

1996-97

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 105

THURSDAY, 28 AUGUST 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 **PRIMARY INDUSTRIES, RESOURCES AND RURAL AND REGIONAL AFFAIRS—STANDING COMMITTEE—PAPER**

Mrs Bailey (Chair), by leave, presented the following paper:

Primary Industries, Resources and Rural and Regional Affairs—Standing Committee—Report—Managing Commonwealth fisheries: The last frontier—Acting Auditor-General's response, 22 July 1997.

3 **CHILD CARE PAYMENTS (CONSEQUENTIAL AMENDMENTS AND TRANSITIONAL PROVISIONS) BILL 1997**

Mr Ruddock (Minister for Immigration and Multicultural Affairs), for Mrs Moylan (Minister for Family Services), pursuant to notice, presented a Bill for an Act to make consequential amendments, and to provide for transitional matters, related to the enactment of the *Child Care Payments Act 1997*, and for related purposes.

Bill read a first time.

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

Paper

Mr Ruddock presented an explanatory memorandum to the Bill.

Debate adjourned (Mr L. D. T. Ferguson), and the resumption of the debate made an order of the day for the next sitting.

4 **SUSPENSION OF STANDING AND SESSIONAL ORDERS—PRIVATE MEMBERS' NOTICE**

Mr Abbott (Parliamentary Secretary to the Minister for Employment, Education, Training and Youth Affairs), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent notice No. 18, private Members' business, being called on forthwith.

Question—put and passed.

5 AUSTUDY REGULATIONS—MOTION FOR DISALLOWANCE

Mr Latham, pursuant to notice, moved—That regulations 11 and 12 of the AUSTUDY Regulations (Amendment) as contained in Statutory Rules 1997, No. 83, made under the *Student and Youth Assistance Act 1973*, be disallowed.

Debate ensued.

Question—put.

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

AYES, 45

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

NOES, 79

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

* Tellers

And so it was negatived.

6 MESSAGE FROM THE SENATE—TAXATION LAWS AMENDMENT BILL (NO. 3) 1997

The following message from the Senate was reported:

Message No. 290

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

26 August 1997

Ordered—That the amendments be considered forthwith.

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE

- (1) Schedule 1, item 3, page 5 (after line 26), after section 160ZZPZB, insert:

160ZZPZBA Threshold criteria in respect of maximum net value of assets of taxpayer and related persons

- (1) This section sets out the threshold criteria all of which must be satisfied before this Division applies in relation to the disposal by a taxpayer of an asset.

Note: The criteria must be satisfied at the disposal time.

- (2) In this section, *asset* has the meaning given by subsection 160ZZPL(1) except that an asset referred to in paragraph 160ZZPL(1)(a) does not include an asset which may:
- (a) appreciate in value; or
 - (b) have a resale value of more than \$5,000.
- (3) The net value of the taxpayer's assets must not exceed \$5,000,000.
- (4) If the taxpayer or an associate of the taxpayer is a partner in a partnership and the asset disposed of is an asset of the partnership, the net value of the partnership's assets must not exceed \$5,000,000.
- (5) The sum of:
- (a) the total of the net values of the assets of the taxpayer; and
 - (b) the net values of the assets of any entities that are connected with the taxpayer; and
 - (c) if the taxpayer is a partner in a partnership (other than a partnership that is connected with the taxpayer)—the share of the taxpayer in the net value of the assets of the partnership; and
 - (d) if an associate of the taxpayer is a partner in a partnership (other than a partnership that is connected with the

taxpayer)—the share of the associate in the net value of the assets of the partnership;

must not exceed \$5,000,000.

- (6) The net value of the assets of an entity at a particular time for the purposes of this Subdivision is the amount (if any) by which at that time the sum of the market values of the assets of the entity exceeded the sum of the liabilities of the entity that related to those assets (other than a liability that related to an asset that is not an asset for the purposes of this Part because of paragraph (a), (b), (c) or (d) of the definition of *asset* in subsection 160ZZPL(1)).
- (2) Schedule 2, page 29 (lines 12 and 13), omit “, and at the time the income was derived,”.
- (3) Schedule 14, item 48, page 120 (lines 4 and 5), omit “, in the opinion of the Commissioner,”.
- (4) Page 129 (after line 12), at the end of the bill, add:

Schedule 17—Employee share schemes

Income Tax Assessment Act 1936

1 Subsection 139CD(5)

Omit “the employees”, substitute “the permanent employees”.

2 Paragraph 139GF(4)(b)

Omit “ $\frac{2}{3}$ ”, substitute “75%”.

3 Application

- (1) Part 4 of Schedule 2 to the *Taxation Laws Amendment Act (No. 2) 1995* applies in the same way to the amendment made by item 1 of this Schedule as it applied to the amendments made by Schedule 2 to that Act.
- (2) The amendment made by item 2 of this Schedule applies to shares or rights acquired on or after 1 July 1996.

