

1996

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 30

THURSDAY, 12 SEPTEMBER 1996

1 The House met, at 9.30 a.m., pursuant to adjournment. The Acting Speaker (Mr Nehl) took the Chair, and read Prayers.

2 **APPROPRIATION BILL (NO. 1) 1996-97—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—*And on the amendment moved thereto by Mr G. J. Evans (Deputy Leader of the Opposition), 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 notes that:*

- (1) the Budget betrays the Australian promise of working towards a more fair, just, inclusive and united society;
- (2) the Budget is both mindless and heartless, and its prescriptions are not what the Australian economy needs at present;
- (3) the Budget will have a savagely contractionary impact on economic growth and make impossible the job creation necessary to reduce Australia’s still unacceptably high level of unemployment;
- (4) with stronger economic growth the Budget could be restored to underlying balance over the life of this Parliament through a much more moderate program of fiscal consolidation;
- (5) the spending cuts and tax increases contained in the Budget are, on the evidence of the Government’s own Budget Papers, not necessary to reduce the Commonwealth Government’s debt-to-GDP ratio and will not produce a significant improvement in the current account deficit;
- (6) the Budget not only offers no hope to the unemployed but actively harms their prospects of finding a job by cutting labour market programs and privatising the previously publicly provided employment service function of the CES;
- (7) the Budget will have unfair and unjust consequences for the struggling and disadvantaged in our midst—the poor, the old, the sick, indigenous Australians and newly-arrived migrants;

- (8) the many spending cuts concerned with education and training, research and development, trade development (including breaches of promise with respect to EMDG, ITES and IAMP), production bounties, and other business support, will be counter-productive in their longer term consequences;
- (9) there is deception involved in the family tax package contained in the Budget, whereby what the Prime Minister appears to be putting into one pocket is for most middle Australian families being taken right out of the other by the Treasurer in higher education fees, Austudy changes, higher nursing home charges, higher fees and charges;
- (10) there are many breaches of Coalition election promises contained in this Budget, which amount to over \$17 billion over four years, and which will cause hardship, insecurity and dismay for millions of Australians;
- (11) the Budget involves a massive betrayal of regional Australia through the abolition of the \$150 million regional development program, large cuts to road funding, the closure of regional Government offices such as Medicare and CES offices, and the cuts to the ABC and university funding;
- (12) the mean-spirited decision to introduce large, up-front entry fees and massively increased daily fees for nursing homes, and increase user-charges will harm elderly Australians;
- (13) the abolition of Childcare Operational Subsidies will impact heavily upon community based child care centres;
- (14) the reduction of \$800 million over four years in public hospital funding will cause longer waiting lists for the sick and reduce the quality of hospital and medical assistance for millions of people;
- (15) the Budget involves a breaking of the Government's so called 'core' commitment to maintain Medicare in its entirety through cuts to rebates for numerous items under Medicare;
- (16) the cruel decision to abolish the Commonwealth Dental Health Programme will cause serious problems for the less well off;
- (17) harsh and promise-breaking decisions will force Australian families to pay substantially more for the cost of their prescription medicines;
- (18) the massive funding cuts to education, the increased HECS charges and AUSTUDY changes will penalise the less well-off;
- (19) the Budget's comprehensive and ideological assault on the public sector will cost 10 500 jobs in 1996-97 alone;
- (20) the Government has failed to honour its election commitment to maintain the environment budget and to provide an additional \$84 million in the 1996-97 Budget, instead cutting by 13 per cent the environmental budget and forward estimates;
- (21) the reckless decision to reduce funding for the National Highway by \$622 million over four years, breaches a clear Coalition election commitment at

the 1996 election, and with other decisions will reduce the level of public infrastructure investment, especially in regional Australia;

- (22) the decision to impose a 500 per cent increase in the taxation arrangements for visits to the Great Barrier Reef will discourage tourism and cost jobs in Queensland;
- (23) the Government has failed to honour its promise to not cut Australia's foreign aid beyond the election commitment to abolish the DIFF program, and in doing so will allow the estimated ODA/GDP ratio for Australia in 1996-97 to fall to 0.29 per cent;
- (24) the Government has failed to honour its election promise that Defence expenditure would not be cut, whilst cutting \$165 million from the 1995 Defence Budget estimates for 1996-97, and reducing Defence expenditure as a percentage of GDP to its lowest level since 1939;
- (25) the mean-spirited and discriminatory approach to migrants and ethnic communities will harm outworkers, hurt newly-arrived migrants and refugees, cut humanitarian aid and penalise asylum seekers;
- (26) the substantial cuts to ATSIC and to indigenous-related Commonwealth programs represent a massive setback to the process of reconciliation in Australia;
- (27) the savage cuts to the ABC, of \$209 million over four years, are in complete breach of the Coalition's solemn election promise to maintain existing levels of Commonwealth funding to the ABC;
- (28) the Budget has failed to honour the promise to maintain levels of arts funding and spend an additional \$60 million over three years; and
- (29) the Government's plan to substantially increase Commonwealth court and tribunal fees, coupled with deep cuts to legal aid, will result in a severe curtailment of access to justice by many Australians"—

Debate resumed.

Mr Rocher moved—That the Member for Curtin be now heard.

Question—put.

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

AYES, 4

Mr Andren*	Mr Filing*	Ms Hanson	Mr Rocher
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NOES, 119

Mr Abbott	Mrs Draper	Mr Kerr	Mr Randall
Mr Adams	Ms Ellis	Mr Langmore	Mr Reid
Mr Albanese	Mrs Elson	Mr Latham	Mr Reith
Mr Anderson	Mr Entsch	Mr Lee	Mr Ronaldson
Mr J. N. Andrew	Mr M. J. Evans	Mr Lieberman	Mr Ruddock
Mr K. J. Andrews	Mr R. D. C. Evans	Mr Lindsay	Mr Sawford*
Mr Anthony	Mr Fahey	Mr Lloyd	Mr Scott
Mrs Bailey	Mr L. D. T. Ferguson	Mr McArthur	Mr Sercombe
Mr P. J. Baldwin	Mr M. J. Ferguson	Mr McClelland	Mr Sharp
Mr R. C. Baldwin	Mr Fitzgibbon	Mr McDougall	Mr Slipper
Mr Barresi	Mr Forrest	Mr McLachlan	Mr A. C. Smith
Mr Bartlett	Mrs Gallus	Mr McLeay	Mr W. L. Smith
Mr Beddall	Ms Gambaro	Mr McMullan	Mr Somlyay
Mr Bevis	Mrs Gash	Mr Marek	Dr Southcott
Mr Billson	Mr Georgiou	Mr Melham	Mrs Stone
Mr Bradford	Mrs E. J. Grace	Mr Miles	Mrs Sullivan
Mr Broadbent	Mr E. L. Grace	Mr A. A. Morris	Mr Taylor
Mr Brough	Mr Hardgrave	Mr P. F. Morris	Mr A. P. Thomson
Mr Brown	Mr Hatton	Mr Mossfield	Mr K. J. Thomson
Mr Cadman	Mr Hawker	Mrs Moylan	Mr Truss
Mr E. H. Cameron	Mr Hicks*	Mr Mutch	Mr Tuckey
Mr R. A. Cameron	Mr Hockey	Mr Nairn	Mr M. A. J. Vaile
Mr Causley	Mr Hollis	Dr Nelson	Ms D. S. Vale
Mr Charles	Ms Jeanes	Mr Neville	Mr Wakelin
Mr Cobb	Mr Jenkins	Mr Nugent	Mrs West
Mr Costello	Mrs Johnston	Mr O'Connor	Mr Willis
Mr Crean	Mr Jones	Mr Price	Dr Wooldridge
Mrs Crosio	Mr Jull	Mr Prosser	Ms Worth
Mr Dondas	Mr Katter	Mr Pyne	Mr Zammit
Mr Downer	Dr Kemp	Mr Quick	

\* Tellers

And so it was negated.

