

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 96

WEDNESDAY, 7 MAY 1986

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- 1 The House met, at 9 a.m., pursuant to adjournment. Madam Speaker (the Honourable Joan Child) took the Chair, and read Prayers.
 - 2 **DAIRY PRODUCE BILL 1986:** Mr Kerin (Minister for Primary Industry) presented a Bill for an Act relating to the Australian Dairy Corporation, the marketing and export of dairy produce and the collection of certain levies imposed in connection with the dairy industry, and for related purposes.
Bill read a first time.
Mr Kerin moved—That the Bill be now read a second time.
Paper: Mr Kerin presented an explanatory memorandum to the following Bills:
Dairy Produce 1986.
Dairy Produce Levy (No. 1) 1986.
Dairy Produce Levy (No. 2) 1986.
Dairying Industry Research and Promotion Levy (Termination of Levy) 1986.
Dairy Industry Stabilization (Termination of Levy) 1986.
Dairy Legislation (Transitional Provisions and Consequential Amendments) 1986.
Debate adjourned (Mr Blunt), and the resumption of the debate made an order of the day for the next sitting.
 - 3 **DAIRY PRODUCE LEVY (NO. 1) BILL 1986:** Mr Kerin (Minister for Primary Industry) presented a Bill for an Act to impose levies upon the milk fat content of certain dairy produce produced in Australia and a levy upon certain dairy products produced in Australia.
Bill read a first time.
Mr Kerin moved—That the Bill be now read a second time.
Debate adjourned (Mr Cadman), and the resumption of the debate made an order of the day for the next sitting.
 - 4 **DAIRY PRODUCE LEVY (NO. 2) BILL 1986:** Mr Kerin (Minister for Primary Industry) presented a Bill for an Act to impose levies upon certain dairy products that are imported into Australia.
Bill read a first time.
Mr Kerin moved—That the Bill be now read a second time.
Debate adjourned (Mr Cadman), and the resumption of the debate made an order of the day for the next sitting.
 - 5 **DAIRYING INDUSTRY RESEARCH AND PROMOTION LEVY (TERMINATION OF LEVY) BILL 1986:** Mr Kerin (Minister for Primary Industry) presented a Bill for an Act to amend the *Dairying Industry Research and Promotion Levy Act 1972*.
Bill read a first time.
Mr Kerin moved—That the Bill be now read a second time.

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

6 DAIRY INDUSTRY STABILIZATION LEVY (TERMINATION OF LEVY) BILL 1986:

Mr Kerin (Minister for Primary Industry) presented a Bill for an Act to amend the *Dairy Industry Stabilization Levy Act 1977*.

Bill read a first time.

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

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

7 DAIRY LEGISLATION (TRANSITIONAL PROVISIONS AND CONSEQUENTIAL AMENDMENTS) BILL 1986: Mr Kerin (Minister for Primary Industry), pursuant to notice, presented a Bill for an Act to make provision consequent upon the enactment of the *Dairy Produce Act 1986* and other related legislation, and for related purposes.

Bill read a first time.

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

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

8 SUSPENSION OF STANDING AND SESSIONAL ORDERS—BILLS—LIMITATION OF DEBATE: Mr Young (Leader of the House), pursuant to notice, moved—That—

- (1) standing order 48A (adjournment of House), as amended by sessional order, be suspended for the remaining sittings this week, and
- (2) in relation to the proceedings on the following Bills, so much of the standing and sessional orders be suspended as would prevent the Leader of the House making one declaration of urgency and moving one motion for the allotment of time in respect of all the Bills:

Taxation Laws Amendment Bill 1986;

Taxation (Interest on Underpayments) Bill 1986;

Fringe Benefits Tax Assessment Bill 1986;

Fringe Benefits Tax Bill 1986;

Fringe Benefits Tax (Application to the Commonwealth) Bill 1986, and

Fringe Benefits Tax (Miscellaneous Provisions) Bill 1986.

Debate ensued.

Question—put.

