

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 91

THURSDAY, 10 NOVEMBER 1988

1 The House met, at 10 a.m., pursuant to adjournment. Madam Speaker (the Honourable Joan Child) 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 Baldwin, Mr N. A. Brown, Mr Cadman, Mr Chynoweth, Mr Cohen, Mr Crawford, Mr Dobie, Mr Duffy, Mr Fife, Mr Fitzgibbon, Mrs Harvey, Dr Hewson, Mr Hicks, Mrs Jakobsen, Mr Johns, Mrs Kelly, Mr Lee, Mr McArthur, Ms McHugh, Mr Martin, Mr Moore, Mr A. A. Morris, Mr Nehl, Mr Prosser, Mr Reith, Mr Rocher, Mr Sharp, Mr Tuckey, Mr Webster and Mr White, from 10, 27, 52, 45, 27, 26, 122, 102, 82, 26, 108, 92, 27, 27, 54, 17, 27, 13, 56, 54, 757, 54, 1107, 2046, 54, 6, 27, 94, 33 and 26 petitioners, respectively, praying that the decision to place certain pharmaceutical drugs on the authority only listing be abandoned.

Mr Duffy, Mr Prosser, Mrs Sullivan and Mr Tuckey, from 41, 203, 290 petitioners and 1 petitioner, respectively, praying that the decision to place certain drugs on the "Authorities Required" list be reversed.

Mr Cowan and Mr McArthur, from 26 and 53 petitioners, respectively, praying that legislation which would reduce pension entitlements and access to fringe benefits does not apply retrospectively in relation to certain forms of investment.

Mr Kent and Mr Milton, from 387 and 14 petitioners, respectively, praying that importation of cobalt 60 and other radioactive substances be banned and regulations permitting irradiation of food in Australia be disallowed.

Mr Prosser and Mr Tuckey, from 58 and 18 petitioners, respectively, praying that legislation be passed to make participation in Government statistical surveys voluntary and to protect the privacy of Australians.

Mr Prosser and Mr Tuckey, from 21 residents of the Division of Forrest and 55 petitioners, respectively, praying that any proposal to absorb road funds into general revenue assistance to local or State governments be opposed and certain other action be taken in relation to road funding.

Mr Adermann, from 64 residents of Queensland, praying that the two dollar coin be removed from circulation and the two dollar note be reinstated.

Mr Adermann, from 2668 petitioners, praying that a university be established in the Sunshine Coast region, Qld.

Mr Cadman, from 12 electors of the Division of Mitchell, praying that the punitive treatment of those who have prepared for retirement by careful saving and wise investment be rejected.

Mr P. S. Fisher, from 9 residents of the Division of Mallee, praying that the incidence of crime and violence broadcast on television be reduced and tighter controls on the sale and classification of videos be introduced.

- Mr Hawker, from 984 petitioners, praying that X-rated video material and its R-rated equivalent be refused classification for the purpose of Commonwealth laws.
- Mr Hawker, from 399 petitioners, praying that a referendum on the Australia Card Bill be held before the proposal is resubmitted to Parliament.
- Mrs Kelly, from 55 petitioners, praying that adequate resources be provided to allow year 11 and 12 places at the Catholic secondary school at Isabella Plains, ACT.
- Mr Kerr, from 96 petitioners, praying that the importation of any radioactive substances or machinery for the purposes of food irradiation be banned and certain other action be taken in relation to food irradiation.
- Mr Langmore, from 11 petitioners, praying that the Parliament does all that is within its power and influence to halt immediately the cultural genocide occurring in Romania.
- Mr Langmore, from 52 petitioners, praying that mining and mineral exploration in the Kakadu conservation zone be halted and certain other action be taken in relation to Kakadu National Park.
- Mr McArthur, from 55 petitioners, praying that the sale of violent videos, books and toys of violence be banned.
- Ms McHugh, from 21 petitioners, praying that laws and regulations be enacted to prevent the further advertising and promotion of all tobacco products.
- Mr Nehl, from 6 residents of the Division of Cowper, praying that the concept of reducing pension payments to individuals on the basis of future earnings be rejected.
- Mr Nehl, from 19 residents of the Division of Cowper, praying that the taxation threshold for those receiving age pensions be increased to \$10 000.
- Mr Nehl, from 99 residents of the Division of Cowper, praying that the testing, development and deployment of nuclear weapons, delivery systems and control installations by any country be denounced and certain other action be taken in relation to nuclear armaments.
- Mr Nehl, from 40 petitioners, praying that changes to the income test for pensioners as proposed in the 1988 Budget be abandoned and certain other action be taken in relation to pensions.
- Mr Nehl, from 127 petitioners, praying that a fishing agreement with the Soviet Union not be entered into.
- Mr Peacock, from 42 petitioners, praying that the introduction of the graduate tax be rejected.
- Mr Porter, from 19 electors of the Division of Barker, praying that the incidence of crime and violence broadcast on television be reduced.
- Mr J. L. Scott, from 42 petitioners, praying that the establishment of the public interest functions of the Australian Government Analytical Laboratories be given high priority and certain other action be taken in relation to food analysis.
- Mrs Sullivan, from 67 petitioners, praying that those involved in the public release of confidential medical information be censured.
- Mr Tuckey, from 17 petitioners, praying that legislation be passed to enable a constitutional change to allow voters referenda to initiate or veto legislation.
- Mr Webster, from 63 petitioners, praying that the film *The Last Temptation of Christ* be rejected by the Film Censorship Board.
- Dr Woods, from 110 petitioners, praying that the creation of embryos for the specific purpose of life destroying research be banned.

