

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 127

THURSDAY, 7 MAY 1992

- 1 The House met, at 9.30 a.m., pursuant to adjournment. The Speaker (the Honourable Leo McLeay) took the Chair, and read Prayers.
- 2 **PETITIONS:** The Clerk announced that the following Members had each lodged petitions for presentation, viz.:
- Mr J. N. Andrew, Mr Downer and Mr McLachlan, from 55, 334 and 18 residents of South Australia, respectively, praying that the current national flag be preserved as a symbol of national pride and identity.
 - Mr O'Keefe and Mr Wright, from 36 residents of Victoria, and 30 residents of Queensland, respectively, praying that the Australian and Overseas Telecommunications Corporation be called on to justify its "core business" approach, the planning of redundancies and the auctioning of assets.
 - Mr J. N. Andrew, from 562 petitioners, praying that the Abortion Funding Abolition Bill 1990 be passed and other action be taken to protect the right to life of the unborn.
 - Mr J. N. Andrew, from 53 petitioners, praying that funding of abortions through Medicare cease and certain other action be taken to protect the right to life of the unborn.
 - Mr K. J. Andrews, from 92 residents of Victoria, praying that X and R-rated material not be allowed on Pay TV.
 - Mr Cadman, from 19 petitioners, praying that the UN Convention on the Rights of the Child be amended to recognise the importance of the family unit and the rights and responsibilities of parents and that certain international treaties be debated in Parliament.
 - Mr Dobie, from 1 petitioner, praying that the Syrian Government be condemned for violations of human rights and that certain other action be taken to ensure that the human rights of all Syrian citizens are respected.
 - Mr Kerr, from 185 petitioners, praying for a public inquiry into certain aspects of the administration of child care fee relief and operational subsidy.
 - Mr Mack, from 1437 petitioners, praying that Cambodians held at the Villawood and Port Hedland detention centres be granted refugee status or permanent residence.
 - Mr Mack, from 135 petitioners, in similar terms.
 - Mr Nehl, from 35 petitioners, praying that pornographic or sexually violent material not be displayed openly but be placed in "Adult only" areas.
 - Mr Reid, from 17 residents of Bendigo, praying that certain action be taken immediately to cause a general election to provide Australians with the opportunity to decide on the nation's economic direction.

Mr Scholes, from 4 electors of the Divisions of Corangamite, Corio and Lalor, praying that Australia's treaty obligations be complied with in the location of a chemical facility at Point Wilson, Vic., and that the concerns of people in surrounding areas be fully examined.

Mr Shack, from 17 petitioners, praying that the Commonwealth Ombudsman be empowered to investigate any action that relates to programming decisions of the ABC.

Mr Somlyay, from 49 residents of the Sunshine Coast, Qld, praying that local transmission facilities be established to receive and locally transmit SBS to the Sunshine Coast.

Mr Webster, from 34 petitioners, praying that the national flag not be changed except by a referendum.

Petitions received.

Mr Scholes moved—That the petition relating to the proposal to locate a chemical facility at Point Wilson, Vic., which was lodged by the Member for Corio today be referred to the Standing Committee on the Environment, Recreation and the Arts.

Debate adjourned (Mr Crean—Minister for Primary Industries and Energy), and the resumption of the debate made an order of the day for the next sitting Thursday.

3 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER: Mr Lindsay presented the following report:

Foreign Affairs, Defence and Trade—Joint Committee—Visit of the Defence Subcommittee to Exercise Kangaroo 92, 19-21 March 1992—Report, May 1992.

Mr Lindsay, Mr Taylor and Mr Sinclair made statements in connection with the report.

Mr Lindsay moved—That the House take note of the paper.

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 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—REPORT—MOTION TO TAKE NOTE OF PAPER: The order of the day having been read for the resumption of the debate on the motion of Mr Lavarch—That the House take note of the report (*presented on 30 April 1992*), viz.:

Legal and Constitutional Affairs—Standing Committee—Half way to equal: Report of the inquiry into equal opportunity and equal status for women in Australia—Report, incorporating a dissenting report, 14 April 1992—

Debate resumed.

The time allotted for the debate having expired, the debate was interrupted and the resumption of the debate made an order of the day for the next sitting Thursday.

5 LONG TERM STRATEGIES—STANDING COMMITTEE—REPORT—MOTION TO TAKE NOTE OF PAPER: The order of the day having been read for the resumption of the debate on the motion of Mr Jones—That the House take note of the report (*presented on 30 April 1992*), viz.:

Long Term Strategies—Standing Committee—Expectations of life: Increasing the options for the 21st century—Report, April 1992—

Debate resumed.