Debate continued.

Mr Rocher having moved—That the Member for Curtin be now heard—

*Deputy Speaker's ruling:* The Deputy Speaker (Mrs Sullivan) ruled that the motion was out of order under standing order 86.

*Dissent from ruling moved:* Mr Rocher moved—That the ruling be dissented from.

Debate ensued.

*Closure:* Mr McLachlan (Minister for Defence) moved—That the question be now put.

Question—That the question be now put—put.

The House divided (the Deputy Speaker, Mrs Sullivan, in the Chair)—

## AYES, 109

Mr Abbott	Mrs Elson	Mr Langmore	Mr Reid
Mr Adams	Mr Entsch	Mr Lieberman	Mr Reith
Mr Albanese	Mr M. J. Evans	Mr Lindsay	Mr Ronaldson
Mr Anderson	Mr R. D. C. Evans	Mr Lloyd	Mr Ruddock
Mr J. N. Andrew	Mr Fahey	Mr McArthur	Mr Sawford*
Mr K. J. Andrews	Mr L. D. T. Ferguson	Mr McClelland	Mr Scott
Mr Anthony	Mr Fitzgibbon	Mr McDougall	Mr Slipper
Mrs Bailey	Mr Forrest	Mr McGauran	Mr A. C. Smith
Mr R. C. Baldwin	Mrs Gallus	Mr McLachlan	Mr S. F. Smith
Mr Barresi	Ms Gambaro	Mr McLeay	Mr W. L. Smith
Mr Bartlett	Mrs Gash	Mr Marek	Mr Somlyay
Mr Billson	Mr Georgiou	Mr Melham	Dr Southcott
Mr Bradford	Mrs E. J. Grace	Mr Miles	Mrs Stone
Mr Broadbent	Mr E. L. Grace	Mr Moore	Mr Taylor
Mr Brough	Mr Hardgrave	Mr A. A. Morris	Mr A. P. Thomson
Mr Brown	Mr Hatton	Mr P. F. Morris	Mr K. J. Thomson
Mr Cadman	Mr Hawker	Mr Mossfield	Mr Truss
Mr E. H. Cameron	Mr Hicks*	Mrs Moylan	Mr Tuckey
Mr R. A. Cameron	Mr Hockey	Mr Mutch	Mr M. A. J. Vaile
Mr Causley	Mr Hollis	Mr Nairn	Ms D. S. Vale
Mr Charles	Ms Jeanes	Dr Nelson	Mr Wakelin
Mr Cobb	Mr Jenkins	Mr Neville	Mrs West
Mr Crean	Mrs Johnston	Mr Nugent	Dr Wooldridge
Mrs Crosio	Mr Jones	Mr O'Connor	Ms Worth
Mr Dondas	Mr Jull	Mr O'Keefe	Mr Zammit
Mr Downer	Mr Katter	Mr Pyne	
Mrs Draper	Dr Kemp	Mr Quick	
Ms Ellis	Mr Kerr	Mr Randall	

## NOES, 5

Mr Andren*	Mr Filing*	Ms Hanson	Mr Rocher
Mr Campbell			

\* Tellers

And so it was resolved in the affirmative.

And the question—That the ruling be dissented from—being accordingly put—

The House divided (the Deputy Speaker, Mrs Sullivan, in the Chair)—

## AYES, 4

Mr Andren*	Mr Filing*	Ms Hanson	Mr Rocher
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## NOES, 104

Mr Abbott	Mrs Draper	Dr Kemp	Mr Quick
Mr Adams	Mrs Elson	Mr Kerr	Mr Randall
Mr Albanese	Mr Entsch	Mr Lieberman	Mr Reid
Mr Anderson	Mr M. J. Evans	Mr Lindsay	Mr Reith
Mr J. N. Andrew	Mr R. D. C. Evans	Mr Lloyd	Mr Ronaldson
Mr K. J. Andrews	Mr Fahey	Mr McArthur	Mr Ruddock
Mr Anthony	Mr L. D. T. Ferguson	Mr McClelland	Mr Sawford*
Mrs Bailey	Mr Fitzgibbon	Mr McDougall	Mr Scott
Mr R. C. Baldwin	Mr Forrest	Mr McGauran	Mr Slipper
Mr Barresi	Mrs Gallus	Mr McLachlan	Mr A. C. Smith
Mr Bartlett	Ms Gambaro	Mr McLeay	Mr W. L. Smith
Mr Billson	Mrs Gash	Mr Marek	Mr Somlyay
Mr Bradford	Mr Georgiou	Mr Melham	Dr Southcott
Mr Broadbent	Mrs E. J. Grace	Mr Miles	Mrs Stone
Mr Brough	Mr E. L. Grace	Mr Moore	Mr Taylor
Mr Brown	Mr Hardgrave	Mr A. A. Morris	Mr A. P. Thomson
Mr Cadman	Mr Hatton	Mr P. F. Morris	Mr K. J. Thomson
Mr E. H. Cameron	Mr Hawker	Mr Mossfield	Mr Truss
Mr R. A. Cameron	Mr Hicks*	Mrs Moylan	Mr Tuckey
Mr Causley	Mr Hockey	Mr Nairn	Mr M. A. J. Vaile
Mr Charles	Mr Hollis	Dr Nelson	Ms D. S. Vale
Mr Cobb	Ms Jeanes	Mr Neville	Mr Wakelin
Mr Crean	Mr Jenkins	Mr Nugent	Mrs West
Mrs Crosio	Mrs Johnston	Mr O'Connor	Dr Wooldridge
Mr Dondas	Mr Jones	Mr O'Keefe	Ms Worth
Mr Downer	Mr Jull	Mr Pyne	Mr Zammit

\* Tellers

And so it was negatived.

Debate on the question and the amendment continued.

It being 2 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.

### 3 MINISTERIAL ARRANGEMENTS

Mr Howard (Prime Minister) informed the House that, during the absence abroad of Mr Fischer (Minister for Trade), Mr Downer (Minister for Foreign Affairs) would answer questions on his behalf.