Petitions received.

3 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER: Mr Cross presented the following report from the Joint Committee on Foreign Affairs, Defence and Trade:

Foreign Affairs, Defence and Trade—Joint Committee—Personnel wastage in the Australian Defence Force—

Report, including a dissenting report, dated November 1988.

Evidence received by the committee.

Minutes of proceedings.

Ordered—That the report be printed.

Mr Cross, Mr Halverson, Mr Cross, Mr MacKellar, Mr Bilney, Mr Lindsay and Mr Shipton made statements in connection with the report.

The time allotted for making statements on the report having expired—

Mr Cross moved—That the House take note of the report.

In accordance with sessional order 102B, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting Thursday.

4 TRANSPORT, COMMUNICATIONS AND INFRASTRUCTURE—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS: Mr O'Neil presented the following report from the Standing Committee on Transport, Communications and Infrastructure:

Transport, Communications and Infrastructure—Standing Committee—Review of the Auditor-General's efficiency audit—Australian National's commission traffic—

Report, dated November 1988.

Minutes of proceedings.

Ordered—That the report be printed.

Mr O'Neil and Mr T. A. Fischer made statements in connection with the report.

5 FINANCE AND PUBLIC ADMINISTRATION—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS: Mr Martin (Chairman) presented the following report from the Standing Committee on Finance and Public Administration:

Finance and Public Administration—Standing Committee—A tale of three cities—Review of the Auditor-General's efficiency audit of the Australian Taxation Office: taxpayers in unincorporated businesses—

Report, dated November 1988.

Evidence received by the committee.

Minutes of proceedings.

Ordered—That the report be printed.

Mr Martin and Mr Wilson made statements in connection with the report.

6 TRANSPORT, COMMUNICATIONS AND INFRASTRUCTURE—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS: Mr Langmore presented the following report from the Standing Committee on Transport, Communications and Infrastructure:

Transport, Communications and Infrastructure—Standing Committee—Report on proposals for variation 1988/3 to the plan of layout of the City of Canberra and its environs, dated November 1988 (Second report).

Ordered to be printed.

Mr Langmore and Mr T. A. Fischer made statements in connection with the report.

7 INCOME TAX ASSESSMENT AMENDMENT BILL 1988: Mr Nehl, pursuant to notice, presented a Bill for an Act to amend the *Income Tax Assessment Act 1936* to clarify the application of the provisions of section 78 in respect of the Life Education Centre Incorporated and Life Education Centres.

Mr Nehl made a statement in relation to the Bill.

Bill read a first time.

Statement by Deputy Speaker—Standing order 293: The Deputy Speaker made a statement in respect of the Bill and the provisions of standing order 293.

Ordered—That the second reading be made an order of the day for the next sitting Thursday, in accordance with sessional order 104A.

- 8 **DISARMAMENT:** Mr Langmore, pursuant to notice, moved—That, in view of the massive stockpiles of nuclear, chemical, conventional and other types of weapons and of the continued technological escalation of the arms race, notably into space, this House calls on the Government to use every possible means to encourage disarmament through measures which would enhance global security including:
- (1) continuing to advocate a comprehensive nuclear test ban treaty;
 - (2) continuing opposition to research on, or deployment of, space weaponry;
 - (3) supporting establishment of a permanent, effective international verification organisation;
 - (4) supporting strengthening of international disputes settling procedures through mediation or adjudication under international law;
 - (5) supporting establishment of permanent United Nations peacekeeping forces; and
 - (6) seeking permanently reliable sources of revenue to fund these activities.

Debate ensued.

Mr Webster addressing the House—

It being 12.30 p.m., the debate was interrupted in accordance with sessional order 104A, the resumption of the debate made an order of the day for the next sitting Thursday, and Mr Webster was granted leave to continue his speech when the debate is resumed.

- 9 **GRIEVANCE DEBATE:** Pursuant to the provisions of sessional order 106, the order of the day having been read—
Question proposed—That grievances be noted.
Debate ensued.
It being 1.45 p.m., the debate was interrupted in accordance with sessional order 106.
Question—That grievances be noted—put and passed.

10 **MEMBERS' STATEMENTS:** Members' statements were made.

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

- 12 **BROADCASTING OF PARLIAMENTARY PROCEEDINGS—STATEMENT BY SPEAKER—MOTION TO TAKE NOTE OF PAPER:** Madam Speaker informed the House of a resolution by the Joint Committee on the Broadcasting of Parliamentary Proceedings supporting the temporary transfer of the broadcast of proceedings to the Australian Broadcasting Corporation's standby transmitter network, and presented the following paper:
Broadcasting of Parliamentary proceedings—Statement by Speaker, 10 November 1988.

