

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 123

WEDNESDAY, 8 OCTOBER 1986

1 The House met, at 10 a.m., pursuant to adjournment. Madam Speaker (the Honourable Joan Child) took the Chair, and read Prayers.

2 **TAXATION LAWS AMENDMENT BILL (NO. 3) 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 by Mr Carlton 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 condemns the Government for—

- (1) its failure to control government spending to the point where it has broken its “Trilogy” commitment to hold taxation to no more than 25% of gross domestic product and proceeded to tax Australians to the highest point in our history;
- (2) its contempt for ordinary taxpayers, illustrated by its decision to charge a \$200 fee for appeals against rulings by the Commissioner of Taxation regardless of the size or complexity of the claim;
- (3) its incompetent handling of the withholding tax issue, where the Government changed the tax rules, caused a run on the dollar, and retreated 27 days later, and
- (4) its disgraceful treatment of the Defence Forces Reserves, by withdrawing the tax free status of reservists’ pay thereby causing a grave rundown of reserve forces and damage to their morale and effectiveness, and now having belatedly to restore the concession”.

Debate continued.

Declaration of interest: Mr Tuckey, during his speech, declared an interest relevant to the legislation.

Debate continued.

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

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

AYES, 63

Mr Baldwin	Mr Duffy	Mrs Jakobsen	Mr A. A. Morris
Mr Beazley	Mr Duncan	Mr Jenkins	Mr P. F. Morris
Mr Beddall	Mr R. F. Edwards	Mrs Kelly	Mr Mountford
Mr Bilney	Ms Fatin	Mr Kent	Mr O'Keefe
Mr Blanchard	Mr Fitzgibbon	Mr Keogh	Mr Price
Dr Blewett	Mr Free	Mr Kerin	Mr Saunderson
Mr Bowen	Mr Gayler	Dr Klugman	Mr Scholes
Mr R. J. Brown	Mr Gear	Mr Langmore	Mr Scott
Mr Brumby	Mr Gorman	Mr Lee	Mr Simmons
Mr Campbell	Mr Griffiths	Mr Lindsay	Mr Snow
Mr Chynoweth	Mr Hand	Ms McHugh	Mr Staples
Mr Cohen	Mr Hayden	Mr McLeay	Mr Tickner
Mr Cross	Mr Holding	Mr Maher	Mr West
Mr Cunningham*	Mr Hollis	Mr Martin	Mr Willis
Mrs Darling	Mr Humphreys*	Mrs Mayer	Mr Young
Mr Dawkins	Mr Hurford	Mr Milton	

NOES, 50

Mr Aldred	Mr Conquest	Mr Lloyd	Mr Sharp
Mr Andrew*	Mr Cowan	Mr McArthur	Mr Shipton
Mr Beale	Mr Downer	Mr McGauran	Mr Sinclair
Mr Blunt	Mr Drummond	Mr McVeigh	Mr Slipper
Mr Braithwaite	Dr H. R. Edwards	Mr Miles	Mr Smith
Mr Burr	Mr Fife	Mr Millar	Mr Spender
Mr Cadman	Mr T. A. Fischer	Mr Nehl	Mrs Sullivan
Mr D. M. Cameron	Mr P. S. Fisher	Mr Peacock	Mr Tuckey
Mr E. C. Cameron	Mr Halverson	Mr Porter	Dr Watson
Mr Carlton	Mr Hicks*	Mr Reith	Mr Webster
Mr Cobb	Mr Hodgman	Mr Robinson	Mr White
Mr Coleman	Mr Hunt	Mr Rocher	
Mr Connolly	Mr Katter	Mr Ruddock	

* 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.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Hurford (Acting Treasurer), the Bill was read a third time.

- 3 **BANK ACCOUNT DEBITS TAX 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—

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Hurford (Acting Treasurer), the Bill was read a third time.

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

- 5 **PAPERS:** The following papers were presented:

Australian Industry Development Corporation Act—Australian Industry Development Corporation—Report and financial statements, together with the Auditor-General's Report, for 1985-86—

Report.

Statement by Senator Button, Minister for Industry, Technology and Commerce.

- 6 **CHILD SUPPORT—PAPER AND MINISTERIAL STATEMENT:** Mr Howe (Minister for Social Security) presented the following paper:

Child support—Discussion paper on child maintenance by Cabinet Subcommittee on Maintenance, dated October 1986—

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

Mr Blunt, by leave, also made a statement in connection with the matter.

