

1993

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 6

WEDNESDAY, 12 MAY 1993

1 The House met, at 10 a.m., pursuant to adjournment. The Speaker (the Honourable Stephen Martin) took the Chair, and read Prayers.

2 **TAXATION LAWS AMENDMENT BILL 1993**

The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—

Debate resumed.

*Limitation of debate:* At 11.10 a.m., the Deputy Speaker having called the attention of the House to the fact that the time allotted for the remaining stages of the Bill had expired—

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

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

3 **TAXATION LAWS AMENDMENT BILL (NO. 2) 1993**

The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—

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

The House resolved itself into a committee of the whole.

*In the committee*

Bill, by leave, taken as a whole.

Mr Gear (Assistant Treasurer), by leave, moved the following amendments together:

Clause 20—

Page 35, proposed section 82AT, line 13, omit “9 February”, substitute “8 February”.

Page 35, proposed section 82AT, line 19, omit “9 February”, substitute “8 February”.

Page 35, proposed section 82AT, line 22, omit “9 February”, substitute “8 February”.

Page 35, proposed paragraph 82AU(1)(a), line 33, omit “9 February”, substitute “8 February”.

Page 35, proposed paragraph 82AU(1)(b), line 35, omit “10 February”, substitute “9 February”.

*Limitation of debate:* At 11.20 a.m., the Deputy Chairman having called the attention of the committee to the fact that the time allotted for the committee stage had expired—

Amendments agreed to.

Question—That the Bill, as amended, be agreed to and the Bill be reported with amendments—put and passed.

The House resumed; Mr J. N. Andrew reported accordingly.

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

#### 4 TAXATION LAWS AMENDMENT (SUPERANNUATION) BILL 1993

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 Gear (Assistant Treasurer), the Bill was read a third time.

#### 5 BANKRUPTCY AMENDMENT BILL 1993

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 Kerr (Minister for Justice), the Bill was read a third time.

#### 6 DAIRY PRODUCE AMENDMENT BILL 1993

The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—

Debate resumed.

*Limitation of debate:* At 12.40 p.m., the Deputy Speaker having called the attention of the House to the fact that the time allotted for the remaining stages of the Bill had expired—

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

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

#### 7 RURAL INDUSTRIES COSTS—STATEMENT BY MINISTER

Mr Crean (Minister for Primary Industries and Energy), by leave, made a statement relating to rural industries costs.

## 8 QUESTIONS

Questions without notice being asked—

*Paper:* Mr Fischer (Leader of the National Party of Australia), by leave, presented the following paper:

Pay TV OPTUS Communications—HP beam dish sizes for DBS (Indicative) Map.

Questions without notice continued.

## 9 ELECTION PETITION

The Clerk presented a copy of an election petition, dated 12 May 1993, which he had received from the Registrar of the High Court, sitting as the Court of Disputed Returns, under section 369 of the *Commonwealth Electoral Act 1918*, viz.: Petition of Ivan Pavlekovich-Smith in the matter of the *Commonwealth Electoral Act 1918* and in the matter of the election of 13 March 1993 (No. M48 of 1993).

## 10 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—PROPOSED TAX INCREASES

The House was informed that Mr Downer had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The damage that will be done to low and middle income earners by the Government’s proposed new tax increases”.

The proposed discussion having received the necessary support—

Mr Downer addressed the House.

Discussion ensued.

Discussion concluded.

## 11 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENTS BY MEMBERS

Mr McLeay, by leave, presented the following paper:

Australian Parliamentary Delegation to the Asia-Pacific Parliamentary Forum—Inaugural meeting, Tokyo, 13-15 January 1993—Report, April 1993.

Mr McLeay and Mr Connolly, by leave, made statements in connection with the report.

## 12 TELECOMMUNICATIONS AMENDMENT BILL 1993

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 Beddall (Minister for Communications), the Bill was read a third time.

## 13 HOUSE COMMITTEE

Mr Sciacca (Parliamentary Secretary to the Minister for Social Security), by leave, moved—That, in addition to the Speaker, *ex officio*, Ms Crawford, Mr

Fitzgibbon, Mr Hollis, Mr MacKellar, Mr Nehl and Mrs Sullivan be members of the House Committee.

Question—put and passed.

