

1996-97

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 78

WEDNESDAY, 19 MARCH 1997

1 The House met, at 9.30 a.m., pursuant to adjournment. The Speaker (the Honourable Bob Halverson) took the Chair, and read Prayers.

2 WINE EXPORT CHARGE BILL 1997

Mr Anderson (Minister for Primary Industries and Energy) presented a Bill for an Act to impose a charge on the export of Australian wine.

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 S. F. Smith), and the resumption of the debate made an order of the day for the next sitting.

3 WINE EXPORT CHARGE (CONSEQUENTIAL AMENDMENTS) BILL 1997

Mr Anderson (Minister for Primary Industries and Energy), pursuant to notice, presented a Bill for an Act to enact consequential amendments because of the enactment of the *Wine Export Charge Act 1997*.

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 S. F. Smith), and the resumption of the debate made an order of the day for the next sitting.

4 SOCIAL SECURITY AND VETERANS' AFFAIRS LEGISLATION AMENDMENT (MALE TOTAL AVERAGE WEEKLY EARNINGS BENCHMARK) BILL 1997

Mr McGauran (Minister for Science and Technology), for Mr Ruddock (Minister representing the Minister for Social Security), pursuant to notice, presented a Bill for an Act to amend the *Social Security Act 1991* and the *Veterans' Entitlements Act 1986*, and for related purposes.

Bill read a first time.

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

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

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

5 BROADCASTING SERVICES LEGISLATION AMENDMENT BILL 1997

Mr W. L. Smith (Minister representing the Minister for Communications and the Arts) presented a Bill for an Act to amend the *Broadcasting Services Act 1992* and the *Broadcasting Services (Transitional Provisions and Consequential Amendments) Act 1992*, and for related purposes.

Bill read a first time.

Mr W. L. Smith moved—That the Bill be now read a second time.

Paper: Mr W. L. Smith presented an explanatory memorandum to the following Bills:

Broadcasting Services Legislation Amendment 1997;

Television Licence Fees Amendment 1997; and

Radio Licence Fees Amendment 1997.

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

6 TELEVISION LICENCE FEES AMENDMENT BILL 1997

Mr W. L. Smith (Minister representing the Minister for Communications and the Arts) presented a Bill for an Act to amend the *Television Licence Fees Act 1964*.

Bill read a first time.

Mr W. L. Smith moved—That the Bill be now read a second time.

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

7 RADIO LICENCE FEES AMENDMENT BILL 1997

Mr W. L. Smith (Minister representing the Minister for Communications and the Arts) presented a Bill for an Act to amend the *Radio Licence Fees Act 1964*.

Bill read a first time.

Mr W. L. Smith moved—That the Bill be now read a second time.

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

8 EXPORT MARKET DEVELOPMENT GRANTS BILL 1997

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 S. F. Smith, 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:

- (1) notes that the legislation is in breach of the Government's election commitments;
- (2) notes that the legislation is in breach of personal undertakings given by the Deputy Prime Minister and Minister for Trade while in Opposition;
- (3) notes that the Government's own 1996-97 Budget papers and recent Mid-year Economic and Fiscal Outlook 1996-97 assume a negative contribution to growth in GDP by net exports for 1996-97 and 1997-98, a fall from a positive contribution of 1% in 1995-96;
- (4) notes the Government's own Budget papers state that for the 1994-95 grant year the scheme achieved a ratio of exports achieved to grants expenditure of 33:1;
- (5) notes with concern the increased discretion provided to Austrade in the administration of the scheme;
- (6) notes that the \$150 million proposed cap includes up to a maximum of 5% (\$7.5 million) for costs and administration leaving only \$142.5 million available per annum for exporters;
- (7) rejects the notion of 'capping' the scheme to such a limit;
- (8) rejects the narrowing of the scheme and the exclusion of patent regulation, overseas buyers visits to Australia, foreign language training, international business education courses, export packaging and labelling design, tenders and quotations, free technical information and subscriptions to associations as eligible export activity; and
- (9) rejects the adverse retrospective applicability of the Government's proposals, in particular as they relate to eligible export activity and trusts no longer being an eligible corporate identity able to apply under the scheme"—

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.

9 QUESTIONS

Questions without notice were asked.

10 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—LUCAS HEIGHTS NUCLEAR REACTOR

The House was informed that Dr Lawrence had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The failure of the Government to categorically rule out the relocation of the Lucas Heights nuclear reactor and storage facility to Jervis Bay".

