

1996

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 61

THURSDAY, 12 DECEMBER 1996

1 The House met, at 9.30 a.m., pursuant to adjournment.

2 **ABSENCE OF SPEAKER**

The Clerk having informed the House that the Speaker (the Honourable Bob Halverson) was absent until later this day, the Deputy Speaker (Mr Nehl) took the Chair as Acting Speaker, and read Prayers.

3 **PRIMARY INDUSTRIES AND ENERGY LEGISLATION AMENDMENT BILL (NO. 3) 1996**

Mr Anderson (Minister for Primary Industries and Energy), pursuant to notice, presented a Bill for an Act to amend or repeal various Acts administered by the Minister for Primary Industries and Energy, and for related purposes.

Bill read a first time.

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

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

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

4 **AUDITOR-GENERAL BILL 1996**

Mr Fahey (Minister for Finance), pursuant to notice, presented a Bill for an Act to provide for the appointment of an Auditor-General, to set out the functions of the Auditor-General, and for related purposes.

Bill read a first time.

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

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

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

5 **FINANCIAL MANAGEMENT AND ACCOUNTABILITY BILL 1996**

Mr Fahey (Minister for Finance), pursuant to notice, presented a Bill for an Act to provide for the proper use and management of public money, public property and other Commonwealth resources, and for related purposes.

Bill read a first time.

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

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

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

6 COMMONWEALTH AUTHORITIES AND COMPANIES BILL 1996

Mr Fahey (Minister for Finance), pursuant to notice, presented a Bill for an Act to provide reporting, accountability and other rules for Commonwealth authorities and Commonwealth companies, and for related purposes.

Bill read a first time.

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

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

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

7 AUDIT (TRANSITIONAL AND MISCELLANEOUS) AMENDMENT BILL 1996

Mr Fahey (Minister for Finance), pursuant to notice, presented a Bill for an Act to deal with transitional and consequential matters arising from the repeal of the *Audit Act 1901* and the enactment of the *Auditor-General Act 1996*, the *Financial Management and Accountability Act 1996* and the *Commonwealth Authorities and Companies Act 1996*, and for related purposes.

Bill read a first time.

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

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

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

8 LAW AND JUSTICE LEGISLATION AMENDMENT BILL 1996

Mr Williams (Attorney-General and Minister for Justice), pursuant to notice, presented a Bill for an Act to amend various Acts relating to law and justice, and for related purposes.

Bill read a first time.

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

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

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

9 PARLIAMENTARY ZONE—IMPROVEMENTS TO SIGNAGE AND PEDESTRIAN ACCESS FOR NATIONAL GALLERY OF AUSTRALIA AND HIGH COURT OF AUSTRALIA PRECINCT—APPROVAL OF PROPOSAL

Mr W. L. Smith (Minister for Sport, Territories and Local Government), pursuant to notice, moved—That, in accordance with section 5 of the *Parliament Act 1974*, the House approves the following proposal for work in the Parliamentary Zone which was presented to the House on 10 December 1996, namely: Improvements to

signage and pedestrian access for the National Gallery of Australia and High Court of Australia precinct.

Question—put and passed.

10 PARLIAMENTARY ZONE—REDEVELOPMENT OF OPPOSITION PARTY ROOM AND DEMOLITION OF PRESS GALLERY ADDITIONS AT OLD PARLIAMENT HOUSE—APPROVAL OF PROPOSAL

Mr W. L. Smith (Minister for Sport, Territories and Local Government), pursuant to notice, moved—That, in accordance with section 5 of the *Parliament Act 1974*, the House approves the following proposal for work in the Parliamentary Zone which was presented to the House on 10 December 1996, namely: Redevelopment of Opposition Party Room and demolition of Press Gallery additions at Old Parliament House.

Debate ensued.

Question—put and passed.

11 DEVELOPMENT OF FACILITIES FOR 5 AVIATION REGIMENT AT RAAF BASE TOWNSVILLE—APPROVAL OF WORK

Mr Jull (Minister for Administrative Services), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Development of facilities for 5 Aviation Regiment at RAAF Base Townsville.

Debate ensued.

Question—put and passed.

12 DEVELOPMENT OF INFRASTRUCTURE ON TOWNSVILLE FIELD TRAINING AREA—APPROVAL OF WORK

Mr Jull (Minister for Administrative Services), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Development of infrastructure on the Townsville Field Training Area.

Debate ensued.

Question—put and passed.

13 MESSAGE FROM THE SENATE—TELSTRA (DILUTION OF PUBLIC OWNERSHIP) BILL 1996

The following message from the Senate was reported:

Message No. 116

Mr Speaker

The Senate returns to the House of Representatives the bill for **An Act relating to the dilution of the public ownership of Telstra, and for other purposes**, 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

11 December 1996

Ordered—That the amendments be considered forthwith.

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE

(1) Clause 2, page 1 (line 7) to page 2 (line 5), omit the clause, substitute:

2 Commencement

(1) Subject to this section, this Act commences on the day on which it receives the Royal Assent.

(2) The amendments of the *Telstra Corporation Act 1991* made by this Act commence on 1 May 1997.

(2) Schedule 1, item 11, page 4 (after line 15), after the definition of **damages**, insert:

service provider means a person, other than a carrier, who supplies an eligible service.

Note: For **eligible service** see section 18 of the Telecommunications Act.

(3) Schedule 1, item 11, page 4 (line 21), after “carriers”, insert “and service providers”.

(4) Schedule 1, item 11, page 4 (line 25), after “carriers”, insert “or service providers”.

(5) Schedule 1, item 11, page 5 (line 1), after “carriers”, insert “and service providers”.

(6) Schedule 1, item 11, page 5 (after line 12), at the end of subsection (1), add:
; and (f) any other matter in relation to which AUSTEL thinks it appropriate to develop standards.

(7) Schedule 1, item 11, page 5 (lines 13 to 18), after “carrier” (twice occurring), insert “or service provider”.

(8) Schedule 1, item 11, page 5 (line 33) to page 6 (line 5), after “carrier” (twice occurring), insert “or service provider”.

(9) Schedule 1, item 11, page 6 (line 10), after “carrier”, insert “or service provider”.

(10) Schedule 1, item 11, page 6 (lines 11 to 15), after “carrier” (wherever occurring), insert “or service provider”.

(11) Schedule 1, item 11, page 6 (line 31), omit “\$3,000”, substitute “\$25,000”.

(12) Schedule 1, item 11, page 7 (line 11), after “carrier”, insert “or service provider”.

(13) Schedule 1, item 11, page 8 (after line 2), at the end of section 87H, add:

- (8) Nothing in this section affects the right of a customer to complain to the Telecommunications Industry Ombudsman about a breach of a performance standard.
- (14) Schedule 1, item 12, page 10 (line 11), after “carrier”, insert “or service provider”.
- (15) Schedule 1, item 13, page 10 (line 15), after “carriers”, insert “or service providers”.
- (16) Schedule 1, item 14, page 10 (line 20), after “carriers”, insert “or service providers”.
- (17) Schedule 1, item 25, page 48 (lines 24 and 25), omit the item.

On the motion of Mr W. L. Smith (Minister representing the Minister for Communications and the Arts), the amendments were agreed to, after debate.

14 FLAGS AMENDMENT 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.

Leave granted for third reading to be moved forthwith.

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

15 MIGRATION LEGISLATION AMENDMENT BILL (NO. 3) 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.

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.

16 FRASER ELECTORAL DIVISION—ISSUE OF WRIT

The Speaker informed the House that it was his intention to issue a writ on 30 December 1996 for the election of a Member to serve for the electoral division of Fraser, in the Australian Capital Territory, in place of Mr Langmore. The dates in connection with the election would be fixed as follows:

Issue of writ Monday, 30 December 1996.

Close of rolls..... Monday, 6 January 1997.

Date of nominations Friday, 10 January 1997.

Date of polling..... Saturday, 1 February 1997.

Return of writ On or before Wednesday, 9 April 1997.

17 QUESTIONS

Questions without notice were asked.

18 AUDITOR-GENERAL'S REPORT—PUBLICATION OF PAPER

The Speaker presented the following paper:

Audit Act—Auditor-General—Audit report No. 22 of 1996-97—Performance audit—Client service: Australian Taxation Office.

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

- (1) this House authorises the publication of the Auditor-General's audit report No. 22 of 1996-97; and
- (2) the report be printed.

Question—put and passed.

19 PAPERS

The following papers were presented:

Administrative Appeals Tribunal Act—Administrative Appeals Tribunal—Report for 1995-96—Erratum.

Australian National Railways Commission Act—Australian National Railways Commission (Australian National)—Report for 1995-96.

Advance to the Minister for Finance—

Statement for October 1996.

Supporting applications of issues from the Advance during October 1996.

Provision for running costs borrowings—

Statement for October 1996.

Supporting applications of issues from the Provision during October 1996.

Human Rights and Equal Opportunity Act—Aboriginal and Torres Strait Islander Social Justice Commissioner—4th report, for 1995-96.

International Monetary Agreements Act—Australia and the IMF—Report for 1995-96.

International Monetary Agreements Act and the International Bank for Reconstruction and Development (General Capital Increase) Act—Australia and the World Bank—Report for 1995-96.

Advisory Panel for Marketing in Australia of Infant Formula—Room for improvement: Industry and protection of infant nutrition in Australia—Report for period August 1995 to June 1996.

National Crime Authority—Parliamentary Joint Committee—Organised criminal paedophile activity, November 1995—Government response.

National Rail Corporation Agreement Act—National Rail Corporation Limited—Report for 1995-96.

Native Title and the Aboriginal and Torres Strait Islander Land Fund—Parliamentary Joint Committee—National Native Title Tribunal annual report 1994-95, July 1996—Government response.

Petitions not in accord with standing and sessional orders of the House—Support for East Timorese refugees (Mr Tanner, 1500 petitioners).

Request for assistance to eradicate Tamil terrorism in Sri Lanka (Mr Bartlett, 327 petitioners).

Pooled Development Funds Act—PDF Registration Board—Report for 1995-96.

Transport, Communications and Infrastructure—Standing Committee—Report—Oil spills—A response strategy: Review of the Auditor-General's audit report No. 9 of 1994-95—Project audit—Is Australia ready to respond to a major oil spill?: Australian Maritime Safety Authority, 20 November 1995—Government response, December 1996.

20 PAPERS—MOTION TO TAKE NOTE OF PAPERS

Mr Reith (Leader of the House) moved—That the House take note of the following papers:

Australian National Railways Commission Act—Australian National Railways Commission (Australian National)—Report for 1995-96.

National Rail Corporation Agreement Act—National Rail Corporation Limited—Report for 1995-96.

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

21 SUSPENSION OF STANDING ORDERS 48A AND 103

Mr Reith (Leader of the House), by leave, moved—That standing order 48A (adjournment and next meeting) and standing order 103 (new business) be suspended for this sitting.

Question—put and passed.

22 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT

The Speaker presented the following paper:

Australian Parliamentary Delegation to the Kingdom of Cambodia, January 1996—Report.

23 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—AUSTRALIAN ECONOMY

The House was informed that Mr G. J. Evans (Deputy Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The stagnation of the Australian economy under the Coalition Government".

The proposed discussion having received the necessary support—

Mr G. J. Evans addressed the House.

Discussion ensued.

Paper: Mr Costello (Treasurer), by leave, presented the following paper:

1996-97 budget—Copy of transcript of interview with Gareth Evans on radio station 3LO, 21 August 1996.

