

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 98

MONDAY, 11 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 **DEATH OF FORMER SENATOR (MR L. D. WILKINSON):** The Speaker informed the House of the death, on 9 November 1991, of Mr Lawrence Degenhardt Wilkinson, a Senator for the State of Western Australia from 1966 to 1974. As a mark of respect to the memory of the deceased all Members present stood, in silence.
- 3 **MINISTERIAL ARRANGEMENTS:** Mr Hawke (Prime Minister) informed the House that, during the absence abroad of Mr Crean (Minister for Primary Industries and Energy), Mr Griffiths (Minister for Resources) was acting as Minister for Primary Industries and Energy.
- Mr Hawke also informed the House that, during the absence abroad of Dr Blewett (Minister for Trade and Overseas Development), Mr Duffy (Attorney-General) was acting as Minister for Trade and Overseas Development from 11 to 17 November 1991, Senator Ray (Minister for Defence) from 18 to 24 November 1991 and Senator Evans (Minister for Foreign Affairs and Trade) from 24 to 25 November 1991.
- 4 **QUESTIONS:** Questions without notice being asked—
Paper: Mr Griffiths (Minister for Resources) presented the following paper:
 Petrol prices and taxes in International Energy Agency countries—March quarter 1991—Graph.
 Questions without notice continued.
- 5 **SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED:** Mr Jull moved—That so much of the standing and sessional orders be suspended as would prevent the Member for Fadden moving forthwith—That this House:
- (1) calls on the Government, notwithstanding internal bickering and objections from certain Government members, to give immediate approval for construction of the third runway at Sydney's (Kingsford-Smith) Airport; and
 - (2) requires that the Speaker be granted the endorsement of the House to participate in debate on the motion, so that he can explain, as the Member for Grayndler, the reason for his position in relation to the matter.
- Debate ensued.
 Question—put.
 The House divided (the Deputy Speaker, Mr R. F. Edwards, in the Chair)—

AYES, 58

Mr Aldred	Mr Costello	Mr Jull	Mr Riggall
Mr Anderson	Mr Cowan	Dr Kemp	Mr Ronaldson
Mr K. J. Andrews	Mr Dobie	Mr Lloyd	Mr Ruddock
Mr Atkinson	Mr Downer	Mr McArthur	Mr B. C. Scott
Mrs Bailey	Dr H. R. Edwards	Mr McGauran	Mr Sharp
Mr Beale	Mr Fife	Mr MacKellar	Mr Sinclair
Mr Bradford	Mr Filing	Mr McLachlan	Mr Smith
Mr Braithwaite	Mr T. A. Fischer	Mr Miles	Mr Somlyay
Mr Burr	Mr P. S. Fisher	Mr Moore	Mrs Sullivan
Mr Cadman	Mr Ford	Mr Nehl*	Mr Truss
Mr Carlton	Mrs Gallus	Mr Nugent	Mr Tuckey
Mr Chaney	Mr Goodluck	Mr Peacock	Mr Webster
Mr Charles	Mr Halverson*	Mr Prosser	Dr R. L. Woods
Mr Cobb	Mr Hawker	Mr Reid	
Mr Connolly	Mr Howard	Mr Reith	

NOES, 68

Mr Baldwin	Ms Fatin	Mr Jones	Mr Price
Mr Beazley	Mr Ferguson	Mr Keating	Mr Sawford*
Mr Beddall	Mr Fitzgibbon	Mrs Kelly	Mr Scholes
Mr Bevis	Mr Free	Mr Kerin	Mr Sciacca
Mr Bilney	Mr Gibson	Mr Kerr	Mr J. L. Scott
Mr Brereton	Mr Gorman	Mr Langmore	Mr L. J. Scott
Mr R. J. Brown	Mr Grace*	Mr Lavarch	Mr Simmons
Mr Campbell	Mr Griffiths	Mr Lee	Mr Snow
Dr Charlesworth	Mr Hand	Mr Lindsay	Mr Snowdon
Mr Courtice	Mr Holding	Mr Mack	Mr Staples
Ms Crawford	Mr Hollis	Mr Martin	Dr Theophanous
Mrs Crosio	Mr Howe	Mr Melham	Mr Tickner
Mr Dawkins	Mr Hulls	Mr A. A. Morris	Mr Walker
Mr Dubois	Mr Humphreys	Mr P. F. Morris	Mr West
Mr Duffy	Mrs Jakobsen	Mr Newell	Mr Willis
Mr Duncan	Mr Jenkins	Mr O'Keefe	Mr H. F. Woods
Mr Elliott	Mr Johns	Mr O'Neil	Mr Wright

* Tellers

And so it was negatived.