The proposed discussion having received the necessary support—

Dr Lawrence addressed the House.

Discussion ensued.

Discussion concluded.

11 POSTPONEMENT OF ORDERS OF THE DAY

Ordered—That orders of the day Nos. 2 to 9, government business, be postponed until a later hour this day.

12 SOCIAL SECURITY LEGISLATION AMENDMENT (WORK FOR THE DOLE) BILL 1997

Dr Kemp (Minister for Schools, Vocational Education and Training), 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.

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

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

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

13 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—DEVELOPMENT OF EASTERN REGION OPERATIONS CENTRE, RAAF BASE WILLIAMTOWN, NSW

Mr Jull (Minister for Administrative Services), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Development of the Eastern Region Operations Centre at RAAF Base Williamtown, NSW.

Question—put and passed.

14 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORKS—DEVELOPMENT OF INFRASTRUCTURE ON BRADSHAW FIELD TRAINING AREA, NEAR TIMBER CREEK, NT

Mr Jull (Minister for Administrative Services), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed works be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Development of infrastructure on the Bradshaw Field Training Area, near Timber Creek, NT.

Question—put and passed.

15 DEVELOPMENT OF FACILITIES FOR ARMY LOGISTICS TRAINING CENTRE AND BANDIANA LOGISTICS GROUP AT BANDIANA AND BONEGILLA, VIC.—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 the Army Logistics Training Centre and the Bandiana Logistics Group at Bandiana and Bonegilla, Vic.

Question—put and passed.

**16 EXTENSION TO MAIN RUNWAY, ADELAIDE INTERNATIONAL AIRPORT—
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: Extension to the main runway at Adelaide International Airport.

Question—put and passed.

**17 EXPORT FINANCE AND INSURANCE CORPORATION AMENDMENT BILL
1997—REPORT FROM MAIN COMMITTEE**

The Second Deputy Speaker reported that the Export Finance and Insurance Corporation Amendment Bill 1997 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 Miles (Parliamentary Secretary (Cabinet) to the Prime Minister), by leave, the Bill was read a third time.

**18 AUSTRALIA NEW ZEALAND FOOD AUTHORITY AMENDMENT BILL 1996—
REPORT FROM MAIN COMMITTEE**

The Second Deputy Speaker reported that the Australia New Zealand Food Authority Amendment 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 Miles (Parliamentary Secretary (Cabinet) to the Prime Minister), by leave, the Bill was read a third time.

**19 PUBLIC ACCOUNTS—JOINT COMMITTEE—REPORTS—STATEMENTS BY
MEMBERS—MOTIONS TO TAKE NOTE OF PAPERS**

Mr Somlyay (Chairman) presented the following papers:

Public Accounts—Joint Committee—

Report 349—Review of Auditor-General's Reports 1995-96, February 1997.

Report 350—Review of Auditor-General's Reports 1996-97: First quarter, February 1997.

Severally ordered to be printed.

Mr Somlyay, Mr Georgiou, Mrs Stone and Mr M. A. J. Vaile, by leave, made statements in connection with the reports.

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

Mr Somlyay was granted leave to continue his speech when each debate is resumed.

Debate on each motion was adjourned, and the resumption of each debate made an order of the day for the next sitting.

20 EXPORT MARKET DEVELOPMENT GRANTS BILL 1997

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 S. F. Smith, 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:

- (1) notes that the legislation is in breach of the Government’s election commitments;
- (2) notes that the legislation is in breach of personal undertakings given by the Deputy Prime Minister and Minister for Trade while in Opposition;
- (3) notes that the Government’s own 1996-97 Budget papers and recent Mid-year Economic and Fiscal Outlook 1996-97 assume a negative contribution to growth in GDP by net exports for 1996-97 and 1997-98, a fall from a positive contribution of 1% in 1995-96;
- (4) notes the Government’s own Budget papers state that for the 1994-95 grant year the scheme achieved a ratio of exports achieved to grants expenditure of 33:1;
- (5) notes with concern the increased discretion provided to Austrade in the administration of the scheme;
- (6) notes that the \$150 million proposed cap includes up to a maximum of 5% (\$7.5 million) for costs and administration leaving only \$142.5 million available per annum for exporters;
- (7) rejects the notion of ‘capping’ the scheme to such a limit;
- (8) rejects the narrowing of the scheme and the exclusion of patent regulation, overseas buyers visits to Australia, foreign language training, international business education courses, export packaging and labelling design, tenders and quotations, free technical information and subscriptions to associations as eligible export activity; and
- (9) rejects the adverse retrospective applicability of the Government’s proposals, in particular as they relate to eligible export activity and trusts no longer being an eligible corporate identity able to apply under the scheme”—

Debate resumed.