Mr Howard also informed the House that, during the respective absences of Mr Williams (Attorney-General and Minister for Justice) and Mrs Bishop (Minister for Defence Industry, Science and Personnel), Mr Ruddock (Minister for Immigration and Multicultural Affairs) would answer questions on behalf of Mr Williams and Mr McLachlan (Minister for Defence) would answer questions on behalf of Mrs Bishop.

#### 4 QUESTIONS

Questions without notice being asked—

*Paper:* Mr G. J. Evans (Deputy Leader of the Opposition), by leave, presented the following paper:

A competitive Australia—Address to the Committee for Melbourne by the Honourable John Howard, MP, Federal Leader of the Opposition, 18 July 1995.

Questions without notice continued.

#### 5 PAPERS

The Acting Speaker, responding to a question asked by Mr Cadman, presented the following papers:

Protest rally at Parliament House—Copies of—

ACT Trades and Labour Council rejects request by Senate Leader for payment for damage resulting from August 19 rally—Press release issued by the Trades and Labour Council, 11 September 1996.

Letters from—

Mr J. Pyner, Secretary/Treasurer, Trades and Labour Council of the Australian Capital Territory Inc. to the Presiding Officers, 4 July 1996.

Presiding Officers to Mr J. Pyner, 30 July and 3 September 1996.

#### 6 AUDITOR-GENERAL'S REPORT—PUBLICATION OF PAPER

The Acting Speaker presented the following paper:

Audit Act—Auditor-General—Audit report No. 6 of 1996-97—Performance audit—Commonwealth guarantees, indemnities and letters of comfort.

Mr Reith (Leader of the House), by leave, moved—That:

- (1) this House authorises the publication of the Auditor-General's audit report No. 6 of 1996-97; and
- (2) the report be printed.

Question—put and passed.

#### 7 PAPERS

The following papers were presented:

Broadcasting of Parliamentary Proceedings—Joint Committee—Radio and television broadcasting of parliamentary proceedings—Report, May 1995—Government response.

Corporations and Securities—Parliamentary Joint Committee—Government responses—

Annual reports of the Australian Securities Commission and other bodies: 1993-94—Report, 23 October 1995.

Derivatives—Report, 20 November 1995.

Petitions not in accord with standing and sessional orders of the House—Support for uniform national gun laws (Mr Reith, 9 petitioners).

- Support for triennial funding and services of the ABC (Mr Bartlett, 25 petitioners).
- Opposition to the introduction of an American health care system in Australia (Mr Downer, 149 petitioners).
- Opposition to childcare assistance funding cuts (Mr Beazley, 26 petitioners).
- Opposition of operational subsidy being removed from family day care (Mr Beazley, 13 petitioners).
- Parents opposing child care funding cuts (Mr Beazley, 52 petitioners).
- Opposition to child care funding cuts (Mr Beazley, 31 petitioners).
- Opposition to operational funding being removed from family day care (Mr Beazley, 10 petitioners).
- Opposition to childcare funds being cut (Mr Beazley, 97 petitioners).
- Request for maintenance of operational subsidy for community centres, child care assistance and national Government responsibility for child care (Mr Beazley, 40 petitioners).
- Request for maintenance of current funding levels and methods for child care (Mr Beazley, 430 petitioners).
- Support for gun control (Mr Beazley, 649 petitioners).

#### 8 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—EMPLOYMENT

The House was informed that Mr Beazley (Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The need for the Government to commit itself to targets on employment, particularly in light of the concern arising from today's unemployment data which means that the aspirations of thousands of Australians, and particularly young people, for access to a job is made much more difficult".

The proposed discussion having received the necessary support—

Mr Beazley addressed the House.

Discussion ensued.

Discussion concluded.

#### 9 MESSAGE FROM THE SENATE

The following message from the Senate was reported:

Message No. 63

Mr Acting Speaker,

The Senate transmits to the House of Representatives the following resolution which was agreed to by the Senate this day:

That, in accordance with section 5 of the *Parliament Act 1974*, the Senate approves the proposal by the Joint House Department for minor capital works within the Parliamentary Zone, being the construction of a glass canopy and a drainage grating to the porte cochere of the House of Representatives main entry of Parliament House, approved by the Presiding Officers on 16 July 1996 and presented to the Senate on 11 September 1996.



MARGARET REID

President

The Senate

12 September 1996

**10 SOCIAL SECURITY LEGISLATION AMENDMENT (BUDGET AND OTHER MEASURES) BILL 1996**

Mr Ruddock (Minister representing the Minister for Social Security), pursuant to notice, presented a Bill for an Act to amend the law relating to social security, and for related purposes.

Bill read a first time.

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

*Paper:* Mr Ruddock presented an explanatory memorandum to the Bill.

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

**11 AUSTRALIAN ANIMAL HEALTH COUNCIL (LIVE-STOCK INDUSTRIES) FUNDING BILL 1996—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the Australian Animal Health Council (Live-stock Industries) Funding Bill 1996 had been fully considered by the Main Committee, a Governor-General's message recommending an appropriation had been reported and the Bill had been agreed to without amendment, and presented a certified copy of the Bill.

Bill agreed to.

On the motion of Mr Ruddock (Minister for Immigration and Multicultural Affairs), by leave, the Bill was read a third time.

**12 CATTLE EXPORT CHARGES AMENDMENT (AAHC) BILL 1996—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the Cattle Export Charges Amendment (AAHC) Bill 1996 had been fully considered by the Main Committee and agreed to with an amendment (*see item No. 3, Minutes of Proceedings of the Main Committee*), and presented a certified copy of the Bill together with a schedule of the amendment.

Amendment made by the Main Committee agreed to.

Bill, as amended, agreed to.

On the motion of Mr Ruddock (Minister for Immigration and Multicultural Affairs), by leave, the Bill was read a third time.

**13 CATTLE TRANSACTION LEVY AMENDMENT (AAHC) BILL 1996—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the Cattle Transaction Levy Amendment (AAHC) Bill 1996 had been fully considered by the Main Committee and agreed to with an amendment (*see item No. 4, Minutes of Proceedings of the*

*Main Committee*), and presented a certified copy of the Bill together with a schedule of the amendment.

Amendment made by the Main Committee agreed to.

Bill, as amended, agreed to.

On the motion of Mr Ruddock (Minister for Immigration and Multicultural Affairs), by leave, the Bill was read a third time.

**14 LAYING CHICKEN LEVY AMENDMENT (AAHC) BILL 1996—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the Laying Chicken Levy Amendment (AAHC) Bill 1996 had been fully considered by the Main Committee and agreed to with amendments (*see item No. 5, Minutes of Proceedings of the Main Committee*), and presented a certified copy of the Bill together with a schedule of amendments.

Amendments made by the Main Committee agreed to.

Bill, as amended, agreed to.

On the motion of Mr Ruddock (Minister for Immigration and Multicultural Affairs), by leave, the Bill was read a third time.