Mr Beazley (Leader of the House) moved—That the House take note of the paper.

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

- 13 **PAPER:** The following paper was presented:
Australian Capital Territory—Corporate Affairs Commission—Report for 1987-88.

- 14 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—DEFENCE FORCE PERSONNEL:** The House was informed that Mr White had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The deliberate neglect displayed by the Government in the administration and care of Australia's servicemen and women as shown in the report of the Joint Committee on Foreign Affairs, Defence and Trade, *Personnel Wastage in the Australian Defence Force*".

The proposed discussion having received the necessary support—

Mr White addressed the House.

Discussion ensued.

Discussion concluded.

15 **SELECTION COMMITTEE—REPORT:** Mr McLeay (Chairman) presented the report of the Selection Committee relating to the program of business prior to 12.30 p.m. on Thursday, 24 November 1988.

16 **PUBLICATIONS COMMITTEE—10TH REPORT:** Mr Jenkins (Chairman) presented the 10th Report from the Publications Committee (sitting in conference with the Publications Committee of the Senate). The report is as follows:

10TH REPORT

The Publications Committee has the honour to report that it has met in conference with the Publications Committee of the Senate.

The joint committee, having considered petitions and papers presented to the Parliament since 20 October 1988, recommends that the following be printed:

Affirmative Action (Equal Employment Opportunity for Women) Act—Affirmative Action Agency—Report for period 1 June 1987 to 31 May 1988.

Commonwealth Electoral Act—Australian Electoral Commission—Election 1987—Election funding and financial disclosure—Report, dated 27 October 1988.

Constitutional Commission—Final Report, 1988—

Volume 1.

Volume 2.

Defence Force Discipline Act—Judge Advocate General—Report for 1987.

Governor-General Act—Office of the Official Secretary to the Governor-General—Report for 1987-88.

Higher education—Policy statement, dated July 1988.

Independent Air Fares Committee Act—Independent Air Fares Committee—Report for 1987-88.

National Gallery Act—Australian National Gallery—Report for 1987-88.

National Measurement Act—National Standards Commission—Report for 1987-88.

Ombudsman Act—Commonwealth Ombudsman and Defence Force Ombudsman—Reports for 1987-88.

Papua New Guinea (Staffing Assistance) Act—Commissioner for Superannuation—Report on Papua New Guinea Superannuation Scheme and certain other Schemes, for 1987-88.

Prices Surveillance Act—Prices Surveillance Authority—Report for 1987-88.

Public Service Act—

Department of Administrative Services—Report for 1987-88.

Department of Finance—Report for 1987-88.

Snowy Mountains Council—Report for 1987-88.

Steel Industry Authority Act—Steel Industry Authority—Report for 1987-88.

Official Establishments Trust—Report for 1987-88—Corrigendum.

H. A. JENKINS
Chairman

10 November 1988

Mr Jenkins, by leave, moved—That the report be agreed to.

Question—put and passed.

17 **SPECIAL ADJOURNMENT:** Mrs Kelly (Minister for Defence Science and Personnel) moved—That the House, at its rising, adjourn until Tuesday, 22 November 1988, at 2 p.m., unless Madam Speaker fixes an alternative day or hour of meeting.
Question—put and passed.

18 **PUBLIC ACCOUNTS COMMITTEE—MEMBERSHIP:** Mrs Kelly (Minister for Defence Science and Personnel), by leave, moved—That Dr Klugman be discharged from

attendance on the Joint Committee of Public Accounts, and that, in his place, Mr L. J. Scott be appointed a member of the committee.

Question—put and passed.

- 19 **LAW AND JUSTICE LEGISLATION AMENDMENT BILL 1988:** Mr Bowen (Attorney-General), pursuant to notice, presented a Bill for an Act to amend various Acts relating to law and justice, and for related purposes.

Bill read a first time.

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

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

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

- 20 **OZONE PROTECTION BILL 1988:** Mr Holding (Minister representing the Minister for the Arts, Sport, the Environment, Tourism and Territories) presented a Bill for an Act to provide for measures to protect ozone in the atmosphere.

Bill read a first time.

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

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

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

- 21 **OZONE PROTECTION (LICENCE FEES—IMPORTS) BILL 1988:** Mr Holding (Minister representing the Minister for the Arts, Sport, the Environment, Tourism and Territories) presented a Bill for an Act to provide for payment of fees in respect of import of scheduled substances under licences granted under the *Ozone Protection Act 1988*.

Bill read a first time.

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

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

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

- 22 **OZONE PROTECTION (LICENCE FEES—MANUFACTURE) BILL 1988:** Mr Holding (Minister representing the Minister for the Arts, Sport, the Environment, Tourism and Territories) presented a Bill for an Act to provide for payment of fees in respect of manufacture of scheduled substances under licences granted under the *Ozone Protection Act 1988*.

Bill read a first time.