Question—That the words proposed to be omitted stand part of the question—put.

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

AYES, 83

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

NOES, 46

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

* Tellers

And so it was resolved in the affirmative.

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

Consideration in detail

Clauses 1 to 10, by leave, taken together—

Mr S. F. Smith, by leave, moved the following amendments together:

Clause 6, page 4 (after line 22), after paragraph (1)(g), insert:

- (h) a trustee of a trust estate which has been accepted for the purposes of the payment of grants under the *Export Market Development Grants Act 1974*;

Clause 10, page 10 (line 29), at the end of subclause (5), add:

“except in so far as the export earnings were gained by that person as a trustee of a trust estate as provided for by paragraph (6)(1)(h)”.

Debate continued.

Amendments negatived.

Clauses agreed to.

Clauses 11 to 38, by leave, taken together and debated.

Mr S. F. Smith, by leave, moved the following amendments together:

Clause 28, page 24 (line 8) after “promotional” insert “or other”.

Clause 29, page 24 (lines 15 and 16) omit paragraph (a), substitute:

- (a) the expenses are claimable expenses
 - (i) under section 33, in respect of an eligible promotional activity, or
 - (ii) under section 38B, in respect of other claimable expenses.

Clause 33—

Page 26 (line 20) omit:

Subdivision 4

substitute:

Division 2B.

Page 27, omit item 2 of the table of claimable expenses in respect of eligible promotional activities, substitute:

Column 1	Column 2	Column 3
2	any visit (marketing visit) made by the applicant or its agent to any place in or outside Australia, or by an overseas buyer to any place in Australia, to the extent to which the visit is made for an approved promotional purpose	all expenses: <ul style="list-style-type: none"> (a) incurred by the applicant in payments to persons that, in Austrade’s opinion, are not closely related to the applicant and (b) that are allowable expenses under section 34.

Page 27, after item 3 of the table of **Claimable expenses in respect of eligible promotional activities**, insert:

Column 1	Column 2	Column 3
3A	the provision, primarily for an approved promotional purpose, of free technical information to a person that is not a resident of Australia	all reasonable expenses incurred by the applicant that are attributable to the actual cost of providing the information

Clause 34—

Page 28 (lines 9 to 15) omit subclause (2), substitute:

- (2) Subject to subsection (6), the following expenses in respect of any air travel reasonably undertaken by the applicant, its agent or an overseas buyer are allowable:
- (a) if the applicant has paid first class air fares in respect of the travel - 65% of those fares; or
 - (b) in any other case - the total amount of the air fares.

Page 29 (lines 2 and 3) omit:

in respect of any travel reasonably undertaken by the applicant or its agent

substitute:

in respect of any travel reasonably undertaken by the applicant, its agent or an overseas buyer.

Debate continued.

Amendments negatived.

Clauses agreed to.

Proposed new Division—

Mr S. F. Smith, by leave, moved—That the following new Division 2A (comprising new clauses 38A to 38K) be inserted in Part 5 of the Bill:

Division 2A—Other claimable expenses

Subdivision 1—General

38A Object of Division

This Division provides for expenses to be claimable in respect of certain activities other than those provided for in Division 2.

Subdivision 2—Other claimable expenses

38B Claimable expenses in respect of other activities

The expenses specified in sections 38C to 38H, subject to sections 38J and 38K, are claimable expenses in relation to an applicant in accordance with the relevant provisions of those sections and to the extent that they are not excluded expenses under Division 2B.

38C Expenses for foreign registration of eligible industrial property rights

Expenses (whether as payment of fees or otherwise) are claimable expenses if, in Austrade's opinion, they are directly attributable to obtaining, or seeking to obtain, under the law of a country outside Australia:

- (i) the grant or registration; or
- (ii) the extension of the term of registration; or
- (iii) the extension of the period of registration;

of eligible industrial property rights in respect of eligible goods.