Debate adjourned, and the resumption of the debate made an order of the day for the next sitting Thursday.

6 50TH ANNIVERSARY OF THE BATTLE OF THE CORAL SEA: Mr Lindsay, pursuant to notice, moved—That, on the occasion of the 50th anniversary

of the Battle of the Coral Sea, during which a joint Australian and US naval force inflicted the first strategic setback to Japanese aggression, thereby securing Australia from invasion and greatly enhancing Allied morale and resolve, this House:

- (1) places on record its deep appreciation of the contribution to our security of the Australian and US servicemen who participated in that action;
- (2) welcomes to Australia surviving US veterans participating in various remembrance ceremonies and the representation of two members of the US Cabinet, Secretary of Defense Cheney and Secretary of Education Alexander;
- (3) notes in particular the participation of Australian and US veterans in celebrations in Townsville;
- (4) reaffirms the continuing importance of security cooperation between our two countries forged at that time; and
- (5) expresses its strong support for continued close cooperation between the United States of America and Australia on economic and security issues in Asia and the Pacific.

Debate ensued.

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 Scholes was granted leave to continue his speech when the debate is resumed.

7 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.

8 MEMBERS' STATEMENTS: Members' statements were made.

9 QUESTIONS: Questions without notice were asked.

10 AUDITOR-GENERAL'S REPORTS—PUBLICATION OF PAPERS: The Speaker presented the following papers:

Audit Act—Auditor-General—Audit reports of 1991-92—

No. 34—Accounting for and reporting of departmental assets and liabilities.

No. 35—Efficiency audit—Department of Primary Industries and Energy: Australian Quarantine Inspection Service—Quarantine Division.

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 reports Nos. 34 and 35 of 1991-92; and
- (2) the reports be printed.

Question—put and passed.

11 PAPERS: The following papers were presented:

Foreign Affairs, Defence and Trade—Joint Committee—Report—Australia's relations with Papua New Guinea, December 1991—Government response.

Industry Commission Act—Industry Commission—Report No. 21—Raw material pricing for domestic use, 1 April 1992.

Law Reform Commission Act—Law Reform Commission—Report No. 60—Customs and excise—Volumes I and II.

12 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT COMMITTEE—REPORT—GOVERNMENT RESPONSE—MOTION TO TAKE NOTE OF PAPER: Mr

Beazley (Leader of the House) moved—That the House take note of the following paper:

Foreign Affairs, Defence and Trade—Joint Committee—Report—Australia's relations with Papua New Guinea, December 1991—Government response.

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

- 13 **PRIME MINISTER—VISIT TO INDONESIA AND PAPUA NEW GUINEA—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Mr Keating (Prime Minister), by leave, made a ministerial statement concerning his recent visit to Indonesia and Papua New Guinea, and presented the following paper:

Prime Minister—Visit to Indonesia and Papua New Guinea—Ministerial statement, 7 May 1992.

Mrs Kelly (Minister for the Arts, Sport, the Environment and Territories) moved—That the House take note of the paper.

Suspension of standing and sessional orders—Extended time for speech: Mr Beazley (Leader of the House), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent Dr Hewson (Leader of the Opposition) speaking for a period not exceeding 20 minutes.

Question—put and passed.

Debate ensued.

Debate adjourned (Mr Price—Parliamentary Secretary to the Minister for Defence), and the resumption of the debate made an order of the day for the next sitting.

- 14 **SELECTION COMMITTEE—REPORT:** Mr R. F. Edwards (Chairman) presented the following report:

Selection Committee—Report relating to the program of business prior to 12.30 p.m. on Thursday, 28 May 1992.

- 15 **SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED:** Dr Hewson (Leader of the Opposition) moved—That so much of the standing and sessional orders be suspended as would prevent the Leader of the Opposition moving forthwith—That the Prime Minister be required to give a full explanation to this House of Senator Richardson's involvement in the affairs of Mr Greg Symons in relation to the Marshall Islands and to explain why he has not stood down Senator Richardson from the Cabinet for misleading the Senate.

Debate ensued.

The time allowed by standing order 91 for debate on the motion having expired—

Question—put.

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

AYES, 65

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

NOES, 73

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

* Tellers

And so it was negatived.