6 PAPERS: The following papers were presented:

Australian Film Commission Act—Australian Film Commission—Report for 1990-91.

Australian Horticultural Corporation Act—Australian Horticultural Corporation—Report for 1990-91.

Australian Security Intelligence Organization Act—Security Appeals Tribunal—Report for 1990-91.

Equal Employment Opportunity (Commonwealth Authorities) Act—Equal employment opportunity program—ANL Limited—Report for 1990-91.

7 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—THIRD RUNWAY AT SYDNEY INTERNATIONAL AIRPORT: The House was informed that Mr Jull had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The urgent requirement for the immediate construction of a third runway at Sydney International Airport".

The proposed discussion having received the necessary support—

Mr Jull rising to address the House—

Mr Beazley (Leader of the House) moved—That the business of the day be called on.

Question—put.

The House divided (the Deputy Speaker, Mr R. F. Edwards, in the Chair)—

AYES, 67

Mr Baldwin	Ms Fatin	Mr Jones	Mr Sawford*
Mr Beazley	Mr Ferguson	Mr Keating	Mr Scholes
Mr Beddall	Mr Fitzgibbon	Mrs Kelly	Mr Sciacca
Mr Bevis	Mr Free	Mr Kerin	Mr J. L. Scott
Mr Bilney	Mr Gibson	Mr Kerr	Mr L. J. Scott
Mr Brereton	Mr Gorman	Mr Langmore	Mr Simmons
Mr R. J. Brown	Mr Grace*	Mr Lavarch	Mr Snow
Mr Campbell	Mr Griffiths	Mr Lee	Mr Snowdon
Dr Charlesworth	Mr Hand	Mr Lindsay	Mr Staples
Mr Courtice	Mr Holding	Mr Martin	Dr Theophanous
Ms Crawford	Mr Hollis	Mr Melham	Mr Tickner
Mrs Crosio	Mr Howe	Mr A. A. Morris	Mr Walker
Mr Dawkins	Mr Hulls	Mr P. F. Morris	Mr West
Mr Dubois	Mr Humphreys	Mr Newell	Mr Willis
Mr Duffy	Mrs Jakobsen	Mr O'Keefe	Mr H. F. Woods
Mr Duncan	Mr Jenkins	Mr O'Neil	Mr Wright
Mr Elliott	Mr Johns	Mr Price	

NOES, 58

Mr Aldred	Mr Costello	Mr Jull	Mr Riggall
Mr Anderson	Mr Cowan	Dr Kemp	Mr Ronaldson
Mr K. J. Andrews	Mr Dobie	Mr Lloyd	Mr Ruddock
Mr Atkinson	Mr Downer	Mr McArthur	Mr B. C. Scott
Mrs Bailey	Dr H. R. Edwards	Mr McGauran	Mr Sharp
Mr Beale	Mr Fife	Mr Mack	Mr Sinclair
Mr Bradford	Mr Filing	Mr MacKellar	Mr Smith
Mr Braithwaite	Mr T. A. Fischer	Mr McLachlan	Mr Somlyay
Mr Burr	Mr P. S. Fisher	Mr Miles	Mrs Sullivan
Mr Cadman	Mr Ford	Mr Moore	Mr Truss
Mr Carlton	Mrs Gallus	Mr Nehl*	Mr Tuckey
Mr Chaney	Mr Goodluck	Mr Nugent	Mr Webster
Mr Charles	Mr Halverson*	Mr Peacock	Dr R. L. Woods
Mr Cobb	Mr Hawker	Mr Prosser	
Mr Connolly	Mr Howard	Mr Reid	

* Tellers

And so it was resolved in the affirmative.

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

7 November 1991—Message No. 323—Rice Levy 1991 (*without requests*).

8 November 1991 a.m.—Message—

No. 324—Appropriation (No. 1) 1991-92 (*without requests*).

No. 325—Appropriation (No. 2) 1991-92.

No. 326—Appropriation (Parliamentary Departments) 1991-92.

