Resolution to be reported.

The House resumed; Mr Drummond reported accordingly.

On the motion of Mr J. J. Brown, the House adopted the report.

- 12 **WHEAT MARKETING AMENDMENT BILL 1983:** 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—
Mr McVeigh addressing the House—
It being 12 noon, the debate was interrupted in accordance with sessional order 101A, and the resumption of the debate made an order of the day for a later hour this day.
- 13 **QUESTIONS:** Questions without notice were asked.
- 14 **PAPERS:** The following papers were presented:
Australia's demographic trends 1983—Review by Department of Immigration and Ethnic Affairs.
Dairy Produce Act—Australian Dairy Corporation—7th Annual Report and financial statements, together with the Auditor-General's Report, for year 1981-82.
Milk Authority of the Australian Capital Territory—Report for year 1981-82.
Multiculturalism for all Australians: Our developing nationhood—Report of Australian Council on Population and Ethnic Affairs, dated 21 April 1982.
National consultations on multiculturalism and citizenship—Report of the Australian Council on Population and Ethnic Affairs, dated 10 September 1982.
National Exhibition Centre Trust—Report for year 1981-82.
Official Establishments Trust—3rd Annual Report, for year 1981-82.

Parliament Act—Proposal, together with site plan and design sketch, for the construction, within the Parliamentary zone, of concrete barriers around the base of piers supporting the Commonwealth Avenue overpass above Flynn Place.

15 AIRCRAFT ACCIDENT INQUIRY—REPORT—PUBLICATION OF PAPER—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPERS: Mr Beazley (Minister for Aviation) presented the following paper:

Aircraft accident inquiry—Accident to Beech Super King Air 200 Aircraft VH-AAV at Mascot, N.S.W., on 21 February 1980—Report of Chairman of Board of Accident Inquiry.

Mr Beazley, by leave, moved—That this House, in accordance with the provisions of the *Parliamentary Papers Act 1908*, authorises the publication of the Report of the Chairman of the Board of Accident Inquiry on an Accident to Beech Super King Air 200 Aircraft VH-AAV at Mascot, N.S.W., on 21 February 1980.

Question—put and passed.

Mr Beazley, by leave, made a ministerial statement in connection with the paper, and presented the following paper:

Aircraft accident inquiry—Report of Chairman of Board of Accident Inquiry—Ministerial statement, 25 May 1983.

Mr West (Minister for Immigration and Ethnic Affairs) moved—That the House take note of the papers.

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

16 MESSAGE FROM THE SENATE—PROTECTION OF THE SEA (PREVENTION OF POLLUTION FROM SHIPS) BILL 1983: Message No. 13, dated 24 May 1983, from the Senate was reported transmitting for the concurrence of the House a Bill for "*An Act relating to the protection of the sea from pollution by oil and other harmful substances discharged from ships*".

Bill read a first time.

Mr P. F. Morris (Minister for Transport) moved—That the Bill be now read a second time.

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

17 MESSAGE FROM THE SENATE—NAVIGATION (PROTECTION OF THE SEA) AMENDMENT BILL 1983: Message No. 14, dated 24 May 1983, from the Senate was reported transmitting for the concurrence of the House a Bill for "*An Act to amend the 'Navigation Act 1912' and the 'Navigation (Protection of the Sea) Amendment Act 1981'*".

Bill read a first time.

Mr P. F. Morris (Minister for Transport) moved—That the Bill be now read a second time.

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

18 MESSAGE FROM THE SENATE—STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (NO. 1) 1983: Message No. 15, dated 24 May 1983, from the Senate was reported transmitting for the concurrence of the House a Bill for "*An Act to make various amendments of the statute law of the Commonwealth, to repeal certain Acts, and for related purposes*".

Bill read a first time.

Mr Bowen (Minister representing the Attorney-General) moved—That the Bill be now read a second time.

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

- 19 **WHEAT MARKETING AMENDMENT BILL 1983:** 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.

The House resolved itself into a committee of the whole.

In the committee

Bill, by leave, taken as a whole.

Mr McVeigh moved the following amendment: Clause 3, page 1, omit proposed sub-section (5A), substitute the following sub-section:

“(5A) The powers of the Board under sub-sections (3) and (5) may be exercised both within and outside Australia, and in a case where interest rates within and outside Australia are higher than the current rates of the Rural Credits Department of the Reserve Bank, the Board is guaranteed access to the Rural Credits Department for such amounts as approved by the Treasurer and the Minister for Primary Industry.’”.

Debate continued.

Amendment negatived.

Bill agreed to.

Bill to be reported without amendment.

The House resumed; Mrs Child reported accordingly.

On the motion of Mr Kerin (Minister for Primary Industry), the House adopted the report, and, by leave, the Bill was read a third time.

- 20 **TAXATION (UNPAID COMPANY TAX) ASSESSMENT AMENDMENT BILL 1983:** 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 (Mr Kent), and the resumption of the debate made an order of the day for a later hour this day.