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

Mr R. J. Brown, Mr Burr, Mr Cadman, Mr Coleman, Mr Connolly, Mr Cowan, Mr T. A. Fischer, Mr Fitzgibbon, Mr Free, Mr Humphreys, Mr Hunt, Mr Kerin, Dr Klugman, Mr McLeay, Mr Maher, Mr Martin, Mr P. F. Morris, Mr Mountford, Mr Price, Mr Ruddock, Mr Simmons and Mr Webster—from certain citizens praying that the Anzac Rifle Range, Malabar, NSW, be retained.

Mr Beale, Mr Braithwaite, Mr Burr, Mr Cadman, Mr I. M. D. Cameron, Mr Drummond, Dr H. R. Edwards, Mr T. A. Fischer, Mr Hawker, Ms McHugh, Mr MacKellar, Mr Milton, Mr Robinson and Mr Ruddock—from certain citizens praying that the closure of post office agencies be prevented and their services be extended.

Mr Cross, Mr Kent, Ms McHugh, Mr Milton, Mr Scott and Dr Theophanous—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 Baldwin, Mr Coleman and Mr McLeay—from certain citizens praying that funding be restored to the English as a second language and multicultural education programs.

Dr Theophanous—from certain citizens in similar terms to the last preceding petition.

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

Mr Kent, Mr Milton and Dr Theophanous—from certain citizens praying that the US Government be urged to join the Soviet Union's nuclear test ban.

Mr Beale and Mr J. J. Brown—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 Beale and Mr McArthur—from certain citizens praying that the Flags Amendment Bill receive a speedy passage.

Dr H. R. Edwards—from certain citizens; and Mr I. M. D. Cameron—from certain residents of the Division of Maranoa praying that the Australian Bill of Rights Bill be repealed.

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

Mr Ruddock—from certain citizens in similar terms to the last preceding petition.

Mr Hawker and Mr Kent—from certain citizens praying that family allowance payments be increased and proposed changes to the spouse rebate be rejected.

Mr Drummond—from certain citizens in similar terms to the last preceding petition.

Mr Kent and Mr Scott—from certain citizens praying that the principles of social justice, equity and redistribution of wealth be upheld.

Mr Blunt—from certain residents of the Division of Richmond praying that the capital gains tax be repealed.

Mr Braithwaite—from certain citizens praying that the fringe benefits tax legislation be repealed.

Mr Cadman, Mr Fife and Mr Hicks—from certain citizens in similar terms to the last preceding petition.

Mr Burr—from certain stud breeders praying that the stud stock tax be reconsidered and the stud breeding industry be deregulated.

Mr Cadman—from certain citizens praying that proclamation of the Australian Bill of Rights Bill be delayed until a referendum has been held.

- Mr Cadman—from certain citizens praying that the decision to close the Wollongong office of the Department of Immigration and Ethnic Affairs be reversed.
- Mr Coleman—from certain citizens praying that government labour market programs offer award wages and proper training and that no unemployed person be required to work for social security benefits.
- Mr Drummond—from certain citizens praying that the Extradition (Foreign States) Act be amended to protect the rights of accused persons.
- Mr Drummond—from certain citizens praying that the fringe benefits tax be cancelled.
- Mr Drummond—from certain residents of Western Australia praying that the 20% sales tax on wine be cancelled.
- Mr Everingham—from certain residents of the Northern Territory praying that the Fringe Benefits Tax Assessment Act, the Fringe Benefits Tax Act, the Fringe Benefits Tax (Application to the Commonwealth) Act and the Fringe Benefits Tax (Miscellaneous Provisions) Act be rescinded.
- Mr T. A. Fischer—from certain residents of the Division of Farrer praying that the fringe benefits tax and capital gains tax legislation 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 citizens praying that the commitment to the oil import parity pricing policy be honoured.
- Mr Hawker—from certain citizens praying that the assets test on pensions be repealed.
- 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 all prescribed medicines be provided to pensioners free of charge.
- 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 Kent—from certain citizens praying that announcers on the Albanian program on radio 3EA be replaced with community representatives.
- Mr Langmore—from certain citizens praying that aid be provided to the victims of the Chernobyl nuclear disaster and that certain other action be taken in relation to the disaster.
- Mr Lindsay—from certain citizens praying that the multi-channel television servicing proposal by North Queensland Television be supported.
- Ms McHugh—from certain citizens praying that an Australian republic be created on or before 1 January 1988.
- Mr McVeigh—from certain citizens praying that funding for the Toowoomba Education Centre, Qld, be retained at its present level.
- Mr Nehl—from certain residents of the Division of Cowper praying that the superannuation claim of the trade union movement be rejected and superannuation be allowed to develop without trade union domination.
- Mr Ruddock—from certain citizens praying that funding for English as a second language programs be restored to the 1985 level.
- Mr Scott—from certain citizens praying that interest rates on home loans be reduced by 2% annually for the next 5 years or until they are 8%.
- 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 Scott—from certain citizens praying that scholarships be provided for Namibian and South African students and certain other action be taken in support of the students.

