

1993-94-95

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 163

WEDNESDAY, 20 SEPTEMBER 1995

-
- 1 The House met, at 9.30 a.m., pursuant to adjournment. The Speaker (the Honourable Stephen Martin) took the Chair, and read Prayers.
- 2 **ANL SALE BILL 1995**
Mr Johns (Special Minister of State) presented a Bill for an Act relating to the sale of ANL Limited, and for related purposes.
Bill read a first time.
Paper: Mr Johns presented an explanatory memorandum to the Bill.
Ordered—That the second reading be made an order of the day for the next sitting.
- 3 **GOVERNOR-GENERAL AMENDMENT BILL 1995**
Mr Johns (Special Minister of State), for Mr Beazley (Minister for Finance), pursuant to notice, presented a Bill for an Act to amend the *Governor-General Act 1974*, and for related purposes.
Bill read a first time.
Paper: Mr Johns presented an explanatory memorandum to the Bill.
Ordered—That the second reading be made an order of the day for the next sitting.
- 4 **INTERNATIONAL TAX AGREEMENTS AMENDMENT BILL 1995**
Mr Johns (Special Minister of State) presented a Bill for an Act to amend the *International Tax Agreements Act 1953*.
Bill read a first time.
Paper: Mr Johns presented an explanatory memorandum to the Bill.
Ordered—That the second reading be made an order of the day for the next sitting.
- 5 **HUMAN SERVICES AND HEALTH LEGISLATION AMENDMENT BILL (NO. 3) 1995**
Mr Johns (Special Minister of State), for Dr Theophanous (Parliamentary Secretary to the Minister for Human Services and Health), pursuant to notice, presented a Bill for an Act to amend legislation relating to human services and health, to repeal the *Handicapped Persons Assistance Act 1974*, and for related purposes.

Bill read a first time.

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

Ordered—That the second reading be made an order of the day for the next sitting.

6 THERAPEUTIC GOODS AMENDMENT BILL 1995

Mr Johns (Special Minister of State), for Dr Theophanous (Parliamentary Secretary to the Minister for Human Services and Health), pursuant to notice, presented a Bill for an Act to amend the *Therapeutic Goods Act 1989*, and for related purposes.

Bill read a first time.

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

Ordered—That the second reading be made an order of the day for the next sitting.

7 TAXATION LAWS AMENDMENT (FBT COST OF COMPLIANCE) BILL 1995

The order of the day having been read for the second reading—Mr Gear (Assistant Treasurer) moved—That the Bill be now read a second time.

Mr Costello (Deputy Leader of the Opposition) 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:

- (1) condemns the Government for its delay in concluding the Fringe Benefits Tax cost of compliance review;
- (2) notes the continued complexity and high compliance costs of the Fringe Benefits Tax; and
- (3) calls on the Government to bring before the House further measures to simplify and streamline the operation of the Fringe Benefits Tax”.

Debate continued.

Amendment negated.

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

Consideration in detail

Clauses 1 to 3, by leave, taken together, and agreed to.

Schedule 1—

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

On the motion of Mr Gear, by leave, the following amendments were made together:

Page 7, item 2, omit proposed paragraphs (c) and (d) of the definition of *business premises*, substitute the following paragraphs:

- “(c) boats or planes used primarily for the purpose of providing entertainment unless the boat or plane is used in the person’s business of providing entertainment; or
- (d) other premises used primarily for the purpose of providing entertainment unless the premises are used in the person’s business of providing entertainment.”.

Page 9, item 6, proposed subsection 51AEB(2), omit "log book", substitute "register".

Schedule, as amended, agreed to.

Schedule 2 agreed to.

Schedule 3—

Mr K. J. Andrews, by leave, moved the following amendments together:

Page 19, item 1, omit the item, substitute the following item:

"1. Paragraph 39A(a):

Add at the end:

- '(iii) the lowest fee charged by the operator of any such commercial parking station in the ordinary course of business to members of the public for all-day parking on the first business day of the FBT year is more than \$5.00, or such amount as adjusted on the first business day of each succeeding FBT year by a factor equivalent to the movement in the preceding twelve months in the All Groups Consumer Price Index number (being the weighted average of the 8 capital cities) published by the Australian Statistician;'. "

Page 19, after item (1) insert the following item:

"1A. Section 39A:

Add at the end:

'(2) Subject to subsection (3), if at any time, whether before or after the commencement of this Act, the Australian Statistician has published or publishes an index number in respect of a quarter in substitution for an index number previously published by the Australian Statistician in respect of that quarter, the publication of the later index number is to be disregarded for the purposes of this section.

