

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 138

WEDNESDAY, 19 AUGUST 1992

- 1 The House met, at 10 a.m., pursuant to adjournment. The Speaker (the Honourable Leo McLeay) took the Chair, and read Prayers.
- 2 **DEATH OF FORMER SENATOR (MR JAMES PHILIP TOOHEY, AM)** The Speaker informed the House of the death, on Tuesday, 18 August 1992, of Mr James Philip Toohey, AM, a Senator for the State of South Australia from 1953 to 1971.
As a mark of respect to the memory of the deceased all Members present stood, in silence.
- 3 **MESSAGE FROM THE SENATE—SUPERANNUATION GUARANTEE (ADMINISTRATION) BILL 1992:** Message No. 507, dated 18 August 1992, from the Senate was reported:
- (a) acquainting the House with a statement made by the President regarding errors contained in the Senate schedule of amendments transmitted to the House in message No. 491 relating to the Superannuation Guarantee (Administration) Bill 1992; and
- (b) transmitting to the House the following resolution agreed to by the Senate in connection with the Bill:
That the President's statement and a corrected schedule of amendments to the Superannuation Guarantee (Administration) Bill 1992 agreed to by the Senate on 24 June 1992 be forwarded to the House of Representatives, and the House be requested to reconsider the bill with the corrected schedule of amendments.
- Ordered—That consideration of the message be made an order of the day for a later hour this day.
- 4 **SUSPENSION OF STANDING AND SESSIONAL ORDERS—SUPERANNUATION GUARANTEE (ADMINISTRATION) BILL 1992—RESCISSION OF RESOLUTION:** Mr Beazley (Leader of the House), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent the moving forthwith of a motion rescinding the resolution of the House of 24 June 1992 which adopted a report from the committee of the whole House agreeing to 25 amendments contained in a schedule of amendments received from the Senate in message No. 491 in respect of the Superannuation Guarantee (Administration) Bill 1992.
Debate ensued.
Question—put and passed.
- 5 **SUPERANNUATION GUARANTEE (ADMINISTRATION) BILL 1992—RESCISSION OF RESOLUTION:** Mr Beazley (Leader of the House) moved—That the resolution of the House of Representatives of 24 June 1992 adopting a report from the committee of the whole House agreeing to 25 amendments

contained in a schedule of amendments received from the Senate in message No. 491 in respect of the Superannuation Guarantee (Administration) Bill 1992 be rescinded.

Debate ensued.

Question—put and passed.

- 6 SUPERANNUATION GUARANTEE (ADMINISTRATION) BILL 1992—SENATE MESSAGE NO. 507: The order of the day having been read for the consideration of message No. 507 from the Senate (*see entry No. 3*)—
Mr Beazley (Leader of the House) moved—That the amendments contained in message No. 507 from the Senate be taken into consideration, in committee of the whole House, forthwith.
Question—put and passed.

In the committee

CORRECTED SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE

No. 1—Clause 6, page 3, subclause (1), definition of “**contribution period**”, paragraphs (a) and (b), lines 28 and 29, omit the paragraphs, substitute the following paragraphs:

“(a) a period of 6 months commencing on 1 July 1992 or 1 January 1993;
or

(b) a period of 3 months commencing on 1 July, 1 October, 1 January or 1 April in the 1993-94 year or any later year;”.

No. 2—Clause 6, page 4, subclause (1), after definition of “**government body**”, insert the following definition:

“**half-year** means a contribution period of 6 months;”.

No. 3—Clause 6, page 5, subclause (1), after definition of “**public sector scheme**”, insert the following definition:

“**quarter** means a contribution period of 3 months;”.

No. 4—Clause 10, page 7, subclauses (2) to (4), lines 19 to 41, omit the subclauses, substitute the following subclauses:

“(2) The notional employer contribution rate, in relation to a class of employees specified in a benefit certificate relating to one or more defined benefit superannuation schemes, is the contribution rate required to meet the expected long-term cost, to an employer who contributes to the scheme or schemes for the benefit of employees in the class, of the minimum benefits accruing in respect of all employees in the class from the date of effect of the benefit certificate onwards.

“(3) A benefit certificate has effect from the date specified in the certificate until:

(a) a superannuation scheme to which it relates is amended in a way that affects, or may affect, the level or method of calculation of benefits provided under the scheme for the class of employees specified in the certificate; or

(b) another benefit certificate is issued in relation to the same class of employees and the same scheme or schemes; or

(c) a period of 5 years from the date of issue expires;

whichever occurs first.

“(4) A benefit certificate may not be expressed to have effect from a date earlier than the date of issue except as provided by subsection (5).

“(5) A benefit certificate issued in the period commencing on 1 July in a particular year and ending on:

(a) 14 August in the following year; or

(b) a later date allowed by the Commissioner;

may be expressed to have effect from:

(c) the first day of that period; or

(d) any later day up to the day of issue.

“(6) The regulations may make provision regarding:

- (a) the issue and form of benefit certificates; and
- (b) the way in which the expected long-term cost to an employer of benefits accruing to all employees is to be calculated under subsection (2); and
- (c) the manner in which the contribution rate is to be expressed under subsection (2); and
- (d) the way in which minimum benefits accruing to all employees are to be calculated under subsection (2).”.