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

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

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

- 23 **COMMUNITY SERVICES AND HEALTH LEGISLATION AMENDMENT BILL (NO. 2) 1988:** Mr Staples (Minister for Housing and Aged Care), pursuant to notice, presented a Bill for an Act to amend laws relating to community services and health, and for related purposes.

Bill read a first time.

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

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

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

- 24 **BROADCASTING LEGISLATION AMENDMENT BILL 1988:** 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 Duncan (Minister for Employment and Education Services), by leave, moved the following amendments together:

Schedule 3, page 62, omit:

“Section 26:

Repeal the section.”.

Schedule 4, page 66, after the proposed amendment of subsection 125B (2), insert:

“Section 126:

Repeal the section.”.

Debate continued.

Limitation of debate: At 5.40 p.m., the Deputy Chairman having called the attention of the committee to the fact that the time allotted for the committee stage had expired—

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

Further question—That the Bill, as amended, be agreed to, and that the Bill be reported with amendments—put and passed.

The House resumed; Mr R. F. Edwards reported accordingly.

On the motion of Mr Willis (Minister for Transport and Communications), the House adopted the report.

Mr Willis moved—That the Bill be now read a third time.

Debate ensued.

Limitation of debate: At 5.50 p.m., the Deputy Speaker having called the attention of the House to the fact that the time allotted for the remaining stages had expired—

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

25 **BROADCASTING (LIMITED LICENCES) FEES BILL 1988:** 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 Willis (Minister for Transport and Communications), the Bill was read a third time.

26 **BROADCASTING (RETRANSMISSION PERMITS AND TEMPORARY TRANSMISSION PERMITS) FEES BILL 1988:** 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 Willis (Minister for Transport and Communications), the Bill was read a third time.

27 **BROADCASTING (NATIONAL METROPOLITAN RADIO PLAN) BILL 1988:** 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 Downer 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 (a) is of the opinion that insufficient time has been allowed for proper scrutiny of the contents of the legislation and (b) expresses its concern with the extension of JJJ FM without adequate consultation with other publicly funded radio networks”.

Debate continued.

Amendment negatived.

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 Willis (Minister for Transport and Communications), the Bill was read a third time.

28 RADIO LICENCE FEES (NATIONAL METROPOLITAN RADIO PLAN) BILL 1988:

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 Willis (Minister for Transport and Communications), the Bill was read a third time.

29 NAVAL DEFENCE AMENDMENT BILL 1988: 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.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Hand (Minister for Aboriginal Affairs), the Bill was read a third time.

30 BILLS—LIMITATION OF DEBATE—VARIATION OF ALLOTMENT OF TIME: Mr

Hand (Minister for Aboriginal Affairs) moved—That the time allotted in connection with the Taxation Laws Amendment Bill (No. 5) 1988, Income Tax Rates Amendment Bill 1988, Sales Tax (Exemptions and Classifications) Amendment Bill (No. 2) 1988, Lands Acquisition (Repeal and Consequential Provisions) Bill 1988 and Migration Amendment Bill (No. 2) 1988 be varied as follows:

(1) Taxation Laws Amendment Bill (No. 5) 1988—

(a) For the second reading of the Bill, until 10 p.m.;

(b) For the committee stage, until 10.15 p.m.;

(c) For the remaining stages of the Bill, until 10.25 p.m. this day.

(2) Income Tax Rates Amendment Bill 1988—For the remaining stages of the Bill, until 10.30 p.m. this day.

(3) Sales Tax (Exemptions and Classifications) Amendment Bill (No. 2) 1988—For the remaining stages of the Bill, until 10.35 p.m. this day.

(4) Lands Acquisition (Repeal and Consequential Provisions) Bill 1988—For the remaining stages of the Bill, until 11.15 p.m. this day.

(5) Migration Amendment Bill (No. 2) 1988—For the remaining stages of the Bill, until 12.25 a.m. on Friday, 11 November.

Debate ensued.

Absence of quorum: Mr Cadman called the attention of the Speaker to the fact that a quorum of Members was not present.

The bells having been rung, and a quorum not having been obtained within the prescribed time, Madam Speaker at 8.17 p.m., in accordance with standing order 45, announced that she would take the Chair again at 8.25 p.m.

At 8.25 p.m., Madam Speaker resumed the Chair, and a quorum of Members was present.

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

- 31 **TAXATION LAWS AMENDMENT BILL (NO. 5) 1988:** 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 Peacock (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 notes that:

- (1) this is the highest taxing government in the post-war history of Australia;
- (2) through the insidious effects of ‘bracket creep’ an estimated \$7 billion has been ripped off Australian taxpayers since 1985-86;
- (3) despite the additional revenue gained through ‘bracket creep’, the Government continues to attempt to raise more tax revenue by imposing new taxation on the gold mining industry despite a firm and unequivocal commitment by the Prime Minister prior to the last election not to do so; and
- (4) the Keating/Hawke Government should be condemned for its indefensible action in breaking its pledge not to impose a tax on the gold mining industry”.

Debate continued.

Debate adjourned (Mr Campbell), and the resumption of the debate made an order of the day for a later hour this day.

