

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

No. 95

TUESDAY, 5 NOVEMBER 1991

- 1 The House met, at 2 p.m., pursuant to adjournment. The Speaker (the Honourable Leo McLeay) took the Chair, and read Prayers.
- 2 **QUESTIONS:** Questions without notice were asked.
- 3 **AUDITOR-GENERAL'S REPORT—PUBLICATION OF PAPER:** The Speaker presented the following paper:
 Audit Act—Auditor-General—Audit report No. 10 of 1991-92—Project audits—Departments of Social Security and Employment, Education and Training: Administration of the work test for unemployment benefit; and Department of Social Security: Computer system for unemployment and sickness benefit.
 Mr Beazley (Leader of the House), by leave, moved—That:
 (1) this House, in accordance with the provisions of the *Parliamentary Papers Act 1908*, authorises the publication of the Auditor-General's audit report No. 10 of 1991-92; and
 (2) the report be printed.
 Question—put and passed.
- 4 **PAPERS:** The following papers were presented:
 Commonwealth Electoral Act—Australian Electoral Commission—Report for 1990-91.
 Data-matching Program (Assistance and Tax) Act—
 Commissioner of Taxation—Report, October 1991.
 Department of Employment, Education and Training—Report, October 1991.
 Department of Social Security and Data-Matching Agency—Report, October 1991.
 Department of Veterans' Affairs—Report, October 1991.
 Employment, Education and Training Act—National Board of Employment, Education and Training—Report for 1990-91.
 Equal Employment Opportunity (Commonwealth Authorities) Act—Equal employment opportunity program—
 Australian Film, Television and Radio School—Report on development and implementation, for 1990-91.
 Film Australia Pty Limited—Report on development and implementation, for 1990-91.
 Industry Commission Act—Industry Commission—Report No. 13—Rail transport, 21 August 1991—
 Volume I—Report.
 Volume II—Appendices.
 Management and Investment Companies Act—Management and Investment Companies Licensing Board—Report for 1990-91.

Women and TAFE: A national plan of action—Report by Department of Employment, Education and Training.

- 5 **AUSTRALIAN ELECTORAL COMMISSION—REPORT—MOTION TO TAKE NOTE OF PAPER:** Mr Beazley (Leader of the House) moved—That the House take note of the following paper:

Commonwealth Electoral Act—Australian Electoral Commission—Report for 1990-91.

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

- 6 **WOMEN AND TAFE: A NATIONAL PLAN OF ACTION—REPORT—MOTION TO TAKE NOTE OF PAPER:** Mr Beazley (Leader of the House) moved—That the House take note of the following paper:

Women and TAFE: A national plan of action—Report by Department of Employment, Education and Training.

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

- 7 **LEAVE OF ABSENCE TO MEMBER:** Mr Beazley (Leader of the House) moved—That leave of absence for one month be given to Mr Jones on the ground of public business overseas.

Question—put and passed.

- 8 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—FEDERAL/STATE FINANCIAL RELATIONS:** The House was informed that Mr T. A. Fischer (Leader of the National Party of Australia) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The Government’s failure to provide leadership and direction to the nation in the area of Federal/State financial relations and its impact on employment and development during the worst recession since the Great Depression”.

The proposed discussion having received the necessary support—

Mr T. A. Fischer addressed the House.

Discussion ensued.

Discussion concluded.

- 9 **MESSAGES FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS:** Messages from His Excellency the Governor-General were announced informing the House that His Excellency, in the name of Her Majesty, had assented to the following Bills:

21 October 1991—Message—

No. 192—Loan (No. 2) 1991.

No. 193—

Defence Force (Home Loans Assistance) Amendment 1991.

Honey Levy (No. 1) Amendment 1991.

Honey Levy (No. 2) Amendment 1991.

Honey Export Charge Amendment 1991.

Fishing Levy 1991.

Statutory Fishing Rights Charge 1991.

No. 194—

Export Finance and Insurance Corporation 1991.

Export Finance and Insurance Corporation (Transitional Provisions and Consequential Amendments) 1991.

Foreign Fishing Licences Levy 1991.

Fisheries Agreements (Payments) 1991.