- 21 **SOCIAL SECURITY AND REPATRIATION LEGISLATION AMENDMENT BILL 1983:** Dr Blewett (Minister representing the Minister for Social Security), pursuant to notice, presented a Bill for an Act to subject certain pensions to an income test.

Bill read a first time.

Dr Blewett moved—That the Bill be now read a second time.

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

- 22 **TAXATION (UNPAID COMPANY TAX) ASSESSMENT AMENDMENT BILL 1983:** 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, 70

Mr Baldwin	Mr Dawkins	Mr Johnson	Mr O'Neil
Mr Beddall	Mr Duffy	Mr Jones	Mr Punch
Mr Bilney	Mr R. F. Edwards	Mr Keating	Mr Reeves
Mr Blanchard	Dr Everingham	Mrs Kelly	Mr Saunderson
Dr Blewett	Ms Fatin	Mr Kent	Mr Scholes
Mr Bowen	Mr Free	Mr Keogh	Mr Scott
Mr J. J. Brown	Mr Gayler	Mr Kerin	Mr Simmons
Mr R. J. Brown	Mr Gear	Dr Klugman	Mr Snow
Mr Brumby	Mr Gorman	Mr Lindsay	Mr Staples
Mr Campbell	Mr Griffiths	Ms McHugh	Mr Steedman
Mr Charles	Mr Hand	Mr Maher	Dr Theophanous
Dr Charlesworth	Mr Hayden	Mrs Mayer	Mr Uren
Mrs Child	Mr Holding	Mr Mildren	Mr Wells
Mr Chynoweth	Mr Hollis	Mr Milton	Mr West
Mr Cohen	Mr Howe	Mr A. A. Morris	Mr Willis
Mr Cross	Mr Humphreys*	Mr P. F. Morris	Mr Young
Mr Cunningham*	Mr Hurford	Mr Morrison	
Mrs Darling	Mr Jacobi	Mr Mountford	

NOES, 44

Mr Adermann	Mr Cowan	Mr Howard	Mr Newman
Mr Andrew	Mr Dobie	Mr Hunt	Mr O'Keefe
Mr Anthony	Mr Drummond	Mr Katter	Mr Porter
Mr Braithwaite	Dr H. R. Edwards	Sir James Killen	Mr Robinson
Mr Burr	Mr Fife	Mr Lloyd	Mr Rocher
Mr Cadman	Mr Fisher	Mr Lusher	Mr Ruddock
Mr E. C. Cameron*	Mr Goodluck	Mr MacKellar	Mr Shipton
Mr I. M. D. Cameron	Mr Groom	Mr McGauran	Mr Sinclair
Mr Carlton	Mr Hall	Mr McVeigh	Mr Spender
Mr Coleman	Mr Hawker	Mr Macphee	Mr Tuckey
Mr Connolly	Mr Hicks*	Mr Moore	Mr White

* Tellers

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

The House resolved itself into a committee of the whole.

In the committee

Clause 1—

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

The House resumed; Mr Mountford reported accordingly.

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

- 23 **TAXATION (UNPAID INCOME TAX—DIVIDENDS) BILL 1983:** 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 Dawkins (Minister for Finance), the Bill was read a third time.

- 24 **INCOME TAX ASSESSMENT AMENDMENT BILL 1983:** 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 Howard (Deputy Leader of the Opposition) who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “whilst not declining to give the Bill a second reading, the House is of the opinion that it contains inadequate provision to protect the independence and continued survival of sub-contractors”.

Amendment negatived.

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

Message from the Governor-General: Message No. 24, dated 25 May 1983, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.

Adjournment negatived: It being 10.30 p.m.—The question was proposed—That the House do now adjourn.

Mr Young (Leader of the House) requiring the question to be put forthwith without debate—

Question—put and negatived.

The House resolved itself into a committee of the whole.

In the committee

Bill, by leave, taken as a whole.

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

Clause 65—

Page 61, line 36, proposed section 221YHA, paragraph 3 (c), omit "\$10,000", substitute "\$2,000".

Pages 76 to 79, omit proposed section 221YHQ, substitute the following section:

Deduction exemption certificates

"221YHQ. (1) Subject to this section, on application in writing by a person, in a form approved by the Commissioner for the purposes of this section, the Commissioner shall issue a deduction exemption certificate under this section to the person in relation to a specified period.

'(2) The Commissioner may refuse to issue a deduction exemption certificate to a person (in this sub-section referred to as "the applicant") if—

- (a) the applicant is, at the time of receipt by the Commissioner of the application for the deduction exemption certificate, in default in his obligations under any Act administered by the Commissioner; or
- (b) in the opinion of the Commissioner the issue of a deduction exemption certificate to the applicant may have the consequence of avoidance of tax on any prescribed payment to the applicant; or
- (c) the applicant has not previously lodged an income tax return with the Commissioner.

'(3) Subject to section 221YHS, a deduction exemption certificate remains in force during the period specified in the certificate as the period during which the certificate remains in force.

