

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

No. 145

WEDNESDAY, 16 SEPTEMBER 1992

- 1 The House met, at 10 a.m., pursuant to adjournment. The Acting Speaker (Mr R. F. Edwards) took the Chair, and read Prayers.
- 2 **SOCIAL SECURITY 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.
 Mr Nehl was granted leave to continue his speech when the debate is resumed.
 Debate adjourned, and the resumption of the debate made an order of the day for a later hour this day.
- 3 **TAX LEGISLATION AMENDMENT BILL 1992:** Mr Dawkins (Treasurer) presented a Bill for an Act to amend the law relating to taxation.
 Bill read a first time.
 Mr Dawkins moved—That the Bill be now read a second time.
Papers: Mr Dawkins, by leave, presented the following papers:
 Taxation—Copies of—
 Australian Taxation Office—
 Income tax compliance/enforcement strategy, 15 September 1992.
 Minute No. 221 from Mr T. P. Boucher, Commissioner of Taxation, to the Treasurer, 15 September 1992.
 Statement on tax policy circulated by Mr Dawkins (Treasurer), 16 September 1992.
Paper: Mr Dawkins presented an explanatory memorandum to the Bill.
 Debate adjourned (Mr Reith—Deputy Leader of the Opposition), and the resumption of the debate made an order of the day for the next sitting.
- 4 **TAXATION LAWS AMENDMENT (FRINGE BENEFITS TAX MEASURES) BILL 1992:** Mr Dawkins (Treasurer) presented a Bill for an Act to amend the law relating to taxation.
 Bill read a first time.
 Mr Dawkins moved—That the Bill be now read a second time.
Paper: Mr Dawkins presented an explanatory memorandum to the Bill.
 Debate adjourned (Mr Somlyay), and the resumption of the debate made an order of the day for the next sitting.
- 5 **QUESTIONS:** Questions without notice being asked—

Suspension of standing and sessional orders moved: Mr Reith (Deputy Leader of the Opposition) moved—That so much of the standing and sessional orders be suspended as would prevent the House debating forthwith—That

this House deplores the failure of the Government to fully detail its intentions for future tax increases.

Debate ensued.

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

Question—put.

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

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

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Mr Baldwin	Mr Duffy	Mrs Jakobsen	Mr Sawford
Mr Beazley	Mr Duncan	Mr Jenkins	Mr Scholes
Mr Beddall	Mr Elliott	Mr Jones	Mr Sciacca
Mr Bevis	Ms Fatin	Mrs Kelly	Mr J. L. Scott
Mr Bilney	Mr Ferguson	Mr Kerin	Mr L. J. Scott
Dr Blewett	Mr Fitzgibbon	Mr Kerr	Mr Simmons
Mr Breton	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 Charlesworth	Mr Gibson	Ms McHugh	Dr Theophanous
Mr Cleary	Mr Gorman	Mr Mack	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 Darling	Mr Howe	Mr Newell	Mr H. F. Woods
Mr Dawkins	Mr Hulls	Mr O'Keefe	
Mr Dubois	Mr Humphreys	Mr O'Neil	

* Tellers

And so it was negated.

Questions without notice concluded.

6 PAPER: The following paper was presented:

Employment, Education and Training Act—National Board of Employment, Education and Training—Report of the Australian Research Council, including the Board's comments—Commercialisation of research, September 1992.

7 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—TRADE: The House was informed that Mr Lloyd (Deputy Leader of the National Party of Australia) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The continuing failure of the Australian Government to promote and protect Australia's trade".

The proposed discussion having received the necessary support—

Mr Lloyd addressed the House.

Discussion ensued.

Discussion concluded.

- 8 **INCOME TAX (INTERNATIONAL AGREEMENTS) AMENDMENT BILL 1992:** Mr Baldwin (Minister Assisting the Treasurer) presented a Bill for an Act to amend the *Income Tax (International Agreements) Act 1953*, and for related purposes.

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.

- 9 **HEALTH AND COMMUNITY SERVICES LEGISLATION AMENDMENT BILL (NO. 2) 1992:** Mr Baldwin (Minister for Higher Education and Employment Services), for Mr Staples (Minister for Aged, Family and Health Services), pursuant to notice, presented a Bill for an Act to amend legislation relating to health and community services.

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

- 10 **NATIONAL CRIME AUTHORITY AMENDMENT BILL (NO. 2) 1992:** Mr Duncan (Parliamentary Secretary to the Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *National Crime Authority Act 1984*.