9 MESSAGE FROM THE SENATE—ARTS, SPORT, ENVIRONMENT, TOURISM AND TERRITORIES LEGISLATION AMENDMENT BILL (NO. 2) 1991: The following message from the Senate was reported:

Message No. 322

Mr Speaker,

The Senate returns to the House of Representatives the bill for "*An Act to amend legislation relating to the arts, sport, the environment, tourism and Territories*", and acquaints the House that the Senate has agreed to the bill with the amendments indicated by the annexed schedule, in which amendments the Senate requests the concurrence of the House of Representatives.

KERRY SIBRAA
President

The Senate,
Canberra, 7 November 1991

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

In the committee

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE

No. 1—Schedule, page 4, before proposed amendment to section 18 of the *Australian Film Commission Act 1975*, insert the following amendment:

“Subsection 16(2):

Omit the subsection.”.

No. 2—Schedule, page 4, after proposed amendment to paragraph 8(8)(b) of the *Australian Film, Television and Radio School Act 1973*, insert the following amendment:

“Subsections 11(3), (4) and (5):

Omit the subsections.”.

No. 3—Schedule, page 5, after proposed amendment to paragraph 10(4)(b) of the *Australian National Maritime Museum Act 1990*, insert the following amendment:

“Section 10:

Add at the end:

‘(5) The Museum must, in each report prepared under section 63M of the *Audit Act 1901* (as that section applies by virtue of subsection 48(1)), include particulars of any disposals of material during the financial year to which the report relates.’.”.

No. 4—Schedule, page 5, after insertion of proposed subsection 17(2A) of the *Australian National Maritime Museum Act 1990*, insert the following amendment:

“Subsection 17(4):

Omit the subsection.”.

No. 5—Schedule, page 7, before proposed amendment to section 14 of the *Australian Sports Commission Act 1989*, insert the following amendment:

“Subsection 13(5):

Omit the subsection.”.

No. 6—Schedule, page 8, before proposed amendment to subsection 33(2) of the *Australian Sports Drug Agency Act 1990*, insert the following amendment:

“Paragraphs 20(3)(a) and (b):

Omit ‘a member’, substitute ‘the Chief Executive’.”.

No. 7—Schedule, page 8, before proposed amendment to subsection 18(1) of the *Australian Tourist Commission Act 1987*, insert the following amendment:

“Subsection 13(7):

Omit the subsection.”.

No. 8—Schedule, page 11, after proposed amendment to paragraph 9(4)(b) of the *National Museum of Australia Act 1980*, insert the following amendment:

“Section 9:

Add at the end:

‘(5) The Museum must, in each report prepared under section 63M of the *Audit Act 1901* (as that section applies by virtue of section 38), include particulars of any disposals of historic material under this section or section 9A during the financial year to which the report relates.’.”.

On the motion of Mr Simmons (Minister for the Arts, Tourism and Territories), the amendments were agreed to.

Resolution to be reported.

The House resumed; Mr Dubois reported accordingly.

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

10 **FRINGE BENEFITS TAX 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.

Limitation of debate: At 5.10 p.m., the Deputy Speaker having called the attention of the House to the fact that the time allotted for the remaining stages of the Bill had expired—

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

Further question—That the remaining stages of the Bill be agreed to—put and passed—Bill read a third time.

11 **INCOME TAX (INTERNATIONAL AGREEMENTS) AMENDMENT BILL (NO. 2) 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—

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

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.

12 **TAXATION LAWS AMENDMENT BILL (NO. 3) 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—

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 Free (Minister Assisting the Treasurer), by leave, moved the following amendments together:

Amendments—

Clause 46, page 30, after paragraph (e) insert the following paragraph:

“(ea) by omitting ‘the formula’ from paragraph (aa) of the definition of ‘applicable general company tax rate’ and substituting ‘a formula’;”.

Clause 57, page 34, omit the clause, substitute the following new clauses:

Life assurance companies—credits reducing section 160APYB debit

“57. Section 160APVC of the Principal Act is amended:

(a) by omitting from subsection (1) ‘in this section’ and substituting ‘in subsection (2) of this section’;

(b) by adding at the end the following subsections:

‘(3) If:

(a) on a particular day, a franking debit of a life assurance company arises under section 160APYB in relation to an amount received as a refund in relation to a year of income; and

(b) on or after that day, a notice of an original company tax assessment for the year of income is served, or deemed to be served, on the company;

there arises, on the day on which the notice is served or deemed to be served, a franking credit of the company worked out under subsection (4) of this section.