**15 LIVE-STOCK EXPORT CHARGE AMENDMENT (AAHC) BILL 1996—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the Live-stock Export Charge Amendment (AAHC) Bill 1996 had been fully considered by the Main Committee and agreed to with amendments (*see item No. 6, Minutes of Proceedings of the Main Committee*), and presented a certified copy of the Bill together with a schedule of amendments.

Amendments made by the Main Committee agreed to.

Bill, as amended, agreed to.

On the motion of Mr Ruddock (Minister for Immigration and Multicultural Affairs), by leave, the Bill was read a third time.

**16 LIVE-STOCK SLAUGHTER LEVY AMENDMENT (AAHC) BILL 1996—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the Live-stock Slaughter Levy Amendment (AAHC) Bill 1996 had been fully considered by the Main Committee and agreed to with amendments (*see item No. 7, Minutes of Proceedings of the Main Committee*), and presented a certified copy of the Bill together with a schedule of amendments.

Amendments made by the Main Committee agreed to.

Bill, as amended, agreed to.

On the motion of Mr Ruddock (Minister for Immigration and Multicultural Affairs), by leave, the Bill was read a third time.

**17 MEAT CHICKEN LEVY AMENDMENT (AAHC) BILL 1996—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the Meat Chicken Levy Amendment (AAHC) Bill 1996 had been fully considered by the Main Committee and agreed to without amendment, and presented a certified copy of the Bill.

Bill agreed to.

On the motion of Mr Ruddock (Minister for Immigration and Multicultural Affairs), by leave, the Bill was read a third time.

**18 PIG SLAUGHTER LEVY AMENDMENT (AAHC) BILL 1996—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the Pig Slaughter Levy Amendment (AAHC) Bill 1996 had been fully considered by the Main Committee and agreed to without amendment, and presented a certified copy of the Bill.

Bill agreed to.

On the motion of Mr Ruddock (Minister for Immigration and Multicultural Affairs), by leave, the Bill was read a third time.

**19 PRIMARY INDUSTRIES AND ENERGY LEGISLATION AMENDMENT BILL (NO. 2) 1996—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the Primary Industries and Energy Legislation Amendment Bill (No. 2) 1996 had been fully considered by the Main Committee, a Governor-General's message recommending an appropriation had been reported, and the Bill had been agreed to with amendments (*see item No. 10, Minutes of Proceedings of the Main Committee*), and presented a certified copy of the Bill together with a schedule of amendments.

Amendments made by the Main Committee agreed to.

Bill, as amended, agreed to.

On the motion of Mr Ruddock (Minister for Immigration and Multicultural Affairs), by leave, the Bill was read a third time.

**20 MESSAGE FROM THE SENATE—AIRPORTS BILL 1996**

The following message from the Senate was reported:

Message No. 64

Mr Acting Speaker

The Senate returns to the House of Representatives the bill for **An Act about airports**, and acquaints the House that the Senate has agreed to the bill with the amendments indicated by the annexed schedule, in which amendments the Senate requests the concurrence of the House of Representatives.

MARGARET REID

President

The Senate

12 September 1996

Ordered—That the amendments be considered forthwith.

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE

- (1) Clause 3, page 2 (after line 16), after paragraph (f), insert:
  - (fa) to ensure diversity of ownership and control of certain major airports;
- (2) Clause 4, page 3 (after line 20), after paragraph (b), insert:
  - (c) a 15% limit on cross-ownership for Sydney/Melbourne, Sydney/Brisbane and Sydney/Perth airports.
- (3) Clause 5, page 9 (after line 6), after the definition of *moneylending agreement*, insert:
 

*pair of airport-operator companies* has the meaning given by section 47B.
- (4) Clause 5, page 9 (after line 18), after the definition of *scheme*, insert:
 

*significant ANEF levels* means a noise above 30 ANEF levels.
- (5) Clause 5, page 9 (after line 21), after the definition of *unacceptable airline-ownership situation*, insert:
 

*unacceptable cross-ownership situation* has the meaning given by section 47C.
- (6) Clause 21, page 19 (line 18), omit “grant.”, substitute “grant; or”.
- (7) Clause 21, page 19 (after line 18), at the end of subclause (1), add:
  - (c) both:
    - (i) the company would become a member of a pair of airport-operator companies in the event of the grant; and
    - (ii) an unacceptable cross-ownership situation in relation to the pair would come into existence in the event of the grant.
- (8) Clause 25, page 22 (line 9), omit “transfer.”, substitute “transfer; or”.
- (9) Clause 25, page 22 (after line 9), at the end of the clause, add:
  - (c) both:
    - (i) the company would become a member of a pair of airport-operator companies in the event of the transfer; and
    - (ii) an unacceptable cross-ownership situation in relation to the pair would come into existence in the event of the transfer.
- (10) Clause 33, page 27 (line 25), omit “into.”, substitute “into; or”.
- (11) Clause 33, page 27 (after line 25), at the end of subclause (3), add:
  - (c) both:

- (i) the company would become a member of a pair of airport-operator companies in the event that the agreement was entered into; and
  - (ii) an unacceptable cross-ownership situation in relation to the pair would come into existence in the event that the agreement was entered into.
- (12) Clause 38, page 32 (after line 10), after paragraph (b), insert:
- (c) a 15% limit on cross-ownership for Sydney/Melbourne, Sydney/Brisbane and Sydney/Perth airports.
- (13) Page 40 (after line 6), after Division 4, insert:

## **Division 4A—Limits on cross-ownership of pairs of airport-operator companies**

### **Subdivision A—Simplified outline**

#### **47A Simplified outline**

The following is a simplified outline of this Division:

- Airport-operator companies for Sydney and Melbourne form a *pair*.
- Airport-operator companies for Sydney and Brisbane form a *pair*.
- Airport-operator companies for Sydney and Perth form a *pair*.
- There is a 15% limit on the cross-ownership of paired companies.
- The Minister may declare a person to have *practical control* of an airport-operator company.
- If the person covered by the declaration has practical control of, or a stake of more than 15% in, each of the members of a pair, the person must take steps to ensure that there is at least one member of the pair where the person does not have:
  - (a) a stake of more than 15%; or
  - (b) practical control.

## Subdivision B—Pairs of airport-operator companies

### 47B Pairs of airport-operator companies

For the purposes of this Act, a group of 2 airport-operator companies constitute a *pair of airport-operator companies* if:

- (a) one of the companies is mentioned in a box in the left-hand column of the following table; and
- (b) the other company is mentioned in the corresponding box in the right-hand column of the table.

For the purposes of this Act, the *members* of that pair are those companies.