Papers: Mr M. J. Ferguson, by leave, presented the following papers:

Ericsson business poll—December 1996 quarter—

BRW poll finds business unimpressed with Howard Government—AAP News item, 12 December 1996.

CEO's expect a lift in 1997, but . . . —Copy of article published in the *Business Review Weekly*, 16 December 1996.

Discussion continued.

Discussion concluded.

24 MESSAGE FROM THE SENATE

A message from the Senate was reported returning the following Bill without amendment:

12 December 1996—Message No. 117—Taxation Laws Amendment (No. 2) 1996.

25 TAXATION LAWS AMENDMENT BILL (NO. 4) 1996

Mr Miles (Parliamentary Secretary (Cabinet) to the Prime Minister) presented a Bill for an Act to amend the law relating to taxation.

Bill read a first time.

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

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

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

26 CUSTOMS AND EXCISE LEGISLATION AMENDMENT BILL (NO. 2) 1996

Mr Prosser (Minister for Small Business and Consumer Affairs) presented a Bill for an Act to amend legislation relating to Customs and Excise, and for related purposes.

Bill read a first time.

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

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

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

27 MEMBERS' INTERESTS COMMITTEE—PAPER

Mr Somlyay (Chair) presented the following paper:

Committee of Members' Interests—Register of Members' Interests for the 38th Parliament—Statements of registrable interests and notifications of alterations of interests received during the period 25 June 1996 to 11 December 1996.

28 COMMUNICATIONS, TRANSPORT AND MICROECONOMIC REFORM—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER

Mr M. A. J. Vaile (Chair) presented the following papers:

Communications, Transport and Microeconomic Reform—Standing Committee—Jet fresh: Paddock to plate—An inquiry into air freight exports of perishable and time sensitive products—

Report, November 1996.

Evidence received by the committee.

Minutes of proceedings.

Ordered—That the report be printed.

Mr M. A. J. Vaile, Mr P. F. Morris and Mr Tanner, by leave, made statements in connection with the report.

Mr M. A. J. Vaile, by leave, moved—That the House take note of the report.

Mr M. A. J. Vaile 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 the next sitting.

29 ABORIGINAL AND TORRES STRAIT ISLANDER AFFAIRS—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER

Mr Lieberman (Chair) presented the following papers:

Aboriginal and Torres Strait Islander Affairs—Standing Committee—Review of Auditor-General's audit report No. 6 of 1995-96—Performance audit—Community Development Employment Projects Scheme: Aboriginal and Torres Strait Islander Commission—

Report, December 1996.

Evidence received by the committee.

Minutes of proceedings.

Ordered—That the report be printed.

Mr Lieberman and Mr Melham, by leave, made statements in connection with the report.

Mr Lieberman, by leave, moved—That the House take note of the report.

Mr Lieberman 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 the next sitting.

30 ADJOURNMENT NEGATIVED

Mrs Bishop (Minister for Defence Industry, Science and Personnel) moved—That the House do now adjourn.

Debate ensued.

Paper: Mrs Sullivan, by leave, presented the following paper:

Child labour—Current activities under the Aid Program—Table.

Debate continued.

Question—put and negatived.

31 SUSPENSION OF SITTING

At 6 p.m. the Speaker left the Chair.

The House continuing to sit—
FRIDAY, 13 DECEMBER 1996

32 RESUMPTION OF SITTING

The Speaker resumed the Chair at 10.30 a.m.

33 POSTPONEMENT OF BUSINESS

Ordered—That business intervening before notice No. 12, government business, be postponed until a later hour this day.

34 SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED

Ms Macklin moved—That so much of the standing and sessional orders be suspended as would prevent the Member for Jagajaga moving forthwith—That this House:

- (1) censures the Minister for Family Services:
 - (a) for misleading the House on the details of communications concerning the cost impost on thousands of Australian families arising from the federal Budget decisions on child care and other harsh measures affecting families, including the family tax package;
 - (b) for failing to substantiate false claims made against the Member for Jagajaga in the House about communications concerning the very harsh impact of child care cost increases on Australian families;
 - (c) and calls on the Minister for Family Services immediately to correct the record on this matter and to apologise to the Member for Jagajaga for making false allegations against that Member;
 - (d) notes that the “someone” referred to by the Minister in the House yesterday is in fact a woman who had expressed outrage about the consequences of the introduction, from April 1997, of changes to child care arrangements which she says will see low income wage earners, and single parents especially, having to quit their jobs, pull their kids out of child care and stay at home all because of the draconian consequences of the Government’s Budget; and
 - (e) notes the complicity of the Member for Herbert in this matter; and
- (2) calls on the Prime Minister to discipline the Minister for Family Services for misleading the House and to enforce the code of conduct on the behaviour of Ministers, particularly in regard to their misleading the House.

Closure of Member: Mr Reith (Leader of the House) moved—That the Member be not further heard.

Question—put.

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

AYES, 77

Mr Abbott	Mrs Draper	Mr Lieberman	Mr Scott
Mr Anderson	Mrs Elson	Mr Lindsay	Mr Sinclair
Mr J. N. Andrew	Mr Entsch	Mr Lloyd	Mr A. C. Smith
Mr K. J. Andrews	Mr R. D. C. Evans	Mr McArthur*	Mr W. L. Smith
Mrs Bailey	Mr Forrest	Mr McGauran	Dr Southcott
Mr R. C. Baldwin	Mrs Gallus	Mr Marek	Mrs Stone
Mr Barresi	Ms Gambaro	Mr Miles	Mr Taylor
Mr Bartlett	Mrs Gash	Mr Moore	Mr A. P. Thomson
Mr Billson	Mr Georgiou	Mrs Moylan	Mr Truss
Mrs Bishop	Mrs E. J. Grace	Mr Mutch	Mr M. A. J. Vaile
Mr Bradford	Mr Hardgrave	Mr Nairn	Ms D. S. Vale
Mr Broadbent	Mr Hawker	Mr Nehl	Mr Wakelin
Mr Brough	Mr Hicks*	Dr Nelson	Mrs West
Mr Cadman	Mr Hockey	Mr Neville	Mr Williams
Mr R. A. Cameron	Ms Jeanes	Mr Nugent	Dr Wooldridge
Mr Causley	Mrs Johnston	Mr Prosser	Ms Worth
Mr Charles	Mr Jull	Mr Randall	Mr Zammit
Mr Cobb	Mrs D. M. Kelly	Mr Reith	
Mr Dondas	Miss J. M. Kelly	Mr Ronaldson	
Mr Downer	Dr Kemp	Mr Ruddock	

NOES, 42

Mr Adams	Mr M. J. Ferguson	Mr Lee	Mr O'Keefe
Mr Albanese	Mr Fitzgibbon	Mr McClelland	Mr Price
Mr P. J. Baldwin	Mr E. L. Grace*	Ms Macklin	Mr Quick
Mr Beddall	Mr Griffin	Mr McLeay	Mr Sawford*
Mr Bevis	Mr Hatton	Mr McMullan	Mr Sercombe
Mr Brown	Mr Holding	Mr Martin	Mr Tanner
Mr Crean	Mr Hollis	Mr Melham	Dr Theophanous
Ms Ellis	Mr Jenkins	Mr A. A. Morris	Mr K. J. Thomson
Mr G. J. Evans	Mr Kerr	Mr P. F. Morris	Mr Wilton
Mr M. J. Evans	Mr Latham	Mr Mossfield	
Mr L. D. T. Ferguson	Dr Lawrence	Mr O'Connor	

* Tellers

And so it was resolved in the affirmative.

Mr Lee (seconder) addressing the House—

Closure of Member: Mr Reith moved—That the Member be not further heard.

Question—put.

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

AYES, 78

Mr Abbott	Mr Downer	Dr Kemp	Mr Ruddock
Mr Anderson	Mrs Draper	Mr Lieberman	Mr Scott
Mr J. N. Andrew	Mrs Elson	Mr Lindsay	Mr Sinclair
Mr K. J. Andrews	Mr Entsch	Mr Lloyd	Mr A. C. Smith
Mr Anthony	Mr R. D. C. Evans	Mr McArthur*	Mr W. L. Smith
Mrs Bailey	Mr Forrest	Mr McGauran	Dr Southcott
Mr R. C. Baldwin	Mrs Gallus	Mr Marek	Mrs Stone
Mr Barresi	Ms Gambaro	Mr Miles	Mr Taylor
Mr Bartlett	Mrs Gash	Mr Moore	Mr A. P. Thomson
Mr Billson	Mr Georgiou	Mrs Moylan	Mr Truss
Mrs Bishop	Mrs E. J. Grace	Mr Mutch	Mr M. A. J. Vaile
Mr Bradford	Mr Hardgrave	Mr Nairn	Ms D. S. Vale
Mr Broadbent	Mr Hawker	Mr Nehl	Mr Wakelin
Mr Brough	Mr Hicks*	Dr Nelson	Mrs West
Mr Cadman	Mr Hokey	Mr Neville	Mr Williams
Mr R. A. Cameron	Ms Jeanes	Mr Nugent	Dr Wooldridge
Mr Causley	Mr Johnston	Mr Prosser	Ms Worth
Mr Charles	Mr Jull	Mr Randall	Mr Zammit
Mr Cobb	Mrs D. M. Kelly	Mr Reith	
Mr Dondas	Miss J. M. Kelly	Mr Ronaldson	

NOES, 42

Mr Adams	Mr M. J. Ferguson	Mr Lee	Mr O'Keefe
Mr Albanese	Mr Fitzgibbon	Mr McClelland	Mr Price
Mr P. J. Baldwin	Mr E. L. Grace*	Ms Macklin	Mr Quick
Mr Beddall	Mr Griffin	Mr McLeay	Mr Sawford*
Mr Bevis	Mr Hatton	Mr McMullan	Mr Sercombe
Mr Brown	Mr Holding	Mr Martin	Mr Tanner
Mr Crean	Mr Hollis	Mr Melham	Dr Theophanous
Ms Ellis	Mr Jenkins	Mr A. A. Morris	Mr K. J. Thomson
Mr G. J. Evans	Mr Kerr	Mr P. F. Morris	Mr Wilton
Mr M. J. Evans	Mr Latham	Mr Mossfield	
Mr L. D. T. Ferguson	Dr Lawrence	Mr O'Connor	

* Tellers

And so it was resolved in the affirmative.

Question—That the motion for the suspension of standing and sessional orders be agreed to—put.