No. 5—Clause 11, page 8, paragraph (1)(e), line 12, omit “payments to”, substitute “remuneration of”.

No. 6—Clause 15, page 11, subclause (1), lines 22 and 23, omit “the contribution period commencing on 1 July 1992 is \$80,000”, substitute “a contribution period in the 1992-93 year is \$40,000”.

No. 7—Clause 15, page 11, subclause (2), lines 26 to 28, omit the formula, substitute the following formula:

$$\frac{\$40,000 \times \text{Indexation factor for the 1992-93 year}}{2}$$

No. 8—Clause 18, page 12, lines 10 to 18, omit the clause, substitute the following clause:

“18.(1) An employer’s individual superannuation guarantee shortfall in respect of an employee for the 1992-93 year is the sum of the employer’s half-yearly shortfalls in respect of that employee for that year.

“(2) An employer’s half-yearly shortfall in respect of an employee for a half-year is the amount worked out using the formula:

$$\frac{\text{Total salary or wages paid by the employer to the employee for the half-year}}{100} \times \frac{\text{Charge percentage for the employer for the half-year}}{100}$$

where:

‘Charge percentage for the employer for the half-year’ means the number ascertained in relation to that employer and that half-year according to section 20 or 21 or that number as reduced, in respect of the employee, by section 22 or 23, as the case may be.”.

No. 9—Clause 19, page 12, lines 21 to 32, omit the clause, substitute the following clause:

“19.(1) An employer’s individual superannuation guarantee shortfall in respect of an employee for a year (other than the 1992-93 year) is the sum of the employer’s quarterly shortfalls in respect of that employee for that year.

“(2) An employer’s quarterly shortfall in respect of an employee for a quarter is the amount worked out using the formula:

$$\frac{\text{Total salary or wages paid by the employer to the employee for the quarter}}{100} \times \frac{\text{Charge percentage for the employer for the quarter}}{100}$$

where:

‘Charge percentage for the employer for the quarter’ means the number ascertained in relation to that employer and that quarter according to section 20 or 21 or that number as reduced, in respect of the employee, by section 22 or 23, as the case may be.”.

No. 10—Clause 20, page 13, subclauses (3) and (4), lines 1 to 10, omit the subclauses, substitute the following subclauses:

“(3) Subject to subsection (4) and sections 22 and 23, if an employer’s annual national payroll for the base year exceeded \$1,000,000, the

employer's charge percentage for a contribution period in a year, or a part of a year, specified in the following table is the number specified in that table in relation to that year or part of a year (as the case may be):

Year	Percentage
1992-93 (1 July-31 December)	4
1992-93 (1 January-30 June)	5
1993-94	5
1994-95	5
1995-96	6
1996-97	6
1997-98	6
1998-99	7
1999-2000	7
2000-01	8
2001-02	8
2002-03 and subsequent years	9

“(4) In the case of an employer whose charge percentage for the contribution period commencing on 1 January 1993 would, apart from this subsection, be 5, the charge percentage is 4 if:

- (a) a regulation prescribing a charge percentage of 5 for the contribution period, in relation to employers whose annual national payrolls for the base year exceeded \$1,000,000, is not made within 28 days after the day on which this Act receives the Royal Assent; or
- (b) if such a regulation is made, it is disallowed by either House of the Parliament on or before:
 - (i) the second day after 8 December 1992 that is a sitting day for both Houses of the Parliament; or
 - (ii) 31 December 1992;
 whichever is earlier.

“(5) Subject to sections 22 and 23, if an employer's annual national payroll for the base year did not exceed \$1,000,000, the employer's charge percentage for a contribution period in a year specified in the following table is the number specified in that table in relation to that year:

Year	Percentage
1992-93	3
1993-94	3
1994-95	4
1995-96	5
1996-97	6
1997-98	6
1998-99	7
1999-2000	7
2000-01	8
2001-02	8
2002-03 and subsequent years	9

No. 11—Clause 21, pages 13 and 14, subclauses (3) to (7), line 18 (page 13) to line 12 (page 14), omit the subclauses, substitute the following subclauses:

“(3) The employer's charge percentage for a contribution period in a year in the period up to and including the base year is the number specified in the following table in relation to that year:

Year	Percentage
1992-93	3
1993-94	3
1994-95	4
1995-96	5
1996-97	6
1997-98	6
1998-99	7
1999-2000	7
2000-01	8
2001-02	8
2002-03 and subsequent years	9

“(4) If the employer’s annual national payroll for the base year exceeds \$1,000,000, the employer’s charge percentage for a contribution period in a subsequent year specified in the following table is the number specified in that table in relation to that year:

Year	Percentage
1992-93	4
1993-94	5
1994-95	5
1995-96	6
1996-97	6
1997-98	6
1998-99	7
1999-2000	7
2000-01	8
2001-02	8
2002-03 and subsequent years	9

“(5) If the employer’s annual national payroll for the base year does not exceed \$1,000,000, the employer’s charge percentage for a contribution period in a subsequent year specified in the table in subsection (3) is the number specified in that table in relation to that year.

“(6) This section has effect subject to sections 22 and 23.”.