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

AYES, 71

Mr Baldwin	Mr Duffy	Mr Jenkins	Mr Mountford
Mr Beddall	Mr Duncan	Mr Jones	Mr O'Keefe
Mr Bilney	Mr R. F. Edwards	Mr Kent	Mr O'Neil
Mr Blanchard	Ms Fatin	Mr Keogh	Mr Price
Dr Blewett	Mr Fitzgibbon	Mr Kerin	Mr Punch
Mr Bowen	Mr Free	Dr Klugman	Mr Saunderson
Mr J. J. Brown	Mr Gayler	Mr Lamb	Mr Scholes
Mr R. J. Brown	Mr Gear	Mr Langmore	Mr Scott
Mr Brumby	Mr Gorman	Mr Lee	Mr Simmons
Mr Campbell	Mr Grace	Mr Lindsay	Mr Snow
Mr Charles	Mr Griffiths	Ms McHugh	Dr Theophanous
Dr Charlesworth	Mr Hand	Mr Maher	Mr Tickner
Mr Chynoweth	Mr Holding	Mr Martin	Mr Uren
Mr Cleeland	Mr Hollis	Mrs Mayer	Mr West
Mr Cohen	Mr Howe	Mr Mildren	Mr Willis
Mr Cunningham*	Mr Humphreys*	Mr Milton	Mr Wright
Mr Dawkins	Mr Jacobi	Mr A. A. Morris	Mr Young
Mr Dubois	Mrs Jakobsen	Mr P. F. Morris	

NOES, 54

Mr Adermann	Mr Dobie	Mr Katter	Mr Ruddock
Mr Aldred	Mr Downer	Mr Lloyd	Mr Shack
Mr Andrew*	Mr Drummond	Mr McArthur	Mr Sharp
Mr Beale	Dr H. R. Edwards	Mr McGauran	Mr Sinclair
Mr Blunt	Mr Fife	Mr MacKellar	Mr Smith
Mr Cadman	Mr T. A. Fischer	Mr McVeigh	Mr Spender
Mr D. M. Cameron	Mr P. S. Fisher	Mr Macphee	Mrs Sullivan
Mr E. C. Cameron	Mr Goodluck	Mr Miles	Mr Tuckey
Mr I. M. D. Cameron	Mr Hall	Mr Moore	Dr Watson
Mr Carlton	Mr Halverson	Mr Peacock	Mr Webster
Mr Coleman	Mr Hicks*	Mr Porter	Mr White
Mr Cobb	Mr Hodges	Mr Reith	Mr Wilson
Mr Connolly	Mr Hodgman	Mr Robinson	
Mr Conquest	Mr Jull	Mr Rocher	

* Tellers

And so it was resolved in the affirmative.

- 9 **DECLARATION OF BILLS AS URGENT BILLS—LIMITATION OF DEBATE:** Mr Young (Leader of the House) declared that the Taxation Laws Amendment Bill 1986, the Taxation (Interest on Underpayments) Bill 1986, the Fringe Benefits Tax Assessment Bill 1986, the Fringe Benefits Tax Bill 1986, the Fringe Benefits Tax (Application to the Commonwealth) Bill 1986 and the Fringe Benefits Tax (Miscellaneous Provisions) Bill 1986 were urgent Bills.

Question—That the Bills be considered urgent Bills—put and passed.

Allotment of time: Mr Young then moved—That the time allotted in connection with the Bills be as follows:

- (1) Taxation Laws Amendment Bill 1986—
 - (a) For the second reading, until 6 p.m. this day.
 - (b) For the committee stage, until 7.15 p.m. this day.
 - (c) For the remaining stages, until 7.20 p.m. this day.
- (2) Taxation (Interest on Underpayments) Bill 1986—For the remaining stages, until 7.50 p.m. this day.
- (3) Fringe Benefits Tax Assessment Bill 1986—
 - (a) For the second reading, until 9 p.m. on Thursday, 8 May.
 - (b) For the committee stage, until 10.15 p.m. on Thursday, 8 May.
 - (c) For the remaining stages, until 10.25 p.m. on Thursday, 8 May.
- (4) Fringe Benefits Tax Bill 1986—For the remaining stages, until 10.30 p.m. on Thursday, 8 May.
- (5) Fringe Benefits Tax (Application to the Commonwealth) Bill 1986—For the remaining stages, until 10.40 p.m. on Thursday, 8 May.
- (6) Fringe Benefits Tax (Miscellaneous Provisions) Bill 1986—For the remaining stages, until 10.50 p.m. on Thursday, 8 May.

Debate ensued.

Question—put and passed.

- 10 **TAXATION LAWS AMENDMENT BILL 1986:** 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.

Mr Maher addressing the House—

It being 12.45 p.m., 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.

- 11 **MR JUSTICE MURPHY—PROPOSED PARLIAMENTARY COMMISSION OF INQUIRY—MINISTERIAL STATEMENT:** Mr Bowen (Attorney-General), by leave, made a ministerial statement informing the House of the Government's intention to present a Bill to establish a parliamentary commission of inquiry into various matters relating to the alleged conduct of Mr Justice Murphy.

Mr Howard (Leader of the Opposition), by leave, also made a statement with reference to the matter.

12 **QUESTIONS:** Questions without notice were asked.

13 **PAPERS:** The following papers were presented:

National Water Resources (Financial Assistance) Act—Supplementary agreement relating to financial assistance for the country towns water supply improvement programs to—

Queensland, dated 2 April 1986.