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

AYES, 43

Mr Adams	Mr L. D. T. Ferguson	Dr Lawrence	Mr O'Connor
Mr Albanese	Mr M. J. Ferguson	Mr Lee	Mr O'Keefe
Mr P. J. Baldwin	Mr Fitzgibbon	Mr McClelland	Mr Price
Mr Beddall	Mr E. L. Grace*	Ms Macklin	Mr Quick
Mr Bevis	Mr Griffin	Mr McLeay	Mr Sawford*
Mr Brereton	Mr Hatton	Mr McMullan	Mr Sercombe
Mr Brown	Mr Holding	Mr Martin	Mr Tanner
Mr Crean	Mr Hollis	Mr Melham	Dr Theophanous
Ms Ellis	Mr Jenkins	Mr A. A. Morris	Mr K. J. Thomson
Mr G. J. Evans	Mr Kerr	Mr P. F. Morris	Mr Wilton
Mr M. J. Evans	Mr Latham	Mr Mossfield	

NOES, 78

Mr Abbott	Mr Downer	Dr Kemp	Mr Ruddock
Mr Anderson	Mrs Draper	Mr Lieberman	Mr Scott
Mr J. N. Andrew	Mrs Elson	Mr Lindsay	Mr Sinclair
Mr K. J. Andrews	Mr Entsch	Mr Lloyd	Mr A. C. Smith
Mr Anthony	Mr R. D. C. Evans	Mr McArthur*	Mr W. L. Smith
Mrs Bailey	Mr Forrest	Mr McGauran	Dr Southcott
Mr R. C. Baldwin	Mrs Gallus	Mr Marek	Mrs Stone
Mr Barresi	Ms Gambaro	Mr Miles	Mr Taylor
Mr Bartlett	Mrs Gash	Mr Moore	Mr A. P. Thomson
Mr Billson	Mr Georgiou	Mrs Moylan	Mr Truss
Mrs Bishop	Mrs E. J. Grace	Mr Mutch	Mr M. A. J. Vaile
Mr Bradford	Mr Hardgrave	Mr Nairn	Ms D. S. Vale
Mr Broadbent	Mr Hawker	Mr Nehl	Mr Wakelin
Mr Brough	Mr Hicks*	Dr Nelson	Mrs West
Mr Cadman	Mr Hockey	Mr Neville	Mr Williams
Mr R. A. Cameron	Ms Jeanes	Mr Nugent	Dr Wooldridge
Mr Causley	Mrs Johnston	Mr Prosser	Ms Worth
Mr Charles	Mr Jull	Mr Randall	Mr Zammit
Mr Cobb	Mrs D. M. Kelly	Mr Reith	
Mr Dondas	Miss J. M. Kelly	Mr Ronaldson	

* Tellers

And so it was negatived.

35 SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED

Mr Lee moved—That so much of the standing and sessional orders be suspended as would prevent the Minister for Family Services owning up and correcting the record where she misled the House at question time yesterday.

Closure of Member: Mr R. C. Baldwin moved—That the Member be not further heard.

Question—put.

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

AYES, 80

Mr Abbott	Mr Downer	Dr Kemp	Mr Ruddock
Mr Anderson	Mrs Draper	Mr Lieberman	Mr Scott
Mr J. N. Andrew	Mrs Elson	Mr Lindsay	Mr Sinclair
Mr K. J. Andrews	Mr Entsch	Mr Lloyd	Mr A. C. Smith
Mr Anthony	Mr R. D. C. Evans	Mr McArthur*	Mr W. L. Smith
Mrs Bailey	Mr Forrest	Mr McGauran	Mr Somlyay
Mr R. C. Baldwin	Mrs Gallus	Mr Marek	Dr Southcott
Mr Barresi	Ms Gambaro	Mr Miles	Mrs Stone
Mr Bartlett	Mrs Gash	Mr Moore	Mrs Sullivan
Mr Billson	Mr Georgiou	Mrs Moylan	Mr Taylor
Mrs Bishop	Mrs E. J. Grace	Mr Mutch	Mr A. P. Thomson
Mr Bradford	Mr Hardgrave	Mr Nairn	Mr Truss
Mr Broadbent	Mr Hawker	Mr Nehl	Mr M. A. J. Vaile
Mr Brough	Mr Hicks*	Dr Nelson	Ms D. S. Vale
Mr Cadman	Mr Hockey	Mr Neville	Mr Wakelin
Mr R. A. Cameron	Ms Jeanes	Mr Nugent	Mrs West
Mr Causley	Mrs Johnston	Mr Prosser	Mr Williams
Mr Charles	Mr Jull	Mr Randall	Dr Wooldridge
Mr Cobb	Mrs D. M. Kelly	Mr Reith	Ms Worth
Mr Dondas	Miss J. M. Kelly	Mr Ronaldson	Mr Zammit

NOES, 43

Mr Adams	Mr L. D. T. Ferguson	Dr Lawrence	Mr O'Connor
Mr Albanese	Mr M. J. Ferguson	Mr Lee	Mr O'Keefe
Mr P. J. Baldwin	Mr Fitzgibbon	Mr McClelland	Mr Price
Mr Beddall	Mr E. L. Grace*	Ms Macklin	Mr Quick
Mr Bevis	Mr Griffin	Mr McLeay	Mr Sawford*
Mr Brereton	Mr Hatton	Mr McMullan	Mr Sercombe
Mr Brown	Mr Holding	Mr Martin	Mr Tanner
Mr Crean	Mr Hollis	Mr Melham	Dr Theophanous
Ms Ellis	Mr Jenkins	Mr A. A. Morris	Mr K. J. Thomson
Mr G. J. Evans	Mr Kerr	Mr P. F. Morris	Mr Wilton
Mr M. J. Evans	Mr Latham	Mr Mossfield	

* Tellers

And so it was resolved in the affirmative.

Ms Macklin (seconder) addressing the House—

Closure of Member: Mr Reith (Leader of the House) moved—That the Member be not further heard.

Question—put.

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

AYES, 81

Mr Abbott	Mrs Draper	Mr Lindsay	Mr Sinclair
Mr Anderson	Mrs Elson	Mr Lloyd	Mr A. C. Smith
Mr J. N. Andrew	Mr Entsch	Mr McArthur*	Mr W. L. Smith
Mr K. J. Andrews	Mr R. D. C. Evans	Mr McGauran	Mr Somlyay
Mr Anthony	Mr Forrest	Mr Marek	Dr Southcott
Mrs Bailey	Mrs Gallus	Mr Miles	Mrs Stone
Mr R. C. Baldwin	Ms Gambaro	Mr Moore	Mrs Sullivan
Mr Barresi	Mrs Gash	Mrs Moylan	Mr Taylor
Mr Bartlett	Mr Georgiou	Mr Mutch	Mr A. P. Thomson
Mr Billson	Mrs E. J. Grace	Mr Nairn	Mr Truss
Mrs Bishop	Mr Hardgrave	Mr Nehl	Mr M. A. J. Vaile
Mr Bradford	Mr Hawker	Dr Nelson	Ms D. S. Vale
Mr Broadbent	Mr Hicks*	Mr Neville	Mr Wakelin
Mr Brough	Mr Hockey	Mr Nugent	Mrs West
Mr Cadman	Ms Jeanes	Mr Prosser	Mr Williams
Mr R. A. Cameron	Mr Johnston	Mr Pyne	Dr Wooldridge
Mr Causley	Mr Jull	Mr Randall	Ms Worth
Mr Charles	Mrs D. M. Kelly	Mr Reith	Mr Zammit
Mr Cobb	Miss J. M. Kelly	Mr Ronaldson	
Mr Dondas	Dr Kemp	Mr Ruddock	
Mr Downer	Mr Lieberman	Mr Scott	

NOES, 43

Mr Adams	Mr L. D. T. Ferguson	Dr Lawrence	Mr O'Connor
Mr Albanese	Mr M. J. Ferguson	Mr Lee	Mr O'Keefe
Mr P. J. Baldwin	Mr Fitzgibbon	Mr McClelland	Mr Price
Mr Beddall	Mr E. L. Grace*	Ms Macklin	Mr Quick
Mr Bevis	Mr Griffin	Mr McLeay	Mr Sawford*
Mr Brereton	Mr Hatton	Mr McMullan	Mr Sercombe
Mr Brown	Mr Holding	Mr Martin	Mr Tanner
Mr Crean	Mr Hollis	Mr Melham	Dr Theophanous
Ms Ellis	Mr Jenkins	Mr A. A. Morris	Mr K. J. Thomson
Mr G. J. Evans	Mr Kerr	Mr P. F. Morris	Mr Wilton
Mr M. J. Evans	Mr Latham	Mr Mossfield	

* Tellers

And so it was resolved in the affirmative.

Mr Crean rising to address the House—

Closure: Mr Reith moved—That the question be now put.

Question—That the question be now put—put.

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

AYES, 81

Mr Abbott	Mrs Draper	Mr Lindsay	Mr Sinclair
Mr Anderson	Mrs Elson	Mr Lloyd	Mr A. C. Smith
Mr J. N. Andrew	Mr Entsch	Mr McArthur*	Mr W. L. Smith
Mr K. J. Andrews	Mr R. D. C. Evans	Mr McGauran	Mr Somlyay
Mr Anthony	Mr Forrest	Mr Marek	Dr Southcott
Mrs Bailey	Mrs Gallus	Mr Miles	Mrs Stone
Mr R. C. Baldwin	Ms Gambaro	Mr Moore	Mrs Sullivan
Mr Barresi	Mrs Gash	Mrs Moylan	Mr Taylor
Mr Bartlett	Mr Georgiou	Mr Mutch	Mr A. P. Thomson
Mr Billson	Mrs E. J. Grace	Mr Nairn	Mr Truss
Mrs Bishop	Mr Hardgrave	Mr Nehl	Mr M. A. J. Vaile
Mr Bradford	Mr Hawker	Dr Nelson	Ms D. S. Vale
Mr Broadbent	Mr Hicks*	Mr Neville	Mr Wakelin
Mr Brough	Mr Hockey	Mr Nugent	Mrs West
Mr Cadman	Ms Jeanes	Mr Prosser	Mr Williams
Mr R. A. Cameron	Mrs Johnston	Mr Pyne	Dr Wooldridge
Mr Causley	Mr Jull	Mr Randall	Ms Worth
Mr Charles	Mrs D. M. Kelly	Mr Reith	Mr Zammit
Mr Cobb	Miss J. M. Kelly	Mr Ronaldson	
Mr Dondas	Dr Kemp	Mr Ruddock	
Mr Downer	Mr Lieberman	Mr Scott	

NOES, 43

Mr Adams	Mr L. D. T. Ferguson	Dr Lawrence	Mr O'Connor
Mr Albanese	Mr M. J. Ferguson	Mr Lee	Mr O'Keefe
Mr P. J. Baldwin	Mr Fitzgibbon	Mr McClelland	Mr Price
Mr Beddall	Mr E. L. Grace*	Ms Macklin	Mr Quick
Mr Bevis	Mr Griffin	Mr McLeay	Mr Sawford*
Mr Brereton	Mr Hatton	Mr McMullan	Mr Sercombe
Mr Brown	Mr Holding	Mr Martin	Mr Tanner
Mr Crean	Mr Hollis	Mr Melham	Dr Theophanous
Ms Ellis	Mr Jenkins	Mr A. A. Morris	Mr K. J. Thomson
Mr G. J. Evans	Mr Kerr	Mr P. F. Morris	Mr Wilton
Mr M. J. Evans	Mr Latham	Mr Mossfield	

* Tellers

And so it was resolved in the affirmative.