No. 12—Clause 22, pages 14 and 15, paragraphs (2)(a) and (b), line 18 (page 14) to line 2 (page 15), omit the paragraphs, substitute the following paragraphs:

- “(a) a benefit certificate in relation to one or more complying superannuation schemes has effect for the whole or a part of a contribution period; and
- (b) a scheme in relation to which the certificate has effect is operating for the benefit of a person as an employee of an employer; and
- (c) the certificate specifies a figure as the notional employer contribution rate in relation to a class of employees (being a class that includes the employee referred to in paragraph (b)) as members of the scheme or schemes (as the case may be);”.

No. 13—Clause 22, page 15, subclause (2), lines 9 to 18, omit all words from and including “‘A’ is the figure”, substitute the following:

“‘A’ is the figure referred to in paragraph (c);

‘B’ is:

- (A) 1; or
- (B) if, in relation to the contribution period, the employment period is greater than the scheme membership period or the certificate period—either the fraction that represents the scheme membership period as a proportion of the employment period

or the fraction that represents the certificate period as a proportion of the employment period or, if one fraction is smaller than the other, the smaller fraction”.

No. 14—Clause 22, page 15, after subclause (2), insert the following subclause:

“(2A) For the purposes of subsection (2):

‘the employment period’ means the period in the contribution period for which the employee is employed by the employer;

‘the scheme membership period’ means the period in the contribution period for which the employee is a member of the superannuation scheme;

‘the certificate period’ means the period in the contribution period for which the benefit certificate has effect in relation to the scheme.”.

No. 15—Clause 23, page 18, subclause (6), lines 35 to 40, omit the subclause, substitute the following subclause:

“(6) A contribution to a complying superannuation fund made by an employer for the benefit of an employee in the period commencing on 1 July 1992 and ending on 14 August 1993 may be taken into account under this section as if it had been made in either contribution period in the 1992-93 year.”.

No. 16—After clause 23, page 19, insert the following clauses:

Certain benefit certificates presumed to be certificates in relation to complying superannuation scheme

“23A.(1) Subject to subsections (3) and (4), a benefit certificate that has effect in relation to a superannuation scheme (being a scheme to which an employer has contributed for the benefit of an employee) for the whole or a part of a contribution period is, for the purposes of section 22, conclusively presumed, in relation to the employer, to be a certificate that has effect in relation to a complying superannuation scheme for the whole, or that part, as the case may be, of the contribution period if:

- (a) within 30 days of the day on which the contribution period, or the part of the contribution period, as the case may be, commences, the employer obtains a written statement, provided by or on behalf of the trustee of the scheme, that the scheme:
 - (i) is operated in accordance with the superannuation fund conditions under the *Occupational Superannuation Standards Act 1987*; and
 - (ii) has been so operated from the day on which the benefit certificate is expressed to take effect; or
- (b) in an earlier contribution period, the employer has obtained a statement of the kind referred to in paragraph (a).

“(2) Subject to subsections (3) and (4), a benefit certificate that has effect in relation to a superannuation scheme (being a scheme to which an employer has contributed for the benefit of an employee) for the whole or a part of a contribution period is, if the employer obtains a statement of the kind referred to in paragraph (1)(a):

- (a) within the contribution period; but
- (b) later than 30 days after the day on which the contribution period, or the part of the contribution period, as the case may be, commences;

for the purposes of section 22, conclusively presumed, in relation to the employer, to be a certificate that has effect in relation to a complying superannuation scheme for the period commencing on the day on which the employer obtains the statement and ending on the last day of the contribution period.

“(3) A presumption relating to a benefit certificate under subsection (1) or (2) is not, in relation to an employer and a superannuation scheme,

effective in respect of any period for which the scheme is operating while in breach of a superannuation fund condition under the *Occupational Superannuation Standards Act 1987* if:

- (a) the employer has been notified of that breach by the trustee; and
- (b) the employer has not been further notified by the trustee that the Commissioner of Insurance and Superannuation is satisfied that the breach has been rectified.

“(4) A presumption relating to a benefit certificate under subsection (1) or (2) is not, in relation to an employer and a superannuation scheme, effective in respect of any period for which the scheme is operating while in breach of a superannuation fund condition under the *Occupational Superannuation Standards Act 1987* if, in that period:

- (a) the employer:
 - (i) is the trustee or manager of the scheme; or
 - (ii) has an association, within the meaning of subsection 26AAB(14) of the *Income Tax Assessment Act 1936*, with the trustee or the manager of the scheme; and
- (b) the employer has reasonable grounds for believing that the scheme is operating while in breach of a superannuation fund condition under the *Occupational Superannuation Standards Act 1987*.

Certain contributions presumed to be contributions to complying superannuation fund

“23B.(1) Subject to subsection (2), a contribution by an employer for the benefit of an employee to a superannuation fund is conclusively presumed to be a contribution to a complying superannuation fund for the purposes of section 23 if, at the time the contribution is made:

- (a) the employer has obtained a written statement, provided by or on behalf of the trustee of the fund, that the fund is operated in accordance with the superannuation fund conditions under the *Occupational Superannuation Standards Act 1987*; and
- (b) either:
 - (i) the employer has not been notified by the trustee that the fund is operating while in breach of a superannuation fund condition under the *Occupational Superannuation Standards Act 1987*; or
 - (ii) the employer has been so notified, but has been further notified by the trustee that the Commissioner of Insurance and Superannuation is satisfied that the breach has been rectified.