Bill read a first time.

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

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

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

- 11 **SOCIAL SECURITY 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. 312, dated 25 August 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 Simmons (Minister for Family Support), the Bill was read a third time.

- 12 **SOCIAL SECURITY AMENDMENT BILL (NO. 2) 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.

Message from the Governor-General: Message No. 313, dated 14 September 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 Simmons (Minister for Family Support), the Bill was read a third time.

13 CERTAIN ASPECTS OF THE OPERATION AND INTERPRETATION OF THE FAMILY LAW ACT—JOINT SELECT COMMITTEE—PROPOSED AMENDMENTS OF RESOLUTION OF APPOINTMENT: Mr Martin (Parliamentary Secretary to the Minister for Foreign Affairs and Trade), by leave, moved—That:

- (1) the resolution of appointment of the Joint Select Committee on Certain Aspects of the Operation and Interpretation of the Family Law Act be amended by omitting paragraphs (1) and (16) and substituting the following paragraphs:
- “(1) That a joint select committee, to be known as the Joint Select Committee on Certain Aspects of the Operation and Interpretation of the Family Law Act, be appointed to inquire into and report on:
- (a) the provisions and operation of the *Family Law Act 1975* and, where the committee thinks appropriate and necessary, make such recommendations for amendments to the Family Law Act and other action in respect of:
 - (i) the role, funding, effectiveness and availability of the services of:
 - (A) the Family Court Counselling Service, and
 - (B) approved organisations providing marriage counselling and family mediation services;
 - (ii) the proper resolution of custody, guardianship, welfare and access disputes;
 - (iii) the proper resolution of family law property disputes, including the question whether it is desirable that the Family Law Act be extended to property disputes arising out of de facto relationships;
 - (iv) the effective enforcement of rights and duties under the Family Law Act;
 - (v) the exercise of discretion by the courts, including the question whether it is desirable to better structure the exercise of the discretion of the courts in making orders determining disputes in relation to children or property;
 - (vi) the adversarial nature of proceedings under the Family Law Act and their associated legal costs, including the question whether amendments to the Act or other actions are desirable to require or encourage greater use of arbitration, mediation or other forms of alternative dispute resolution;
 - (vii) the prohibition in the Family Law Act on the publication of accounts of proceedings which identify parties, witnesses or other persons associated with the proceedings; and
 - (viii) the retiring age for judges of the Family Court of Australia; and
 - (b) the administration of the Family Court of Australia to assess:
 - (i) the base level of funding required to enable the Court to undertake its statutory functions at a level that will meet the reasonable expectations of the Parliament; and
 - (ii) the effectiveness of present expenditure by the Court towards undertaking those functions and meeting those expectations.
- “(16) That the committee report to each House of the Parliament, for term of reference (1)(a) by 17 December 1992, and, for term of reference (1)(b) as soon as possible.”; and

(2) a message be sent to the Senate acquainting it of this resolution and requesting its concurrence.

Debate ensued.

Question—put and passed.

14 **DEVELOPMENT ALLOWANCE AUTHORITY 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 Baldwin (Minister Assisting the Treasurer), the Bill was read a third time.

15 **APPROPRIATION BILL (NO. 1) 1992-93—BUDGET DEBATE:** 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 MacKellar), and the resumption of the debate made an order of the day for the next sitting.

16 **ADJOURNMENT:** Mr Simmons (Minister for Family Support) moved—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 7.59 p.m., adjourned until tomorrow at 9.30 a.m.

PAPERS: The following papers were deemed to have been presented on 16 September 1992:

Corporations Act—Accounting standard—AASB 1018.

Public Service Act—Determinations—1992 Nos. 89, 254, 255, 266, 267, 268, 269, 270, 271, 272, 273, 274, 276, 278.

Social Security Act 1991—Determinations—1992 Nos. 92-32, 92-33, 92-34.

ATTENDANCE: All Members attended (at some time during the sitting) except Mr Anderson, Mr Atkinson, Mrs Crosio, Mr Goodluck, Mr Holding, Mr Johns, Mr Langmore, Mr McGauran, Mr McLachlan, Mr McLeay, Mr P. F. Morris, Mr Peacock, Mr Price, Mr Punch, Mr Reid, Mrs Sullivan and Mr Wright.

L. M. BARLIN

Clerk of the House of Representatives