And the question—That the motion for the suspension of standing and sessional orders be agreed to—being accordingly put—

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

AYES, 41

Mr Adams	Mr L. D. T. Ferguson	Mr Lee	Mr Price
Mr Albanese	Mr M. J. Ferguson	Mr McClelland	Mr Quick
Mr P. J. Baldwin	Mr Fitzgibbon	Ms Macklin	Mr Sawford*
Mr Beddall	Mr E. L. Grace*	Mr McLeay	Mr Sercombe
Mr Bevis	Mr Griffin	Mr McMullan	Mr Tanner
Mr Brereton	Mr Hatton	Mr Melham	Dr Theophanous
Mr Brown	Mr Hollis	Mr A. A. Morris	Mr K. J. Thomson
Mr Crean	Mr Jenkins	Mr P. F. Morris	Mr Wilton
Ms Ellis	Mr Kerr	Mr Mossfield	
Mr G. J. Evans	Mr Latham	Mr O'Connor	
Mr M. J. Evans	Dr Lawrence	Mr O'Keefe	

NOES, 81

Mr Abbott	Mrs Draper	Mr Lindsay	Mr Sinclair
Mr Anderson	Mrs Elson	Mr Lloyd	Mr A. C. Smith
Mr J. N. Andrew	Mr Entsch	Mr McArthur*	Mr W. L. Smith
Mr K. J. Andrews	Mr R. D. C. Evans	Mr McGauran	Mr Somlyay
Mr Anthony	Mr Forrest	Mr Marek	Dr Southcott
Mrs Bailey	Mrs Gallus	Mr Miles	Mrs Stone
Mr R. C. Baldwin	Ms Gambaro	Mr Moore	Mrs Sullivan
Mr Barresi	Mrs Gash	Mrs Moylan	Mr Taylor
Mr Bartlett	Mr Georgiou	Mr Mutch	Mr A. P. Thomson
Mr Billson	Mrs E. J. Grace	Mr Nairn	Mr Truss
Mrs Bishop	Mr Hardgrave	Dr Nelson	Mr M. A. J. Vaile
Mr Bradford	Mr Hawker	Mr Neville	Ms D. S. Vale
Mr Broadbent	Mr Hicks*	Mr Nugent	Mr Wakelin
Mr Brough	Mr Hockey	Mr Prosser	Mrs West
Mr Cadman	Ms Jeanes	Mr Pyne	Mr Williams
Mr R. A. Cameron	Mrs Johnston	Mr Randall	Dr Wooldridge
Mr Causley	Mr Jull	Mr Reith	Ms Worth
Mr Charles	Mrs D. M. Kelly	Mr Rocher	Mr Zammit
Mr Cobb	Miss J. M. Kelly	Mr Ronaldson	
Mr Dondas	Dr Kemp	Mr Ruddock	
Mr Downer	Mr Lieberman	Mr Scott	

* Tellers

And so it was negated.

36 SUSPENSION OF STANDING AND SESSIONAL ORDERS—GOVERNMENT BUSINESS NOTICE

Mr Reith (Leader of the House) moved—That so much of the standing and sessional orders be suspended as would prevent notice No. 11, government business, being called on forthwith.

Mr Crean rising to address the House—

Closure: Mr Reith moved—That the question be now put.

Question—That the question be now put—put.

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

AYES, 82

Mr Abbott	Mrs Draper	Mr Lieberman	Mr Scott
Mr Andren	Mrs Elson	Mr Lindsay	Mr Sinclair
Mr J. N. Andrew	Mr Entsch	Mr Lloyd	Mr A. C. Smith
Mr K. J. Andrews	Mr R. D. C. Evans	Mr McArthur*	Mr W. L. Smith
Mr Anthony	Mr Fahey	Mr McGauran	Mr Somlyay
Mrs Bailey	Mr Forrest	Mr Marek	Dr Southcott
Mr R. C. Baldwin	Mrs Gallus	Mr Miles	Mrs Stone
Mr Barresi	Ms Gambaro	Mr Moore	Mrs Sullivan
Mr Bartlett	Mrs Gash	Mrs Moylan	Mr Taylor
Mr Billson	Mr Georgiou	Mr Mutch	Mr A. P. Thomson
Mrs Bishop	Mrs E. J. Grace	Mr Nairn	Mr Truss
Mr Bradford	Mr Hardgrave	Dr Nelson	Mr M. A. J. Vaile
Mr Broadbent	Mr Hawker	Mr Neville	Ms D. S. Vale
Mr Brough	Mr Hicks*	Mr Nugent	Mr Wakelin
Mr Cadman	Mr Hockey	Mr Prosser	Mrs West
Mr R. A. Cameron	Ms Jeanes	Mr Pyne	Mr Williams
Mr Causley	Mrs Johnston	Mr Randall	Dr Wooldridge
Mr Charles	Mr Jull	Mr Reith	Ms Worth
Mr Cobb	Mrs D. M. Kelly	Mr Rocher	Mr Zammit
Mr Dondas	Miss J. M. Kelly	Mr Ronaldson	
Mr Downer	Dr Kemp	Mr Ruddock	

NOES, 42

Mr Adams	Mr L. D. T. Ferguson	Dr Lawrence	Mr O'Keefe
Mr Albanese	Mr M. J. Ferguson	Mr Lee	Mr Price
Mr P. J. Baldwin	Mr Fitzgibbon	Mr McClelland	Mr Quick
Mr Beddall	Mr E. L. Grace*	Ms Macklin	Mr Sawford*
Mr Bevis	Mr Griffin	Mr McLeay	Mr Sercombe
Mr Brereton	Mr Hatton	Mr McMullan	Mr Tanner
Mr Brown	Mr Holding	Mr Melham	Dr Theophanous
Mr Crean	Mr Hollis	Mr A. A. Morris	Mr K. J. Thomson
Ms Ellis	Mr Jenkins	Mr P. F. Morris	Mr Wilton
Mr G. J. Evans	Mr Kerr	Mr Mossfield	
Mr M. J. Evans	Mr Latham	Mr O'Connor	

* Tellers

And so it was resolved in the affirmative.

And the question—That the motion for the suspension of standing and sessional orders be agreed to—being accordingly put—

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

AYES, 81

Mr Abbott	Mrs Draper	Mr Lieberman	Mr Sinclair
Mr Andren	Mrs Elson	Mr Lindsay	Mr A. C. Smith
Mr J. N. Andrew	Mr Entsch	Mr Lloyd	Mr W. L. Smith
Mr K. J. Andrews	Mr R. D. C. Evans	Mr McArthur*	Mr Somlyay
Mr Anthony	Mr Fahey	Mr McGauran	Dr Southcott
Mrs Bailey	Mr Forrest	Mr Marek	Mrs Stone
Mr R. C. Baldwin	Mrs Gallus	Mr Miles	Mrs Sullivan
Mr Barresi	Ms Gambaro	Mr Moore	Mr Taylor
Mr Bartlett	Mrs Gash	Mrs Moylan	Mr A. P. Thomson
Mr Billson	Mr Georgiou	Mr Mutch	Mr Truss
Mrs Bishop	Mrs E. J. Grace	Mr Nairn	Mr M. A. J. Vaile
Mr Bradford	Mr Hardgrave	Dr Nelson	Ms D. S. Vale
Mr Broadbent	Mr Hawker	Mr Neville	Mr Wakelin
Mr Brough	Mr Hicks*	Mr Nugent	Mrs West
Mr Cadman	Mr Hockey	Mr Prosser	Mr Williams
Mr R. A. Cameron	Ms Jeanes	Mr Pyne	Dr Wooldridge
Mr Causley	Mrs Johnston	Mr Randall	Ms Worth
Mr Charles	Mr Jull	Mr Reith	Mr Zammit
Mr Cobb	Mrs D. M. Kelly	Mr Ronaldson	
Mr Dondas	Miss J. M. Kelly	Mr Ruddock	
Mr Downer	Dr Kemp	Mr Scott	

NOES, 42

Mr Adams	Mr L. D. T. Ferguson	Dr Lawrence	Mr O'Keefe
Mr Albanese	Mr M. J. Ferguson	Mr Lee	Mr Price
Mr P. J. Baldwin	Mr Fitzgibbon	Mr McClelland	Mr Quick
Mr Beddall	Mr E. L. Grace*	Ms Macklin	Mr Sawford*
Mr Bevis	Mr Griffin	Mr McLeay	Mr Sercombe
Mr Brereton	Mr Hatton	Mr McMullan	Mr Tanner
Mr Brown	Mr Holding	Mr Melham	Dr Theophanous
Mr Crean	Mr Hollis	Mr A. A. Morris	Mr K. J. Thomson
Ms Ellis	Mr Jenkins	Mr P. F. Morris	Mr Wilton
Mr G. J. Evans	Mr Kerr	Mr Mossfield	
Mr M. J. Evans	Mr Latham	Mr O'Connor	

* Tellers

And so it was resolved in the affirmative.

37 SUSPENSION OF STANDING ORDER 399

Mr Reith (Leader of the House), pursuant to notice, moved—That standing order 399 be suspended for the remainder of this period of sittings, except when a motion is moved pursuant to the standing order by a Minister.

Mr Crean moved, as an amendment—That the following words be added to the motion: “provided that the answer to the question without notice from the Member for Jagajaga to the Minister for Family Services appearing at pages 7959-60 for 12 December 1996 be expunged from Hansard because it was false and misleading”.

Closure: Mr Reith moved—That the question be now put.

Question—That the question be now put—put.

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

AYES, 80

Mr Abbott	Mrs Draper	Dr Kemp	Mr Scott
Mr J. N. Andrew	Mrs Elson	Mr Lieberman	Mr Sharp
Mr K. J. Andrews	Mr Entsch	Mr Lindsay	Mr Sinclair
Mr Anthony	Mr R. D. C. Evans	Mr Lloyd	Mr A. C. Smith
Mrs Bailey	Mr Fahey	Mr McArthur*	Mr W. L. Smith
Mr R. C. Baldwin	Mr Forrest	Mr Marek	Mr Somlyay
Mr Barresi	Mrs Gallus	Mr Miles	Dr Southcott
Mr Bartlett	Ms Gambaro	Mr Moore	Mrs Stone
Mr Billson	Mrs Gash	Mrs Moylan	Mrs Sullivan
Mrs Bishop	Mr Georgiou	Mr Mutch	Mr Taylor
Mr Bradford	Mrs E. J. Grace	Mr Nairn	Mr A. P. Thomson
Mr Broadbent	Mr Hardgrave	Mr Nehl	Mr Truss
Mr Brough	Mr Hawker	Dr Nelson	Mr M. A. J. Vaile
Mr Cadman	Mr Hicks*	Mr Neville	Ms D. S. Vale
Mr R. A. Cameron	Mr Hockey	Mr Nugent	Mr Wakelin
Mr Causley	Ms Jeanes	Mr Prosser	Mrs West
Mr Charles	Mrs Johnston	Mr Pyne	Mr Williams
Mr Cobb	Mr Jull	Mr Randall	Dr Wooldridge
Mr Dondas	Mrs D. M. Kelly	Mr Reith	Ms Worth
Mr Downer	Miss J. M. Kelly	Mr Ronaldson	Mr Zammit

NOES, 40

Mr Adams	Mr L. D. T. Ferguson	Dr Lawrence	Mr O'Connor
Mr Albanese	Mr M. J. Ferguson	Mr Lee	Mr O'Keefe
Mr P. J. Baldwin	Mr Fitzgibbon	Mr McClelland	Mr Price
Mr Beddall	Mr E. L. Grace*	Ms Macklin	Mr Quick
Mr Bevis	Mr Griffin	Mr McLeay	Mr Sawford*
Mr Brereton	Mr Hatton	Mr Martin	Mr Sercombe
Mr Brown	Mr Holding	Mr Melham	Mr Tanner
Mr Crean	Mr Hollis	Mr A. A. Morris	Dr Theophanous
Mr G. J. Evans	Mr Kerr	Mr P. F. Morris	Mr K. J. Thomson
Mr M. J. Evans	Mr Latham	Mr Mossfield	Mr Wilton

* Tellers

And so it was resolved in the affirmative.