“(2) Subsection (1) does not apply to a contribution to a superannuation fund if, at the time the contribution is made:

- (a) the employer:
 - (i) is the trustee or the manager of the fund; or
 - (ii) has an association, within the meaning of subsection 26AAB(14) of the *Income Tax Assessment Act 1936*, with the trustee or the manager of the fund; and
- (b) the employer has reasonable grounds for believing that the fund is operating while in breach of a superannuation fund condition under the *Occupational Superannuation Standards Act 1987*.

Certain periods not to count as periods of employment

“23C.(1) Any period in respect of which excluded salary or wages are paid by an employer to an employee is not, for the purposes of section 22 or 23, to be taken into account as a period for which the employee is employed by the employer.

“(2) For the purposes of subsection (1), excluded salary or wages are salary or wages that, under section 24 or 25, are not to be taken into account for the purpose of making a calculation under section 18 or 19.”.

No. 17—Clause 24, page 19, subclause (2), line 36, omit “\$250”, substitute “\$450”.

No. 18—Clause 30, page 21, paragraph (2)(f), line 23, omit “\$500,000”, substitute “\$1,000,000”.

No. 19—After clause 48, page 28, insert the following clauses:

Liquidation

“48A. In the winding up of a company, any superannuation guarantee charge payable by the company is, for the purposes of payment, to have a priority equal to that of a debt of the company of the kind referred to in paragraph 556(1)(e) of the Corporations Law.

Receivers

“48B.(1) If a person (the ‘asset holder’), as a receiver or a receiver and manager for debenture holders of an employer that is a company, takes possession of assets of the employer, the asset holder must, within 14 days, give written notice of the fact to the Commissioner.

“(2) The Commissioner must, as soon as practicable, give the asset holder written notice of the amount that, in the Commissioner’s opinion, is sufficient to provide for any amount of superannuation guarantee charge that is or may become payable by the employer (the ‘notified charge amount’).

“(3) The asset holder:

- (a) must not, without the Commissioner’s permission, part with any of the company’s assets before receiving notice of the notified charge amount; and
- (b) must set aside, out of the assets available for paying the company’s ordinary debts, assets having the value worked out using the formula:

$$\text{Total value of assets available to pay ordinary debts} \times \left[\begin{array}{c} \text{Notified charge amount} \\ \text{Notified charge amount} + \text{Company's notified tax amount} + \text{Sum of company's other ordinary debts} \end{array} \right]$$

“(4) The asset holder is liable to pay the superannuation guarantee charge payable by the company to the extent of the value of the assets that the asset holder is required to set aside.

“(5) Paragraph (3)(a) does not prevent the asset holder from parting with the company’s assets to pay the company’s debts that are not ordinary debts.

“(6) For the purposes of subsections (3) and (5), a company’s debt is an ordinary debt if:

- (a) it is unsecured; and
- (b) it is not required, under a Commonwealth, State or Territory law, to be paid in priority to some or all of the company’s other debts.

“(7) If the asset holder, without reasonable excuse, contravenes this section or fails to pay the superannuation guarantee charge for which the asset holder is liable under subsection (4), the asset holder is guilty of an offence punishable on conviction by a fine not exceeding \$1,000.

“(8) This section is not taken to limit an obligation or liability of the asset holder arising otherwise than under this section.

“(9) If 2 or more persons are asset holders in relation to the same company, the obligations and liabilities imposed on an asset holder by this section are imposed on both or all of the persons jointly.

“(10) In this section:

‘notified tax amount’ means an amount that the Commissioner has notified to the company or the respective asset holder under a section of another Act that corresponds to this section;

‘superannuation guarantee charge’ includes additional superannuation guarantee charge under section 46 or Part 7.”.

No. 20—Clause 60, page 37, line 10, after “60.”, insert “(1)”.

No. 21—Clause 60, page 37, at end of clause, add the following subclause:

“(2) A payment of a shortfall component made or arranged by the Commissioner for the benefit of an employee to a superannuation fund is conclusively presumed to be a payment to a complying superannuation fund for the purposes of subsection (1) if, at the time the payment is made:

- (a) the Commissioner has obtained a written statement, provided by or on behalf of the trustee of the fund, that the fund is operated in accordance with the superannuation fund conditions under the *Occupational Superannuation Standards Act 1987*; and
- (b) either:
 - (i) the Commissioner has not been notified by the trustee that the fund is operating while in breach of a superannuation fund condition under the *Occupational Superannuation Standards Act 1987*; or
 - (ii) the Commissioner has been so notified, but has been further notified by the trustee that the Commissioner of Insurance and Superannuation is satisfied that the breach has been rectified.”.

Mr Beazley moved—That the amendments be agreed to.

Debate ensued.

Question—put.

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

AYES, 73

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

NOES, 63

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

* Tellers

And so it was resolved in the affirmative.
Resolution to be reported.

The House resumed; Mr Hollis reported accordingly.