'(4) Where a payee has properly furnished a deduction form to an eligible paying authority in relation to a prescribed payment and—

- (a) if the payment is to be made to the payee in person—
 - (i) the payee has declared in the deduction form that a deduction exemption certificate has been issued to the payee in respect of the period specified in the declaration and has not been revoked,
 - (ii) the payee has produced to the eligible paying authority a deduction exemption certificate issued to the payee and applicable to the time when the payment is to be made, and
 - (iii) the eligible paying authority has no reasonable grounds for believing that the deduction exemption certificate has been revoked, or
- (b) if the payment is not to be made to the payee in person the payee has declared in the deduction form that a deduction exemption certificate

has been issued to the payee in respect of the period specified in the declaration and has not been revoked, the eligible paying authority shall not make any deduction from the prescribed payment under paragraph 221YHD (1) (a).’”.

Debate continued.

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

The House resumed; Mr Mountford reported accordingly.

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

25 **SUSPENSION OF STANDING ORDER 103:** Mr Young (Leader of the House), by leave, moved—That standing order 103 (11 o'clock rule) be suspended for this sitting.

Question—put and passed.

26 **INCOME TAX ASSESSMENT AMENDMENT BILL 1983:** The House, according to order, resolved itself into a committee of the whole for the further consideration of the Bill.

In the committee

Bill as a whole—

Consideration resumed of the amendments moved by Mr Cadman (*see* pages 129-30).

Amendments negatived.

On the motion of Mr Dawkins (Minister for Finance), the following amendment was made: Clause 65, page 78, before proposed paragraph 221YHQ (3) (a) insert the following paragraph:

“(aa) a reference to the Commissioner being satisfied that there is no reasonable likelihood that tax will be payable in relation to a year of income by an applicant for a deduction exemption certificate shall, in the case of an applicant being a partnership or the trustee of a trust estate, to be read as a reference to the Commissioner being satisfied that there is no reasonable likelihood that there will be any net income of the partnership or trust estate, as the case may be, in relation to the year of income;”.

Bill, as amended, agreed to.

Bill to be reported with an amendment.

The House resumed; Mr Mountford reported accordingly.

On the motion of Mr Dawkins, by leave, the House adopted the report, and, by leave, the Bill was read a third time.

27 **INCOME TAX ASSESSMENT AMENDMENT BILL (NO. 2) 1983:** 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 Dawkins (Minster for Finance), the Bill was read a third time.

28 **INCOME TAX (RATES) AMENDMENT BILL 1983:** 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 Dawkins (Minister for Finance), the Bill was read a third time.

- 29 **INCOME TAX (INDIVIDUALS) AMENDMENT BILL 1983:** 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 Dawkins (Minister for Finance), the Bill was read a third time.
- 30 **INCOME TAX (COMPANIES, CORPORATE UNIT TRUSTS AND SUPERANNUATION FUNDS) AMENDMENT BILL 1983:** 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 Dawkins (Minister for Finance), the Bill was read a third time.
- 31 **INCOME TAX (PAYMENTS FOR WORK) (CONSEQUENTIAL AMENDMENTS) BILL 1983:**
 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 Dawkins (Minister for Finance), the Bill was read a third time.
- 32 **MESSAGE FROM THE GOVERNOR-GENERAL—TAXATION (INTEREST ON OVERPAYMENTS) BILL 1983:** Message No. 25, dated 25 May 1983, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of an amendment to be moved by a Minister upon request by the Senate to a Bill for an Act relating to the payment of interest in respect of certain overpayments of tax.
- 33 **MESSAGE FROM THE SENATE—TAXATION (INTEREST ON OVERPAYMENTS) BILL 1983:** The following message from the Senate was reported:

Message No. 18

Mr Speaker,

The Senate returns to the House of Representatives the Bill for "*An Act relating to the payment of interest in respect of certain overpayments of tax*", and requests the House to amend the Bill as set forth in the annexed Schedule.

The Senate

D. MCCLELLAND

Canberra, 25 May 1983

President

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

In the committee

SCHEDULE OF THE REQUEST BY THE SENATE FOR AN AMENDMENT

Page 7, clause 12, line 37, at the end of the clause, add "in respect of any period in relation to which the agreement, arrangement or indication, as the case may be, applies".

On the motion of Mr Dawkins (Minister for Finance), the requested amendment was made, after debate.

Resolution to be reported.

The House resumed; Mr Mountford reported accordingly.

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

- 34 **ADJOURNMENT:** Mr Young (Leader of the House) moved—That the House do now adjourn.
 Debate ensued.
 Several Members rising to address the House—
Closure: Mr Young moved—That the question be now put.

Question—That the question be now put—put and passed.

And the question—That the House do now adjourn—was put accordingly, and passed.
And then the House, at 11.34 p.m., adjourned until tomorrow at 10 a.m.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr McLeay and Mr Wilson.

D. M. BLAKE
Clerk of the House of Representatives