‘(4) The amount of the franking credit is equal to the adjusted amount in relation to the amount calculated using the formula:

$$0.8 \times \text{Refunded amount} \times \left[\frac{\text{Company tax — Non-fund component of company tax}}{\text{Company tax}} \right]$$

where:

“**Refunded amount**” means the amount received as a refund;

“**Company tax**” means the company tax assessed to the company for the year of income;

“**Non-fund component of company tax**” means so much of the company tax assessed to the company for the year of income as is attributable to the non-fund component.’.

“57A. Section 160APVE of the Principal Act is repealed and the following sections are substituted:

Life assurance companies—credit reducing subsection 160AQCD(1) debit ‘160APVF. If:

- (a) on a particular day, a franking debit of a life assurance company arises under subsection 160AQCD(1) in relation to an initial payment of tax in respect of a year of income; and
- (b) on or after that day, a notice of an original company tax assessment for the year of income is served, or deemed to be served, on the company;

there arises, on the day on which the notice is served or deemed to be served, a franking credit of the company equal to the amount of the franking debit.

Life assurance companies—credit reducing subsection 160AQCE(1) debit ‘160APVG. If:

- (a) on a particular day, a franking debit of a life assurance company arises under subsection 160AQCE(1) in relation to a further payment on account of tax in respect of a year of income; and
- (b) on or after that day, a notice of an original company tax assessment for the year of income is served, or deemed to be served, on the company;

there arises, on the day on which the notice is served or deemed to be served, a franking credit of the company equal to the amount of the franking debit.’.”.

New clauses—

After clause 61, page 35, insert the following new clauses:

Life assurance companies—debts reducing section 160APMA credit

“61A. Section 160AQCD of the Principal Act is amended:

- (a) by omitting from subsection (1) ‘in this section’ and substituting ‘in subsection (2) of this section’;
- (b) by adding at the end the following subsections:

‘(3) If:

- (a) on a particular day, a franking credit of a life assurance company arises under section 160APMA in relation to an initial payment of tax that the company is required to make under section 221AP in respect of a year of income; and
- (b) on or after that day, a notice of an original company tax assessment for the year of income is served, or deemed to be served, on the company;

there arises, on the day on which the notice is served or deemed to be served, a franking debit of the company worked out under subsection (4) of this section.

‘(4) The amount of the franking debit is equal to the adjusted amount in relation to the amount calculated using the formula:

$$0.8 \times \text{Initial payment} \times \left[\frac{\text{Company tax — Non-fund component of company tax}}{\text{Company tax}} \right]$$

where:

“Initial payment” means the initial payment of tax;

“Company tax” means the company tax assessed to the company for the year of income;

“Non-fund component of company tax” means so much of the company tax assessed to the company for the year of income as is attributable to the non-fund component.’.

Life assurance companies—debts reducing section 160APMB credit

“61B. Section 160AQCE of the Principal Act is amended:

(a) by omitting from subsection (1) ‘in this section’ and substituting ‘in subsection (2) of this section’;

(b) by adding at the end the following subsections:

‘(3) If:

(a) on a particular day, a franking credit of a life assurance company arises under section 160APMB in relation to a further payment on account of tax in respect of a year of income; and

(b) on or after that day, a notice of an original company tax assessment for the year of income is served, or deemed to be served, on the company;

there arises, on the day on which the notice is served or deemed to be served, a franking debit of the company worked out under subsection (4) of this section.

‘(4) The amount of the franking debit is equal to the adjusted amount in relation to the amount calculated using the formula:

$$0.8 \times \text{Further payment} \times \left[\frac{\text{Company tax — Non-fund component of company tax}}{\text{Company tax}} \right]$$

where:

“Further payment” means the amount of the further payment;

“Company tax” means the company tax assessed to the company for the year of income;

“Non-fund component of company tax” means so much of the company tax assessed to the company for the year of income as is attributable to the non-fund component.’.”.

Amendment—

Clause 62, page 36, after proposed section 160AQCL add the following section:

Life assurance companies—debit reducing subsection 160APVC(1) credit

“160AQCM. If:

(a) on a particular day, a franking credit of a life assurance company arises under subsection 160APVC(1) in relation to an amount received as a refund in relation to a year of income; and

(b) on or after that day, a notice of an original company tax assessment for the year of income is served, or deemed to be served, on the company;

there arises, on the day on which the notice is served or deemed to be served, a franking debit of the company equal to the amount of the franking credit.’.”.