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

7 **DISABILITY DISCRIMINATION 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 by Mr B. C. Scott 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 is of the opinion that the Bill should be referred to a Joint Select Committee, to be known as the Joint Select Committee on the Disability Discrimination Bill 1992, to be appointed to inquire into and report by 3 November 1992, on the following matters:

- (1) a general assessment of the outcomes of the proposed legislation in relation both to persons with disabilities and others in the community, including:
 - (a) the appropriateness of exemptions included in the Bill, particularly for the telecommunications industry and the deaf community and whether further exemptions should be included, for example, for the Australian Defence Force;
 - (b) whether the Bill deals satisfactorily with significant issues of health policy and whether these could be dealt with more appropriately in separate legislation;
 - (c) the appropriateness of the definition of ‘disability’, including an examination of existing definitions of disability in the UN Declaration of the Rights of Disabled Persons and/or State legislation, the reasons why the proposed definition is different and whether it should include, for example, cognitive and neurological dysfunctions;
 - (d) the need to clarify provisions relating to ‘unjustifiable hardship’ and ‘action plans’;
 - (e) the interrelationship of the legislation with existing legislative provisions such as the ‘compulsory conference’ procedure and the procedures in existing racial and sex discrimination legislation; and
- (2) whether the mechanisms contained in the Bill are the most appropriate means of reducing disadvantages experienced by people with disabilities, including a detailed examination of the costs of the proposed legislation to industry and taxpayers and of the practicalities of its implementation”.

Debate continued.

Ms Crawford addressing the House—

It being 12.45 p.m., the debate was interrupted in accordance with sessional order 101A, and the resumption of the debate made an order of the day for a later hour this day.

8 QUESTIONS: Questions without notice being asked—

Paper: Mr Simmons (Minister for Local Government) presented the following paper:

Local Capital Works Program—Notional allocation by federal electorate—Table.

Questions without notice continued.

9 PAPERS: The following papers were presented:

Employment, Education and Training Act—National Board of Employment, Education and Training—Reports by the—

Australian Research Council, including the Board's comments—Advice on the small grants scheme, May 1992.

Research infrastructure: Report of the joint ARC-HEC-DEET working party, August 1992.

Higher Education Council, including the Board's comments—Minimum fees for postgraduate courses, August 1992.

Murray-Darling Basin Act—Murray-Darling Basin Commission—Report for 1990-91.

Official Establishments Trust—Report for 1991-92.

Public Service Act—Department of the Prime Minister and Cabinet—Report for 1991-92.

Student Assistance Act—Report by Minister on operation of Act, for 1991.

Tobacco Marketing Act—Australian Tobacco Marketing Advisory Committee—Report for 1991.

10 STUDENT ASSISTANCE ACT—REPORT—MOTION TO TAKE NOTE OF PAPER:

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

Student Assistance Act—Report by Minister on operation of Act, for 1991.

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

11 NATIONAL BOARD OF EMPLOYMENT, EDUCATION AND TRAINING—RESEARCH INFRASTRUCTURE—REPORT—MOTION TO TAKE NOTE OF PAPER: Mr Beazley (Leader of the House) moved—That the House take note of the following paper:

Employment, Education and Training Act—National Board of Employment, Education and Training—Report by the Australian Research Council, including the Board's comments—Research infrastructure: Report of the joint ARC-HEC-DEET working party, August 1992.

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

12 DEPARTMENT OF THE PRIME MINISTER AND CABINET—REPORT—MOTION TO TAKE NOTE OF PAPER: Mr Beazley (Leader of the House) moved—That the House take note of the following paper:

Public Service Act—Department of the Prime Minister and Cabinet—Report for 1991-92.

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

13 PAPER: Mr Beazley (Leader of the House) presented the following paper:

Petition not in accord with standing and sessional orders of the House—East Timor (Mr Nugent, 13 petitioners).

- 14 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ECONOMIC RECOVERY:**
The House was informed that Mr Reith (Deputy Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The failure of the Budget to provide a plan for Australia’s economic recovery”.
The proposed discussion having received the necessary support—
Mr Reith addressed the House.
Discussion ensued.
Discussion concluded.
- 15 POSTPONEMENT OF ORDER OF THE DAY:** Ordered—That order of the day No. 2, government business, be postponed until a later hour this day.
- 16 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—DEVELOPMENT OF RAAF BASE SCHERGER, PEPPAN, CAPE YORK PENINSULA, QLD:** Mr Beddall (Minister representing the Minister for Administrative Services), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Development of RAAF Base Scherger at Peppan, Cape York Peninsula, Qld.
Mr Beddall presented plans in connection with the proposed work.
Debate ensued.
Question—put and passed.
- 17 CERTAIN ASPECTS OF THE OPERATION AND INTERPRETATION OF THE FAMILY LAW ACT—JOINT SELECT COMMITTEE—PROPOSED AMENDMENT OF RESOLUTION OF APPOINTMENT:** Mr Beddall (Minister for Small Business, Construction and Customs), for Mr Duffy (Attorney-General), pursuant to notice, moved—That:
(1) Paragraph (16) of the resolution of appointment of the Joint Select Committee on Certain Aspects of the Operation and Interpretation of the Family Law Act be omitted and that the following paragraph be substituted:
“(16) That the committee report to each House of the Parliament by 17 December 1992.”.
(2) A message be sent to the Senate requesting its concurrence.
Question—put and passed.
- 18 MIGRATION LAWS AMENDMENT BILL 1992:** Mr Hand (Minister for Immigration, Local Government and Ethnic Affairs), pursuant to notice, presented a Bill for an Act to amend the law relating to migration.
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 Ruddock), and the resumption of the debate made an order of the day for the next sitting.
- 19 AUSTRALIAN WINE AND BRANDY CORPORATION AMENDMENT BILL 1992:**
Mr Crean (Minister for Primary Industries and Energy), pursuant to notice, presented a Bill for an Act to amend the *Australian Wine and Brandy Corporation Act 1980*.
Bill read a first time.
Mr Crean moved—That the Bill be now read a second time.
Paper: Mr Crean presented an explanatory memorandum to the Bill.
Debate adjourned (Mr Chaney), and the resumption of the debate made an order of the day for the next sitting.