**14 LIBRARY COMMITTEE**

Mr Sciacca (Parliamentary Secretary to the Minister for Social Security), by leave, moved—That, in addition to the Speaker, *ex officio*, Mr Ferguson, Mr Filing, Mr Fitzgibbon, Mr Forrest, Mr Jones and Mr Ronaldson be members of the Library Committee.

Question—put and passed.

**15 PRIVILEGES COMMITTEE**

Mr Sciacca (Parliamentary Secretary to the Minister for Social Security), by leave, moved—That Mr K. J. Andrews, Mr Brown, Mr Cleeland, Mr Lieberman, Mr McGauran, Mr McLeay, Mr Peacock, Mr Sawford and Mr Simmons be members of the Committee of Privileges.

Question—put and passed.

**16 SELECTION COMMITTEE**

Mr Sciacca (Parliamentary Secretary to the Minister for Social Security), by leave, moved—That Mr Filing, Mr Grace, Mr Hawker, Mr Nehl, Mr Sawford, Mr Snow and Mr Tanner be members of the Selection Committee.

Question—put and passed.

**17 CORPORATIONS AND SECURITIES—PARLIAMENTARY JOINT COMMITTEE**

Mr Sciacca (Parliamentary Secretary to the Minister for Social Security), by leave, moved—That, in accordance with the provisions of the *Australian Securities Commission Act 1989*, Mr Cleeland, Mr Humphreys, Mr Moore, Mr Sinclair and Mr Tanner be appointed members of the Parliamentary Joint Committee on Corporations and Securities.

Question—put and passed.

**18 PUBLIC ACCOUNTS—JOINT COMMITTEE**

Mr Sciacca (Parliamentary Secretary to the Minister for Social Security), by leave, moved—That, in accordance with the provisions of the *Public Accounts Committee Act 1951*, Mr Aldred, Mr Brown, Mr Fitzgibbon, Mr Griffin, Mr Haviland, Mr McLeay, Mr L. J. Scott, Mr Somlyay, Mr Taylor and Mr Vaile be appointed members of the Joint Committee of Public Accounts.

Question—put and passed.

**19 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE**

Mr Sciacca (Parliamentary Secretary to the Minister for Social Security), by leave, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, Mr J. N. Andrew, Mr Braithwaite, Mr Gorman, Mr Halverson, Mr Hollis and Mr Humphreys be appointed members of the Parliamentary Standing Committee on Public Works.

Question—put and passed.

**20 STANDING COMMITTEES—MEMBERSHIP**

The House was informed that the Speaker had received notifications from the Whips nominating Members to be members of the following standing committees:

*Aboriginal and Torres Strait Islander Affairs*

Mr Brown, Mr Dodd, Mr Gibson, Ms Henzell, Mr Horne and Mr L. J. Scott had been nominated by the Government Whip; Mr Evans, Mr Pyne and Mr Wakelin had been nominated by the Opposition Whip; and Mr Nehl had been nominated by the National Party Whip.

*Banking, Finance and Public Administration*

Mr Cunningham, Mr Elliott, Mr Kerin, Mr Price, Mr Simmons, Mr S. F. Smith and Mr Woods had been nominated by the Government Whip; Mr Bradford, Mr Reith, Mr Rocher and Mr Somlyay had been nominated by the Opposition Whip; and Mr Braithwaite had been nominated by the National Party Whip.

*Community Affairs*

Ms Deahm, Ms Fatin, Mr Haviland, Mr A. A. Morris, Mr Newell, Mr Quick and Mrs S. J. Smith had been nominated by the Government Whip; Mr Dobie, Mr Ruddock and Ms Worth had been nominated by the Opposition Whip; and Mr B. C. Scott had been nominated by the National Party Whip.

*Employment, Education and Training*

Mr Adams, Mr Chynoweth, Ms Crawford, Mr Ferguson, Mr Quick, Mr Sawford and Mrs S. J. Smith had been nominated by the Government Whip; Mr Bradford, Mr Charles, Mr Miles and Mrs Sullivan had been nominated by the Opposition Whip; and Mr Neville had been nominated by the National Party Whip.

*Environment, Recreation and the Arts*

Mr Chynoweth, Mr Grace, Mr Horne, Mr Jenkins, Mr Langmore, Mr McLeay and Mr Newell had been nominated by the Government Whip; Mr Evans, Mr Miles and Mrs Moylan had been nominated by the Opposition Whip; and Mr Lloyd and Mr Truss had been nominated by the National Party Whip.