New clause—

After clause 63, page 36, insert the following new clause:

“63A. After section 160W of the Principal Act the following section is inserted:

Deemed disposal and re-acquisition of valueless shares in companies in liquidation

‘160WA.(1) For the purposes of this Part, if:

- (a) a taxpayer owns a share in a company as at a particular time (in this subsection called the “test time”) after 11 November 1991; and
- (b) there is a liquidator of the company; and
- (c) at or after the test time, the liquidator makes a written declaration that the liquidator has reasonable grounds to believe that:
 - (i) if the share belongs to a particular class of shares in the company—there is no likelihood that the relevant class of shareholders in the company as at the test time will receive any distributions in the course of winding up the company; or
 - (ii) in any other case—there is no likelihood that the shareholders in the company as at the test time will receive any distributions in the course of winding up the company; and
- (d) the taxpayer elects that this section applies in relation to the taxpayer and in relation to the share;

the taxpayer is taken:

- (e) to have disposed of the share at the time the declaration was made for no consideration; and
- (f) to have immediately re-acquired the share for no consideration.

‘(2) An election by a taxpayer under subsection (1) must be made by written notice given to the Commissioner on or before the date of lodgment of the taxpayer’s return of income for the later of the following years of income:

- (a) the year of income in which the declaration was made;
 - (b) the year of income in which this section commenced;
- or within such further period as the Commissioner allows.’”.

Amendments—

Clause 71, page 39, lines 35 to 38, omit paragraphs (a) and (b), substitute the following paragraphs:

“(a) by omitting subparagraph (a)(vi);

(b) by omitting from subparagraph (a)(viii) ‘, (v) or (vi)’ and substituting ‘or (v)’”.

Clause 86, page 50, after subclause (6) insert the following subclause:

“(6A) Subsections 160APVC(3) and (4), sections 160APVF and 160APVG, subsections 160AQCD(3) and (4) and 160AQCE(3) and (4) and section 160AQCM of the amended Act apply in relation to notices of original company tax assessments served, or deemed to be served, after 20 August 1991.”.

Papers: Mr Free presented the following papers:

Supplementary explanatory memorandum to Taxation Laws Amendment Bill (No. 3) 1991.

Corrections (2) to the explanatory memorandum for the following Bills:

Taxation Laws Amendment (No. 3) 1991;

Income Tax (Deferred Interest Securities) (Tax File Number Withholding Tax) 1991; and

Medicare Levy Amendment 1991.

Debate continued.

Amendments agreed to.
Bill, as amended, agreed to.
Bill to be reported with amendments.

The House resumed; Mr Dobie reported accordingly.

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

- 13 **INCOME TAX (DEFERRED INTEREST SECURITIES) (TAX FILE NUMBER WITHHOLDING TAX) 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—

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

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.

- 14 **MEDICARE LEVY 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—

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

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.

- 15 **STATES GRANTS (TAFE ASSISTANCE) AMENDMENT BILL (NO. 2) 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 Dr Kemp who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “whilst not opposing the provisions of the Bill, this House condemns the Government for:

- (1) its failure to adequately recognise the role of technical and further education in Australia’s education and training systems;
- (2) its continuing emphasis on centralist solutions to issues arising in relation to technical and further education; and
- (3) its failure to recognise the need for more flexible TAFE institutions which can be more responsive to student and industry demands”.

Debate continued.

Limitation of debate: At 9.55 p.m., the Deputy Speaker having called the attention of the House to the fact that the time allotted for the remaining stages of the Bill had expired—

Amendment negatived.

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

Message from the Governor-General: Message No. 204, dated 6 November 1991, from His Excellency the Governor-General was announced recommending an appropriation of revenue and moneys for the purposes of the Bill.

Further question—That the remaining stages of the Bill be agreed to—put and passed—Bill read a third time.

16 HIGHER EDUCATION FUNDING AMENDMENT BILL (NO. 2) 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 Dr Kemp who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “whilst not opposing the provisions of this Bill, this House condemns the Government for:

- (1) its determination to maintain a flawed funding mechanism for higher education;
- (2) its pursuit of a policy which prevents over 30 000 qualified Australian students from gaining places;
- (3) its failure to address adequately the issues of quality and diversity in higher education;
- (4) its failure to address the serious inequities of current higher education funding arrangements; and
- (5) its decision to deal with overcrowding mainly by excluding even more Australian students from university places”.