And the question—That the motion for the suspension of standing and sessional orders be agreed to—being accordingly put—

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

AYES, 80

Mr Abbott	Mrs Draper	Dr Kemp	Mr Scott
Mr J. N. Andrew	Mrs Elson	Mr Lieberman	Mr Sharp
Mr K. J. Andrews	Mr Entsch	Mr Lindsay	Mr Sinclair
Mr Anthony	Mr R. D. C. Evans	Mr Lloyd	Mr A. C. Smith
Mrs Bailey	Mr Fahey	Mr McArthur*	Mr W. L. Smith
Mr R. C. Baldwin	Mr Forrest	Mr Marek	Mr Somlyay
Mr Barresi	Mrs Gallus	Mr Miles	Dr Southcott
Mr Bartlett	Ms Gambaro	Mr Moore	Mrs Stone
Mr Billson	Mrs Gash	Mrs Moylan	Mrs Sullivan
Mrs Bishop	Mr Georgiou	Mr Mutch	Mr Taylor
Mr Bradford	Mrs E. J. Grace	Mr Nairn	Mr A. P. Thomson
Mr Broadbent	Mr Hardgrave	Mr Nehl	Mr Truss
Mr Brough	Mr Hawker	Dr Nelson	Mr M. A. J. Vaile
Mr Cadman	Mr Hicks*	Mr Neville	Ms D. S. Vale
Mr R. A. Cameron	Mr Hockey	Mr Nugent	Mr Wakelin
Mr Causley	Ms Jeanes	Mr Prosser	Mrs West
Mr Charles	Mrs Johnston	Mr Pyne	Mr Williams
Mr Cobb	Mr Juil	Mr Randall	Dr Wooldridge
Mr Dondas	Mrs D. M. Kelly	Mr Reith	Ms Worth
Mr Downer	Miss J. M. Kelly	Mr Ronaldson	Mr Zammit

NOES, 40

Mr Adams	Mr L. D. T. Ferguson	Dr Lawrence	Mr O'Connor
Mr Albanese	Mr M. J. Ferguson	Mr Lee	Mr O'Keefe
Mr P. J. Baldwin	Mr Fitzgibbon	Mr McClelland	Mr Price
Mr Beddall	Mr E. L. Grace*	Ms Macklin	Mr Quick
Mr Bevis	Mr Griffin	Mr McLeay	Mr Sawford*
Mr Brereton	Mr Hatton	Mr Martin	Mr Sercombe
Mr Brown	Mr Holding	Mr Melham	Mr Tanner
Mr Crean	Mr Hollis	Mr A. A. Morris	Dr Theophanous
Mr G. J. Evans	Mr Kerr	Mr P. F. Morris	Mr K. J. Thomson
Mr M. J. Evans	Mr Latham	Mr Mossfield	Mr Wilton

* Tellers

And so it was resolved in the affirmative.

38 PRIVATE HEALTH INSURANCE INCENTIVES BILL 1996

Dr Wooldridge (Minister for Health and Family Services), pursuant to notice, presented a Bill for an Act to provide incentives for private health insurance, and for related purposes.

Bill read a first time.

Dr Wooldridge moved—That the Bill be now read a second time.

Paper: Dr Wooldridge presented an explanatory memorandum to the Bill.

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

39 HEALTH LEGISLATION AMENDMENT (PRIVATE HEALTH INSURANCE INCENTIVES) BILL 1996

Dr Wooldridge (Minister for Health and Family Services), pursuant to notice, presented a Bill for an Act to amend the *Health Insurance Commission Act 1973* and the *National Health Act 1953*.

Bill read a first time.

Dr Wooldridge moved—That the Bill be now read a second time.

Paper: Dr Wooldridge presented an explanatory memorandum to the Bill.

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

40 MEDICARE LEVY AMENDMENT BILL (NO. 2) 1996

Dr Wooldridge (Minister for Health and Family Services) presented a Bill for an Act to amend the *Medicare Levy Act 1986*, and for related purposes.

Bill read a first time.

Dr Wooldridge moved—That the Bill be now read a second time.

Paper: Dr Wooldridge presented an explanatory memorandum to the Bill.

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

41 TAXATION LAWS AMENDMENT (PRIVATE HEALTH INSURANCE INCENTIVES) BILL 1996

Dr Wooldridge (Minister for Health and Family Services) presented a Bill for an Act to amend the *Income Tax Assessment Act 1936* and the *Income Tax Assessment Act 1996*, and for related purposes.

Bill read a first time.

Dr Wooldridge moved—That the Bill be now read a second time.

Paper: Dr Wooldridge presented an explanatory memorandum to the Bill.

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

42 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—REPORT—STATEMENT BY MEMBER—MOTION TO TAKE NOTE OF PAPER

Mr Sinclair (Chair) presented the following papers:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Implications of Australia's services exports to Indonesia and Hong Kong—

Report, incorporating a qualifying statement, December 1996.

Evidence received by the committee.

Minutes of proceedings.

Ordered—That the report be printed.

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

Mr Sinclair, by leave, moved—That the House take note of the report.

Mr Sinclair 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 the next sitting.

43 NATIVE TITLE AND THE ABORIGINAL AND TORRES STRAIT ISLANDER LAND FUND—PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS

Mr Causley presented the following paper:

Native Title and the Aboriginal and Torres Strait Islander Land Fund—Parliamentary Joint Committee—7th report—Native Title Amendment Bill 1996 and the Racial Discrimination Act—Report, incorporating a dissenting report, December 1996.

Ordered to be printed.

Mr Causley and Mr Melham, by leave, made statements in connection with the report.

44 PUBLICATIONS COMMITTEE—6TH REPORT

Mr Lieberman (Chair) presented the following paper:

PUBLICATIONS COMMITTEE 6TH REPORT

The Publications Committee, having considered petitions and documents presented to the House of Representatives since 3 December 1996, recommends that the following be printed:

Aboriginal Land Commissioner—Reports and recommendations to the Minister for Aboriginal and Torres Strait Islander Affairs and to the Administrator of the Northern Territory, relating to—No. 48—Jawoyn (Gimbat Area) land claim No. 111; Alligator Rivers Area III (Gimbat Resumption—Waterfall Creek) (No. 2) repeat land claim No. 142.

Administrative Appeals Tribunal Act—Administrative Appeals Tribunal—Report for 1995-96 Erratum.

Anglo-Australian Telescope Agreement Act—Anglo-Australian Telescope Board—Report for 1995-96.

Australian Industry Development Corporation Act—Australian Industry Development Corporation—Report for 1995-96.

Australian Law Reform Commission Act—Australian Law Reform Commission—Report No. 82—Integrity: But not by trust alone—AFP and NCA complaints and disciplinary systems.

Australian National Railways Commission Act—Australian National Railways Commission (Australian National)—Report for 1995-96.

Australian Nuclear Science and Technology Organisation Act—Nuclear Safety Bureau—Report for 1995-96.

Australian Security Intelligence Organization Act—Australian Security Intelligence Organization—Report for 1995-96.

Fisheries Management Act—Western Australian Fisheries Joint Authority—Report for 1995-96.

Housing Loans Insurance Act—Housing Loans Insurance Corporation—Report for 1995-96.

Human Rights and Equal Opportunity Act—Aboriginal and Torres Strait Islander Social Justice Commissioner—4th report, for 1995-96.

International Monetary Agreements Act—Australia and the IMF—Report for 1995-96.

International Monetary Agreements Act and the International Bank for Reconstruction and Development (General Capital Increase) Act—Australia and the World Bank—Report for 1995-96.

Local Government (Financial Assistance) Act—National Office of Local Government—Report for 1995-96.

Members of Parliament (Staff) Act—Reports on consultants engaged under section 4 for 1995-1996.

National Crime Authority Act—National Crime Authority—Report for 1995-96.

National Environment Protection Council Act—National Environment Protection Council—Report for 1995-96.

National Museum of Australia Act—National Museum of Australia—Report for 1995-96—Corrigendum.

National Road Transport Commission Act—National Road Transport Commission—Report for 1995-96.

Pooled Development Funds Act—PDF Registration Board—Report for 1995-96.

Primary Industries and Energy Research and Development Act—Tobacco Research and Development Corporation—Report for 1995-96.

Royal Australian Air Force Veterans' Residences Act—Royal Australian Air Force Veterans' Residences Trust—Report for 1995-96.

Telecommunications Act 1991—Australian Telecommunications Authority (AUSTEL)—Competitive safeguards and carrier performance—Report for 1995-96.

LOU LIEBERMAN

Chair

13 December 1996

Mr Lieberman, by leave, moved—That the report be agreed to.

Question—put and passed.

45 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENT BY MEMBER

Mr Brown, by leave, presented the following paper:

Australian Parliamentary Delegation to Poland, Hungary and Potsdam (Germany), September to October 1996—Report, December 1996.

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

46 MESSAGES FROM THE SENATE

Messages from the Senate, dated 12 December 1996, were reported acquainting the House that:

- (a) Senator Denman had been discharged from attendance on the Joint Standing Committee on Treaties, and Senator Murphy had been appointed a member of the committee—Message No. 118.

- (b) Senator Mackay had been discharged from attendance on the Joint Committee of Public Accounts, and Senator Hogg had been appointed a member of the committee—Message No. 119.

47 MIGRATION LEGISLATION AMENDMENT BILL (NO. 3) 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.

Mr L. D. T. Ferguson 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.

48 VALEDICTORY

Mr Beazley (Leader of the Opposition), by leave, made a statement expressing thanks to all who served the House throughout the year and wished Members and staff seasonal good wishes.

49 MESSAGE FROM THE SENATE—TAXATION LAWS AMENDMENT BILL (NO. 3) 1996

The following message from the Senate was reported:

Message No. 120

Mr Speaker

The Senate returns to the House of Representatives the bill for **An Act to amend the law relating to taxation**, 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

13 December 1996

Ordered—That the amendments be considered forthwith.

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE

- (1) Schedule 1, Part 3, page 7 (lines 2 to 11), omit the Part.
- (2) Schedule 1, item 13, page 8 (lines 3 to 5), omit the item, substitute:

13 Paragraph 23(pa)

After “mineral” (first occurring), omit “being a person who is a *bona fide* prospector, that is to say—”, insert:

where:

- (ia) those rights to mine were acquired by the person before 7.30 p.m., by legal time in the Australian Capital Territory, on 20 August 1996; and

- (ib) the income was derived prior to 20 August 2001 and is less than or equal to the market value of those rights at 7.30 p.m., by legal time in the Australian Capital Territory, on 20 August 1996; and
 - (ic) the person, on or prior to 20 August 1996 and at the time the income was derived, was a *bona fide* prospector, that is to say—
- (3) Schedule 1, Part 6, page 13 (line 2) to page 15 (line 9), omit the Part.
 - (4) Schedule 1, page 15 (after line 9), at the end of the Schedule, add:

Part 7—Deductions allowable to co-operative companies

1 At the end of section 120

Add:

- (3) It is hereby declared to be the intention of the Parliament that paragraph (1)(c) applies to loans taken out for the purpose of acquiring assets from:
 - (a) government sources; or
 - (b) non-government sources.
- (5) Schedule 4, Division 2, page 48 (line 7) to page 49 (line 4), omit the Division.
- (6) Schedule 4, item 72, page 65 (after line 13), after subsection (2), insert:
 - (2A) If:
 - (a) before the commencement time, an application was made under section 39P to register 2 or more eligible companies jointly in relation to a proposed project in respect of a year of income or years of income; and
 - (b) by the commencement time, the Board had not, in respect of the application, registered or refused to register the companies jointly;
 subsection (1) does not prohibit the Board, in respect of the application, from registering the companies jointly.
- (7) Schedule 4, item 73, page 66 (line 20), after “39PA(2)”, insert “, (2A)”.