<b>This company . . .</b>	<b>forms a pair with this company . . .</b>
the airport-lessee company for Melbourne (Tullamarine) Airport	the airport-lessee company for Sydney (Kingsford-Smith) Airport
an airport-management company for Melbourne (Tullamarine) Airport	the airport-lessee company for Sydney (Kingsford-Smith) Airport
the airport-lessee company for Melbourne (Tullamarine) Airport	an airport-management company for Sydney (Kingsford-Smith) Airport
an airport-management company for Melbourne (Tullamarine) Airport	an airport-management company for Sydney (Kingsford-Smith) Airport
the airport-lessee company for Brisbane Airport	the airport-lessee company for Sydney (Kingsford-Smith) Airport
an airport-management company for Brisbane Airport	the airport-lessee company for Sydney (Kingsford-Smith) Airport
the airport-lessee company for Brisbane Airport	an airport-management company for Sydney (Kingsford-Smith) Airport
an airport-management company for Brisbane Airport	an airport-management company for Sydney (Kingsford-Smith) Airport
the airport-lessee company for Melbourne (Tullamarine) Airport	the airport-lessee company for Sydney West Airport
an airport-management company for Melbourne (Tullamarine) Airport	the airport-lessee company for Sydney West Airport
the airport-lessee company for Melbourne (Tullamarine) Airport	an airport-management company for Sydney West Airport
an airport-management company for Melbourne (Tullamarine) Airport	an airport-management company for Sydney West Airport
the airport-lessee company for Brisbane Airport	the airport-lessee company for Sydney West Airport
an airport-management company for Brisbane Airport	the airport-lessee company for Sydney West Airport
the airport-lessee company for Brisbane Airport	an airport-management company for Sydney West Airport
an airport-management company for Brisbane Airport	an airport-management company for Sydney West Airport

<b>This company . . .</b>	<b>forms a pair with this company . . .</b>
the airport-lessee company for Perth Airport	the airport-lessee company for Sydney (Kingsford-Smith) Airport
an airport-management company for Perth Airport	the airport-lessee company for Sydney (Kingsford-Smith) Airport
the airport-lessee company for Perth Airport	an airport-management company for Sydney (Kingsford-Smith) Airport
an airport-management company for Perth Airport	an airport-management company for Sydney (Kingsford-Smith) Airport
the airport-lessee company for Perth Airport	the airport-lessee company for Sydney West Airport
an airport-management company for Perth Airport	the airport-lessee company for Sydney West Airport
the airport-lessee company for Perth Airport	an airport-management company for Sydney West Airport
an airport-management company for Perth Airport	an airport-management company for Sydney West Airport

### **Subdivision C—15% limit on cross-ownership**

#### **47C Meaning of *unacceptable cross-ownership situation***

For the purposes of this Act, an *unacceptable cross-ownership situation* exists in relation to a pair of airport-operator companies (the *first company* and the *second company*) and in relation to a particular person if:

- (a) the person holds a particular type of stake in the first company of more than 15%; and
- (b) the person holds any type of stake in the second company of more than 15%.

Note: A person's *stake* includes the interests of the person's associates—see the Schedule.

#### **47D Acquisitions of shares**

If:

- (a) a person, or 2 or more persons under an arrangement, acquire shares in a company; and
- (b) the acquisition has the result, in relation to a particular pair of airport-operator companies (the *first company* and the *second company*), that:
  - (i) an unacceptable cross-ownership situation comes into existence in relation to the pair and in relation to a person; or
  - (ii) if an unacceptable cross-ownership situation already exists in relation to the pair and in relation to a particular person—there is an increase in any type of

stake held by the person in either the first company or the second company; and

- (c) the person or persons mentioned in paragraph (a) knew, or were reckless as to whether, the acquisition would have that result;

the person or persons mentioned in paragraph (a) are guilty of an offence punishable on conviction by a fine not exceeding 400 penalty units.

#### **47E Compliance by airport-operator companies**

- (1) A member of a pair of airport-operator companies must take all reasonable steps to ensure that an unacceptable cross-ownership situation does not exist in relation to that pair.
- (2) A company that knowingly or recklessly contravenes subsection (1) is guilty of an offence punishable on conviction by a fine not exceeding 500 penalty units.

#### **47F Remedial orders**

- (1) If an unacceptable cross-ownership situation exists in relation to a pair of airport-operator companies, the Federal Court may, on application by the Minister or a member of the pair, make such orders as the court considers appropriate for the purpose of ensuring that the situation ceases to exist.
- (2) The Federal Court's orders include:
  - (a) an order directing the disposal of shares; or
  - (b) an order restraining the exercise of any rights attached to shares; or
  - (c) an order prohibiting or deferring the payment of any sums due to a person in respect of shares held by the person; or
  - (d) an order that any exercise of rights attached to shares be disregarded.
- (3) Subsection (2) does not, by implication, limit subsection (1).
- (4) In addition to the Federal Court's powers under subsections (1) and (2), the court:
  - (a) has power, for the purpose of securing compliance with any other order made under this section, to make an order directing any person to do or refrain from doing a specified act; and
  - (b) has power to make an order containing such ancillary or consequential provisions as the court thinks just.
- (5) The Federal Court may, before making an order under this section, direct that notice of the application be given to such persons as it thinks fit or be published in such manner as it thinks fit, or both.



- (6) The Federal Court may, by order, rescind, vary or discharge an order made by it under this section or suspend the operation of such an order.

### **Subdivision D—Practical control**

#### **47G Meaning of control**

In this Subdivision:

**control** includes control as a result of, or by means of, trusts, agreements, arrangements, understandings and practices, whether or not having legal or equitable force and whether or not based on legal or equitable rights.

#### **47H Minister may declare person to have practical control of an airport-operator company**

*Declaration*

- (1) If:
- (a) the Minister is satisfied that:
    - (i) the directors of an airport-operator company are accustomed or under an obligation, whether formal or informal, to act in accordance with the directions, instructions or wishes of a person (either alone or together with associates); or
    - (ii) a person (either alone or together with associates) is in a position to exercise control over an airport-operator company; and
  - (b) the Minister is satisfied that:
    - (i) the person does not have any type of stake in the company; or
    - (ii) if the person has one or more types of stake in the company—each of those stakes is not more than 15%;

the Minister may declare that the person has **practical control** of the airport-operator company for the purposes of this Act.

*Declaration has effect*

- (2) A declaration under this section has effect accordingly.

*Revocation of declaration*

- (3) If:
- (a) a declaration is in force under this section; and
  - (b) the Minister ceases to be satisfied of the matters referred to in paragraphs (1)(a) and (b);

the Minister must revoke the declaration.

*Gazettal and notification of declaration*

- (4) If a declaration under this section is made or revoked, the Minister must arrange for a copy of the declaration or revocation:

- (a) to be published in the *Gazette*; and
- (b) to be given to the airport-operator company and the person concerned.