38D Expenses for foreign language training

- (1) Expenses are claimable expenses if, in Austrade's opinion, they are directly attributable to foreign language training:
 - (a) for the applicant or a director, partner or employee of the applicant; and
 - (b) that, in Austrade's opinion, will assist the applicant to carry on business in connection with the production or provision of eligible goods or services;but only to the extent that those expenses are, in Austrade's opinion, expenses attributable to the actual cost of labour and material involved in the training.
- (2) Expenses incurred in the remuneration (whether by way of salary or otherwise) to the person undertaking the training are not claimable expenses under this section.

38E Expenses for certain educational courses

- (1) Expenses are claimable expenses if, in Austrade's opinion, they are directly attributable to an educational course on international business development:
 - (a) for the applicant or a director, partner or employee of the applicant; and
 - (b) that, in Austrade's opinion, will assist the claimant to carry on business in connection with the production or provision of eligible goods or services;but only to the extent that those expenses are, in Austrade's opinion, expenses attributable to the actual cost of labour and material involved in the course.
- (2) Expenses incurred in the remuneration (whether by way of salary or otherwise) to the person undertaking the course are not claimable expenses under this section.

38F Expenses for packaging and labelling eligible goods

Expenses are claimable expenses if, in Austrade's opinion, they are directly attributable to:

- (a) selecting or designing packaging and labelling; or
 - (b) selecting or designing materials for packaging and labelling;
- for use exclusively in connection with the export of eligible goods, but only to the extent that those expenses are, in Austrade's opinion, expenses attributable to the actual cost of labour and materials involved in:
- (c) selecting or designing packaging and labelling; or
 - (d) selecting or designing materials for packaging and labelling.

38G Expenses for preparation of tenders and quotations

- (1) Expenses are claimable expenses if, in Austrade's opinion, they are directly attributable to preparing or submitting a tender or quotation to a person resident outside Australia for the supply by the applicant of eligible goods or services, but only to the extent that those expenses are, in Austrade's opinion, expenses attributable to the actual cost of labour and materials involved in preparing or submitting the tender or quotation.
- (2) For the purposes of this section, preparing or submitting a tender or quotation includes making investigations and preparing information, designs, estimates of other material for the purposes of submitting the tender or quotation.

38H Expenses incurred in subscriptions to industry associations etc.

Expenses are claimable expenses if, in Austrade's opinion, they are incurred by an applicant in the payment of an amount to an association as the whole or part of a subscription, contribution or levy and

- (a) the association is not an approved body or a company resident outside Australia; and
- (b) Austrade is satisfied that the amount has been or will be applied in such a way that will assist the applicant in the production or provision of eligible goods or services.

38J What are reasonable expenses?

- (1) Austrade is to determine for the purposes of section 38B whether any expenses incurred by the applicant are reasonable.
- (2) If it appears to Austrade that any expenses claimed by an applicant under this Division may not be reasonable, Austrade must:
 - (a) notify the applicant, in writing, that it is of that opinion and of its reasons for being of that opinion; and
 - (b) ask the applicant to establish, within the period specified by Austrade, that the amount of the expenses was reasonably payable for the activity for which the expenses were incurred.
- (3) If Austrade determines that any expenses of the applicant are not reasonable:
 - (a) Austrade must determine the amount that it considers to be reasonable for those expenses; and
 - (b) expenses in that amount are taken to be the reasonable expenses of the applicant for the purposes of this Division.
- (4) In making a determination under subsection (1), Austrade must take into consideration any information given by the applicant in answer to Austrade's request under paragraph (2)(b).

38K Certain expenses not claimable

Expenses are not claimable expenses if, in Austrade's opinion, they involve payments to persons that are closely related to the applicant.

Question—That the new Division proposed to be inserted be so inserted—put.

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

AYES, 44

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

NOES, 83

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

* Tellers

And so it was negatived.

Heading to Subdivision 4—

Mr S. F. Smith moved—That the heading be omitted, and the following heading be substituted:

Division 2B—Excluded expenses

Question—That the heading proposed to be omitted stand part of the Bill—put and passed.

Clauses 39 to 53, by leave, taken together—

Mr S. F. Smith, by leave, moved the following amendments together:

Clause 39, page 32 (lines 16-18) omit the clause, substitute:

39 Object of Division

This Division sets out the expenses that are excluded expenses for the purposes of subsection 33(2) and section 38B.

Clause 40, page 32 (line 19) omit:

Subdivision

substitute:

Division.