- 32 **BILLS—LIMITATION OF DEBATE—VARIATION OF ALLOTMENT OF TIME:** Mr Beazley (Leader of the House) moved—That the time allotted in connection with the Taxation Laws Amendment Bill (No. 5) 1988, Income Tax Rates Amendment Bill 1988, Sales Tax (Exemptions and Classifications) Amendment Bill (No. 2) 1988, Lands Acquisition (Repeal and Consequential Provisions) Bill 1988 and Migration Amendment Bill (No. 2) 1988 be further varied as follows:

- (1) Taxation Laws Amendment Bill (No. 5) 1988—
 - (a) For the second reading of the Bill, until 10 p.m.;
 - (b) For the committee stage, until 10.45 p.m.;
 - (c) For the remaining stages of the Bill, until 10.55 p.m. this day.
- (2) Income Tax Rates Amendment Bill 1988—For the remaining stages of the Bill, until 11 p.m. this day.
- (3) Sales Tax (Exemptions and Classifications) Amendment Bill (No. 2) 1988—For the remaining stages of the Bill, until 11.05 p.m. this day.
- (4) Lands Acquisition (Repeal and Consequential Provisions) Bill 1988—For the remaining stages of the Bill, until 11.45 p.m. this day.
- (5) Migration Amendment Bill (No. 2) 1988—For the remaining stages of the Bill, until 12.55 a.m. on Friday, 11 November.

Question—put and passed.

- 33 **TAXATION LAWS AMENDMENT BILL (NO. 5) 1988:** 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—*And on the amendment moved thereto by Mr Peacock (Deputy Leader of the Opposition) (see entry No. 31)—*

Debate resumed.

Limitation of debate: At 10 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—

Amendment negatived.

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 9, by leave, taken together.

Mr Peacock moved the following amendment: Clause 9, page 3, lines 27-30, omit paragraphs (b) and (c).

Debate continued.

Question—That the amendment be agreed to—put.

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

AYES, 52

Mr Adermann	Mr Cowan	Mr Jull	Mr Sharp
Mr Aldred	Mr Dobie	Mr Lloyd	Mr Shipton
Mr Andrew*	Mr Downer	Mr McArthur	Mr Sinclair
Mr Beale	Dr H. R. Edwards	Mr McGauran	Mr Smith
Mr Blunt	Mr Fife	Mr MacKellar	Mr Spender
Mr N. A. Brown	Mr T. A. Fischer	Mr Macphee	Mrs Sullivan
Mr Burr	Mr P. S. Fisher	Mr Millar	Mr Taylor
Mr Cadman	Mr Hall	Mr Nehl	Mr Tuckey
Mr E. C. Cameron	Mr Halverson	Mr Peacock	Mr Webster
Mr I. M. D. Cameron	Mr Hawker	Mr Porter	Mr White
Mr Campbell	Dr Hewson	Mr Reith	Mr Wilson
Mr Cobb	Mr Hicks*	Mr Ruddock	Dr Woods
Mr Connolly	Mr Hunt	Mr Shack	Dr Wooldridge

NOES, 68

Mr Baldwin	Mr R. F. Edwards	Mrs Kelly	Mr Price
Mr Beazley	Ms Fatin	Mr Kent	Mr Punch
Mr Beddall	Mr Fitzgibbon	Dr Klugman	Mr Saunderson
Mr Bilney	Mr Free	Mr Lamb*	Mr Sawford
Mr Blanchard	Mr Gayler	Mr Langmore	Mr Scholes
Mr Bowen	Mr Gear	Mr Lavarch	Mr Sciacca
Mr R. J. Brown	Mr Gorman	Mr Lee	Mr J. L. Scott
Mr Charles	Mr Grace	Mr Lindsay	Mr L. J. Scott
Dr Charlesworth	Mr Griffiths	Ms McHugh	Mr Simmons
Mr Chynoweth	Mrs Harvey	Mr Martin	Mr Snow
Mr Cleeland	Mr Holding	Mr Mildren	Mr Snowdon
Mr Courtice	Mr Howe	Mr Milton	Mr Staples
Ms Crawford	Mr Humphreys	Mr A. A. Morris	Dr Theophanous
Mr Cross	Mrs Jakobsen	Mr P. F. Morris	Mr Tickner
Mr Cunningham*	Mr Jenkins	Mr Mountford	Mr West
Mr Dubois	Mr Johns	Mr O'Keefe	Mr Willis
Mr Duncan	Mr Jones	Mr O'Neil	Mr Wright

* Tellers

And so it was negatived.

Clauses agreed to.

Clause 10 debated—

Question—That the clause be agreed to—put.