#### **47J Requirement to relinquish practical control or reduce stake**

(1) If a person:

- (a) has practical control of a particular airport-operator company (the *first company*); and
- (b) the first company is a member of a pair of airport-operator companies; and
- (c) either of the following subparagraphs applies to the other member of the pair:
  - (i) the person has practical control of the other member;
  - (ii) the person has a particular type of stake in the other member of more than 15%;

the person must take such steps as are necessary to ensure that there is at least one member of the pair where both of the following paragraphs apply:

- (d) both:
  - (i) the directors of the company are not accustomed or under an obligation, whether formal or informal, to act in accordance with the directions, instructions or wishes of the person (either alone or together with associates); and
  - (ii) the person (either alone or together with associates) is not in a position to exercise control over the company;
- (e) either:
  - (i) the person does not have any type of stake in the company; or
  - (ii) if the person has one or more types of stake in the company—each of those stakes is not more than 15%.

The person must take those steps:

- (f) within 90 days after receiving the copy of the most recent declaration under section 47H relating to the practical control of the first company or the other member of the pair; or
- (g) if the Minister, by written notice given to the person, allows a longer period for compliance—before the end of that longer period.

Note: *Practical control* has the meaning given by section 47H.

- (2) A person who knowingly or recklessly contravenes subsection (1) is guilty of an offence punishable on conviction by a fine not exceeding 400 penalty units.

**47K Remedial orders**

- (1) If a person:
- (a) has practical control of a particular airport-operator company (the *first company*); and
  - (b) the first company is a member of a pair of airport-operator companies; and
  - (c) either of the following subparagraphs applies to the other member of the pair:
    - (i) the person has practical control of the other member;
    - (ii) the person has a particular type of stake in the other member of more than 15%;

the Federal Court may, on application by the Minister, make such orders as the court considers appropriate to ensure that there is at least one member of the pair where both of the following paragraphs apply:

- (d) both:
  - (i) the directors of the company are not accustomed or under an obligation, whether formal or informal, to act in accordance with the directions, instructions or wishes of the person (either alone or together with associates); and
  - (ii) the person (either alone or together with associates) is not in a position to exercise control over the company;
- (e) either:
  - (i) the person does not have any type of stake in the company; or
  - (ii) if the person has one or more types of stake in the company—each of those stakes is not more than 15%.

Note: *Practical control* has the meaning given by section 47H.

- (2) The Federal Court's orders include:
- (a) an order directing the disposal of shares; or
  - (b) an order restraining the exercise of any rights attached to shares; or
  - (c) an order prohibiting or deferring the payment of any sums due to a person in respect of shares held by the person; or
  - (d) an order that any exercise of rights attached to shares be disregarded.
- (3) Subsection (2) does not, by implication, limit subsection (1).
- (4) In addition to the Federal Court's powers under subsections (1) and (2), the court:

- (a) has power, for the purpose of securing compliance with any other order made under this section, to make an order directing any person to do or refrain from doing a specified act; and
  - (b) has power to make an order containing such ancillary or consequential provisions as the court thinks just.
- (5) The Federal Court may, before making an order under this section, direct that notice of the Minister's application be given to such persons as it thinks fit or be published in such manner as it thinks fit, or both.
- (6) The Federal Court may, by order, rescind, vary or discharge an order made by it under this section or suspend the operation of such an order.

(14) Clause 50, page 43 (lines 11 to 17), omit subclause (6), substitute:

*Definition*

- (6) For the purposes of this section, each of the following matters is an **ownership/control matter**:
- (a) whether a person holds a particular type of stake in an airport-operator company and, if so, the level of that stake;
  - (b) whether the directors of an airport-operator company are accustomed or under an obligation, whether formal or informal, to act in accordance with the directions, instructions or wishes of a person (either alone or together with associates);
  - (c) whether a person (either alone or together with associates) is in a position to exercise control over an airport-operator company.

For this purpose, **control** has the same meaning as in section 47G.

(15) Clause 61, page 53 (after line 8), after paragraph (d), insert:

- (da) the airport-lessee company's plans, developed following consultations with the airlines that use the airport and local government bodies in the vicinity of the airport, for managing aircraft noise intrusion in areas forecast to be subject to exposure above the significant ANEF levels; and

(16) Clause 61, page 53 (after line 11), after paragraph (e), insert:

- (ea) the airport-lessee company's plans for dealing with the environmental issues mentioned in paragraph (e) (including plans for ameliorating or preventing environmental impacts); and
- (eb) if a draft environmental strategy for the airport has been approved—the date of that approval; and

- (17) Clause 61, page 53 (line 13), omit “(d) and (e)”, substitute “(d), (da), (e), (ea) and (eb)”.
- (18) Clause 61, page 54 (after line 3), after paragraph (d), insert:
- (da) the airport-lessee company’s plans, developed following consultations with the airlines that use the airport, local government bodies in the vicinity of the airport and the Department of Defence, for managing aircraft noise intrusion in areas forecast to be subject to exposure above the significant ANEF levels; and
- (19) Clause 61, page 54 (after line 6), after paragraph (e), insert:
- (ea) the airport-lessee company’s plans for dealing with the environmental issues mentioned in paragraph (e) (including plans for ameliorating or preventing environmental impacts); and
  - (eb) if a draft environmental strategy for the airport has been approved—the date of the approval; and
- (20) Clause 61, page 54 (line 8), omit “(d) and (e)”, substitute “(d), (da), (e), (ea) and (eb)”.
- (21) Clause 61, page 54 (after line 31), at the end of the clause, add:
- (8) In developing plans referred to in paragraph (2)(da) and (3)(da), an airport-lessee company must have regard to Australian Standard AS2021-1994 (“Acoustics — Aircraft noise intrusion — Building siting and construction”).
  - (9) Subsection (8) does not, by implication, limit the matters to which regard may be had.
- (22) Clause 68, page 56 (line 28) to page 57 (line 3), omit paragraphs (a) and (b), substitute:
- (a) within 180 days after the day on which the notice was given; or
- (23) Clause 69, page 58 (lines 11 and 12), omit subclause (4).
- (24) Clause 70, page 58 (lines 29 and 30), omit subclause (3).
- (25) Clause 71, page 59 (lines 1 to 6), omit the clause.
- (26) Clause 80, page 67 (after line 5), after paragraph (l), insert:
- (la) a development of a kind that is likely to have significant environmental or ecological impact; or
  - (lb) if a final environmental strategy is in force for the airport—a development which affects an area identified as environmentally significant in the environmental strategy; or
- (27) Clause 80, page 67 (line 7), omit “and (l)”, substitute “, (l) , (la) and (lb)”.
- (28) Clause 81, page 68 (line 6), omit “250”, substitute “2000”.
- (29) Clause 81, page 68 (lines 23 to 25), omit subsection (6), substitute:

- (6) A person who or company that intentionally or recklessly contravenes subsection (4) or (5) is guilty of an offence punishable on conviction by a fine not exceeding 400 penalty units.
- (30) Clause 82, page 69 (after line 11), after paragraph (e), insert:
- (ea) the airport-lessee company's plans, developed following consultations with the airlines that use the airport, local government bodies in the vicinity of the airport and—if the airport is a joint user airport—the Department of Defence, for managing aircraft noise intrusion in areas forecast to be subject to exposure above the significant ANEF levels; and
- (31) Clause 82, page 69 (after line 18), after paragraph (g), insert:
- (ga) the airport-lessee company's plans for dealing with the environmental impacts mentioned in paragraph (g) (including plans for ameliorating or preventing environmental impacts); and
  - (gb) if a draft environmental strategy has been approved—the date of the approval; and
- (32) Clause 82, page 69 (line 20), omit "(g)", substitute "(gb)".
- (33) Clause 82, page 69 (after line 31), at the end of the clause, add:
- (6) In developing plans referred to in paragraph (l)(ea), an airport-lessee company must have regard to Australian Standard AS2021-1994 ("Acoustics — Aircraft noise intrusion — Building siting and construction").
  - (7) Subsection (6) does not, by implication, limit the matters to which regard may be had.
- (34) Clause 107, page 90 (after line 19), after paragraph (a), insert:
- (aa) the areas if any within the airport site which the airport-lessee company, in consultation with State or Territory and Federal conservation bodies, identifies are environmentally significant; and
- (35) Clause 107, page 91 (after line 17), after paragraph (a), insert:
- (aa) the areas if any within the airport site which the airport-lessee company, in consultation with State or Territory and Federal conservation bodies, identifies are environmentally significant; and
- (36) Clause 114, page 94 (lines 15 to 20), omit paragraphs (a) and (b), substitute:
- (a) within 180 days after the day on which the notice was given; or
- (37) Clause 115, page 95 (lines 29 to 31), omit subclause (4).
- (38) Clause 116, page 96 (lines 17 to 19), omit subclause (3).
- (39) Clause 117, page 96 (lines 20 to 25), omit the clause.

- (40) Clause 118, page 97 (after line 8), after paragraph (a), insert:
- (aa) the effect that the carrying out of the strategy would be likely to have on:
    - (i) biota or habitat; or
    - (ii) natural or heritage values; or
    - (iii) sites of significance to Aboriginal or Torres Strait Islander people;
- (41) Clause 124, page 101 (after line 9), after paragraph (a), insert:
- (aa) impacts on biota or habitat; or
  - (ab) interference with sites of heritage value; or
  - (ac) interference with sites of significance to Aboriginal or Torres Strait Islander people; or
- (42) Clause 125, page 101 (after line 27), after paragraph (a), insert:
- (aa) monitoring, mitigating, remedying or rectifying contraventions of section 124 regulations relating to impacts on biota or habitat; or
  - (ab) monitoring, mitigating, remedying or rectifying contraventions of section 124 regulations relating to interference with sites of heritage value; or
  - (ac) monitoring, mitigating, remedying or rectifying contraventions of section 124 regulations relating to interference with sites of significance to indigenous people; or
- (43) Clause 128, page 104 (lines 2 and 3), omit “124(1)(a), (b) or (c) or 125(1)(a), (b) or (c)”, substitute “124(1)(a), (aa), (ab), (ac), (b) or (c) or 125(1)(a), (aa), (ab), (ac), (b) or (c)”.
- (44) Clause 210, page 166 (after line 7), after subclause (2), insert:
- (2A) If a person has engaged, is engaging or is proposing to engage in any conduct in contravention of section 47D, the Federal Court may, on the application of a member of the pair of companies referred to in that section, grant an injunction:
- (a) restraining the person from engaging in the conduct; and
  - (b) if, in the court’s opinion, it is desirable to do so—requiring the person to do something.
- (45) Clause 234, page 184 (after line 13), after paragraph (c), insert:
- (ca) a decision under section 47H (which deals with the practical control of airport-operator companies);
- (46) Clause 235, page 185 (after line 17), after paragraph (c), insert:
- (ca) a decision to make a declaration under section 47H (which deals with the practical control of airport-operator companies);

- (47) Clause 237, page 186 (line 15), omit “or 4”, substitute “, 4 or 4A”.
- (48) Schedule, clause 2, page 197 (after line 3), after the definition of *power to appoint a director of a company*, insert:  
*practical control*, in relation to an airport-operator company, has the meaning given by section 47H.
- (49) Schedule, clause 9, page 202 (after line 19), at the end of subclause (1), add:  
 (d) an interest in a share held by the Commonwealth.
- (50) Schedule, clause 14, page 206 (line 13), omit “foreign company”, substitute “foreign person”.
- Note: The heading to clause 14 of the Schedule is altered by omitting “**foreign companies**”, and substituting “**foreign persons**”.
- (51) Schedule, clause 14, page 206 (line 14), omit “another”, substitute “a”.
- (52) Schedule, clause 14, page 207 (line 8), omit “foreign company”, substitute “foreign person”.
- (53) Schedule, clause 14, page 207 (line 11), omit “foreign company”, substitute “foreign person”.
- (54) Schedule, clause 14, page 207 (lines 12 and 13), omit “foreign company”, substitute “foreign person”.

Mr Sharp (Minister for Transport and Regional Development) moved—That the amendments be agreed to.

Debate ensued.

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*Adjournment negatived:* It being 5.30 p.m.—The question was proposed—That the House do now adjourn.

Mr Sharp requiring the question to be put forthwith without debate—  
 Question—put and negatived.

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Debate continued.

Question—put and passed.

## 21 MESSAGES FROM THE SENATE

Messages from the Senate, dated 12 September 1996, were reported returning the following Bills without amendment:

Message—

No. 65—Airports (Transitional) 1996.

No. 66—Taxation Laws Amendment (International Tax Agreements) 1996.

No. 68—Mutual Assistance in Criminal Matters Legislation Amendment 1996.

No. 69—Australian Law Reform Commission 1996.



No. 70—Australian Law Reform Commission (Repeal, Transitional and Miscellaneous) 1996.

**22 MESSAGE FROM THE SENATE—STATUTE LAW REVISION BILL 1996**

Message No. 67, dated 12 September 1996, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to make various amendments of the statute law of the Commonwealth, to repeal certain Acts, and for related purposes.

Bill read a first time.

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

**23 ADJOURNMENT**

Dr Kemp (Minister for Schools, Vocational Education and Training) moved—  
That the House do now adjourn.

Debate ensued.

The House continuing to sit until 6 p.m.—The Acting Speaker adjourned the House until Monday next at 12.30 p.m.

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**PAPERS**

The following papers were deemed to have been presented on 12 September 1996:

Aboriginal and Torres Strait Islander Commission Act—Aboriginal and Torres Strait Islander Commission—

Statement on estimates and draft budgets for Regional Councils.

Statement under section 122A 1996 No. 1.

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

Part 105—Amendments 1996 27(2), 28(2), 30(2) August, 3, 6 September.

Part 106—Amendments 3(3) September 1996.

Wildlife Protection (Regulation of Exports and Imports) Act—Declaration—  
Amendment to Schedule 9.

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**ATTENDANCE**

All Members attended (at some time during the sitting) except Mrs Bishop, Mr Fischer, Mr Griffin, Mr Halverson, Mr Holding, Mrs D. M. Kelly, Mr Sinclair, Dr Thephanous, Mr Williams and Mr Wilton.