20 NATIONAL ROAD TRANSPORT COMMISSION AMENDMENT BILL 1992:

Mr R. J. Brown (Minister for Land Transport), pursuant to notice, presented a Bill for an Act to amend the *National Road Transport Commission Act 1991*.

Bill read a first time.

Mr R. J. Brown moved—That the Bill be now read a second time.

Paper: Mr R. J. Brown presented an explanatory memorandum to the Bill.

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

21 OCCUPATIONAL SUPERANNUATION STANDARDS REGULATIONS APPLICATION BILL 1992:

Mr Beddall (Minister for Small Business, Construction and Customs), for Mr Baldwin (Minister Assisting the Treasurer), pursuant to notice, presented a Bill for an Act to provide for the commencement and operation of certain regulations made under the *Occupational Superannuation Standards Act 1987*.

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, by leave, ensued.

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

Leave granted for third reading to be moved forthwith.

Mr Price (Parliamentary Secretary to the Minister for Defence) moved—That the Bill be now read a third time.

Question—put.

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

AYES, 71

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

NOES, 62

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

* Tellers

And so it was resolved in the affirmative—Bill read a third time.

22 NATIONAL PARKS AND WILDLIFE CONSERVATION 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.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Price (Parliamentary Secretary to the Minister for Defence), the Bill was read a third time.

23 DISABILITY DISCRIMINATION 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—*And on the amendment moved thereto by Mr B. C. Scott, viz.*—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 is of the opinion that the Bill should be referred to a Joint Select Committee, to be known as the Joint Select Committee on the Disability Discrimination Bill 1992, to be appointed to inquire into and report by 3 November 1992 on the following matters:

- (1) a general assessment of the outcomes of the proposed legislation in relation both to persons with disabilities and others in the community, including:
 - (a) the appropriateness of exemptions included in the Bill, particularly for the telecommunications industry and the deaf community and whether further exemptions should be included, for example, for the Australian Defence Force;
 - (b) whether the Bill deals satisfactorily with significant issues of health policy and whether these could be dealt with more appropriately in separate legislation;
 - (c) the appropriateness of the definition of ‘disability’, including an examination of existing definitions of disability in the UN Declaration of the Rights of Disabled Persons and/or State legislation, the reasons why the proposed definition is different and whether it should include, for example, cognitive and neurological dysfunctions;
 - (d) the need to clarify provisions relating to ‘unjustifiable hardship’ and ‘action plans’;
 - (e) the interrelationship of the legislation with existing legislative provisions such as the ‘compulsory conference’ procedure and the procedures in existing racial and sex discrimination legislation; and
- (2) whether the mechanisms contained in the Bill are the most appropriate means of reducing disadvantages experienced by people with disabilities, including a detailed examination of the costs of the proposed legislation to industry and taxpayers and of the practicalities of its implementation”—

Debate resumed.

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

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

AYES, 67

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

NOES, 57

Mr Aldred	Mr Cowan	Mr Lloyd	Mr Sharp
Mr Anderson	Mr Dobie	Mr McArthur	Mr Sinclair
Mr J. N. Andrew*	Mr Downer	Mr McGauran	Mr Smith
Mr K. J. Andrews	Dr H. R. Edwards	Mr Mack	Mr Somlyay
Mr Atkinson	Mr Fife	Mr MacKellar	Mrs Sullivan
Mrs Bailey	Mr Filing	Mr McLachlan	Mr Taylor
Mr Bradford	Mr T. A. Fischer	Mr Miles	Mr Truss
Mr Broadbent	Mr P. S. Fisher	Mr Nehl*	Mr Tuckey
Mr Burr	Mr Ford	Mr Nugent	Mr Webster
Mr Cameron	Mrs Gallus	Mr Reith	Mr Wilson
Mr Carlton	Mr Goodluck	Mr Riggall	Dr R. L. Woods
Mr Charles	Mr Halverson	Mr Rocher	Dr Wooldridge
Mr Cobb	Mr Hawker	Mr Ronaldson	
Mr Connolly	Mr Jull	Mr Ruddock	
Mr Costello	Dr Kemp	Mr B. C. Scott	

* Tellers

And so it was resolved in the affirmative.

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

The House resolved itself into a committee of the whole.

In the committee

Bill, by leave, taken as a whole.