No. 195—

AUSSAT Repeal 1991.

Aboriginal Education (Supplementary Assistance) Amendment 1991.

- Student Assistance Amendment (No. 2) 1991.
 No. 196—
 Sales Tax (Exemptions and Classifications) Amendment 1991.
 Overseas Students Charge Amendment 1991.
 No. 197—Broadcasting Amendment 1991.
 25 October 1991—Message No. 198—Family Law Amendment (No. 2) 1991.
 31 October 1991—Message No. 199—Carriage of Goods by Sea 1991.
- 10 **ELECTORAL AND REFERENDUM AMENDMENT BILL 1991:** 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—That the Bill be now read a second time—put and passed—Mr Mack dissenting—Bill read a second time.
 Leave granted for third reading to be moved forthwith.
 On the motion of Mr Free (Minister for Science and Technology), the Bill was read a third time.
- 11 **MESSAGE FROM THE SENATE—INCOME TAX ASSESSMENT (VALUELESS SHARES) AMENDMENT BILL 1991:** Message No. 320, dated 17 October 1991, from the Senate was reported transmitting for the concurrence of the House a Bill for “*An Act to amend the ‘Income Tax Assessment Act 1936’ to provide for deemed disposal of valueless shares*”.
 Bill read a first time.
 Mr Reid moved—That the second reading be made an order of the day for the next sitting.
 Question—put and passed.
- 12 **INTERNATIONAL MONETARY FUND (QUOTA INCREASE AND AGREEMENT AMENDMENTS) BILL 1991:** The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—
 Debate resumed.
 Question—put and passed—Bill read a second time.
Message from the Governor-General: Message No. 200, dated 23 August 1991, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.
 Leave granted for third reading to be moved forthwith.
 On the motion of Mr Free (Minister Assisting the Treasurer), the Bill was read a third time.
- 13 **COPYRIGHT AMENDMENT BILL 1991—SENATE’S AMENDMENTS:** The House, according to order, resolved itself into a committee of the whole to consider the amendments made by the Senate.

In the committee

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE

No. 1—Clause 3, page 2, lines 8 to 10, omit the clause, substitute the following clause:

Infringement by importation for sale or hire

“3. Section 37 of the Principal Act is amended by omitting ‘where, to his knowledge,’ and substituting ‘if the person knew, or ought reasonably to have known, that.’”.

No. 2—Clause 4, page 2, lines 11 to 14, omit the clause, substitute the following clause:

Infringement by sale and other dealings

"4. Section 38 of the Principal Act is amended by omitting from subsection (1) 'where, to his knowledge,' and substituting 'if the person knew, or ought reasonably to have known, that'."

No. 3—Clause 5, page 3, proposed subsection 44A(3), lines 4 to 12, omit the subsection, substitute the following subsection:

"(3) The copyright in a published work (whether first published before, on or after the commencing day) is not infringed by a person who, without the licence of the owner of the copyright, imports a single copy of a non-infringing book into Australia if the importation is for the purpose of filling a verifiable order by a customer of the person and:

(a) in the case of a written order, the order contains a statement, signed by the customer; or

(b) in the case of a telephone order, the customer makes a statement; to the effect that the customer does not intend to use the book for a purpose mentioned in paragraph 37(a), (b) or (c)."

No. 4—Clause 5, page 3, after proposed subsection 44A(3), insert the following subsection:

"(3A) The copyright in a published work (whether first published before, on or after the commencing day) is not infringed by a person who, without the licence of the owner of the copyright, imports a number of copies of a non-infringing book equal to the number of copies of a specific verifiable order for that book from a library, not being a library that is conducted for the profit, direct or indirect, of a person or organisation."

No. 5—Clause 5, page 4, after proposed section 44A, add the following section:

Applications to Tribunal relating to Australian versions

"44B.(1) If the owner of the copyright in a work that:

(a) has been first published, or is intended to be first published, on or after the commencing day in a country other than Australia; and

(b) is not intended to be published in Australia before the end of the period of 30 days after that first publication;

has made contractual arrangements to publish an Australian version of the work in Australia, the owner may, before the end of that period, make a written application to the Tribunal for an order that this section applies to the work.