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

AYES, 68

Mr Baldwin	Mr R. F. Edwards	Mrs Kelly	Mr Price
Mr Beazley	Ms Fatin	Mr Kent	Mr Punch
Mr Beddall	Mr Fitzgibbon	Dr Klugman	Mr Saunderson
Mr Bilney	Mr Free	Mr Lamb*	Mr Sawford
Mr Blanchard	Mr Gayler	Mr Langmore	Mr Scholes
Mr Bowen	Mr Gear	Mr Lavarch	Mr Sciacca
Mr R. J. Brown	Mr Gorman	Mr Lee	Mr J. L. Scott
Mr Charles	Mr Grace	Mr Lindsay	Mr L. J. Scott
Dr Charlesworth	Mr Griffiths	Ms McHugh	Mr Simmons
Mr Chynoweth	Mrs Harvey	Mr Martin	Mr Snow
Mr Cleeland	Mr Holding	Mr Mildren	Mr Snowdon
Mr Courtice	Mr Howe	Mr Milton	Mr Staples
Ms Crawford	Mr Humphreys	Mr A. A. Morris	Dr Theophanous
Mr Cross	Mrs Jakobsen	Mr P. F. Morris	Mr Tickner
Mr Cunningham*	Mr Jenkins	Mr Mountford	Mr West
Mr Dubois	Mr Johns	Mr O'Keefe	Mr Willis
Mr Duncan	Mr Jones	Mr O'Neil	Mr Wright

NOES, 52

Mr Adermann	Mr Cowan	Mr Jull	Mr Sharp
Mr Aldred	Mr Dobie	Mr Lloyd	Mr Shipton
Mr Andrew*	Mr Downer	Mr McArthur	Mr Sinclair
Mr Beale	Dr H. R. Edwards	Mr McGauran	Mr Smith
Mr Blunt	Mr Fife	Mr MacKellar	Mr Spender
Mr N. A. Brown	Mr T. A. Fischer	Mr Macphee	Mrs Sullivan
Mr Burr	Mr P. S. Fisher	Mr Millar	Mr Taylor
Mr Cadman	Mr Hall	Mr Nehl	Mr Tuckey
Mr E. C. Cameron	Mr Halverson	Mr Peacock	Mr Webster
Mr I. M. D. Carneron	Mr Hawker	Mr Porter	Mr White
Mr Campbell	Dr Hewson	Mr Reith	Mr Wilson
Mr Cobb	Mr Hicks*	Mr Ruddock	Dr Woods
Mr Connolly	Mr Hunt	Mr Shack	Dr Wooldridge

*Tellers

And so it was resolved in the affirmative.

Clauses 11 to 15, by leave, taken together, and agreed to.

Clause 16—

Question—That the clause be agreed to—put.

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

AYES, 68

Mr Baldwin	Mr R. F. Edwards	Mrs Kelly	Mr Price
Mr Beazley	Ms Fatin	Mr Kent	Mr Punch
Mr Beddall	Mr Fitzgibbon	Dr Klugman	Mr Saunderson
Mr Bilney	Mr Free	Mr Lamb*	Mr Sawford
Mr Blanchard	Mr Gayler	Mr Langmore	Mr Scholes
Mr Bowen	Mr Gear	Mr Lavarch	Mr Sciacca
Mr R. J. Brown	Mr Gorman	Mr Lee	Mr J. L. Scott
Mr Charles	Mr Grace	Mr Lindsay	Mr L. J. Scott
Dr Charlesworth	Mr Griffiths	Ms McHugh	Mr Simmons
Mr Chynoweth	Mrs Harvey	Mr Martin	Mr Snow
Mr Cleeland	Mr Holding	Mr Mildren	Mr Snowdon
Mr Courtice	Mr Howe	Mr Milton	Mr Staples
Ms Crawford	Mr Humphreys	Mr A. A. Morris	Dr Theophanous
Mr Cross	Mrs Jakobsen	Mr P. F. Morris	Mr Tickner
Mr Cunningham*	Mr Jenkins	Mr Mountford	Mr West
Mr Dubois	Mr Johns	Mr O'Keefe	Mr Willis
Mr Duncan	Mr Jones	Mr O'Neil	Mr Wright

NOES, 52

Mr Adermann	Mr Cowan	Mr Jull	Mr Sharp
Mr Aldred	Mr Dobie	Mr Lloyd	Mr Shipton
Mr Andrew*	Mr Downer	Mr McArthur	Mr Sinclair
Mr Beale	Dr H. R. Edwards	Mr McGauran	Mr Smith
Mr Blunt	Mr Fife	Mr MacKellar	Mr Spender
Mr N. A. Brown	Mr T. A. Fischer	Mr Macphee	Mrs Sullivan
Mr Burr	Mr P. S. Fisher	Mr Millar	Mr Taylor
Mr Cadman	Mr Hall	Mr Nehl	Mr Tuckey
Mr E. C. Cameron	Mr Halverson	Mr Peacock	Mr Webster
Mr I. M. D. Cameron	Mr Hawker	Mr Porter	Mr White
Mr Campbell	Dr Hewson	Mr Reith	Mr Wilson
Mr Cobb	Mr Hicks*	Mr Ruddock	Dr Woods
Mr Connolly	Mr Hunt	Mr Shack	Dr Wooldridge

*Tellers

And so it was resolved in the affirmative.

Clause 17—

Question—That the clause be agreed to—put.