Mr Smith—from certain citizens praying that the Swan Island lighthouse continue to be a manned station.

Petitions received.

- 8 **MESSAGE FROM THE SENATE:** A message from the Senate was reported returning the following Bill without requests:

7 October 1986—Message No. 330—Customs Tariff Amendment (No. 2) 1986.

- 9 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—INCOME TAX CUTS:** The House was informed that Mr Carlton had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The complete failure of the Hawke Government to provide genuine personal income tax cuts for the ordinary Australian taxpayer”.

The proposed discussion having received the necessary support—

Mr Carlton addressed the House.

Discussion ensued.

Discussion concluded.

- 10 **PLANT VARIETY RIGHTS BILL 1986:** Mr Kerin (Minister for Primary Industry), pursuant to notice, presented a Bill for an Act to provide for the granting of proprietary rights to persons originating certain new plant varieties, 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 Bill.

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

- 11 **HOME DEPOSIT ASSISTANCE AMENDMENT BILL 1986:** Mr West (Minister for Housing and Construction), pursuant to notice, presented a Bill for an Act to amend the *Home Deposit Assistance Act 1982*.

Bill read a first time.

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

Paper: Mr West presented an explanatory memorandum to the Bill.

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

- 12 **POSTPONEMENT OF NOTICE:** Ordered—That notice No. 3, government business, be postponed until a later hour this day.

- 13 **TAXATION ADMINISTRATION AMENDMENT (RECOVERY OF TAX DEBTS) 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 by Mr Carlton who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “the House declines to give the Bill a second reading as it is of the opinion that—

- (1) the Commissioner of Taxation should be subject to the Statutes of Limitation Acts in the same way as any other citizen of Australia;
- (2) a 6 year period from the date of liability falling due should be sufficient time for the Commissioner of Taxation to initiate action for recovery of tax or to take appropriate legal action to safeguard his rights, and
- (3) it retrospectively applies an unlimited time for taxation liability to a certain group of taxpayers”.

Debate continued.

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

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

AYES, 66

Mr Baldwin	Mr R. F. Edwards	Mrs Kelly	Mr O'Keefe
Mr Beazley	Ms Fatin	Mr Kent	Mr O'Neil
Mr Beddall	Mr Fitzgibbon	Mr Keogh	Mr Price
Mr Bilney	Mr Free	Mr Kerin	Mr Saunderson
Mr Blanchard	Mr Gayler	Dr Klugman	Mr Scholes
Dr Blewett	Mr Gear	Mr Langmore	Mr Scott
Mr Bowen	Mr Gorman	Mr Lee	Mr Simmons
Mr R. J. Brown	Mr Grace	Mr Lindsay	Mr Snow
Mr Brumby	Mr Griffiths	Ms McHugh	Mr Staples
Mr Campbell	Mr Hand	Mr Maher	Mr Tickner
Mr Charles	Mr Hayden	Mr Martin	Mr Uren
Mr Chynoweth	Mr Hollis	Mrs Mayer	Mr West
Mr Cohen	Mr Howe	Mr Mildren	Mr Willis
Mr Cross	Mr Humphreys*	Mr Milton	Mr Wright
Mr Cunningham*	Mr Hurford	Mr A. A. Morris	Mr Young
Mrs Darling	Mrs Jakobsen	Mr P. F. Morris	
Mr Duffy	Mr Jenkins	Mr Mountford	

NOES, 49

Mr Aldred	Mr Cowan	Mr Lloyd	Mr Sharp
Mr Andrew*	Mr Downer	Mr McArthur	Mr Shipton
Mr Beale	Mr Drummond	Mr McGauran	Mr Sinclair
Mr Blunt	Dr H. R. Edwards	Mr McVeigh	Mr Slipper
Mr Braithwaite	Mr Everingham	Mr Miles	Mr Smith
Mr N. A. Brown	Mr T. A. Fischer	Mr Millar	Mrs Sullivan
Mr Burr	Mr Goodluck	Mr Nehl	Mr Tuckey
Mr D. M. Cameron	Mr Hall	Mr Peacock	Dr Watson
Mr Carlton	Mr Halverson	Mr Porter	Mr Webster
Mr Cobb	Mr Hicks*	Mr Reith	Mr White
Mr Coleman	Mr Hodges	Mr Robinson	
Mr Connolly	Mr Hodgman	Mr Rocher	
Mr Conquest	Mr Hunt	Mr Ruddock	

* Tellers

And so it was resolved in the affirmative.