'(2) If, after receiving an application, the Tribunal is satisfied that:

(a) the owner of the copyright genuinely intends to publish the Australian version in Australia; and

(b) the proposed version amounts to or constitutes a substantial revision or modification of the work for Australian consumption;

the Tribunal is to make an order that this section applies to the work.

'(3) Subsection 44A(1):

(a) does not apply in relation to the copyright in the work while an application under subsection (1) in relation to the work is pending; and

(b) does not apply in relation to the copyright in the work if an order is made.

'(4) Subject to this section, the copyright in a work in respect of which an application under subsection (1) is pending or an order is made is not infringed by a person who, without the licence of the owner of the copyright, imports a copy (in this subsection called the "imported copy") of a hardback or paperback version of a non-infringing book into Australia for a purpose mentioned in paragraph 37(a), (b) or (c) if:

(a) the person had ordered in writing from the copyright owner, or the owner's licensee or agent, one or more copies of that version of the book (not being second-hand copies or more copies than were needed to satisfy the person's reasonable requirements); and

- (b) when the person ordered the imported copy, the original order mentioned in paragraph (a) had not been withdrawn or cancelled by, or with the consent of, the person and:
- (i) at least 7 days had elapsed since the person placed the original order and the copyright owner, licensee or agent had not notified the person in writing that the original order would be filled within 90 days after it was placed; or
 - (ii) at least 90 days had elapsed since the person placed the original order and the copyright owner, licensee or agent had not filled the order.

(5) Where:

- (a) a book is imported into Australia for a purpose mentioned in paragraph 37(a), (b) or (c); and
- (b) the importation does not, under this section, constitute an infringement of copyright in a published work;

the use of the book for any such purpose does not constitute an infringement of the copyright in the work and subsection 38(1) does not apply to the book.

(6) For the purposes of paragraph (4)(b), a copyright owner, licensee or agent is not taken to have filled an order by a person for one or more copies of a version of a book unless and until the copyright owner, licensee or agent sends the copy, or all of the copies, as the case requires, to the person.

(7) In this section:

“book” does not include:

- (a) a book whose main content is one or more musical works, with or without any related literary, dramatic or artistic work; or
- (b) a manual sold with computer software for use in connection with that software; or
- (c) a periodical publication;

“commencing day” means the day on which the *Copyright Amendment Act 1991* commences.’”.

No. 6—Clause 6, page 4, lines 1 to 3, omit the clause, substitute the following clause:

Infringement by importation for sale or hire

“6. Section 102 of the Principal Act is amended by omitting ‘where, to his knowledge,’ and substituting ‘if the person knew, or ought reasonably to have known, that’.”.

No. 7—Clause 7, page 4, lines 4 to 7, omit the clause, substitute the following clause:

Infringement by sale and other dealings

“7. Section 103 of the Principal Act is amended by omitting from subsection (1) ‘where, to his knowledge,’ and substituting ‘if the person knew, or ought reasonably to have known, that’.”.

No. 8—Clause 8, page 5, proposed subsection 112A(3), lines 1 to 10, omit the subsection, substitute the following subsection:

“(3) The copyright in a published edition of a work (whether the edition was first published before, on or after the commencing day) is not infringed by a person who, without the licence of the owner of the copyright, imports a single copy of a non-infringing book into Australia if the importation is for the purpose of filling a verifiable order by a customer of the person and:

- (a) in the case of a written order, the order contains a statement, signed by the customer; or
- (b) in the case of a telephone order, the customer makes a statement; to the effect that the customer does not intend to use the book for a purpose mentioned in paragraph 102(a), (b) or (c).”.

No. 9—Clause 8, page 5, after proposed subsection 112A(3), insert the following subsection:

“(3A) The copyright in a published edition of a work (whether the edition was first published before, on or after the commencing day) is not infringed by a person who, without the licence of the owner of the copyright, imports a number of copies of a non-infringing book equal to the number of copies of a specific verifiable order for that book from a library, not being a library that is conducted for the profit, direct or indirect, of a person or organisation.”