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

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Mr Baldwin	Mr R. F. Edwards	Mrs Kelly	Mr Price
Mr Beazley	Ms Fatin	Mr Kent	Mr Punch
Mr Beddall	Mr Fitzgibbon	Dr Klugman	Mr Saunderson
Mr Bilney	Mr Free	Mr Lamb*	Mr Sawford
Mr Blanchard	Mr Gayler	Mr Langmore	Mr Scholes
Mr Bowen	Mr Gear	Mr Lavarch	Mr Sciacca
Mr R. J. Brown	Mr Gorman	Mr Lee	Mr J. L. Scott
Mr Charles	Mr Grace	Mr Lindsay	Mr L. J. Scott
Dr Charlesworth	Mr Griffiths	Ms McHugh	Mr Simmons
Mr Chynoweth	Mrs Harvey	Mr Martin	Mr Snow
Mr Cleeland	Mr Holding	Mr Mildren	Mr Snowdon
Mr Courtice	Mr Howe	Mr Milton	Mr Staples
Ms Crawford	Mr Humphreys	Mr A. A. Morris	Dr Theophanous
Mr Cross	Mrs Jakobsen	Mr P. F. Morris	Mr Tickner
Mr Cunningham*	Mr Jenkins	Mr Mountford	Mr West
Mr Dubois	Mr Johns	Mr O'Keefe	Mr Willis
Mr Duncan	Mr Jones	Mr O'Neil	Mr Wright

NOES, 52

Mr Adermann	Mr Cowan	Mr Jull	Mr Sharp
Mr Aldred	Mr Dobie	Mr Lloyd	Mr Shipton
Mr Andrew*	Mr Downer	Mr McArthur	Mr Sinclair
Mr Beale	Dr H. R. Edwards	Mr McGauran	Mr Smith
Mr Blunt	Mr Fife	Mr MacKellar	Mr Spender
Mr N. A. Brown	Mr T. A. Fischer	Mr Macphee	Mrs Sullivan
Mr Burr	Mr P. S. Fisher	Mr Millar	Mr Taylor
Mr Cadman	Mr Hall	Mr Nehl	Mr Tuckey
Mr E. C. Cameron	Mr Halverson	Mr Peacock	Mr Webster
Mr I. M. D. Cameron	Mr Hawker	Mr Porter	Mr White
Mr Campbell	Dr Hewson	Mr Reith	Mr Wilson
Mr Cobb	Mr Hicks*	Mr Ruddock	Dr Woods
Mr Connolly	Mr Hunt	Mr Shack	Dr Wooldridge

* Tellers

And so it was resolved in the affirmative.

Clauses 18 to 25, by leave, taken together, and agreed to.

Clause 26—

On the motion of Mr Beazley (Minister for Defence), by leave, the following amendments were made together:

Page 17, lines 17 and 18, omit all the words from the beginning of the section heading of proposed section 159GZZP to and including "160ZK (1)"; substitute the following:

Eligible gold mining expenditure—modified application of Part IIIA

"159GZZP. (1) Where:

- (a) a taxpayer owns an asset at the end of 31 December 1990 (in this section called the "changeover time");
- (b) before that time, the taxpayer incurred eligible gold mining expenditure in relation to the asset;
- (c) the only use of the asset by the taxpayer before the changeover time was solely for the purpose of producing exempt income; and
- (d) the market value of the asset at the changeover time is greater than the amount that would be the indexed cost base to the taxpayer in respect of the asset if the taxpayer disposed of the asset at that time;

the following provisions have effect:

- (e) for the purposes of any application of Part IIIA, the taxpayer shall be taken to have disposed of the asset at the changeover time for a consideration equal to the amount of the indexed cost base referred to in paragraph (d);
- (f) for the purposes of ascertaining under that Part whether a capital gain accrues to the taxpayer in the event of a subsequent disposal of the asset by the taxpayer—the taxpayer shall be taken to have

immediately re-acquired the asset for a consideration equal to the market value of the asset at the changeover time;

- (g) the reference in subsection 160Z (3) to the day on which the asset was acquired by the taxpayer shall be taken to be a reference to the day on which the asset was actually acquired by the taxpayer.

'(2) If the asset is disposed of within 12 months of the time of its actual acquisition by the taxpayer, subsection (1) of this section has effect as if the references in that subsection to the indexed cost base to the taxpayer in respect of the asset were references to the cost base to the taxpayer in respect of the asset.

'(3) Expressions used in subsections (1) and (2) that are also used in Part IIIA have the same respective meanings in those subsections as they have in that Part.