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**I. C. HARRIS**

Acting Clerk of the House of Representatives

1996

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

No. 30

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

THURSDAY, 12 SEPTEMBER 1996

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1 Due to a division having been called in the House, the Main Committee met at 10.08 a.m.

2 **AUSTRALIAN ANIMAL HEALTH COUNCIL (LIVE-STOCK INDUSTRIES) FUNDING BILL 1996**

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. 39, dated 9 July 1996, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

Leave granted for the question on the report to be put forthwith.

Question—That the Bill be reported to the House without amendment—put and passed.

3 **CATTLE EXPORT CHARGES AMENDMENT (AAHC) BILL 1996**

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.

*Consideration in detail*

Bill, by leave, taken as a whole.

On the motion of Mr Scott (Minister for Veterans' Affairs), the following amendment was made: Schedule 1, item 7, page 4 (line 17), omit "1 July 1996", substitute "the first day of the month next following the end of the period of 30 days beginning on the day on which this Act commences".

Bill, as amended, agreed to.

Ordered—That the Bill be reported to the House with an amendment.

**4 CATTLE TRANSACTION LEVY AMENDMENT (AAHC) BILL 1996**

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.

*Consideration in detail*

Bill, by leave, taken as a whole.

On the motion of Mr Scott (Minister for Veterans' Affairs), the following amendment was made: Schedule 1, item 6, page 4 (line 9), omit "1 July 1996", substitute "the first day of the month next following the end of the period of 30 days beginning on the day on which this Act commences".

Bill, as amended, agreed to.

Ordered—That the Bill be reported to the House with an amendment.

**5 LAYING CHICKEN LEVY AMENDMENT (AAHC) BILL 1996**

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.

*Consideration in detail*

Bill, by leave, taken as a whole.

On the motion of Mr Scott (Minister for Veterans' Affairs), by leave, the following amendments were made together:

Schedule 1—

Item 3, page 3 (lines 22 to 25), subsection (3), omit the words from and including "The regulations" to and including "as the case requires".

Item 5, page 4 (lines 3 and 4), omit "1 July 1996", substitute "the first day of the month next following the end of the period of 30 days beginning on the day on which this Act commences".

Bill, as amended, agreed to.

Ordered—That the Bill be reported to the House with amendments.

**6 LIVE-STOCK EXPORT CHARGE AMENDMENT (AAHC) BILL 1996**

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.

*Consideration in detail*

Bill, by leave, taken as a whole.

On the motion of Mr Scott (Minister for Veterans' Affairs), by leave, the following amendments were made together:

Schedule 1—

Item 6, paragraph (a), page 4 (line 9), omit “1 July 1996”, substitute “the first day of the month next following the end of the period of 30 days beginning on the day on which this Act commences”.

Item 6, paragraph (b), page 4 (line 10), omit “1 July 1996”, substitute “that day”.

Bill, as amended, agreed to.

Ordered—That the Bill be reported to the House with amendments.

#### **7 LIVE-STOCK SLAUGHTER LEVY AMENDMENT (AAHC) BILL 1996**

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.

*Consideration in detail*

Bill, by leave, taken as a whole.

On the motion of Mr Scott (Minister for Veterans’ Affairs), by leave, the following amendments were made together:

Schedule 1—

Item 6, paragraph (a), page 4 (line 10), omit “1 July 1996”, substitute “the first day of the month next following the end of the period of 30 days beginning on the day on which this Act commences”.

Item 6, paragraph (b), page 4 (line 11), omit “1 July 1996”, substitute “that day”.

Bill, as amended, agreed to.

Ordered—That the Bill be reported to the House with amendments.

#### **8 MEAT CHICKEN LEVY AMENDMENT (AAHC) BILL 1996**

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 the question on the report to be put forthwith.

Question—That the Bill be reported to the House without amendment—put and passed.

#### **9 PIG SLAUGHTER LEVY AMENDMENT (AAHC) BILL 1996**

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 the question on the report to be put forthwith.

Question—That the Bill be reported to the House without amendment—put and passed.

10 **PRIMARY INDUSTRIES AND ENERGY LEGISLATION AMENDMENT BILL (NO. 2) 1996**

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.

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*Suspension of sitting:* At 11.39 a.m., a division having been called in the House, the proceedings were suspended.

*Resumption of sitting:* At 12.04 p.m., the proceedings were resumed.

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Debate continued.

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

*Message from the Governor-General:* Message No. 41, dated 4 September 1996, 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.

Mr Scott (Minister for Veterans' Affairs), by leave, moved the following amendments together:

Schedule 5—

Page 11 (after line 3), before item 1, insert:

**1AA Subsection 3(2)**

Insert:

*exempt livestock proceeds* means proceeds of a forced disposal of farm livestock by a person at a time when a drought exceptional circumstances certificate referred to in section 8A applied to the person, to the extent to which the proceeds are invested in:

- (a) a deposit under the *Loan (Income Equalization Deposits) Act 1976*; or
- (b) a deposit with a term of at least 3 months with a bank, building society, credit union or other institution that receives money on deposit.

Page 11 (after line 9), after item 2 insert:

**2A At the end of section 24A**

Add:

- (3) In calculating a rate referred to in subsection (1), exempt livestock proceeds are to be disregarded.

**2B Application**

The amendment made by item 2A applies to the proceeds of disposals that occur after the commencement of this Schedule.

*Papers:* Mr Scott presented supplementary explanatory memoranda for the following bills—

Cattle Export Charges Amendment (AAHC) 1996.

Cattle Transaction Levy Amendment (AAHC) 1996.

Laying Chicken Levy Amendment (AAHC) 1996.

Live-stock Export Charge Amendment (AAHC) 1996.

Live-stock Slaughter Levy Amendment (AAHC) 1996.

Primary Industries and Energy Legislation Amendment (No. 2) 1996.

Amendments agreed to.

Bill, as amended, agreed to.

Ordered—That the Bill be reported to the House with amendments.

**11 EDUCATION SERVICES FOR OVERSEAS STUDENTS (REGISTRATION OF PROVIDERS AND FINANCIAL REGULATION) AMENDMENT BILL (NO. 1) 1996**

The order of the day having been read for the second reading—Mr Abbott (Parliamentary Secretary to the Minister for Employment, Education, Training and Youth Affairs) moved—That the Bill be now read a second time.

*Paper:* Mr Abbott presented an explanatory memorandum to the Bill.

Debate ensued.

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

**12 ADJOURNMENT**

On the motion of Mr Abbott (Parliamentary Secretary to the Minister for Employment, Education, Training and Youth Affairs), the Main Committee adjourned at 12.53 p.m.

The Acting Deputy Speaker fixed Wednesday, 18 September 1996 at 10 a.m. for the next meeting of the Main Committee.

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**B. C. WRIGHT**  
Clerk of the Main Committee