No. 10—Clause 8, page 5, after proposed section 112A, add the following section:

Applications to Tribunal relating to Australian versions

“112B.(1) If the owner of the copyright in a published edition that:

- (a) was first published on or after the commencing day in a country other than Australia; and
- (b) will not be published in Australia before the end of the period of 30 days after that first publication;

has made contractual arrangements to publish an Australian version of the work in Australia, the owner may, after that first publication and before the end of that period, make a written application to the Tribunal for an order that this section applies to the work.

“(2) If, after receiving an application, the Tribunal is satisfied that:

- (a) the owner of the copyright genuinely intends to publish the Australian version in Australia; and
- (b) the proposed version amounts to or constitutes a substantial revision or modification of the work for Australian consumption;

the Tribunal is to make an order that this section applies to a published edition of the work.

“(3) Subsection 112A(1):

- (a) does not apply in relation to the copyright in a published edition of the work while an application in relation to the work is pending; and
- (b) does not apply in relation to the copyright in a published edition of the work if an order is made.

“(4) Subject to this section, the copyright in a published edition of a work in respect of which an application under subsection (1) is pending or an order is made is not infringed by a person who, without the licence of the owner of the copyright, imports a copy (in this subsection called the “imported copy”) of a hardback or paperback version of a non-infringing book into Australia for a purpose mentioned in paragraph 102(a), (b) or (c) if:

- (a) the person had ordered in writing from the copyright owner, or the owner’s licensee or agent, one or more copies of that version of the book (not being second-hand copies or more copies than were needed to satisfy the person’s reasonable requirements); and
- (b) when the person ordered the imported copy, the original order mentioned in paragraph (a) had not been withdrawn or cancelled by, or with the consent of, the person and:
 - (i) at least 7 days had elapsed since the person placed the original order and the copyright owner, licensee or agent had not notified the person in writing that the original order would be filled within 90 days after it was placed; or
 - (ii) at least 90 days had elapsed since the person placed the original order and the copyright owner, licensee or agent had not filled the order.

'(5) Where:

- (a) a book is imported into Australia for a purpose mentioned in paragraph 102(a), (b) or (c); and
- (b) the importation does not, under this section, constitute an infringement of copyright in a published edition of a work;

the use of the book for any such purpose does not constitute an infringement of the copyright in the edition and subsection 103(1) does not apply to the book.

'(6) For the purposes of paragraph (4)(b), a copyright owner, licensee or agent is not taken to have filled an order by a person for one or more copies of a version of a book unless and until the copyright owner, licensee or agent sends the copy, or all of the copies, as the case requires, to the person.

'(7) In this section:

"book" does not include:

- (a) a book whose main content is one or more musical works, with or without any related literary, dramatic or artistic work; or
- (b) a manual sold with computer software for use in connection with that software; or
- (c) a periodical publication;

"commencing day" means the day on which the *Copyright Amendment Act 1991* commences.'".

Amendment No. 1—

On the motion of Mr Duffy (Attorney-General), the following amendment to the Senate's amendment was made, after debate: Omit from proposed clause 3 all the words from and including "amended" and substitute the following:

"amended:

- (a) by omitting 'The copyright' and substituting 'Subject to section 44A, the copyright';
- (b) by omitting 'where, to his knowledge,' and substituting 'if the importer knew, or ought reasonably to have known, that'.".

Amendment, as amended, agreed to.

Amendment No. 2—

On the motion of Mr Duffy, the following amendment to the Senate's amendment was made: Omit from proposed clause 4 all the words from and including "amended" and substitute the following:

"amended:

- (a) by omitting from subsection (1) 'The copyright' and substituting 'Subject to section 44A, the copyright';
- (b) by omitting from subsection (1) 'where, to his knowledge,' and substituting 'if the importer knew, or ought reasonably to have known, that'.".

Amendment, as amended, agreed to.

Amendment No. 3—

On the motion of Mr Duffy, the following amendments to the Senate's amendment were made together:

- (1) omit from proposed subsection (3) "verifiable order" and substitute "written order, or a verifiable telephone order,";
- (2) insert in proposed paragraph (3)(b) "verifiable" after "makes a".

Amendment, as amended, agreed to.