On the motion of Mr Costello (Treasurer), amendment (1) was agreed to, after debate.

On the motion of Mr Costello, amendment (2) was agreed to, after debate.

Mr Costello moved—That amendment (3) be agreed to.

Debate ensued.

Ordered—That further consideration of the Senate’s amendments be made an order of the day for a later hour this day.

50 SPECIAL ADJOURNMENT

Mr Howard (Prime Minister) moved—That the House, at its rising, adjourn until Tuesday, 4 February 1997, at 2 p.m., unless otherwise called together by the Speaker or, in the event of the Speaker being unavailable, by the Deputy Speaker.

Debate ensued.

Question—put and passed.

51 LEAVE OF ABSENCE TO ALL MEMBERS

Mr McGauran (Deputy Leader of the House) moved—That leave of absence be given to every Member of the House of Representatives from the determination of this sitting of the House to the date of its next sitting.

Question—put and passed.

52 MIGRATION PROGRAM—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER

Mr Ruddock (Minister for Immigration and Multicultural Affairs), by leave, made a ministerial statement concerning the management of the migration program.

Mr Kerr, by leave, also made a statement with reference to the matter.

53 AUDITOR-GENERAL'S REPORT—PUBLICATION OF PAPER

The Deputy Speaker presented the following paper:

Audit Act—Auditor-General—Audit report No. 23 of 1996-97—Performance audit—Recovery of the proceeds of crime.

Mr Ruddock (Minister for Immigration and Multicultural Affairs), by leave, moved—That:

- (1) this House authorises the publication of the Auditor-General's audit report No. 23 of 1996-97; and
- (2) the report be printed.

Question—put and passed.

54 PAPERS

The following papers were presented:

Community Affairs—Standing Committee—A fair go for all: Report on migrant access and equity—Report, January 1996—Government response, December 1996.

Freedom of Information Act—Report for 1995-96.

Industry Commission Act—Industry Commission—Report No. 53—Implications for Australia of firms locating offshore, 28 August 1996.

Transport, Communications and Infrastructure—Standing Committee—Ships of shame—A sequel: Report on the inquiry into ship safety, November 1995—Government response, December 1996.

55 TRANSPORT, COMMUNICATIONS AND INFRASTRUCTURE—STANDING COMMITTEE—INQUIRY INTO SHIP SAFETY—GOVERNMENT RESPONSE—MOTION TO TAKE NOTE OF PAPER

Mr Ruddock (Minister for Immigration and Multicultural Affairs) moved—That the House take note of the following paper:

Transport, Communications and Infrastructure—Standing Committee—Ships of shame—A sequel: Report on the inquiry into ship safety, November 1995—Government response, December 1996.

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

56 COMMUNITY AFFAIRS—STANDING COMMITTEE—REPORT ON MIGRANT ACCESS AND EQUITY—GOVERNMENT RESPONSE—MOTION TO TAKE NOTE OF PAPER

Mr Ruddock (Minister for Immigration and Multicultural Affairs) moved—That the House take note of the following paper:

Community Affairs—Standing Committee—A fair go for all—Report on migrant access and equity, January 1996—Report—Government response, December 1996.

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

57 MESSAGE FROM THE GOVERNOR-GENERAL—ASSENT TO BILL

A message from His Excellency the Governor-General was announced informing the House that His Excellency, in the name of Her Majesty, had assented to the following Bill:

12 December 1996—Message No. 78—Higher Education Legislation Amendment 1996.

58 TAXATION LAWS AMENDMENT BILL (NO. 3) 1996—SENATE'S AMENDMENTS

The order of the day having been read for the further consideration of the amendments made by the Senate.

Debate resumed on the Senate amendments (*see* entry No. 49) and on the motion moved by Mr Costello (Treasurer), viz.—That amendment (3) be agreed to.

Question—put and passed.

On the motion of Mr Costello, amendment (4) was agreed to, after debate.

On the motion of Mr Costello, amendment (5) was agreed to, after debate.

On the motion of Mr Costello, amendment (6) was agreed to, after debate.

Mr Costello moved—That amendment (7) be agreed to.

Debate ensued.

Mr Latham moved, as an amendment—That the following words be added to the motion: “and this House now calls on the Member for Goldstein to present the evidence of rorted syndicated R and D as he indicated to the House at 9.35 p.m”.

Debate continued.

Question—That the amendment be agreed to—put.

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

AYES, 41

Mr Adams	Mr L. D. T. Ferguson	Mr McClelland	Mr Price
Mr Albanese	Mr M. J. Ferguson	Ms Macklin	Mr Quick
Mr P. J. Baldwin	Mr Fitzgibbon	Mr McLeay	Mr Sawford*
Mr Beddall	Mr E. L. Grace*	Mr McMullan	Mr Sercombe
Mr Bevis	Mr Griffin	Mr Martin	Mr Tanner
Mr Brereton	Mr Hatton	Mr Melham	Dr Theophanous
Mr Brown	Mr Holding	Mr A. A. Morris	Mr K. J. Thomson
Mr Crean	Mr Jenkins	Mr P. F. Morris	Mr Wilton
Ms Ellis	Mr Kerr	Mr Mossfield	
Mr G. J. Evans	Mr Latham	Mr O'Connor	
Mr M. J. Evans	Mr Lee	Mr O'Keefe	

NOES, 79

Mr Abbott	Mr Downer	Miss J. M. Kelly	Mr Ronaldson
Mr Anderson	Mrs Draper	Dr Kemp	Mr Ruddock
Mr J. N. Andrew	Mrs Elson	Mr Lieberman	Mr Sharp
Mr K. J. Andrews	Mr Entsch	Mr Lindsay	Mr Sinclair
Mrs Bailey	Mr Fahey	Mr Lloyd	Mr A. C. Smith
Mr R. C. Baldwin	Mr Forrest	Mr McArthur*	Mr W. L. Smith
Mr Barresi	Mrs Gallus	Mr McGauran	Mr Somlyay
Mr Bartlett	Ms Gambaro	Mr Marek	Dr Southcott
Mr Billson	Mrs Gash	Mr Miles	Mrs Stone
Mrs Bishop	Mr Georgiou	Mr Moore	Mr Taylor
Mr Bradford	Mrs E. J. Grace	Mrs Moylan	Mr A. P. Thomson
Mr Broadbent	Ms Hanson	Mr Mutch	Mr Truss
Mr Brough	Mr Hardgrave	Mr Nairn	Mr M. A. J. Vaile
Mr Cadman	Mr Hawker	Mr Nehl	Ms D. S. Vale
Mr R. A. Cameron	Mr Hicks*	Dr Nelson	Mr Wakelin
Mr Causley	Mr Hockey	Mr Neville	Mrs West
Mr Charles	Ms Jeanes	Mr Nugent	Mr Williams
Mr Cobb	Mrs Johnston	Mr Pyne	Ms Worth
Mr Costello	Mr Jull	Mr Randall	Mr Zammit
Mr Dondas	Mrs D. M. Kelly	Mr Reith	

* Tellers

And so it was negatived.

Question—That amendment (7) be agreed to—put and passed.

59 MESSAGE FROM THE SENATE—INDUSTRY RESEARCH AND DEVELOPMENT AMENDMENT BILL 1996

The following message from the Senate was reported:

Message No. 121

Mr Speaker

The Senate returns to the House of Representatives the bill for **An Act to amend the *Industry Research and Development Act 1986* and the *Income Tax Assessment Act 1936*, and for related purposes**, 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

13 December 1996

Ordered—That the amendments be considered forthwith.

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE

- (1) Clause 2, page 2 (line 4), omit “Item 13 of Schedule 1 is”, substitute “Items 13 and 13A of Schedule 1 are”.
- (2) Schedule 1, item 8, page 5 (line 15), omit “39JA”, substitute “39JD”.
- (3) Schedule 1, item 13, page 6 (line 1), omit “The Board”, substitute “Subject to sections 39JA, 39JB, 39JC and 39JE, the Board”.
- (4) Schedule 1, page 6 (after line 13), after item 13, insert:

13A After section 39J

Insert:

39JA Registration: eligible companies with a registration history

- (1) For the purposes of this section, an eligible company is taken to have a registration history only if:
 - (a) the company has been registered under section 39J in respect of at least 2 years of income during the period starting at the beginning of the 1985-86 year of income and ending at the end of the 1992-93 year of income; and
 - (b) the company was so registered before the end of 12 months after the end of the 1992-93 year of income.
- (2) If an eligible company has a registration history, paragraph 39J(1A)(a) does not apply in relation to the company in respect of a year of income that occurred after the second year of income during the period mentioned in paragraph (1)(a), in respect of which the company was registered before the beginning of the 1993-94 year of income.
- (3) The Board cannot register under section 39J an eligible company that has a registration history in respect of a year of income that occurred after the second year of income during the period mentioned in paragraph (1)(a), in respect of which the company was registered before the beginning of the 1993-94 year of income, unless the application for registration is made before 1 July 1997.

39JB Registration: eligible companies with a claim history

- (1) For the purposes of this section, an eligible company is taken to have a claim history only if:
 - (a) the company has claimed a deduction under section 73B of the *Income Tax Assessment Act 1936* (otherwise than by way of an application for an amendment of its assessment) in respect of the 1992-93 year of income, or an earlier year of income; and
 - (b) the company was not registered under section 39J in respect of that year of income; and
 - (c) an assessment of the amount of the company’s taxable income for that year of income was made before 7 December 1995.

- (2) If an eligible company has a claim history, paragraph 39J(1A)(a) does not apply in relation to the company in respect of the year of income to which the deduction mentioned in paragraph (1)(a) related.
- (3) The Board cannot register under section 39J an eligible company that has a claim history in respect of the year of income mentioned in subsection (2) unless the application for registration is made before 1 July 1997.

39JC Registration: eligible companies with a tax loss history

- (1) For the purposes of this section, an eligible company is taken to have a tax loss history only if:
 - (a) the company makes an application for registration under section 39J in respect of the 1992-93 year of income, or an earlier year of income; and
 - (b) the company had no taxable income in that year of income, nor in every subsequent year of income that ended before 7 December 1995.
 - (2) If an eligible company has a tax loss history, paragraph 39J(1A)(a) does not apply in relation to the eligible company in respect of the year of income that is the subject of the application mentioned in paragraph (1)(a).
 - (3) The Board cannot register under section 39J an eligible company that has a tax loss history in respect of the year of income mentioned in subsection (2) unless the application for registration is made before 1 July 1997.
- (5) Schedule 1, item 14, page 6 (line 14), omit “**After section 39J**”, substitute “**Before section 39K**”.
- (6) Schedule 1, item 14, page 6 (line 16), omit “**39JA**”, substitute “**39JD**”.
- (7) Schedule 1, item 14, page 6 (after line 34), at the end of the item, add:

39JE Application for extension of time

- (1) The Board may, on a request made under this section by an eligible company, extend the period for making an application for registration under section 39J in respect of the 1995-96 year of income, or a later year of income.
- (2) The Board must not grant a request made in respect of a year of income that occurs after the 1995-96 year of income if it has granted a request under this section in respect of the immediately preceding year of income.
- (3) A request must:
 - (a) be in writing; and
 - (b) set out the reasons why the company cannot make an application for registration under section 39J within 6 months after the end of the year of income to which it relates; and
 - (c) be received by the Board within that period of 6 months.