On the motion of Mr Miles (Parliamentary Secretary (Cabinet) to the Prime Minister) amendments (2), (3) and (4) were agreed to, after debate.

Mr Miles moved—That amendment (1) be disagreed to.

Debate ensued.

Question—put.

The House divided (the Deputy Speaker, Mr M. A. J. Vaile, in the Chair)—

AYES, 84

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

NOES, 44

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

* Tellers

And so it was resolved in the affirmative.

Mr Miles moved—That Mr J. N. Andrew, Mr McArthur and the mover be appointed a committee to draw up reasons for the House of Representatives disagreeing to amendment (1) of the Senate.

Question—put and passed.

Mr Miles, on behalf of the committee, brought up reasons, which were circulated, and are as follows:

Reasons of the House of Representatives for disagreeing to amendment (1) of the Senate

The amendment seeks to include in the \$5 million small business threshold all those personal assets of the taxpayer that appreciate in value or have a resale value of more than \$5000.

This amendment significantly compromises the Government's election commitment to provide a capital gains tax exemption on the sale of a small business for retirement. It imposes significant compliance costs on small business owners as they will have to value their personal assets including their family home, car and other assets in order to determine if they fall under the \$5 million threshold.

The amendment also makes the small business threshold inconsistent with the threshold for capital gains tax rollover relief for small business.

On the motion of Mr Miles, the committee's reasons were adopted.

7 MESSAGE FROM THE SENATE—EXCISE TARIFF AMENDMENT BILL (NO. 1) 1997

The following message from the Senate was reported:

Message No. 293

Mr Speaker

The Senate returns to the House of Representatives the bill for **An Act to amend the *Excise Tariff Act 1921*, 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

27 August 1997

Ordered—That the amendments be considered at the next sitting.

8 AUSTRALIA'S FOREIGN AND TRADE POLICY—PAPER AND MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER

Mr Downer (Minister for Foreign Affairs) presented the following paper:

In the national interest: Australia's foreign and trade policy—White paper—and, by leave, made a ministerial statement in connection with the paper.

Mr Brereton, by leave, also made a statement in connection with the paper.

Mr Downer moved—That the House take note of the paper.

Debate adjourned (Mr A. P. Thomson—Parliamentary Secretary to the Minister for Foreign Affairs), and the resumption of the debate made an order of the day for the next sitting.

9 FRANCHISE FEES WINDFALL TAX (COLLECTION) BILL 1997

Mr Miles (Parliamentary Secretary (Cabinet) to the Prime Minister) presented a Bill for an Act relating to the imposition and collection of franchise fees windfall tax.

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 following Bills:

Franchise Fees Windfall Tax (Collection) 1997;

Franchise Fees Windfall Tax (Imposition) 1997; and

Franchise Fees Windfall Tax (Consequential Amendments) 1997.

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

10 FRANCHISE FEES WINDFALL TAX (IMPOSITION) BILL 1997

Mr Miles (Parliamentary Secretary (Cabinet) to the Prime Minister) presented a Bill for an Act to impose franchise fees windfall tax, and for related purposes.

Bill read a first time.

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

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

11 FRANCHISE FEES WINDFALL TAX (CONSEQUENTIAL AMENDMENTS) BILL 1997

Mr Miles (Parliamentary Secretary (Cabinet) to the Prime Minister) presented a Bill for an Act to make consequential amendments related to franchise fees windfall tax.

Bill read a first time.

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

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

12 SALES TAX (CUSTOMS) (ALCOHOLIC BEVERAGES) BILL 1997

Mr Miles (Parliamentary Secretary (Cabinet) to the Prime Minister) presented a Bill for an Act relating to sales tax.

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 following Bills:

Sales Tax (Customs) (Alcoholic Beverages) 1997;

Sales Tax (Excise) (Alcoholic Beverages) 1997;

Sales Tax (General) (Alcoholic Beverages) 1997; and
Sales Tax Assessment Amendment 1997.

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

13 SALES TAX (EXCISE) (ALCOHOLIC BEVERAGES) BILL 1997

Mr Miles (Parliamentary Secretary (Cabinet) to the Prime Minister) presented a Bill for an Act relating to sales tax.

Bill read a first time.

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

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

14 SALES TAX (GENERAL) (ALCOHOLIC BEVERAGES) BILL 1997

Mr Miles (Parliamentary Secretary (Cabinet) to the Prime Minister) presented a Bill for an Act relating to sales tax.

Bill read a first time.

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

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

15 SALES TAX ASSESSMENT AMENDMENT BILL 1997

Mr Miles (Parliamentary Secretary (Cabinet) to the Prime Minister) presented a Bill for an Act to amend the *Sales Tax Assessment Act 1992*, and for related purposes.