16 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—LABOUR MARKET: The House was informed that Mr Howard had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The continued weakness of the labour market exemplified by a further fall in full time employment".

The proposed discussion having received the necessary support—

Mr Howard rising to address the House—

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

Question—put and passed.

17 COMMITTEE OF PRIVILEGES—REPORT—STATEMENT BY MEMBER: Mr Gear (Chairman) presented the following report:

Committee of Privileges—Report concerning a letter received by Mr Nugent, MP, including minutes of proceedings, 7 May 1992.

Ordered to be printed.

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

Mr Gear, by leave, moved—That the House take note of the report.

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

18 PUBLICATIONS COMMITTEE—17TH REPORT: Mr Fitzgibbon presented the following report:

PUBLICATIONS COMMITTEE 17TH REPORT

The Publications Committee reports that it has met in conference with the Publications Committee of the Senate.

The Committee, having considered petitions and documents presented to the Parliament since 2 April 1992, recommends that the following be printed:

Aboriginal and Torres Strait Islander Commission Act—Aboriginal and Torres Strait Islander Commission—Report for 1990-91.

Administrative Review Council—Rule Making by Commonwealth Agencies—Report (No. 35) to the Attorney-General, 26 March 1992.

Australian Science and Technology Council Act—Australian Science and Technology Council—Report—Major National Research Facilities—A National Program, March 1992.

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

- Australian Wool Realisation Commission Act—Australian Wool Corporation—Report for 1990-91.
- Automotive Industry Authority Act—Automotive Industry Authority—Report on the state of the automotive industry 1991.
- Broadcasting Act—Australian Broadcasting Tribunal—Report for 1990-91.
- Commonwealth Grants Commission Act—Commonwealth Grants Commission—Report on General Revenue Grant Relativities—1992 update.
- Family Law Act—Australian Institute of Family Studies—Report for 1990-91.
- Industry Commission Act—Industry Commission—Report—The Australian Sugar Industry, 6 March 1992 (No. 19).
- Law Reform Commission Act—
Law Reform Commission—Report No. 57—Multiculturalism and the Law.
Law Reform Commission and Companies and Securities Advisory Committee—Report No. 59—Collective Investments: Superannuation.
- Remuneration Tribunal Act—Remuneration Tribunal—Report for 1990-91.
- Resource Assessment Commission Act—Resource Assessment Commission—Forest and Timber Inquiry—Final Report (3 vols), March 1992.
- States Grants (Schools Assistance) Act 1988*—Reports—
Financial assistance granted to each State in respect of 1990.
The application of financial assistance granted to non-government schools in respect of 1990.

RUSS GORMAN
Chairman

7 May 1992

Mr Fitzgibbon, by leave, moved—That the report be agreed to.
Question—put and passed.

- 19 **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:
6 May 1992—Message—
No. 258—Migration Amendment 1992.
No. 259—Law and Justice Legislation Amendment (No. 2) 1992.
- 20 **STANDING COMMITTEES—MEMBERSHIP:** The House was informed of the nominations by the Government Whip of Members to be members of the following committees:
Aboriginal and Torres Strait Islander Affairs—Standing Committee:
Mrs Darling in place of Mr Sawford.
Community Affairs—Standing Committee:
Mr O'Keefe in place of Mr Johns (Parliamentary Secretary to the Minister for Health, Housing and Community Services).
- 21 **VETERANS' AFFAIRS LEGISLATION AMENDMENT BILL 1992:** Mr Humphreys (Minister for Veterans' Affairs), pursuant to notice, presented a Bill for an Act to amend the law relating to veterans' affairs, 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—Leader of the National Party of Australia), and the resumption of the debate made an order of the day for the next sitting.