Amendment No. 4—

On the motion of Mr Duffy, the following amendments to the Senate's amendment were made together:

- (1) omit "subsection" and substitute "subsections";

- (2) omit from proposed subsection (3A) all the words from and including "a number of copies" and substitute the following:
 "2 or more copies of a non-infringing book into Australia if:
- (a) the importation is for the purpose of filling a written order, or a verifiable telephone order, placed with the person by or on behalf of a library, other than a library conducted for the profit (direct or indirect) of a person or organisation; and
 - (b) in the case of a written order—the order contains a statement, signed by the person placing the order, to the effect that the library does not intend to use any of the books for a purpose mentioned in paragraph 37(a), (b) or (c); and
 - (c) in the case of a telephone order—the person placing the order makes a verifiable statement to the effect referred to in paragraph (b); and
 - (d) the number of copies so imported is not more than the number of copies so ordered";
- (3) add at the end of proposed subsection (3A) the following proposed subsection:

"(3B) Without limiting the ways in which a telephone order under subsection (3) or (3A), or a statement under paragraph (3)(b) or (3A)(c) relating to such an order, may be verified, such an order or statement is, for the purposes of this section, taken to be verifiable if the person who takes the order, or to whom the statement is made, makes a written note of the details of the order or statement when, or immediately after, the order is placed, or the statement is made, as the case may be.'".

Amendment, as amended, agreed to.

Amendment No. 5—

On the motion of Mr Duffy, the amendment was disagreed to, after debate.

Amendment No. 6—

On the motion of Mr Duffy, the following amendment to the Senate's amendment was made: Omit from proposed clause 6 all the words from and including "amended" and substitute the following:

"amended:

- (a) by omitting 'A copyright' and substituting 'Subject to section 112A, a copyright';
- (b) by omitting 'where, to his knowledge,' and substituting 'if the importer knew, or ought reasonably to have known, that'.

Amendment, as amended, agreed to.

Amendment No. 7—

On the motion of Mr Duffy, the following amendment to the Senate's amendment was made: Omit from proposed clause 7 all the words from and including "amended" and substitute the following:

"amended:

- (a) by omitting from subsection (1) 'A copyright' and substituting 'Subject to section 112A, a copyright';
- (b) by omitting from subsection (1) 'where, to his knowledge,' and substituting 'if the importer knew, or ought reasonably to have known, that'.

Amendment, as amended, agreed to.

Amendment No. 8—

On the motion of Mr Duffy, the following amendments to the Senate's amendment were made together:

- (1) omit from proposed subsection (3) "verifiable order" and substitute "written order, or a verifiable telephone order,";

(2) insert in proposed paragraph (3)(b) “verifiable” after “makes a”.
Amendment, as amended, agreed to.

Amendment No. 9—

On the motion of Mr Duffy, the following amendments to the Senate’s amendment were made together:

- (1) omit “subsection” and substitute “subsections”;
- (2) omit from proposed subsection (3A) all the words from and including “a number of copies” and substitute the following:
 - “2 or more copies of a non-infringing book into Australia if:
 - (a) the importation is for the purpose of filling a written order, or a verifiable telephone order, placed with the person by or on behalf of a library, other than a library conducted for the profit (direct or indirect) of a person or organisation; and
 - (b) in the case of a written order—the order contains a statement, signed by the person placing the order, to the effect that the library does not intend to use any of the books for a purpose mentioned in paragraph 102(a), (b) or (c); and
 - (c) in the case of a telephone order—the person placing the order makes a verifiable statement to the effect referred to in paragraph (b); and
 - (d) the number of copies so imported is not more than the number of copies so ordered”;
- (3) add at the end of proposed subsection (3A) the following proposed subsection:

“(3B) Without limiting the ways in which a telephone order under subsection (3) or (3A), or a statement under paragraph (3)(b) or (3A)(c) relating to such an order, may be verified, such an order or statement is, for the purposes of this section, taken to be verifiable if the person who takes the order, or to whom the statement is made, makes a written note of the details of the order or statement when, or immediately after, the order is placed, or the statement is made, as the case may be.”.

Amendment, as amended, agreed to.