'(3) If at any time, whether before or after the commencement of this section, the Australian Statistician has changed or changes the reference base for the Consumer Price Index, then, for the purposes of the application of this section after the change, regard is to be had only to the index numbers published in terms of the new reference base.' "

Page 21, item 4, omit the formula:

$$\text{"Daily rate amount"} \times \frac{\text{Number of days in availability periods in relation to the space}}{366} \times 240"$$

substitute the formula:

$$\text{"Daily rate amount"} \times \frac{\text{Number of days in availability periods in relation to the space}}{366} \times 228"$$

It being 3 p.m., the debate was interrupted in accordance with standing order 101A, and the resumption of the debate made an order of the day for a later hour this day.

Page 41, subitem 14(1), omit “Subdivision D of Division 10A”, substitute “Subdivision G of Division 4A”.

Page 41, paragraph 14(1)(a), omit “an employer”, substitute “a taxpayer”.

Schedule, as amended, agreed to.

Schedule 4—

Mr K. J. Andrews moved the following amendment: Page 44, item 2, proposed subsection 58Y(1), omit paragraph (b), substitute the following paragraph:

“(b) commences between 7.00 p.m. and 7.00 a.m.”.

Debate continued.

Amendment negatived.

Schedule agreed to.

Schedule 5 agreed to.

Schedule 6—

On the motion of Mr Gear, by leave, the following amendments were made together:

Page 58, after item 58 insert the following item:

“**58A. Paragraph 162G(1)(b):**

Add at the end ‘or’.”.

Page 58, heading to item 59, after “**162G(1)(c),**” insert “**(d), (e),**”.

Page 58, omit item 60.

Page 59, after item 61 insert the following item:

“**61A. Paragraph 162G(2)(b):**

Add at the end ‘or’.”.

Page 59, heading to item 62, omit “**162G(2)(a),**”, substitute “**162G(2)(c),**”.

Page 59, omit item 63.

Schedule, as amended, agreed to.

Title agreed to.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Mr Gear, by leave, the Bill was read a third time.

12 HIGHER EDUCATION FUNDING AMENDMENT BILL (NO. 1) 1995

The order of the day having been read for the second reading—Mr Elliott (Parliamentary Secretary to the Treasurer) moved—That the Bill be now read a second time.

Debate ensued.

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

Message from the Governor-General: Message No. 307, dated 8 June 1995, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

Consideration in detail

Bill, by leave, taken as a whole.

On the motion of Dr Kemp, the following amendment was made, after debate: Schedule, page 3, item 2, after paragraph (b) of the definition of *co-operative multimedia centre* insert “and (c) research and development;”.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Mr Walker (Minister for Administrative Services), by leave, the Bill was read a third time.

13 ADJOURNMENT

Mr Walker (Minister for Administrative Services) moved—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 7.53 p.m., adjourned until tomorrow at 9.30 a.m.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Brereton, Mr Campbell, Mr Connolly, Mr Cunningham, Mr Dobie, Mr Griffiths, Mr Halverson, Mr Howe, Mr Jenkins, Mr Jull, Mr Latham, Mr Lavarch, Dr Lawrence, Mr Lloyd, Mr McArthur, Ms McHugh, Mr McLachlan, Mr Moore, Mr Newell, Mr Punch, Mr L. J. Scott, Mr B. M. Smyth, Mr Wakelin and Mr Willis.

L. M. BARLIN

Clerk of the House of Representatives

1993-94-95

**HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS**

No. 163

MAIN COMMITTEE

**MINUTES OF PROCEEDINGS
WEDNESDAY, 20 SEPTEMBER 1995**

1 The Main Committee met at 10 a.m.

Suspension of sitting: At 10 a.m., the Second Deputy Speaker left the Chair due to the lack of a quorum.

Resumption of sitting: At 10.03 a.m., the Second Deputy Speaker resumed the Chair, and a quorum being present—

2 ENTERPRISE BARGAINING IN AUSTRALIA—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 Beazley (Leader of the House)—That the House take note of the paper (*presented on 22 August 1995*), viz.:

Industrial Relations Act—Enterprise bargaining in Australia—Report for period 30 March to 31 December 1994—

Debate resumed.

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

3 ADJOURNMENT

On the motion of Mr Lindsay (Parliamentary Secretary to the Minister for Industry, Science and Technology), the Main Committee adjourned at 1.01 p.m.

The Second Deputy Speaker reported that the Deputy Speaker had fixed Wednesday, 27 September 1995, at 10 a.m., for the next meeting of the Main Committee.

I. C. HARRIS

Clerk of the Main Committee