Bill read a first time.

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

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

16 CUSTOMS TARIFF AMENDMENT BILL (NO. 3) 1997

Mr Miles (Parliamentary Secretary (Cabinet) to the Prime Minister) presented a Bill for an Act to amend the *Customs Tariff Act 1995*, and for related purposes.

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

17 EXCISE TARIFF AMENDMENT BILL (NO. 3) 1997

Mr Miles (Parliamentary Secretary (Cabinet) to the Prime Minister) presented a Bill for an Act to amend the *Excise Tariff Act 1921*, and for related purposes.

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

18 SOCIAL SECURITY AND VETERANS' AFFAIRS LEGISLATION AMENDMENT (FAMILY AND OTHER MEASURES) 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 Ms Macklin who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “whilst not declining to give the Bill a second reading, the House condemns the Government for its relentless persecution of low income tenants and for its failure to make any progress on the reform of housing assistance”.

Debate continued.

It being 2 p.m., the debate was interrupted in accordance with standing order 101A, and the resumption of the debate made an order of the day for a later hour this day.

19 QUESTIONS

Questions without notice were asked.

20 PAPER

The following paper was presented:

Corporations and Securities—Parliamentary Joint Committee—Report on the annual reports of the Australian Securities Commission and other bodies: 1994-95, March 1997—Government response.

21 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—JOB SECURITY IN THE TEXTILES, CLOTHING AND FOOTWEAR INDUSTRY

The House was informed that Mr Crean had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The Government’s failure to provide job security for thousands of workers in the textiles, clothing and footwear industry”.

The proposed discussion having received the necessary support—

Mr Crean addressed the House.

Discussion ensued.

Discussion concluded.

22 RADIOCOMMUNICATIONS (SPECTRUM LICENCE TAX) BILL 1997—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the Bill 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 Scott (Minister for Veterans' Affairs), by leave, the Bill was read a third time.

23 RADIOCOMMUNICATIONS LEGISLATION AMENDMENT BILL 1997—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the Bill 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 Scott (Minister for Veterans' Affairs), by leave, the Bill was read a third time.

24 AVIATION SAFETY REGULATION—MINISTERIAL STATEMENT—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the order of the day relating to the motion to take note of the ministerial statement on aviation safety regulation had been debated in the Main Committee and returned to the House.

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

25 MESSAGE FROM THE SENATE—CONSTITUTIONAL CONVENTION (ELECTION) BILL 1997

The following message from the Senate was reported:

Message No. 294

Mr Speaker

The Senate returns to the House of Representatives the bill for **An Act to provide for the election of delegates to the Constitutional Convention, and for related purposes**, and acquaints the House that the Senate has considered message no. 347 of the House relating to the bill.

The Senate does not insist upon its amendments nos. 1 to 8 and 10 to 68 to which the House has insisted on disagreeing, has agreed to the following resolution:

The Senate is of the view that having regard to the fact that the system of voluntary voting provided for in the bill is for the election of delegates to a specific Constitutional Convention for a limited and temporary purpose in special circumstances, the system should not be seen as a precedent for elections of members of parliament or for any other ballots including referendums,

and has made further amendments to the bill, as indicated by the annexed schedule.

The Senate desires the concurrence of the House in the further amendments made by the Senate.

MARGARET REID

President

The Senate

28 August 1997

Ordered—That the further amendments be considered forthwith.

SCHEDULE OF THE FURTHER AMENDMENTS MADE BY THE SENATE

(1) Page 6 (after line 4), after clause 11, insert:

11A Voluntary voting not a precedent for any Parliamentary election or referendum

It is declared that it is not the intention of the Parliament that the method of voting for an election under this Act be a precedent for the method of voting under any other Act of the Commonwealth for any Parliamentary election or referendum.

(2) Clause 20, page 10 (after line 8), after subclause (1), insert:

(1A) An *Assistant Returning Officer appointed in respect of a place outside Australia must perform the functions and exercise the powers conferred on him or her by this Act subject to the directions of the Electoral Commissioner and the AEO.

(3) Clause 55, page 28 (lines 32 and 33), omit paragraph (3)(a), substitute:

(a) the number of squares that must be printed is:

- (i) in the case of a ballot-paper for an election where the number of *delegates to be elected is more than 9—equal to the number of delegates to be elected; and
- (ii) in any other case—9; and

(4) Clause 56, page 29 (lines 7 to 15), omit the clause, substitute:

56 Form of candidate's name and other material on ballot-paper and list of candidates

Names of grouped candidates

(1) The names of *grouped candidates stated in the candidate nominations under subsection 26(4) must be printed in type that is uniform in size and style for all of those names.

Names of ungrouped candidates

(2) The names of *ungrouped candidates stated in the candidate nominations under subsection 26(4) must be printed in type that is uniform in size and style for all of those names.