Debate continued.

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 remaining stages of the Bill had expired—

Amendment negatived.

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

Message from the Governor-General: Message No. 205, dated 6 November 1991, from His Excellency the Governor-General was announced recommending an appropriation of revenue and moneys for the purposes of the Bill.

Further question—That the remaining stages of the Bill be agreed to—put and passed—Bill read a third time.

17 FINANCIAL 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.

Limitation of debate: At 10.40 p.m., the Deputy Speaker having called the attention of the House to the fact that the time allotted for the remaining stages of the Bill had expired—

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

Further question—That the remaining stages of the Bill be agreed to—put and passed—Bill read a third time.

18 MESSAGE FROM THE SENATE: Message No. 327, dated 11 November 1991, from the Senate was reported returning the Copyright Amendment Bill 1991 and acquainting the House that the Senate agrees to the amendments made by the House to Senate amendments Nos. 1, 2, 3, 4, 6, 7, 8 and 9 and does not insist upon Senate amendments Nos. 5 and 10 disagreed to by the House.

19 MESSAGE FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS: A message from His Excellency the Governor-General was announced informing the House that His Excellency, in the name of Her Majesty, had assented to the following Bills:

10 November 1991—Message No. 203—

Fisheries Administration 1991.

Fisheries Management 1991.

Fisheries Legislation (Consequential Provisions) 1991.

20 SUSPENSION OF STANDING AND SESSIONAL ORDERS—BILLS—LIMITATION OF DEBATE: Mr Beazley (Leader of the House), pursuant to notice, moved—That, in relation to the proceedings on the following Bills, so much of the standing and sessional orders be suspended as would prevent the Leader of the House making one declaration of urgency and moving one motion for the allotment of time in respect of all the Bills:

States Grants (Schools Assistance) Amendment Bill 1991;
 Corporations (Unlisted Property Trusts) Amendment Bill 1991;
 Corporations Legislation Amendment Bill (No. 2) 1991;
 Sales Tax Laws Amendment Bill (No. 3) 1991;
 Australian Institute of Health Amendment Bill 1991;
 Repatriation Institutions (Staff) Bill 1991;
 Veterans' Entitlements (Provision of Treatment) Amendment Bill 1991;
 Australian Capital Territory Self-Government Legislation Amendment Bill 1991;
 Bank Integration Bill 1991;
 Australian Citizenship Amendment Bill 1991;
 Social Security Legislation Amendment Bill (No. 4) 1991;
 Veterans' Affairs Legislation Amendment Bill (No. 2) 1991;
 Health Insurance (Pathology) Amendment Bill 1991;
 Health Insurance (Pathology) Amendment (No. 2) Bill 1991;
 Health Insurance (Pathology) (Fees) Bill 1991;
 Health Insurance (Pathology) (Licence Fee) Bill 1991;
 Health and Community Services Legislation Amendment Bill 1991;
 Migration (Health Services) Charge Bill 1991;
 Migration Amendment Bill (No. 3) 1991;
 Broadcasting Amendment Bill (No. 2) 1991;
 Radio Licence Fees Amendment Bill 1991; and
 Television Licence Fees Amendment Bill 1991.

Debate ensued.

Question—put.

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

AYES, 69

Mr Baldwin	Mr Ferguson	Mr Keating	Mr Scholes
Mr Beazley	Mr Fitzgibbon	Mrs Kelly	Mr Sciacca
Mr Beddall	Mr Free	Mr Kerin	Mr J. L. Scott
Mr Bevis	Mr Gayler	Mr Kerr	Mr L. J. Scott
Mr Bilney	Mr Gibson	Mr Langmore	Mr Simmons
Mr Brereton	Mr Gorman	Mr Lavarch	Mr Snow
Mr R. J. Brown	Mr Grace*	Mr Lee	Mr Snowdon
Mr Campbell	Mr Griffiths	Mr Lindsay	Mr Staples
Dr Charlesworth	Mr Hand	Mr Martin	Dr Theophanous
Mr Courtice	Mr Holding	Mr Melham	Mr Tickner
Ms Crawford	Mr Hollis	Mr A. A. Morris	Mr Walker
Mrs Crosio	Mr Howe	Mr P. F. Morris	Mr West
Mr Dawkins	Mr Hulls	Mr Newell	Mr Willis
Mr Duffy	Mr Humphreys	Mr O'Keefe	Mr H. F. Woods
Mr Duncan	Mrs Jakobsen	Mr O'Neil	Mr Wright
Mr R. F. Edwards	Mr Jenkins	Mr Price	
Mr Elliott	Mr Johns	Mr Punch	
Ms Fatin	Mr Jones	Mr Sawford*	