On the motion of Mr Johns (Parliamentary Secretary to the Minister for Health, Housing and Community Services), by leave, the following amendments were made together, after debate:

Clause 4—

Page 2, after the definition of “administrative office” in subclause (1) insert the following definition:

“‘associate’, in relation to a person, includes:

- (a) a spouse of the person; and
- (b) another person who is living with the person on a genuine domestic basis; and
- (c) a relative of the person; and
- (d) a carer of the person; and
- (e) another person who is in a business, sporting or recreational relationship with the person;”.

Page 4, subclause (1), definition of “de facto spouse”, lines 15 to 18, omit the definition.

Page 6, subclause (1), definition of “relative”, lines 15 to 19, omit the definition, insert the following definition:

“‘relative’, in relation to a person, means a person who is related to the first-mentioned person by blood, marriage, affinity or adoption;”.

- Page 6, subclause (1), paragraph (a) of the definition of "services", line 26 insert, ", superannuation" after "insurance".
- Clause 8—
 Page 8, after paragraph (c) insert the following word and paragraph:
 "or (ca) a carer;"
- Page 8, at the end of the clause add the following word and paragraph:
 "; or (d) a carer."
- Clause 15—
 Page 12, subclause (1), line 7, omit "relatives or".
 Page 12, subclause (2), line 15, omit "relatives or".
- Clause 16—
 Page 13, subclause (1), line 4, omit "relatives or".
 Page 13, subclause (2), line 13, omit "relatives or".
- Clause 17, page 13, subclause (1), line 39, omit "relatives or".
- Clause 18—
 Page 14, subclause (1), line 23, omit "relatives or".
 Page 14, subclause (2), line 31, omit "relatives or".
 Page 14, subclause (3), line 39, omit "relatives or".
- Clause 19, page 15, subclause (1), line 22, omit "relatives or".
- Clause 20—
 Page 16, subclause (1), line 2, omit "relatives or".
 Page 16, subclause (2), line 12, omit "relatives or".
- Clause 21, page 16, subclause (1), line 21, omit "relatives or".
- Clause 22—
 Page 16, subclause (1), line 38, omit "relatives or".
 Page 17, subclause (2), line 3, omit "relatives or".
- Clause 23—
 Page 17, subclause (1), line 23, omit "relatives or".
 Page 17, subclause (2), line 43, omit "unaccessible", insert "inaccessible".
- Clause 24, page 18, subclause (1), line 8, omit "relatives or".
- Clause 25—
 Page 18, subclause (1), line 26, omit "relatives or".
 Page 18, subclause (2), line 37, omit "relatives or".
- Clause 26, page 19, subclause (1), line 37, omit "relatives or".
- Clause 27—
 Page 20, subclause (1), line 7, omit "relatives or".
 Page 20, subclause (2), line 17, omit "relatives or".
 Page 20, at the end of the clause add the following subclause:
 "(4) Neither subsection (1) nor (2) renders it unlawful to discriminate against a person on the ground of the person's disability if membership (however described) of the club or incorporated association is restricted only to persons who have a particular disability and the first-mentioned person does not have that disability."
- Clause 28—
 Page 20, subclause (1), line 34, omit "relatives or".
 Page 21, paragraph (c), lines 4 and 5, omit "a disability or".
- Clause 29, page 21, line 14, omit "relatives or".
- Clause 30, page 21, line 17, omit "a provision of Division 1 or this Division", insert "another provision of this Part".
- Clause 36, page 23, lines 6 to 36, omit "a relative or" (wherever occurring), insert "an".
- Clause 38, page 24, line 13, omit "a relative or", insert "an".
- Clause 40, page 24, line 30, omit "a relative or", insert "an".
- Clause 59, page 31, definition of "service provider", line 40, omit "or an instrumentality of a State", insert ", an instrumentality of a State, an educational institution".

Clause 71—

Page 35, paragraph (2)(c), line 28, omit “if”, insert “in a case where”.

Page 35, paragraph (2)(c), lines 29 and 30, omit “, a period”, insert “—a period”.

Page 35, paragraph (2)(c), line 31, insert “and the complaint was made to the Commission” after “done”.

Page 35, paragraph (2)(d), line 32, omit “if”, insert “in a case where”.

Page 35, paragraph (2)(e), line 35, omit “if”, insert “in a case where”.

Page 35, paragraph (2)(g), line 42, omit “if”, insert “in a case where”.

Clause 74—

Page 37, subclause (1), line 25, insert “or (2A)” after “subsection (2)”.

Page 37, subclause (2), lines 36 to 41, omit all the words from and including “have done” to the end of the subclause, insert “have done the act.”.

Page 37, after subclause (2), insert the following subclause:

“(2A) Directions under subsection (1) to attend a conference in relation to an act may be given to any person who in the opinion of the Commissioner, is likely to be able to provide information relevant to the inquiry or whose presence at the conference is, in the opinion of the Commissioner, likely to be conducive to the settlement of the matter to which the act relates.”.