*Industry, Science and Technology*

Mr Bevis, Mr Cunningham, Mrs Easson, Mr Ferguson, Mr Horne, Mr A. A. Morris and Mr O'Connor had been nominated by the Government Whip; Mr Charles, Mr Cleary, Mr Lieberman and Mr Reid had been nominated by the Opposition Whip; and Mr Cobb had been nominated by the National Party Whip.

*Legal and Constitutional Affairs*

Ms Crawford, Mr Duffy, Ms Fatin, Mr Holding, Mr Kerin, Mr Melham and Mr Tanner had been nominated by the Government Whip; Mr Cadman, Mr Slipper, Mr Somlyay and Mr Williams had been nominated by the Opposition Whip; and Mr Sinclair had been nominated by the National Party Whip.

*Procedure*

Dr Blewett, Mr Elliott, Mr McLeay, Mr Melham and Mr Price had been nominated by the Government Whip; Mr Filing and Mrs Sullivan had been nominated by the Opposition Whip; and Mr Nehl had been nominated by the National Party Whip.

*Transport, Communications and Infrastructure*

Mr Adams, Mr Campbell, Mr Hollis, Mr Knott, Mr P. F. Morris, Mr O'Connor and Mr Swan had been nominated by the Government Whip; Mr Cameron, Mr McArthur, Mr Mack and Mr Pyne had been nominated by the Opposition Whip; and Mr Neville had been nominated by the National Party Whip.

**21 SOCIAL SECURITY AMENDMENT BILL 1993**

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 Ruddock 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 condemns the Government for its failure to address the special needs of the unemployed and the aged, noting:

- (1) the comments of the Minister for Employment, Education and Training that the number of long-term unemployed would inevitably rise to between 400 000 and 500 000 in the next 12 to 18 months;
- (2) the abandonment of the promise to remove pensioners from the taxation system by 1995;
- (3) the Government’s failure to guarantee the extension of full Commonwealth fringe benefits to all long-term retirees beyond the remaining three months of 1992-93, even though the Prime Minister made special mention of this ‘promise’ in his campaign policy speech;
- (4) the Government’s failure to rule out major increases in taxation and to outline a planned program of expenditure reduction to enable responsible implementation of its campaign commitments in relation to social security matters;
- (5) further changes and tampering with the assets test for pensioners, adding further confusion and insecurity to their retirement plans; and
- (6) the need for a full and complete review of the inter-relationship between income and asset tests for better integration of the taxation and social security systems”.

Debate continued.

*Limitation of debate:* At 6.25 p.m., the Deputy Speaker having called the attention of the House to the fact that the time allotted for the remaining stages of the Bill had expired—

Amendment negatived.

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

*Message from the Governor-General:* Message No. 8, dated 5 May 1993, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.

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

## 22 VETERANS’ AFFAIRS LEGISLATION AMENDMENT BILL 1993

The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—

Debate resumed.

*Limitation of debate:* At 6.30 p.m., the Deputy Speaker having called the attention of the House to the fact that the time allotted for the remaining stages of the Bill had expired—

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

*Message from the Governor-General:* Message No. 9, dated 5 May 1993, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.

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

**23 PROTECTION OF THE SEA (OIL POLLUTION COMPENSATION FUND) BILL 1993**

The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—

Debate resumed.

*Limitation of debate:* At 7.15 p.m., the Deputy Speaker having called the attention of the House to the fact that the time allotted for the remaining stages of the Bill had expired—

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

*Message from the Governor-General:* Message No. 10, dated 5 May 1993, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.

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

**24 PROTECTION OF THE SEA (IMPOSITION OF CONTRIBUTIONS TO OIL POLLUTION COMPENSATION FUND—GENERAL) BILL 1993**

The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—

Debate resumed.

*Limitation of debate:* At 7.20 p.m., the Deputy Speaker having called the attention of the House to the fact that the time allotted for the remaining stages of the Bill had expired—

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

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

**25 PROTECTION OF THE SEA (IMPOSITION OF CONTRIBUTIONS TO OIL POLLUTION COMPENSATION FUND—CUSTOMS) BILL 1993**

The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—

Debate resumed.