Tasmania, dated 10 April 1986.

Victoria, dated 11 April 1986.

14 **EDUCATION RESOURCE AGREEMENTS FOR 1986—PAPER—MOTION TO TAKE NOTE OF PAPER:** Mr Dawkins (Minister representing the Minister for Education) presented the following paper:

Education resource agreements for 1986—Statement by Senator Ryan, Minister for Education.

Mr Young (Leader of the House) moved—That the House take note of the paper. Debate adjourned (Mr Sinclair—Leader of the National Party of Australia), and the resumption of the debate made an order of the day for the next sitting.

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

Mr Braithwaite, Mr Fife and Mr Spender—from certain citizens praying that the commitment to the oil import parity pricing policy be honoured.

Mr E. C. Cameron, Dr H. R. Edwards and Mr Hawker—from certain citizens praying that the national flag not be changed except by a referendum.

Mr Hawker and Dr Klugman—from certain citizens praying that the standard pension be raised to 25% of average weekly earnings and certain other action be taken to assist pensioners and low income earners.

Mr D. M. Cameron—from certain citizens praying that the Australian Bill of Rights Bill and the Human Rights and Equal Opportunity Commission Bill not be enacted until a referendum has been held.

Mr Free—from certain residents of New South Wales praying that the Western Sydney State University be established in conjunction with the NSW Government.

Mr Hawker—from certain citizens praying that the assets test on pensions be repealed.

Mr Hawker—from certain citizens praying that the Australian Bill of Rights Bill be opposed and certain other action be taken in relation to the Bill.

Mr Hawker—from certain residents of Victoria praying that the proposed capital gains tax legislation be introduced without delay and that it be rejected.

Mr Kent—from certain citizens praying that the Government support the stand taken by the New Zealand Government on nuclear vessels and that the policy of developing zones of peace and nuclear free zones in the Indian and Pacific Oceans be implemented.

Mr Robinson—from certain residents of the Division of Page praying that the Australian Bill of Rights Bill be repealed.

Mr Scott—from certain citizens praying that importation of cobalt 60 and other radioactive substances be banned and regulations permitting irradiation of food in Australia be disallowed.

Mr Scott—from certain citizens praying for official recognition of the African National Congress and the South West Africa Peoples Organisation and that certain other financial and humanitarian support be given to the South African and Namibian people.

Mr Slipper—from certain citizens praying that measures be taken to reduce the burden of imposed costs and regulation on Australian horticultural growers.

Mr Slipper—from certain citizens praying that family allowance payments be restored to their former level.

Mr Slipper—from certain residents of the Division of Fisher praying that home loan interest rates be tax deductible.

Mr Slipper—from certain residents of the Division of Fisher praying that the existing national flag remain sacrosanct.

Mr Tickner—from certain citizens praying that an additional nuclear reactor not be constructed at Lucas Heights, NSW, or elsewhere within Australia.

Mr Tickner—from certain citizens praying that new initiatives be taken to encourage all member states of the United Nations to conclude a treaty banning all nuclear weapons tests and that certain other action be taken in relation to nuclear weapons tests.

Mr Tickner—from certain citizens praying that anti-monopolisation measures and certain other action be taken to assist price control.

Dr Watson—from certain residents of Queensland praying that no action be taken to change the national flag.

Petitions received.

16 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—YOUNG AUSTRALIANS:

The House was informed that Mr Shack had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The adverse effect of the Government's economic and other policies on young Australians".

The proposed discussion having received the necessary support—

Mr Shack addressed the House.

Discussion ensued.

Discussion concluded.

17 PUBLIC WORKS COMMITTEE—REPORT—STATEMENT BY MEMBER: Mr Millar (Vice-Chairman) presented the following report from the Parliamentary Standing Committee on Public Works:

Report relating to the improvement of international terminal facilities, Sydney (Kingsford-Smith) Airport (2nd report of 1986)—

and, by leave, made a statement in connection with the report.

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

6 May 1986—Message—

No. 254—Oil Companies (Stock Loss Reimbursement) 1986.

No. 255—Wool Industry Amendment 1986.

No. 257—Excise Tariff Amendment 1986 (*without requests*).

19 MESSAGE FROM THE SENATE—CUSTOMS AND EXCISE LEGISLATION AMENDMENT BILL 1986: The following message from the Senate was reported:

Message No. 256

Madam Speaker,

The Senate returns to the House of Representatives the Bill for "*An Act to amend the 'Customs Act 1901', the 'Excise Act 1901', the 'Spirits Act 1906' and certain other Acts*", and acquaints the House that the Senate has agreed to the Bill with the Amendments indicated by the annexed Schedule, in which Amendments the Senate requests the concurrence of the House of Representatives.