- (4) If the Board grants a request in respect of a year of income under this section, the company may make an application under section 39J in respect of that year of income within 9 months after the end of that year.
- (5) If a request in respect of a year of income is granted on, or as a result of, a review under section 39S or 39T, the company may make an application under section 39J in respect of that year of income within whichever of the following periods ends last:
- (a) 9 months after the end of that year;
 - (b) 3 months after the day the decision on the review is made.
- (8) Schedule 1, item 19, page 7 (lines 21 and 22), omit the item, substitute:

19 Subsection 39S(1)

Omit “39J”, substitute “39HH, 39J, 39JE”.

On the motion of Mr Miles (Parliamentary Secretary (Cabinet) to the Prime Minister), the amendments were agreed to.

60 MIGRATION LEGISLATION AMENDMENT BILL (NO. 3) 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.

Consideration in detail

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

Schedule 1 agreed to, after debate.

Schedule 2 agreed to, after debate.

Schedule 3 agreed to, after debate.

Remainder of Bill, by leave, taken as a whole, and agreed to.

Bill agreed to.

Consideration in detail concluded.

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

61 MIGRATION (VISA APPLICATION) CHARGE 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 third reading to be moved forthwith.

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

62 IMMIGRATION (EDUCATION) CHARGE AMENDMENT 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 third reading to be moved forthwith.

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

63 MESSAGE FROM THE SENATE—WORKPLACE RELATIONS AND OTHER LEGISLATION AMENDMENT BILL (NO. 2) 1996

Message No. 122, dated 13 December 1996, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend the *Workplace Relations Act 1996*, and for other purposes.

Bill read a first time.

Mr Reith (Minister for Industrial Relations) moved—That the Bill be now read a second time.

The House continuing to sit until after midnight—

SATURDAY, 14 DECEMBER 1996

Mr Reith continued his speech.

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

Debate, by leave, ensued.

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Reith, the Bill was read a third time.

64 STANDING COMMITTEES—MEMBERSHIP

The House was informed of the nominations of Members to be members of the following standing committees:

Primary Industries, Resources and Rural and Regional Affairs

Mrs Gash had been nominated by the Government Whip, in place of Mr Ronaldson.

Financial Institutions and Public Administration

Dr Southcott had been nominated by the Government Whip, in place of Mrs Bailey.

65 PAPER

The Deputy Speaker presented the following paper:

Committee reports—Schedule of Government responses to the reports of House of Representatives and joint committees, for period 30 April to 13 December 1996, and reports presented to which responses are outstanding, 13 December 1996.

66 SUSPENSION OF STANDING AND SESSIONAL ORDERS—ADJOURNMENT DEBATE

Mr Reith (Leader of the House), by leave, moved—That so much of the standing and sessional orders be suspended as would allow each Member speaking to the question for the adjournment of the House to terminate this sitting to speak for one period of 10 minutes.

Question—put and passed.

67 ADJOURNMENT NEGATIVED

Mr Reith (Leader of the House) moved—That the House do now adjourn.

Debate ensued.

Question—put and negatived.

68 MESSAGE FROM THE SENATE—SOCIAL SECURITY LEGISLATION AMENDMENT (BUDGET AND OTHER MEASURES) BILL 1996

The following message from the Senate was reported:

Message No. 123

Mr Speaker

The Senate returns to the House of Representatives the bill for **An Act to amend the law relating to social security, and for related purposes**, 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

13 December 1996

Ordered—That the amendments be considered forthwith.

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE

- (1) Clause 2, page 1 (lines 10 and 11), omit subclause (2), substitute:
 - (2) Schedules 3, 6, 14 and 22, Parts 1, 2 and 5 of Schedule 5 and Part 1 of Schedule 24 commence on 1 January 1997.
- (2) Clause 2, page 3 (line 1), after “20”, insert “, Parts 3 and 4 of Schedule 5”.
- (3) Schedule 5, item 1, page 15 (lines 13 and 14), omit “, or has lodged a claim for,”.
- (4) Schedule 5, item 2, page 16 (lines 7 and 8), omit “, or has lodged a claim for,”.
- (5) Schedule 5, items 6 and 7, page 17 (lines 15 to 26), omit the items.
- (6) Schedule 5, item 9, page 18 (lines 7 to 28), omit the item.
- (7) Schedule 5, items 13 and 14, page 19 (lines 16 to 27), omit the items.
- (8) Schedule 5, items 20 and 21, page 20 (line 25) to page 21 (line 7), omit the items.
- (9) Schedule 5, item 23, page 21 (line 16) to page 22 (line 5), omit the item.
- (10) Schedule 5, item 51, page 27 (lines 10 to 23), omit the item, substitute:

51 Subsection 630A(1)

Omit “subsections (2) and (3), if an automatic deferment provision of this Subdivision applies to a person”, substitute “subsection (2), if an activity test deferment period applies to a person under this Part”.

51A Subsection 630A(1)

Repeal the note.

51B Subsection 630A(2)

Repeal the subsection, substitute:

(2) If:

- (a) an activity test deferment period applies to a person under this Part at a particular time; and
- (b) one or more activity test deferment periods had applied to the person within the period of 3 years before that time;

the deferment period is 6 weeks plus:

- (c) in respect of a period (if any) referred to in paragraph (b) of this subsection that was fixed under subsection (1), the number of weeks fixed under that subsection; and
- (d) in respect of each of a period (if any) referred to in that paragraph, a further 6 weeks.

51C Subsection 630A(3)

Repeal the subsection.

51D Subsection 630A(4)

Repeal the subsection.

51E Subsection 630A(5)

Repeal the subsection.

51F Subsection 630A(12)

Omit “an automatic deferment provision or a discretionary deferment provision”, substitute “an activity test deferment period”.

- (11) Schedule 5, item 72, page 32 (line 5), omit “8”, substitute “13”.
- (12) Schedule 5, item 72, page 36 (line 12), omit “0.25”, substitute “0.16”.
- (13) Schedule 5, item 93, page 39 (line 24) to page 40 (line 6), omit the item, substitute:

93 Subsection 109(1)

Omit “subsections (2) and (3), if a youth training allowance automatic deferment provision of this Subdivision applies to a person”, substitute “subsection (2), if an activity test deferment period applies to a person under this Part”.

93A Subsection 109(1)

Repeal the note.

93B Subsection 109(2)

Repeal the subsection, substitute:

(2) If:

- (a) an activity test deferment period applies to a person under this Part at a particular time; and

(b) one or more activity test deferment periods had applied to the person within the period of 3 years before that time;
the deferment period is 6 weeks plus:

- (c) in respect of a period (if any) referred to in paragraph (b) of this subsection that was fixed under subsection (1), the number of weeks fixed under that subsection; and
- (d) in respect of each of a period (if any) referred to in that paragraph, a further 6 weeks.

93C Subsection 109(3)

Repeal the subsection.

93D Subsection 109(4)

Repeal the subsection.

93E Subsection 109(5)

Repeal the subsection.

93F Subsection 109(8)

Omit “an automatic deferment provision or a discretionary deferment provision”, substitute “an activity test deferment period”.

- (14) Schedule 5, item 113, page 44 (line 5), omit “8”, substitute “13”.
- (15) Schedule 5, item 113, page 48 (line 8), omit “0.25”, substitute “0.16”.
- (16) Schedule 6, item 1, page 55 (lines 5 and 6), omit the item, substitute:

1 At the beginning of subsection 596(3)

Insert “Subject to subsection (4),”.

1A At the end of section 596

Add:

- (4) Where the relevant industrial action or series of industrial actions is in breach of an order, direction or injunction issued by a State industrial authority, the Australian Industrial Relations Commission or the Federal Court, a person is not qualified for a newstart allowance in respect of a period unless that period occurs 6 weeks or more after the relevant industrial action or series of industrial actions has stopped.

Note: For *State industrial authority* see section 4 of the Workplace Relations Act.

- (17) Schedule 6, item 2, page 55 (lines 7 and 8), omit the item, substitute:

2 At the beginning of subsection 660XBE(3)

Insert “Subject to subsection (4),”.

2A At the end of section 660XBE

Add:

- (4) Where the relevant industrial action or series of industrial actions is in breach of an order, direction or injunction issued by a State industrial authority, the Australian Industrial Relations Commission or the Federal Court, a person is not qualified for a mature age allowance in

respect of a period unless that period occurs 6 weeks or more after the relevant industrial action or series of industrial actions has stopped.

Note: For *State industrial authority* see section 4 of the Workplace Relations Act.

(18) Schedule 6, item 3, page 55 (lines 9 and 10), omit the item, substitute:

3 At the beginning of subsection 771HB(3)

Insert "Subject to subsection (4),".

3A At the end of section 771HB

Add:

(4) Where the relevant industrial action or series of industrial actions is in breach of an order, direction or injunction issued by a State industrial authority, the Australian Industrial Relations Commission or the Federal Court, a person is not qualified for a partner allowance in respect of a period unless that period occurs 6 weeks or more after the relevant industrial action or series of industrial actions has stopped.

Note: For *State industrial authority* see section 4 of the Workplace Relations Act.

(19) Schedule 6, item 4, page 55 (lines 12 and 13), omit the item, substitute:

4 At the beginning of subsection 69(3)

Insert "Subject to subsection (4),".

4A At the end of section 69

Add:

(4) Where the relevant industrial action or series of industrial actions is in breach of an order, direction or injunction issued by a State industrial authority, the Australian Industrial Relations Commission or the Federal Court, a person is not qualified for a youth training allowance in respect of a period unless that period occurs 6 weeks or more after the relevant industrial action or series of industrial actions has stopped.

Note: For *State industrial authority* see section 4 of the Workplace Relations Act.

(20) Schedule 11, page 102 (lines 2 to 13), omit the Schedule.

(21) Schedule 12, item 19, page 108 (lines 22 to 24), omit the item.

(22) Schedule 12, items 26 and 27, page 111 (lines 29 to 32), omit the items.

(23) Schedule 13, page 112 (line 1) to page 164 (line 39), omit the Schedule.

(24) Schedule 14, page 165 (line 1) to page 166 (line 18), omit the Schedule.

(25) Schedule 21, item 97, page 236 (lines 4 and 5), omit the item, substitute:

97 Subsection 1237A(1)

Omit "The Secretary", insert "Subject to subsection (1A), the Secretary".

97A After subsection 1237A(1)

Insert:

(1A) Subsection (1) only applies if:

- (a) the debt is not raised within a period of 6 weeks from the first payment that caused the debt; or
- (b) if the debt arose because a person has complied with a notification obligation, the debt is not raised within a period of 6 weeks from the end of the notification period;

whichever is the later.

(26) Schedule 21, item 98, page 236 (lines 7 and 8), omit the item, substitute:

98 Subsection 289(1)

Omit “The Secretary”, insert “Subject to subsection (1A), the Secretary”.

98A After subsection 289(1)

Insert:

(1A) Subsection (1) only applies if:

- (a) the debt is not raised within a period of 6 weeks from the first payment that caused the debt; or
- (b) if the debt arose because a person has complied with a notification obligation, the debt is not raised within a period of 6 weeks from the end of the notification period;

whichever is the later.

On the motion of Mr Ruddock (Minister representing the Minister for Social Security), the amendments were agreed to, after debate.