Amendment No. 10—

On the motion of Mr Duffy, the amendment was disagreed to.

Paper: Mr Duffy presented a supplementary explanatory memorandum to the Bill.

Resolutions to be reported.

The House resumed; Mr Nehl reported accordingly.

Mr Duffy moved—That the report be adopted.

Debate ensued.

Question—put and passed.

Mr Duffy moved—That Mr Bevis, Mrs Crosio and the mover be appointed a committee to draw up reasons for the House of Representatives disagreeing to amendments Nos. 5 and 10 of the Senate.

Question—put and passed.

Mr Duffy, on behalf of the committee, brought up such reasons, which were circulated, and are as follows:

Reasons of the House of Representatives for disagreeing to amendments Nos. 5 and 10 of the Senate

Senate amendment No. 5 is not acceptable because:

- (1) It is contrary to the most important reform being introduced by the Bill, namely, to provide Australian readers with early access to all new overseas titles. It has been a very widespread complaint that there is often considerable delay before new overseas titles are published in Australia and that, in some cases, there is no

publication in Australia at all. The Bill gives the publisher of a new overseas title 30 days in which to publish in Australia if the publisher wants to have control over distribution in Australia; if publication does not occur in that time, booksellers will be free to import copies without the publisher's licence.

- (2) The Government does not accept that, as is proposed by the Senate amendment, a publisher of a new overseas title not published in Australia within 30 days should be able to retain some control over distribution of the book by reason of having made arrangements to publish an Australian version. If there is a perceived market for an Australian version, it will not be the same as the market for the original. But in principle, the Government rejects the notion that Australian readers should be denied full access to the original for a substantial period while readers in other countries have such access.
- (3) Over and above the Government's objection to the Senate amendment in principle, there are several objections of detail, viz.:
 - there is no limit on the time that may be taken in bringing out the Australian version, so that full access to any version could be delayed indefinitely;
 - before importing copies of any new overseas title not published in Australia within 30 days, the importer would need to check whether an application had been made to the Copyright Tribunal by the publisher under the Senate amendment on the basis of a proposal to bring out an Australian version;
 - the Senate amendment makes no provision for any interested person, eg, an importer, to seek to be made a party to the application to the Copyright Tribunal;
 - the Copyright Tribunal has no discretion whether to make an order having the effect of restricting importation of the title, and has no power to rescind its order.

Senate amendment No. 10 is not acceptable for the same reasons as have been given in relation to amendment No. 5. In addition:

- (1) the Government does not accept that any instance has been put forward of an Australian version of an overseas published edition; and
- (2) there is also a confusion between works and published editions in the drafting of the amendment.

Mr Duffy moved—That the committee's reasons be adopted.

Question—put and passed.

- 14 **CASH TRANSACTION REPORTS AMENDMENT BILL 1991:** 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 Duffy (Attorney-General), the Bill was read a third time.

- 15 **PRIME MINISTER AND CABINET LEGISLATION AMENDMENT BILL 1991:** 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 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 deplores the Government's failure to acknowledge Commonwealth employees' freedom to associate, and the Government's failure to capture the

productivity improvements to be had from enterprise bargaining within the federal Public Service by:

- (1) proscribing compulsory membership of trade unions;
- (2) proscribing preference for trade unionists in awards and federal legislation;
- (3) abolishing automatic deduction of union dues within Commonwealth departments and authorities; and by
- (4) giving the chief executive officers of Commonwealth departments and statutory authorities the same responsibility as their private sector counterparts in deciding the size, composition, deployment, pay and conditions of employees, subject only to a budget constraint”.

Debate continued.

Mr Charles addressing the House—

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

Mr Price (Parliamentary Secretary to the Prime Minister) requiring the question to be put forthwith without debate—

Question—put and negatived.

Mr Charles continued his speech.

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

16 ADJOURNMENT: Mr Price (Parliamentary Secretary to the Prime Minister) moved—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 11 p.m.—The Speaker adjourned the House until tomorrow at 10 a.m.

PAPERS: The following papers were deemed to have been presented on 5 November 1991:

Aged or Disabled Persons Homes Act—Determination pursuant to paragraphs 10D(1)(a), (b), (c) and (d), 14 October 1991.