*Limitation of debate:* At 7.25 p.m., the Deputy Speaker having called the attention of the House to the fact that the time allotted for the remaining stages of the Bill had expired—

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

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

**26 PROTECTION OF THE SEA (IMPOSITION OF CONTRIBUTIONS TO OIL POLLUTION COMPENSATION FUND—EXCISE) BILL 1993**

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 O'Keefe (Parliamentary Secretary to the Minister for Transport and Communications), the Bill was read a third time.

**27 SELECTION COMMITTEE—REPORT—GENERAL PRINCIPLES—PRIVATE MEMBERS' BUSINESS—STATEMENT BY MEMBER**

Mr Jenkins (Chairman) presented the following report from the Selection Committee:

General principles relating to the selection of private Members' business, 12 May 1993.

The report is as follows:

**REPORT**

The Selection Committee submits its report to the House on the proposed general principles relating to the selection of private Members' business, and recommends its adoption.

In accordance with standing order 28D(b) the Selection Committee has resolved that the general principles should be as follows:

**Proposed general principles relating to the selection of private Members' business**

- (1) In formulating the priority to be given to items of private Members' business the Selection Committee shall have regard to:
  - (a) the importance of the subject;
  - (b) the current level of interest in the subject;
  - (c) the extent of the current discussion on the subject both in the Parliament and elsewhere;
  - (d) the extent to which the subject comes within the responsibility of the Commonwealth Parliament;
  - (e) the probability of the subject being brought before the House by other means within a reasonable time; and
  - (f) whether the subject is the same, or substantially the same, as another item of business which has been debated or on which the House has already made a decision in the same period of sittings and, if so, whether new circumstances exist.
- (2) The Committee shall accord priority to private Members' business:
  - (a) with regard to the numbers of Members affiliated with each party in the House;
  - (b) in a way which ensures that a particular Member or the Members who comprise the Opposition Executive do not predominate as the movers of the items selected; and
  - (c) in a way which seeks to ensure balance is achieved over each period of sittings.
- (3) When a private Member has the responsibility for the carriage of a Bill transmitted from the Senate for concurrence, the Bill shall be accorded priority following the question for the second reading being put to the House in the same way as a private Member's Bill originating in the House is accorded priority by standing order 104A.



- (4) Priority shall not be accorded to any item of private Members' business if the matter should be dealt with by the House in another, more appropriate, form of proceeding.
- (5) The general principles set out above shall be observed by the Selection Committee but nothing in the general principles shall be taken to prevent the Selection Committee departing from those general principles in order to meet circumstances, which, in its opinion, are unusual or special.

HARRY JENKINS  
Chairman

12 May 1993

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

Mr O'Keefe (Parliamentary Secretary to the Minister for Transport and Communications), by leave, moved—That the proposed general principles relating to the selection of private Members' business reported to the House by the Selection Committee this day be adopted.

Question—put and passed.

#### 28 SELECTION COMMITTEE—REPORT

Mr Jenkins (Chairman) presented the following report:

Selection Committee—Report relating to the program of business prior to 12.30 p.m. on Thursday, 13 May 1993—

and, by leave, moved—That the report be adopted.

Question—put and passed.

#### 29 ADJOURNMENT

Mr O'Keefe (Parliamentary Secretary to the Minister for Transport and Communications) moved—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 8.01 p.m., adjourned until tomorrow at 9.30 a.m.

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#### PAPERS

The following papers were deemed to have been presented on 12 May 1993:

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposals for the collection of information—1993 Nos. 7, 8, 9.

Australian National Training Authority Act—Determination—No. ANTAM 1/1993.

Civil Aviation Act—Civil Aviation Regulations—Civil Aviation Orders—Parts—

105—Amendments, 23, 29 April and 3, 7, 10 May 1993.

107—Amendments, 4, 10, 11 May 1993.

Higher Education Funding Act—Determinations—Nos. T39/92, T40/92, T41/92, T42/92, T43/92, T44/92, T45/92, T46/92.

States Grants (TAFE Assistance) Act—Determination—No. TAFE 34/92.

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**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Duffy, Mr Halverson, Mr Hawker, Mr Jones, Mr Katter, Mr Knott and Mr Langmore.

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**L. M. BARLIN**

Clerk of the House of Representatives