NOES, 58

Mr Aldred	Mr Costello	Mr Jull	Mr Riggall
Mr Anderson	Mr Cowan	Dr Kemp	Mr Ronaldson
Mr J. N. Andrew*	Mr Downer	Mr Lloyd	Mr B. C. Scott
Mr K. J. Andrews	Dr H. R. Edwards	Mr McArthur	Mr Sharp
Mr Atkinson	Mr Fife	Mr McGauran	Mr Sinclair
Mrs Bailey	Mr Filing	Mr Mack	Mr Smith
Mr Beale	Mr T. A. Fischer	Mr MacKellar	Mr Somlyay
Mr Bradford	Mr P. S. Fisher	Mr McLachlan	Mrs Sullivan
Mr Braithwaite	Mr Ford	Mr Miles	Mr Truss
Mr Cadman	Mr Goodluck	Mr Moore	Mr Tuckey
Mr Carlton	Mr Hall	Mr Nehl	Mr Webster
Mr Chaney	Mr Halverson	Mr Nugent	Mr Wilson
Mr Charles	Mr Hawker	Mr Peacock	Dr R. L. Woods
Mr Cobb	Mr Hicks*	Mr Prosser	
Mr Connolly	Mr Howard	Mr Reid	

* Tellers

And so it was resolved in the affirmative.

- 21 DECLARATION OF BILLS AS URGENT BILLS—LIMITATION OF DEBATE:** Mr Beazley (Leader of the House) declared that the States Grants (Schools Assistance) Amendment Bill 1991, Corporations (Unlisted Property Trusts) Amendment Bill 1991, Corporations Legislation Amendment Bill (No. 2) 1991, Sales Tax Laws Amendment Bill (No. 3) 1991, Australian Institute of Health Amendment Bill 1991, Repatriation Institutions (Staff) Bill 1991, Veterans' Entitlements (Provision of Treatment) Amendment Bill 1991, Australian Capital Territory Self-Government Legislation Amendment Bill 1991, Bank Integration Bill 1991, Australian Citizenship Amendment Bill 1991, Social Security Legislation Amendment Bill (No. 4) 1991, Veterans' Affairs Legislation Amendment Bill (No. 2) 1991, Health Insurance (Pathology) Amendment Bill 1991, Health Insurance (Pathology) Amendment (No. 2) Bill 1991, Health Insurance (Pathology)(Fees) Bill 1991, Health Insurance (Pathology)(Licence Fee) Bill 1991, Health and Community Services Legislation Amendment Bill 1991, Migration (Health Services) Charge Bill 1991, Migration Amendment Bill (No. 3) 1991, Broadcasting Amendment Bill (No. 2) 1991, Radio Licence Fees Amendment Bill 1991 and Television Licence Fees Amendment Bill 1991 were urgent Bills.

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

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

- (1) States Grants (Schools Assistance) Amendment Bill 1991—For the remaining stages, until midnight this day.
- (2) Corporations (Unlisted Property Trusts) Amendment Bill 1991—For the remaining stages, until 4.45 p.m. on Tuesday, 12 November.
- (3) Corporations Legislation Amendment Bill (No. 2) 1991—For the remaining stages, until 5.30 p.m. on Tuesday, 12 November.
- (4) Sales Tax Laws Amendment Bill (No. 3) 1991—For the remaining stages, until 6.30 p.m. on Tuesday, 12 November.
- (5) Australian Institute of Health Amendment Bill 1991—For the remaining stages, until 9 p.m. on Tuesday, 12 November.
- (6) Repatriation Institutions (Staff) Bill 1991—For the remaining stages, until 10.25 p.m. on Tuesday, 12 November.
- (7) Veterans' Entitlements (Provision of Treatment) Amendment Bill 1991—For the remaining stages, until 10.30 p.m. on Tuesday, 12 November.
- (8) Health Insurance (Pathology) Amendment Bill 1991—For the remaining stages, until 11.35 p.m. on Tuesday, 12 November.
- (9) Health Insurance (Pathology) Amendment (No. 2) Bill 1991—
 - (a) For the second reading, until 11.40 p.m. on Tuesday, 12 November;
 - (b) For the committee stage, until 11.45 p.m. on Tuesday, 12 November;