- 22 **SOCIAL SECURITY (FAMILY PAYMENT) AMENDMENT BILL 1992:** Mr Simmons (Minister for Family Support), pursuant to notice, presented a Bill for an Act to amend the *Social Security Act 1991*, and for related purposes.
Bill read a first time.
Mr Simmons moved—That the Bill be now read a second time.
Paper: Mr Simmons presented an explanatory memorandum to the Bill.
Debate adjourned (Dr R. L. Woods), and the resumption of the debate made an order of the day for the next sitting.
- 23 **PRIVILEGE—STATEMENT BY SPEAKER:** The Speaker referred to the matter raised on 28 April 1992 by Mr Cadman regarding articles in Sydney newspapers concerning, at that time, a forthcoming report of the Standing Committee on Legal and Constitutional Affairs.
The Speaker stated that he had been advised that the Legal and Constitutional Affairs Committee had concluded there was no breach of standing order 340 and the publication of the articles had not interfered substantially with the committee's work, the committee system or with the functions of the House.
The Speaker again outlined, and expanded upon, the procedures he proposed to the House on 17 September 1990, concerning the manner in which complaints of premature disclosure of committee material should be handled.
- 24 **LOCAL GOVERNMENT (FINANCIAL ASSISTANCE) AMENDMENT BILL 1992:** Mr Simmons (Minister for Local Government), pursuant to notice, presented a Bill for an Act to amend the *Local Government (Financial Assistance) Act 1986*.
Bill read a first time.
Mr Simmons moved—That the Bill be now read a second time.
Paper: Mr Simmons presented an explanatory memorandum to the Bill.
Debate adjourned (Dr R. L. Woods), and the resumption of the debate made an order of the day for the next sitting.
- 25 **HIGHER EDUCATION FUNDING AMENDMENT BILL 1992:** Mr Baldwin (Minister for Higher Education and Employment Services), pursuant to notice, presented a Bill for an Act to amend the *Higher Education Funding Act 1988*.
Bill read a first time.
Mr Baldwin moved—That the Bill be now read a second time.
Paper: Mr Baldwin presented an explanatory memorandum to the Bill.
Debate adjourned (Dr R. L. Woods), and the resumption of the debate made an order of the day for the next sitting.
- 26 **MINISTERS OF STATE AMENDMENT BILL 1992:** Mr Beddall (Minister representing the Minister for Administrative Services), pursuant to notice, presented a Bill for an Act to amend the *Ministers of State Act 1952*.
Bill read a first time.
Mr Beddall moved—That the Bill be now read a second time.
Paper: Mr Beddall presented an explanatory memorandum to the Bill.
Debate adjourned (Dr R. L. Woods), and the resumption of the debate made an order of the day for the next sitting.
- 27 **CUSTOMS LEGISLATION (TARIFF CONCESSIONS AND ANTI-DUMPING) AMENDMENT BILL 1992:** Mr Beddall (Minister for Small Business, Construction and Customs), pursuant to notice, presented a Bill for an Act to amend the *Customs Act 1901*, the *Anti-Dumping Authority Act 1988*, and for related purposes.
Bill read a first time.
Mr Beddall moved—That the Bill be now read a second time.

Paper: Mr Beddall presented an explanatory memorandum to the Bill.
Debate adjourned (Dr R. L. Woods), and the resumption of the debate made an order of the day for the next sitting.

- 28 **CUSTOMS TARIFF (ANTI-DUMPING) AMENDMENT BILL 1992:** Mr Beddall (Minister for Small Business, Construction and Customs) presented a Bill for an Act to amend the *Customs Tariff (Anti-Dumping) Act 1975*.

Bill read a first time.

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

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

Debate adjourned (Dr R. L. Woods), and the resumption of the debate made an order of the day for the next sitting.

- 29 **HEALTH, HOUSING AND COMMUNITY SERVICES LEGISLATION AMENDMENT BILL 1992:** Mr Johns (Parliamentary Secretary to the Minister for Health, Housing and Community Services), pursuant to notice, presented a Bill for an Act to amend legislation relating to health, housing and community services, and for related purposes.

Bill read a first time.

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

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

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

- 30 **TRANSPORT AND COMMUNICATIONS LEGISLATION AMENDMENT BILL (NO. 2) 1992:** Mr Snowdon (Parliamentary Secretary to the Minister for Transport and Communications) presented a Bill for an Act to amend various Acts relating to matters dealt with by the Department of Transport and Communications.

Bill read a first time.

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

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

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

- 31 **POSTPONEMENT OF ORDER OF THE DAY:** Ordered—That order of the day No. 2, government business, be postponed until a later hour this day.

- 32 **MIGRATION AMENDMENT BILL (NO. 2) 1992:** Mr Hand (Minister for Immigration, Local Government and Ethnic Affairs), pursuant to notice, presented a Bill for an Act to amend the *Migration Act 1958*, and for related purposes.

Bill read a first time.

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

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

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

- 33 **SUSPENSION OF STANDING AND SESSIONAL ORDERS—PRIVATE MEMBERS' BUSINESS:** Mr Tickner (Minister for Aboriginal and Torres Strait Islander Affairs), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent order of the day, private Members' business, relating to the 50th anniversary of the Battle of the Coral Sea being called on forthwith.