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

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

AYES, 66

Mr Baldwin	Mr R. F. Edwards	Mrs Kelly	Mr O'Keefe
Mr Beazley	Ms Fatin	Mr Kent	Mr O'Neil
Mr Beddall	Mr Fitzgibbon	Mr Keogh	Mr Price
Mr Bilney	Mr Free	Mr Kerin	Mr Saunderson
Mr Blanchard	Mr Gayler	Dr Klugman	Mr Scholes
Dr Blewett	Mr Gear	Mr Langmore	Mr Scott
Mr Bowen	Mr Gorman	Mr Lee	Mr Simmons
Mr R. J. Brown	Mr Grace	Mr Lindsay	Mr Snow
Mr Brumby	Mr Griffiths	Ms McHugh	Mr Staples
Mr Campbell	Mr Hand	Mr Maher	Mr Tickner
Mr Charles	Mr Hayden	Mr Martin	Mr Uren
Mr Chynoweth	Mr Hollis	Mrs Mayer	Mr West
Mr Cohen	Mr Howe	Mr Mildren	Mr Willis
Mr Cross	Mr Humphreys*	Mr Milton	Mr Wright
Mr Cunningham*	Mr Hurford	Mr A. A. Morris	Mr Young
Mrs Darling	Mrs Jakobsen	Mr P. F. Morris	
Mr Duffy	Mr Jenkins	Mr Mountford	

NOES, 49

Mr Aldred	Mr Cowan	Mr Lloyd	Mr Sharp
Mr Andrew*	Mr Downer	Mr McArthur	Mr Shipton
Mr Beale	Mr Drummond	Mr McGauran	Mr Sinclair
Mr Blunt	Dr H. R. Edwards	Mr McVeigh	Mr Slipper
Mr Braithwaite	Mr Everingham	Mr Miles	Mr Smith
Mr N. A. Brown	Mr T. A. Fischer	Mr Millar	Mrs Sullivan
Mr Burr	Mr Goodluck	Mr Nehl	Mr Tuckey
Mr D. M. Cameron	Mr Hall	Mr Peacock	Dr Watson
Mr Carlton	Mr Halverson	Mr Porter	Mr Webster
Mr Cobb	Mr Hicks*	Mr Reith	Mr White
Mr Coleman	Mr Hodges	Mr Robinson	
Mr Connolly	Mr Hodgman	Mr Rocher	
Mr Conquest	Mr Hunt	Mr Ruddock	

* 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 Hurford (Acting Treasurer), the Bill was read a third time.

- 14 **PROTECTION OF THE SEA LEGISLATION AMENDMENT BILL 1986:** Mr P. F. Morris (Minister for Transport) presented a Bill for an Act to amend the *Navigation Act 1912*, the *Protection of the Sea (Prevention of Pollution from Ships) Act 1983* and certain other Acts in relation to the protection of the sea from pollution.

Bill read a first time.

Mr P. F. Morris moved—That the Bill be now read a second time.

Paper: Mr P. F. Morris presented an explanatory memorandum to the Bill.

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

- 15 **STATES (WORKS AND HOUSING) ASSISTANCE 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 having been resumed by Mr Beale—

- 16 **ADJOURNMENT:** It being 7.15 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 8 p.m.—The Deputy Speaker adjourned the House until tomorrow at 10 a.m.

PAPERS: The following papers were deemed to have been presented on 8 October 1986:

Lands Acquisition Act—Statements (3) of lands acquired by agreement authorised under sub-section 7 (1).

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Adermann, Mr J. J. Brown, Mr I. M. D. Cameron, Dr Charlesworth, Mr Cleeland, Mr Dubois, Mr Hawker, Mr Jacobi*, Mr Jones, Mr Jull, Mr Keating, Mr Lamb, Mr MacKellar, Mr Macphee, Mr Moore, Mr Punch, Mr Shack, Dr Theophanous and Mr Wilson.

*On leave

A. R. BROWNING
Clerk of the House of Representatives