Air Force Act—Regulations—Statutory Rules 1991, No. 322.

Audit Act—Regulations—Statutory Rules 1991, No. 323.

Australian Trade Commission Act—Regulations—Statutory Rules 1991, No. 336.

Civil Aviation Act—Civil Aviation Regulations—Civil Aviation Orders—Part 105—Amendments 15, 17, 22, 23, 24 and 30(2) October 1991.

Corporations Act—Regulations—Statutory Rules 1991, No. 311.

Customs Act—Regulations—Statutory Rules 1991, No. 316.

Defence Act—Determinations under section 58B—1991—

Nos. 94, 96, 102, 103, 104.

No. 98 (*in substitution for paper presented on 10 October 1991*).

Excise Act—Regulations—Statutory Rules 1991, No. 317.

Explosives Act—Regulations—Statutory Rules 1991, No. 329.

Export Finance and Insurance Corporation Act—Regulations—Statutory Rules 1991, No. 337.

Fisheries Levy Act—Regulations—Statutory Rules 1991, No. 313.

Freedom of Information Act—Regulations—Statutory Rules 1991, Nos. 320, 321.

Health Insurance Act—Regulations—Statutory Rules 1991, No. 314.

International Organizations (Privileges and Immunities) Act—Regulations—Statutory Rules 1991, No. 319.

Judiciary Act—Rule of Court—Statutory Rules 1991, No. 318.

- Lands Acquisition Act—Statement of lands acquired by agreement authorised under subsection 40(1).
- Long Service Leave (Commonwealth Employees) Act—Regulations—Statutory Rules 1991, No. 325.
- Marriage Act—Regulations—Statutory Rules 1991, No. 328.
- Maternity Leave (Commonwealth Employees) Act—Regulations—Statutory Rules 1991, No. 326.
- Meat Inspection Act—Meat Inspection (Orders) Regulations—Orders—1991—
 No. 1—Meat Inspection (General) as amended (Amendment).
 No. 2—Meat Inspection (Victoria) as amended (Amendment).
- Motor Vehicle Standards Act—Regulations—Statutory Rules 1991, No. 330.
- National Health Act—Regulations—Statutory Rules 1991, No. 310.
- Navigation Act—Regulations—Statutory Rules 1991, Nos. 334, 335.
- Primary Industries and Energy Research and Development Act—Regulations—Statutory Rules 1991, No. 331.
- Protection of the Sea (Powers of Intervention) Act—Regulations—Statutory Rules 1991, No. 332.
- Protection of the Sea (Prevention of Pollution from Ships) Act—Regulations—Statutory Rules 1991, No. 333.
- Public Service Act—
 Determinations—1991—Nos. 199, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 229, 230, 232, 233, 234, 236, 237, 238, 239, 241, LES 19, LES 20, LES 21.
 Parliamentary Presiding Officers' Determination—1991—No. 17.
 Regulations—Statutory Rules 1991, No. 338.
- Remuneration Tribunal Act—Remuneration Tribunal—
 Determination—1991/17—Chairperson, National Food Authority and holders of public offices on other bodies.
 Regulations—Statutory Rules 1991, No. 324.
- Superannuation Act 1976*—
 Determinations pursuant to subsections—
 240(1)—No. 1—Superannuation (CSS) Assets Transfer (CSL Superannuation Plan).
 241(1)—No. 1—Superannuation (CSS) Employer Component Payment (CSL Superannuation Plan).
 Regulations—Statutory Rules 1991, No. 312.
- Trade Practices Act—Regulations—Statutory Rules 1991, No. 327.
- Veterans' Entitlements Act—Instrument varying Pharmaceutical Benefits Scheme, 4 November 1991.
- Wheat Marketing Act—Regulations—Statutory Rules 1991, No. 315.

ATTENDANCE: All Members attended (at some time during the sitting) except Mrs Bailey, Mr Carlton, Mrs Darling*, Mr Gayler, Mr Gear*, Mr Jones*, Mr P. F. Morris and Mr Rocher*.

*On leave

L. M. BURLIN
 Clerk of the House of Representatives