Question—put and passed.

- 34 **50TH ANNIVERSARY OF THE BATTLE OF THE CORAL SEA:** The order of the day having been read for the resumption of the debate on the motion of Mr Lindsay (*see* entry No. 6)—That, on the occasion of the 50th anniversary of the Battle of the Coral Sea, during which a joint Australian

and US naval force inflicted the first strategic setback to Japanese aggression, thereby securing Australia from invasion and greatly enhancing Allied morale and resolve, this House:

- (1) places on record its deep appreciation of the contribution to our security of the Australian and US servicemen who participated in that action;
- (2) welcomes to Australia surviving US veterans participating in various remembrance ceremonies and the representation of two members of the US Cabinet, Secretary of Defense Cheney and Secretary of Education Alexander;
- (3) notes in particular the participation of Australian and US veterans in celebrations in Townsville;
- (4) reaffirms the continuing importance of security cooperation between our two countries forged at that time; and
- (5) expresses its strong support for continued close cooperation between the United States of America and Australia on economic and security issues in Asia and the Pacific—

On the motion of Mr Lindsay the following amendment was made—Omit paragraph (2), substitute the following paragraph:

“(2) welcomes to Australia surviving US veterans participating in various remembrance ceremonies and representatives of the US Cabinet, including Secretary of Defense Cheney, Secretary of the Army Stone, Secretary of the Navy Garrett and Secretary of Education Alexander;”.

Motion, as amended, agreed to.

35 MESSAGE FROM THE SENATE—CUSTOMS AND EXCISE LEGISLATION AMENDMENT BILL 1992: The following message from the Senate was reported:

Message No. 421

Mr Speaker,

The Senate returns to the House of Representatives the bill for “*An Act to amend legislation relating to Customs and Excise, and for related purposes*”, 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 May 1992

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—After clause 6, page 4, insert the following clause:

Persons having possession of dutiable goods to keep them safely

“6A. Section 35A of the Principal Act is amended:

- (a) by omitting from paragraph (1A)(a) ‘section 39 or by authority of a permission given under section 40AA’, and substituting ‘section 71B or by authority of a permission given under section 71E’;
- (b) by omitting from paragraph (1B)(a) ‘section 40AA’, and substituting ‘section 71E’.”.

No. 2—After clause 7, page 4, insert the following clause:

Right to require security

“7A. Section 42 of the Principal Act is amended by omitting from subsection (1) ‘section 39’ and substituting ‘section 71B’.”.

No. 3—Clause 13, page 11, proposed subsection 70(9), line 31, omit “not”.

No. 4—Clause 13, page 11, proposed subsection 70(9), line 34, omit “not”.

No. 5—Clause 13, page 12, proposed subsection 71(2), line 3, after “the regulations”, insert “and any further information supplied under section 196C”.

No. 6—Clause 13, page 16, proposed subsection 71D(7), lines 19 and 20, omit “to the satisfaction of an officer doing duty in relation to import entries”.

No. 7—Clause 16, page 20, proposed subsections 77A(10) and (11), lines 22 to 30, omit the subsections, substitute the following subsections:

“(9A) A registered COMPILE user who is a licensed customs agent under Part XI of this Act must not allocate a PIN number to an employee of that agent unless the employee is himself or herself a licensed customs agent under that Part.

“(10) Where, at any time the Comptroller becomes satisfied that a person who is a registered COMPILE user has failed to comply:

- (a) with an obligation imposed on the user under this Act; or
- (b) with a term of the applicable COMPILE user agreement;

the Comptroller may cancel the allocation of all or any of the PIN numbers allocated to the user by sending a notice that the allocation has been cancelled and setting out the reasons for that cancellation.

“(11) The cancellation of the allocation to a registered COMPILE user of a PIN number or PIN numbers has effect from the day the relevant notice was signed.”.

No. 8—After clause 17, page 22, insert the following clause:

Spirit imported in bulk must be entered for warehousing or transhipment

“17A. Section 104 of the Principal Act is amended by omitting ‘paragraph 68(1)(b) or for transhipment under paragraph 68(1)(c)’ and substituting ‘paragraph 68(2)(b) or for transhipment under paragraph 68(2)(c)’.”.

No. 9—After clause 27, page 25, insert the following clauses:

Rate of import duty

“27A. Section 132 of the Principal Act is amended by omitting subsection (3).