D. MCCLELLAND
President

The Senate,
Canberra, 6 May 1986

Ordered—That the amendments be taken into consideration, in committee of the whole House, at the next sitting.

- 20 TAXATION LAWS AMENDMENT BILL 1986: 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.

Limitation of debate: At 6 p.m., the Deputy Speaker having called the attention of the House to the fact that the time allotted for the second reading had expired—

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.

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In the committee

Clauses 1 to 9, by leave, taken together, and agreed to, after debate.

Clause 10—

Mr White moved the following amendment: Page 3, omit proposed sub-paragraph 78 (1) (a) (lxxxiv), substitute the following sub-paragraph:

“ ‘ (lxxxiv) the Australian Sports Aid Foundation, when made for the purposes of the Foundation or for the purposes of a nominated sporting organisation carried on otherwise than for the purposes of profit or gain to the individual members of that organisation to which the Foundation provides the money or the property.’ ”.

Debate continued.

Amendment negatived.

Clause agreed to.

Clause 11 debated.

Question—That the clause be agreed to—put.

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

AYES, 72

Mr Baldwin	Mr Duncan	Mr Jones	Mr P. F. Morris
Mr Beddall	Mr R. F. Edwards	Mr Keating	Mr Mountford
Mr Bilney	Ms Fatin	Mrs Kelly	Mr O'Keefe
Mr Blanchard	Mr Fitzgibbon	Mr Kent	Mr O'Neil
Dr Blewett	Mr Free	Mr Keogh	Mr Price
Mr Bowen	Mr Gayler	Dr Klugman	Mr Punch
Mr J. J. Brown	Mr Gear	Mr Lamb	Mr Saunderson
Mr R. J. Brown	Mr Gorman	Mr Langmore	Mr Scholes
Mr Brumby	Mr Grace	Mr Lee	Mr Scott
Mr Charles	Mr Griffiths	Mr Lindsay	Mr Simmons
Dr Charlesworth	Mr Hand	Ms McHugh	Mr Snow
Mr Chynoweth	Mr Hayden	Mr McLeay	Dr Theophanous
Mr Cleeland	Mr Hollis	Mr Maher	Mr Tickner
Mr Cohen	Mr Howe	Mr Martin	Mr Uren
Mr Cunningham*	Mr Humphreys*	Mrs Mayer	Mr West
Mr Dawkins	Mr Jacobi	Mr Mildren	Mr Willis
Mr Dubois	Mr Jakobsen	Mr Milton	Mr Wright
Mr Duffy	Mr Jenkins	Mr A. A. Morris	Mr Young

NOES, 54

Mr Adermann	Mr Cowan	Mr Hodgman	Mr Rocher
Mr Aldred	Mr Dobic	Mr Jull	Mr Ruddock
Mr Beale	Mr Downer	Mr Lloyd	Mr Sharp
Mr Blunt	Mr Drummond	Mr McArthur	Mr Sinclair
Mr Braithwaite	Dr H. R. Edwards	Mr McGauran	Mr Slipper
Mr Burr	Mr Fife	Mr MacKellar	Mr Smith
Mr Cadman	Mr T. A. Fischer	Mr McVeigh	Mr Spender
Mr D. M. Cameron	Mr P. S. Fisher	Mr Macphee	Mrs Sullivan
Mr E. C. Cameron*	Mr Goodluck	Mr Miles	Dr Watson
Mr I. M. D. Cameron	Mr Hall	Mr Moore	Mr Webster
Mr Carlton	Mr Halverson	Mr Peacock	Mr White
Mr Cobb	Mr Hawker	Mr Porter	Mr Wilson
Mr Coleman	Mr Hicks*	Mr Reith	
Mr Connolly	Mr Hodges	Mr Robinson	

* Tellers

And so it was resolved in the affirmative.

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

Bill to be reported without amendment.

The House resumed; Mr Millar reported accordingly.

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

21 **TAXATION (INTEREST ON UNDERPAYMENTS) BILL 1986:** 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 J. J. Brown (Acting Minister Assisting the Treasurer), the Bill was read a third time.

22 **ADJOURNMENT:** Mr J. J. Brown (Minister for Sport, Recreation and Tourism) moved—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 8 p.m., adjourned until tomorrow at 9 a.m.

PAPER: The following paper was deemed to have been presented on 7 May 1986:

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposal for collection of information—1986—No. 4—Survey of transport and storage industries, 1984-85.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Beazley, Mrs Darling, Mr Hurford, Mr Nehl and Mr Staples.

A. R. BROWNING
Clerk of the House of Representatives