Amendments negatived.

Clauses agreed to.

Clause 54—

Mr S. F. Smith moved the following amendment: Page 37 (line 37) at the end of the clause, add:

“unless they are expenses incurred by the applicant as a trustee of a trust estate as provided for by paragraph (6)(1)(h)”.

Amendment negatived.

Clause agreed to.

Clauses 55 to 61, by leave, taken together—

Mr S. F. Smith, by leave, moved the following amendments together:

Clause 61—

Page 40 (lines 8 to 11), omit subclause (1), substitute:

- (1) Division 2 deals with the calculation process. It explains how to work out the maximum amount that each applicant entitled to a grant in respect of a grant year should receive.

Page 40 (lines 12-27), omit subclauses (2), (3) and (4), substitute:

- (2) Division 3 contains provisions setting out the amount of grant to which an applicant is entitled.

Question—That the amendments be agreed to—put.

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

AYES, 46

Mr Adams	Mr L. D. T. Ferguson	Mr Latham	Mr Price
Mr Albanese	Mr M. J. Ferguson	Mr Lee	Mr Rocher
Mr Beddall	Mr Filing	Mr McClelland	Mr Sawford*
Mr Bevis	Mr Fitzgibbon	Ms Macklin	Mr Sercombe*
Mr Brereton	Mr E. L. Grace*	Mr McLeay	Mr S. F. Smith
Mr Brown	Mr Griffin	Mr McMullan	Mr Tanner
Mr Campbell	Ms Hanson	Mr Melham	Dr Theophanous
Mr Crean	Mr Hatton	Mr A. A. Morris	Mr K. J. Thomson
Mrs Crosio	Mr Holding	Mr P. F. Morris	Mr Willis
Mr Dargavel	Mr Hollis	Mr Mossfield	Mr Wilton
Ms Ellis	Mr Jenkins	Mr O'Connor	
Mr M. J. Evans	Mr Kerr	Mr O'Keefe	

NOES, 83

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

* Tellers

And so it was negated.

Clauses agreed to.

Heading to Division 2—

Mr S. F. Smith moved the following amendment: Omit “**provisional**”.

Amendment negated.

Heading agreed to.

Clauses 62 and 63, by leave, taken together—

Mr S. F. Smith, by leave, moved the following amendments together:

Clause 62, page 41 (line 5), omit “provisional”.

Clause 63—

Page 41 (line 12), omit “**provisional**”.

Page 41 (line 19), omit “**provisional**”.

Page 41 (line 27), omit “**provisional**”.

Page 42 (line 1), omit “provisional”.

Page 42 (line 9), omit “provisional”.

Amendments negatived.

Clauses agreed to.

Clause 64 agreed to.

Clauses 65 to 67, by leave, taken together—

Mr S. F. Smith, by leave, moved the following amendments together:

Clause 65—

Page 43 (line 13), omit “**provisional**”.

Page 43 (lines 18 and 19), omit “(under section 63 or 64) the provisional grant”, substitute “(under section 63) the grant”.

Page 43 (lines 24 and 25), omit “(under section 63 or 64) the provisional grant”, substitute “(under section 63) the grant”.

Clause 67, page 44 (lines 6-26), omit the clause, substitute:

67 Amount of grant

If an applicant is entitled to a grant in respect of a grant year, the amount of the grant is equal to the applicant’s grant amount calculated in accordance with Division 2.

Amendments negatived.

Clauses agreed to.

Heading to Division 4 agreed to, after debate.

Clauses 68 and 69, by leave, taken together, and agreed to.

Clauses 70 to 80, by leave, taken together, and agreed to.

Clauses 81 and 82, by leave, taken together, and agreed to.

Clauses 83 to 107, by leave, taken together—

Mr S. F. Smith, by leave, moved the following amendments together:

Clause 95, page 62 (line 6), omit “provisional”.

Clause 96, page 62 (lines 26-28) omit paragraph 96(d), substitute:

- (d) work out the amount that, apart from this section, would be the applicant’s grant amount for the grant year.

Clause 107—

Page 75 (after line 16), after the definition of “grant”, insert:

grant amount has the meaning given by Division 2 of Part 6.

Page 76 (lines 14-16) omit the definition of “**initial payment ceiling amount**”.

Page 76 (lines 27-29) omit the definition of “*payment factor*”.