Declared permit quotas—effect on rates of import duty

“27B. Section 132B of the Principal Act is amended:

- (a) by omitting from subsection (3) ‘and subsection 71B(6)’;
- (b) by omitting from subsection (4) ‘section 39’ and substituting ‘section 71B’;
- (c) by omitting from subsection (4) ‘subject to subsection 71B(6) and’;
- (d) by omitting from subsection (8) ‘section 39’ and substituting ‘section 71B’;
- (e) by omitting subsection (9).

Refunds etc. of duty

“27C. Section 163 of the Principal Act is amended by omitting from subsection (1B) ‘section 36 or 37’ and substituting ‘section 68 and subsection 71A(7)’.”.

No. 10—After clause 31, page 26, insert the following clause:

Power to question persons claiming packages

“31A. Section 196C of the Principal Act is amended by omitting the words in subsection (1) preceding paragraph (a) and substituting the following:

‘Before an officer of Customs decides whether or not to authorise the delivery into home consumption of goods referred to in subsection 71(1), the officer may:’.”

No. 11—Clause 32, page 26, lines 36 to 43, omit the clause, substitute the following clause:

Powers of officers to inspect commercial documents in certain circumstances

“32. Section 214AA of the Principal Act is amended:

(a) by omitting paragraphs (1)(a) and (b) and substituting the following paragraphs:

‘(a) a person has been authorised:

(i) to take goods into home consumption, to warehouse goods, or to tranship goods, under section 71B; or

(ii) to deal with goods under section 114C; and

(b) the Comptroller or Collector has reasonable grounds to believe that there are on any premises, other than residential premises, occupied by that person in the course of his or her business, commercial documents relating to information supplied in connection with an entry of those goods under section 71A or section 114;’;

(b) by omitting paragraph (1)(c) and substituting the following paragraph:

‘(c) may, at all reasonable times within 5 years after the goods have been so entered, enter and remain on those premises;’.”

No. 12—Clause 42, page 31, proposed paragraph 273GA(1)(aj), lines 22 to 24, omit the paragraph, substitute the following paragraph:

“(aj) a decision by the Comptroller under section 77A to cancel the allocation to a registered COMPILE user of a PIN number or PIN numbers;”.

On the motion of Mr Tickner (Minister for Aboriginal and Torres Strait Islander Affairs), the amendments were agreed to.

Resolution to be reported.

The House resumed; Mr Truss reported accordingly.

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

36 PAPER: Mr Tickner (Minister for Aboriginal and Torres Strait Islander Affairs) presented the following paper:

Customs and Excise Legislation Amendment Bill 1992—Supplementary explanatory memorandum.

37 MESSAGE FROM THE SENATE—PARLIAMENT HOUSE CONSTRUCTION AUTHORITY REPEAL BILL 1992: Message No. 420, dated 7 May 1992, from the Senate was reported transmitting for the concurrence of the House a Bill for “*An Act to repeal the Parliament House Construction Authority Act 1979, 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—NATIONAL CAPITAL—JOINT COMMITTEE: Message No. 422, dated 7 May 1992, from the Senate was reported

acquainting the House that the Senate had agreed with the resolution of the House concerning the Joint Committee on the National Capital.

39 AVIATION FUEL REVENUES (SPECIAL APPROPRIATION) AMENDMENT BILL 1992: 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. 260, dated 6 May 1992, 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 Snowdon (Parliamentary Secretary to the Minister for Transport and Communications), the Bill was read a third time.

40 SUPERANNUATION LEGISLATION (CONSEQUENTIAL AMENDMENTS AND TRANSITIONAL PROVISIONS) BILL 1992: 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 R. J. Brown (Minister for Land Transport), the Bill was read a third time.

41 ADJOURNMENT: Mr R. J. Brown (Minister for Land Transport) moved—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 11 p.m.—The Speaker adjourned the House until Tuesday, 26 May 1992, at 2 p.m.

PAPERS: The following papers were deemed to have been presented on 7 May 1992:

Public Service Act—Determinations—1992—Nos. 19, 28, 29, 34, 37, 39, 40, 41, 42, 43, 44, 45, 46, 53, 56, 124, 126.

ATTENDANCE: All Members attended (at some time during the sitting) except Mr Bilney, Mr Burr*, Dr Kemp, Mr Kerin, Mr Sciacca* and Mr B. C. Scott.

*On leave

L. M. BARLIN
Clerk of the House of Representatives