Clause 79, page 40, subclause (2), lines 8 to 16, omit the subclause, insert the following subclauses:

“(2) The Commission must not hold, or must discontinue, an inquiry into a complaint or matter referred to it under subsection 76(1) if:

- (a) the complainant or the person aggrieved by the act notifies the Commission that the complainant or the person does not wish the inquiry to be held or to continue; and
- (b) the Commission is satisfied that the complainant or person:
 - (i) fully understands the consequences of notifying the Commission that he or she does not wish the inquiry to be held or to continue; and
 - (ii) did not notify the Commission as a result of the undue influence of, or under the duress of, another person.

“(2A) The Commission must not hold, or discontinue, an inquiry into a complaint or matter referred to it under section 78, if the Minister notifies the Commission that the Minister does not wish the inquiry to be held or to continue.”.

Clause 90, pages 42 and 43, subparagraphs (2)(a)(i) and (ii), lines 38 to 4, omit the subparagraphs.

Clause 100, pages 45 and 46, lines 25 to 3, omit the clause, insert the following clause:

Commission may dismiss trivial etc. complaints

“100. The Commission may, at any stage of an inquiry, dismiss a complaint if:

- (a) the Commission thinks that a complaint is trivial, vexatious, misconceived or lacking in substance; or
- (b) the Commission is satisfied that the complaint relates to an act that is not unlawful under a provision of Part 2; or
- (c) in a case where some other remedy has been sought in relation to the subject matter of the complaint—the Commission thinks that the subject matter of the complaint has been adequately dealt with; or
- (d) the Commission thinks that some other more appropriate remedy in relation to the subject matter of a complaint is reasonably available to the person aggrieved by the act; or

- (e) in a case where the subject matter of the complaint has already been dealt with by the Commissioner or by another statutory authority—the Commission thinks the subject matter of the complaint has been adequately dealt with; or
- (f) the Commission thinks that the subject matter of the complaint could be more effectively or conveniently dealt with by another statutory authority.”.

Clause 101—

Page 46, subclause (1), lines 6 to 30, omit the subclause, insert the following subclause:

“(1) If a complaint is referred to the President under subsection 71(5), the President may, without holding an inquiry, dismiss the complaint if:

- (a) the President thinks the complaint is trivial, vexatious, misconceived, lacking in substance or stale; or
- (b) the President is satisfied that the complaint relates to an act that is not unlawful under a provision of Part 2; or
- (c) in a case where some other remedy has been sought in relation to the subject matter of the complaint—the President thinks that the subject matter of the complaint has been adequately dealt with; or
- (d) the President thinks that some other appropriate remedy in relation to the subject matter of the complaint is reasonably available to the person aggrieved by the act; or
- (e) in a case where the subject matter of the complaint has already been dealt with by the Commission or by another statutory authority—the President thinks that the subject matter of the complaint has been adequately dealt with; or
- (f) the President thinks that the subject matter of the complaint could be more effectively or conveniently dealt with by another statutory authority.”.

Page 46, subclause (3), line 38, insert “and the complaint was made to the Commission” after “done”.

Clause 119, page 52, line 17, omit “days of”, substitute “days or for”.

Clause 132, page 57, subclause (2), line 18, insert “or 47” after “section 31”.

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

Bill, as amended, agreed to.

Bill to be reported with amendments.

The House resumed; Mr Dubois reported accordingly.

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

24 HUMAN RIGHTS AND EQUAL OPPORTUNITY LEGISLATION 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—

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Johns (Parliamentary Secretary to the Minister for Health, Housing and Community Services), the Bill was read a third time.

25 MESSAGE FROM THE SENATE—CRIMES (SHIPS AND FIXED PLATFORMS)

BILL 1992: Message No. 508, dated 19 August 1992, from the Senate was reported transmitting for the concurrence of the House a Bill for “*An Act to make provision in relation to certain crimes against the safety of ships and of fixed platforms*”.

Bill read a first time.

Mr Johns (Parliamentary Secretary to the Minister for Health, Housing and Community Services) moved—That the Bill be now read a second time.

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

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

- 26 **GRAIN LEGUMES LEVY 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.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Crean (Minister for Primary Industries and Energy), the Bill was read a third time.

- 27 **OILSEEDS LEVY 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—

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Crean (Minister for Primary Industries and Energy), the Bill was read a third time.

- 28 **HONEY LEGISLATION (REPEAL AND 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.

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

- 29 **ADJOURNMENT:** Mr Crean (Minister for Primary Industries and Energy) moved—That the House do now adjourn.

Debate ensued.

Debate extended: It being 11 p.m., the debate was interrupted.

Mr Simmons (Minister for Local Government) required the debate to be extended.

The debate continuing until 11.06 p.m.—The Deputy Speaker adjourned the House until tomorrow at 9.30 a.m.

PAPERS: The following papers were deemed to have been presented on 19 August 1992:

Acts Interpretation Act—Statement relating to the extension of specified period for presentation of periodic report—Judge Advocate General.

Civil Aviation Act—Civil Aviation Regulations—Civil Aviation Orders—Part 95—Amendment, 13 August 1992.

Public Service Act—Parliamentary Presiding Officers' Determination—1992—No. 3.

ATTENDANCE: All Members attended (at some time during the sitting) except Mr Hicks, Mr Holding, Mr Howard, Ms McHugh, Mr Moore and Mr Peacock.

L. M. BARLIN
Clerk of the House of Representatives