Page 77 (lines 5 and 6), omit the definition of “*provisional grant amount*”.

Amendments negated.

Clauses agreed to.

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

Bill agreed to.

Consideration in detail concluded.

On the motion of Mr Fischer (Minister for Trade), by leave, the Bill was read a third time.

21 EXPORT MARKET DEVELOPMENT GRANTS (REPEAL AND CONSEQUENTIAL PROVISIONS) BILL 1997

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

Clauses 1 to 14, by leave, taken together, and agreed to.

Schedule 1—

Mr S. F. Smith moved the following amendment: Page 8 (after line 20), after paragraph (e), insert:

and

- (f) a person who is a trustee of a trust estate, accepted by the Commission for the purposes of the payments of grants under the Act, in respect of eligible expenditure incurred between 1 July 1996 and 16 December 1996.

Amendment negated.

Mr S. F. Smith moved the following amendment: Page 8 (after line 20) after paragraph (e), insert:

and

- (g) a person by whom expenditure under section 11B, 11E, 11F, 11G, 11H or 11J was incurred between 1 July 1996 and 20 August 1996; and

Amendment negated.

Schedule agreed to.

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

Bill agreed to.

Consideration in detail concluded.

On the motion of Mr Fischer (Minister for Trade), by leave, the Bill was read a third time.

22 SUPERANNUATION CONTRIBUTIONS SURCHARGE (ASSESSMENT AND COLLECTION) BILL 1997

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

Debate resumed by Mr G. J. Evans (Deputy Leader of the Opposition) who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “whilst not declining to give the Bill a second reading, the House:

- (1) condemns the Government for:
 - (a) breaking solemn commitments made before the election not to raise the rate of existing taxes nor introduce new taxes;
 - (b) attempting to deceive the Australian public by not admitting that this measure is a tax;
 - (c) deliberately inflicting on the superannuation industry an impossibly cumbersome, inefficient and expensive collection method;
 - (d) ensuring by that collection method that superannuation providers incur enormous administrative expenses which will in turn be borne by their members, the great majority of whom are low and middle income earners;
 - (e) ensuring by that method, and in particular the requirements for notification of Tax File Numbers, that over one million Australians, the overwhelming majority being low and middle income earners, will become liable for the full 15 per cent tax; and
 - (f) creating major new compliance burdens for small business, at the same time that the Government has been promising to dramatically reduce red tape; and
- (2) urges the Government to withdraw and re-draft this legislative package, and re-introduce a new package that will meet the objective of imposing an additional 15 per cent tax on the superannuation contributions of higher income earners, without the adverse consequences identified here”.

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

23 PAPER

Mr McLachlan (Minister for Defence) presented the following paper:

Export Market Development Grants—Copy of letter from E. M. Sanders, Managing Director, Performance Industries, to Mr McLachlan, 18 December 1990.

24 ADJOURNMENT

Mr Williams (Attorney-General and Minister for Justice) moved—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 8 p.m.—The Speaker adjourned the House until tomorrow at 9.30 a.m.

PAPERS

The following papers were deemed to have been presented on 19 March 1997:

Public Service Act—Determination 1997 No. LES 4.

Sales Tax Assessment Act—Determination 1997 No. STD 1.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr K. J. Andrews, Mrs Bailey, Mr P. J. Baldwin, Mr Jones, Mr Martin and Mr Moore.

L. M. BARLIN

Clerk of the House of Representatives

1996-97

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 78

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

WEDNESDAY, 19 MARCH 1997

1 The Main Committee met at 10 a.m.

2 EXPORT FINANCE AND INSURANCE CORPORATION AMENDMENT BILL 1997

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 the question on the report to be put forthwith.

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

3 AUSTRALIA NEW ZEALAND FOOD AUTHORITY 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 the question on the report to be put forthwith.

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

4 TRADE PRACTICES AMENDMENT (INDUSTRY ACCESS CODES) BILL 1997

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

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

Debate ensued.

Debate adjourned (Mr M. A. J. Vaile), and the resumption of the debate made an order of the day for a later hour this day.

5 ADJOURNMENT

On the motion of Mr Miles (Parliamentary Secretary (Cabinet) to the Prime Minister), the Main Committee adjourned at 1.02 p.m.

The Deputy Speaker fixed tomorrow at 10 a.m. for the next meeting of the Main Committee.

I. C. HARRIS
Clerk of the Main Committee