- (c) For the remaining stages, until 11.50 p.m. on Tuesday, 12 November.
- (10) Health Insurance (Pathology) (Fees) Bill 1991—For the remaining stages, until 11.55 p.m. on Tuesday, 12 November.
 - (11) Health Insurance (Pathology) (Licence Fee) Bill 1991—For the remaining stages, until midnight on Tuesday, 12 November.
 - (12) Australian Capital Territory Self-Government Legislation Amendment Bill 1991—For the remaining stages, until 10.45 a.m. on Wednesday, 13 November.
 - (13) Bank Integration Bill 1991—For the remaining stages, until 11.30 a.m. on Wednesday, 13 November.
 - (14) Australian Citizenship Amendment Bill 1991—For the remaining stages, until 12.45 p.m. on Wednesday, 13 November.
 - (15) Social Security Legislation Amendment Bill (No. 4) 1991—For the remaining stages, until 6 p.m. on Wednesday, 13 November.
 - (16) Veterans' Affairs Legislation Amendment Bill (No. 2) 1991—For the remaining stages, until 7.30 p.m. on Wednesday, 13 November.
 - (17) Health and Community Services Legislation Amendment Bill 1991—For the remaining stages, until 6.30 p.m. on Thursday, 14 November.
 - (18) Migration (Health Services) Charge Bill 1991—For the remaining stages, until 9.55 p.m. on Thursday, 14 November.
 - (19) Migration Amendment Bill (No. 3) 1991—For the remaining stages, until 10 p.m. on Thursday, 14 November.
 - (20) Broadcasting Amendment Bill (No. 2) 1991—For the remaining stages, until 11.50 p.m. on Thursday, 14 November.
 - (21) Radio Licence Fees Amendment Bill 1991—For the remaining stages, until 11.55 p.m. on Thursday, 14 November.
 - (22) Television Licence Fees Amendment Bill 1991—For the remaining stages, until midnight on Thursday, 14 November.

Question—put and passed.

22 STATES GRANTS (SCHOOLS ASSISTANCE) 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 Dr Kemp who moved, as an amendment—That all words after "That" be omitted with a view to substituting the following words: "whilst not opposing the provisions of this Bill, this House condemns the Government for:

- (1) its restrictive policies in providing general recurrent and capital funding to non-government schools;
- (2) its restrictive and excessively regulated school policies, especially its bureaucratic accountability requirements imposed on non-government schools and the operation of the New Schools Policy;
- (3) its failure to recognise the real problems of language and literacy in Australia, as evidenced in the White Paper on the Australian Language and Literacy Policy; and
- (4) the failure to adequately address the retention problem in rural and remote areas".

Debate continued.

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

The House continuing to sit until after midnight—

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Amendment negatived.

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

Message from the Governor-General: Message No. 206, dated 10 November 1991, from His Excellency the Governor-General was announced recommending an appropriation of revenue and moneys for the purposes of the Bill.

Further question—That the remaining stages of the Bill be agreed to—put and passed—Bill read a third time.

23 ADJOURNMENT: Mr Dawkins (Minister for Employment, Education and Training) moved—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 12.08 a.m., adjourned until this day at 2 p.m.

PAPERS: The following papers were deemed to have been presented on 11 November 1991:

Public Service Act—Determinations—1991—Nos. 97, 98, 99, 268, 269, 271, 273, 274, 275, 279.

Superannuation Act 1976—Determination pursuant to subsection 241(1)—No. 1—Superannuation (CSS) Employer Component Payment (Federal Airports Corporation Superannuation Fund).

ATTENDANCE: All Members attended (at some time during the sitting) except Dr Blewett, Mr Broadbent, Mr Cameron, Dr Catley, Mr Crean, Mrs Darling*, Mr Gear*, Ms McHugh, Mr Rocher*, Mr Shack, Mr Taylor and Dr Wooldridge.

*On leave

L. M. BARLIN
Clerk of the House of Representatives