69 MESSAGE FROM THE SENATE—SOCIAL SECURITY LEGISLATION AMENDMENT (FURTHER BUDGET AND OTHER MEASURES) BILL 1996

Message No. 124, dated 13 December 1996, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend the law relating to social security, and for related purposes.

Bill read a first time.

Mr Ruddock (Minister representing the Minister for Social Security) moved—That the Bill be now read a second time.

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

Debate, by leave, ensued.

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

Consideration in detail

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

Schedule 1—

Mr P. J. Baldwin, by leave, moved the following amendments together:

Item 3, page 3 (lines 25 to 27), omit subsection (7B) and note, substitute:

- (7B) Subsection (7A) does not exclude a return on a person’s investment if the person is a prescribed pre-pension age person except as provided by subsections (7C) and (7D).

Note: For *prescribed pre-pension age person* see subsection 23(1).

- (7C) If a person is a prescribed pre-pension age person, a return on the person's investment in a superannuation fund, an approved deposit fund, a deferred annuity or an ATO small superannuation account which is a return on monies invested before or on 20 August 1996 is not income for the purposes of this Act.

Note: For *prescribed pre-pension age person* see subsection 23(1).

- (7D) If a person is a prescribed pre-pension age person, a return on the first \$250,000 (the *superannuation assets threshold*) of the person's investment made after 20 August 1996 in a superannuation fund, an approved deposit fund, a deferred annuity or an ATO small superannuation account is not income for the purposes of this Act.

Note 1: For *prescribed pre-pension age person* see subsection 23(1).

Note 2: The *superannuation assets threshold* is indexed annually in line with CPI increases (see sections 1191 to 1194).

Items 5 to 13, page 4 (line 4) to page 5 (line 9), omit the items.

Item 21, page 7 (lines 1 to 3), omit subsection (3) and note, substitute:

- (3) Subsection (1) does not exclude the value of a person's investment if the person is a prescribed pre-pension age person except as provided by subsections (4) and (5).

Note: For *prescribed pre-pension age person* see subsection 23(1).

- (4) If a person is a prescribed pre-pension age person, any superannuation investments made before or on 20 August 1996 are to be disregarded in calculating the value of the person's assets for the purposes of this Act.

Note: For *prescribed pre-pension age person* see subsection 23(1).

- (5) If a person is a prescribed pre-pension age person, the first \$250,000 (the *superannuation assets threshold*) of the person's superannuation investments made after 20 August 1996 is to be disregarded in calculating the value of the person's assets for the purposes of this Act.

Note 1: For *prescribed pre-pension age person* see subsection 23(1).

Note 2: The *superannuation assets threshold* is indexed annually in line with CPI increases (see sections 1191 to 1194).

Page 7 (after line 4), at the end of the Schedule, add:

22 Section 1190 (Indexed and Adjusted Amounts Table)

After table item 34B, insert:

34C	Superannuation assets threshold	Superannuation assets threshold	[subsection 23(1)]
-----	------------------------------------	------------------------------------	--------------------

23 Section 1191 (CPI Indexation Table)

After table item 25, insert:

25A	Superannuation assets threshold	1 July	December	most recent December quarter before reference quarter	\$250
-----	------------------------------------	--------	----------	---	-------

24 At the end of section 1192

Add:

- (8) The first indexation of the superannuation assets threshold under item 25A of the CPI Indexation Table in subsection 1191(1) is to take place on 1 July 1998.

Debate continued.

Question—That the amendments be agreed to—put.

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

AYES, 41

Mr Adams	Mr L. D. T. Ferguson	Mr Lee	Mr Price
Mr Albanese	Mr M. J. Ferguson	Mr McClelland	Mr Quick
Mr P. J. Baldwin	Mr Fitzgibbon	Ms Macklin	Mr Sawford*
Mr Beddall	Mr E. L. Grace*	Mr McLeay	Mr Sercombe
Mr Bevis	Mr Griffin	Mr McMullan	Mr Tanner
Mr Breton	Mr Hatton	Mr Melham	Dr Theophanous
Mr Brown	Mr Holding	Mr A. A. Morris	Mr K. J. Thomson
Mr Crean	Mr Hollis	Mr P. F. Morris	Mr Wilton
Ms Ellis	Mr Jenkins	Mr Mossfield	
Mr G. J. Evans	Mr Kerr	Mr O'Connor	
Mr M. J. Evans	Mr Latham	Mr O'Keefe	

NOES, 76

Mr Abbott	Mr Dondas	Miss J. M. Kelly	Mr Sharp
Mr Anderson	Mr Downer	Dr Kemp	Mr Sinclair
Mr J. N. Andrew	Mrs Draper	Mr Lieberman	Mr A. C. Smith
Mr K. J. Andrews	Mrs Elson	Mr Lindsay	Mr W. L. Smith
Mrs Bailey	Mr Entsch	Mr Lloyd	Mr Somlyay
Mr R. C. Baldwin	Mr Fahey	Mr McArthur*	Dr Southcott
Mr Barresi	Mrs Gallus	Mr Marek	Mrs Stone
Mr Bartlett	Ms Gambaro	Mr Miles	Mrs Sullivan
Mr Billson	Mrs Gash	Mrs Moylan	Mr Taylor
Mrs Bishop	Mr Georgiou	Mr Mutch	Mr A. P. Thomson
Mr Bradford	Mrs E. J. Grace	Mr Nairn	Mr Truss
Mr Broadbent	Mr Hardgrave	Dr Nelson	Mr M. A. J. Vaile
Mr Brough	Mr Hawker	Mr Neville	Ms D. S. Vale
Mr Cadman	Mr Hicks*	Mr Nugent	Mr Wakelin
Mr R. A. Cameron	Mr Hockey	Mr Pyne	Mrs West
Mr Causley	Ms Jeanes	Mr Randall	Mr Williams
Mr Charles	Mrs Johnston	Mr Reith	Dr Wooldridge
Mr Cobb	Mr Jull	Mr Ronaldson	Ms Worth
Mr Costello	Mrs D. M. Kelly	Mr Ruddock	Mr Zammit

* Tellers

And so it was negated.

Schedule 2 agreed to, after debate.

Remainder of Bill, by leave, taken as a whole, and agreed to.

Bill agreed to.

Consideration in detail concluded.

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

70 MESSAGE FROM THE SENATE—HEALTH INSURANCE AMENDMENT BILL (NO. 2) 1996

The following message from the Senate was reported:

Message No. 125

Mr Speaker

The Senate returns to the House of Representatives the bill for **An Act to amend the Health Insurance Act 1973, and for related purposes**, 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

14 December 1996 a.m.

Ordered—That the amendments be considered forthwith.

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE

- (1) Clause 2, page 2 (line 1), after “Items 15”, insert “, 15A”.
- (2) Schedule 1, page 8 (after line 23), after item 10, insert:

10A After section 3GB

Insert:

3GC Medical Training Review Panel

- (1) The Minister must, by instrument in writing, establish a Medical Training Review Panel.
- (2) The functions of the Panel are:
 - (a) to compile such information relating to:
 - (i) courses and programs of a kind specified in regulations made for the purposes of subparagraph 3GA(5)(a)(i); and
 - (ii) medical practitioners who are enrolled in or undertaking, or who are available to enrol in or undertake, those courses and programs;as the Minister determines in writing; and
 - (b) to publish the information in such a manner as the Minister determines in writing; and
 - (c) to establish and maintain a register of employment opportunities for medical practitioners, in such a form and containing such information as the Minister determines.
- (3) The Minister may make written determinations relating to:
 - (a) appointment of persons as members of the Panel; and

- (b) nomination of persons for such appointment.
- (4) The Panel must, as soon as practicable after 30 June in each year, prepare and give to the Minister a report on its operations during the financial year that ended on that day.
- (5) The Minister must cause a copy of each report to be laid before each House of the Parliament within 15 sitting days of that House after the Minister receives the report.
- (6) Determinations under this section are disallowable instruments for the purposes of section 46A of the *Acts Interpretation Act 1901*.
- (7) This section ceases to be in force on 1 January 2002.
- (3) Schedule 1, item 14, page 9 (line 9), after “service” (first occurring), insert “, rendered after the commencement of this section and before 1 January 2002,”.
- (4) Schedule 1, item 14, page 9 (line 27), after “service” (first occurring), insert “, rendered after the commencement of this section and before 1 January 2002,”.
- (5) Schedule 1, page 14 (after line 9), after item 15, insert:

15A After section 19AC

Insert:

19AD Report by Minister

The Minister must, on or before 31 December 1999, cause a report setting out details of the operation of sections 3GA, 3GC and 19AA to be laid before each House of the Parliament.

On the motion of Dr Wooldridge (Minister for Health and Family Services), the amendments were agreed to, after debate.

71 MESSAGES FROM THE SENATE

Messages from the Senate, dated 14 December 1996 a.m., were reported returning the following Bills without amendment:

Message—

No. 126—National Health (Budget Measures) Amendment 1996.

No. 127—Child Care Legislation Amendment 1996.

72 ADJOURNMENT

Mr Reith (Leader of the House) moved—That the House do now adjourn.

Mr Marek addressing the House—

Closure of Member moved: Mr McLeay moved—That the Member be not further heard.

Question—put and negatived.

Mr Marek continued his speech.

Paper: Mr Marek, by leave, presented the following paper:

Berklee Ltd/Berklee Retail—Letter from Mr Marek to Professor Allan Fels, Chairman, Australia Competition and Consumer Commission.

Debate continued.

Question—put and passed.

And then the House, at 3.21 a.m., adjourned until Tuesday, 4 February 1997, at 2 p.m., in accordance with the resolution agreed to this sitting.

PAPERS

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

Airports Act—Regulations—Statutory Rules 1996 Nos. 292, 293.

Australian Capital Territory (Planning and Land Management) Act—National Capital Plan—Re-certification of Draft Amendment 18.

Bankruptcy Act—Regulations—Statutory Rules 1996 No. 278.

Customs Act—Regulations—Statutory Rules 1996 Nos. 281, 282.

Great Barrier Reef Marine Park Act—Regulations—Statutory Rules 1996 No. 277.

Hazardous Waste (Regulation of Exports and Imports) Act—Regulations—Statutory Rules 1996 Nos. 283, 284, 285.

Migration Act—Regulations—Statutory Rules 1996 Nos. 276, 279, 280.

Veterans' Entitlements Act—Instruments under section 196B 1996 Nos. 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Campbell, Mrs Crosio, Mr Fischer, Mr Jones, Mr Katter, Mr McDougall, Mr McLachlan, Mr Reid*, Mr Slipper, Mr S. F. Smith and Mr Willis*.

* On leave

L. M. BARLIN
Clerk of the House of Representatives

1996

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 61

MAIN COMMITTEE**MINUTES OF PROCEEDINGS****THURSDAY, 12 DECEMBER 1996**

1 The Main Committee met at 10 a.m.

2 **RELATIONS BETWEEN THE CIVIL AVIATION AUTHORITY AND SEAVIEW AIR—
COMMISSION OF INQUIRY—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 Sharp (Minister for Transport and Regional Development)—That the House take note of the paper (*presented on 8 October 1996*), viz.:

Relations between the Civil Aviation Authority and Seaview Air—Commission of Inquiry—Report, September 1996—

Debate resumed.

Debate adjourned (Mr E. L. Grace) and the resumption of the debate made an order of the day for the next sitting.

3 **ADJOURNMENT**

On the motion of Mr Lieberman, the Main Committee adjourned at 10.40 a.m.

I. C. HARRIS
Clerk of the Main Committee