'(4) For the purposes of any application of subsection 160ZK (1):'

Page 23, lines 35 and 36, omit all the words from the beginning of the section heading of proposed section 159GZZA to and including "160ZK (1)"; substitute the following:

Modified application of Part IIIA

"159GZZA. (1) Where:

- (a) a taxpayer owns an asset at the end of 31 December 1990 (in this section called the "changeover time");
- (b) before that time, the taxpayer incurred eligible gold transport expenditure in relation to the asset;
- (c) the only use of the asset by the taxpayer before the changeover time was solely for the purpose of producing exempt income; and
- (d) the market value of the asset at the changeover time is greater than the amount that would be the indexed cost base to the taxpayer in respect of the asset if the taxpayer disposed of the asset at that time;

the following provisions have effect:

- (e) for the purposes of any application of Part IIIA, the taxpayer shall be taken to have disposed of the asset at the changeover time for a consideration equal to the amount of the indexed cost base referred to in paragraph (d);
- (f) for the purposes of ascertaining under that Part whether a capital gain accrues to the taxpayer in the event of a subsequent disposal of the asset by the taxpayer—the taxpayer shall be taken to have immediately re-acquired the asset for a consideration equal to the market value of the asset at the changeover time;
- (g) the reference in subsection 160Z (3) to the day on which the asset was acquired by the taxpayer shall be taken to be a reference to the day on which the asset was actually acquired by the taxpayer.

'(2) If the asset is disposed of within 12 months of the time of its actual acquisition by the taxpayer, subsection (1) of this section has effect as if the references in that subsection to the indexed cost base to the taxpayer in respect of the asset were references to the cost base to the taxpayer in respect of the asset.

'(3) Expressions used in subsections (1) and (2) that are also used in Part IIIA have the same respective meanings in those subsections as they have in that Part.

'(4) For the purposes of any application of subsection 160ZK (1):'

Clause, as amended, agreed to.

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

Bill to be reported with amendments.

The House resumed; Mr McLeay reported accordingly.

On the motion of Mr Beazley, the House adopted the report.
Mr Beazley moved—That the Bill be now read a third time.
Debate ensued.
Question—put and passed—Bill read a third time.

34 **INCOME TAX RATES AMENDMENT BILL 1988:** 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 P. F. Morris (Minister Assisting the Treasurer), the Bill was read a third time.

35 **SALES TAX (EXEMPTIONS AND CLASSIFICATIONS) AMENDMENT BILL (NO. 2) 1988:** 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 P. F. Morris (Minister Assisting the Treasurer), the Bill was read a third time.

36 **DEFENCE SERVICE HOMES AMENDMENT BILL 1988:** Mr Humphreys (Minister for Veterans' Affairs), pursuant to notice, presented a Bill for an Act to amend the *Defence Service Homes Act 1918*, and for related purposes.

Bill read a first time.

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

Paper: Mr Humphreys 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.

37 **MESSAGE FROM THE SENATE—GREAT BARRIER REEF MARINE PARK AMENDMENT BILL 1988:** Message No. 229, dated 10 November 1988, from the Senate was reported transmitting for the concurrence of the House a Bill for "*An Act to amend the 'Great Barrier Reef Marine Park Act 1975', and for related purposes*".

Bill read a first time.

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

38 **MESSAGE FROM THE SENATE:** A message from the Senate was reported returning the following Bill without amendment:

10 November 1988—Message No. 228—Judicial and Statutory Officers (Remuneration and Allowances) Amendment 1988.

39 **LANDS ACQUISITION (REPEAL AND CONSEQUENTIAL PROVISIONS) BILL 1988:** 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.

Leave granted for third reading to be moved forthwith.

On the motion of Mr West (Minister for Administrative Services), the Bill was read a third time.

40 **MIGRATION AMENDMENT BILL (NO. 2) 1988:** 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.

The House continuing to sit until after 12 midnight—
FRIDAY, 11 NOVEMBER 1988

Debate continued.

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Holding (Minister representing the Minister for Immigration, Local Government and Ethnic Affairs), the Bill was read a third time.

41 **ADJOURNMENT:** Mr Holding (Minister for the Arts and Territories) moved—That the House do now adjourn.

Question—put and passed.

And then the House, at 12.03 a.m., adjourned until Tuesday, 22 November 1988, at 2 p.m., in accordance with the resolution agreed to at this sitting.

PAPERS: The following papers were deemed to have been presented on 10 November 1988:

Civil Aviation Act—Civil Aviation Regulations—Civil Aviation Orders—Parts—105—Amendments, dated 24 October 1988.

106—Amendments, dated 24 October 1988.

107—Amendments, dated 24 October 1988.

Export Control Act—Export Control (Orders) Regulations—Orders—1988—No. 18—Export Control (Animals) as amended (Amendment).

Proclamations by His Excellency the Governor-General fixing the dates on which the following Acts and sections of Acts shall come into operation—

Federal Proceedings (Costs) Act 1981—Amendment made by the *Statute Law (Miscellaneous Provisions) Act 1988*—1 November 1988.

International Finance Corporation Act 1963—9 November 1988.

South Pacific Nuclear Free Zone Treaty Act 1986—Sections 8 to 35 (inclusive)—7 November 1988.

Taxation Laws Amendment Act (No. 2) 1988—Part II, sections 37 and 39 to 53 (inclusive) and subsections 55 (15) to (25) (inclusive)—1 November 1988.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Dr Blewett, Mr J. J. Brown, Mr Brumby, Mr D. M. Cameron*, Mrs Darling*, Mr Dawkins, Mr Duffy, Mr Katter and Mr Pratt.

*On leave

A. R. BROWNING
Clerk of the House of Representatives