Names groups have requested

- (3) The names that *groups have requested be printed opposite their names on ballot-papers and the *list of candidates under section 29 must be printed in type that is uniform in size and style for all of those names.

Names ungrouped candidates have requested

- (4) The names that *ungrouped candidates have requested be printed opposite their names on ballot-papers and the *list of candidates under section 30 must be printed in type that is uniform in size and style for all of those names.
- (5) Clause 61, page 34 (lines 1 to 9), omit the clause, substitute:

61 Voting tickets to be displayed

Where a *group voting ticket is registered for the purposes of an election in a State or Territory, the AEO must cause the details of the ticket to be made available for inspection at the following places:

- (a) the office of the AEO;
- (b) each office of a DRO or Assistant DRO in that State or Territory;
- (c) any place for which an *Assistant Returning Officer has been appointed.

Note 1: *Group voting tickets are registered under section 59.

Note 2: This section also applies to individual voting tickets (see subsection 60(4)).

- (6) Clause 68, page 38 (lines 16 and 17), omit paragraph (c), substitute:

(c) the elector must:

- (i) in the case of an elector who is not an *overseas elector—post or deliver the envelope to the *appropriate DRO; and
- (ii) in the case of an overseas elector:
 - (A) post or deliver the envelope to the *appropriate DRO; or
 - (B) give the envelope to an *Assistant Returning Officer who has been appointed in respect of a place outside Australia by 12 noon (in the place where the Assistant Returning Officer is) on the seventh day before the close of the poll;

- (7) Page 39 (after line 21), after clause 69, insert:

69A Votes by overseas electors may be given to overseas Assistant Returning Officer

- (1) An *Assistant Returning Officer who has been appointed in respect of a place outside Australia may accept a *certificate envelope from

an *overseas elector up until 12 noon (in the place where the Assistant Returning Officer is) on the seventh day before the *close of the poll.

- (2) The Assistant Returning Officer must forward the envelope to the appropriate DRO.
- (8) Clause 70, page 39 (line 23), after “vote”, insert “(other than a vote from an *overseas elector)”.
- (9) Clause 70, page 39 (after line 24), at the end of the clause, add:
- (2) To be counted, a vote from an *overseas elector must be received either:
- (a) at an office of the AEO, a DRO, an Assistant DRO or an *Assistant Returning Officer who has not been appointed in respect of a place outside Australia before the *close of the poll; or
- (b) by an Assistant Returning Officer who has been appointed in respect of a place outside Australia by 12 noon (in the place where the Assistant Returning Officer is) on the seventh day before the close of the poll.
- (10) Clause 72, page 41 (line 3), omit “or Assistant DRO”, substitute “, Assistant DRO or *Assistant Returning Officer”.
- (11) Clause 73, page 41 (lines 16 and 17), omit “or Assistant DRO”, substitute “Assistant DRO or *Assistant Returning Officer”.
- (12) Clause 73, page 41 (lines 30 and 31), omit “or from persons referred to in subsection (3)”, substitute “, from persons referred to in subsection (3) or from *Assistant Returning Officers”.
- (13) Clause 73, page 42 (after line 8), at the end of paragraph (b), add:
- ; or (iii) received from an *Assistant Returning Officer who has been appointed in respect of a place outside Australia as provided for in subsection 70(2).
- (14) Clause 94, page 54 (lines 8 to 11), omit subclause (2), substitute:
- (2) To be included in the preliminary scrutines, such envelopes must be received:
- (a) as provided for in section 70; and
- (b) by the *appropriate DRO by 6 pm on the sixth day after the *close of the poll.
- (3) The preliminary scrutines must continue until all such envelopes have been dealt with under this Division.
- (15) Schedule 1, page 128 (after line 21), after the definition of *officer*, insert:
- overseas elector* means a person who is overseas at the time he or she votes in an election.

On the motion of Mr Jull (Minister for Administrative Services), the further amendments of the Senate were agreed to, after debate.

26 MESSAGES FROM THE SENATE

Messages from the Senate, dated 28 August 1997, were reported returning the following Bills without amendment:

Message—

No. 295—Multilateral Investment Guarantee Agency 1996.

No. 296—Carriage of Goods by Sea Amendment 1997.

27 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REPORT—STATEMENT BY MEMBER

Mr Hollis presented the following paper:

Public Works—Parliamentary Standing Committee—Report relating to development of infrastructure on the Bradshaw Field Training Area, near Timber Creek, NT (8th report of 1997).

Ordered to be printed.

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

28 SOCIAL SECURITY AND VETERANS' AFFAIRS LEGISLATION AMENDMENT (FAMILY AND OTHER MEASURES) 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 Ms Macklin, 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 condemns the Government for its relentless persecution of low income tenants and for its failure to make any progress on the reform of housing assistance”—

Debate resumed.

Amendment negatived.

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

Message from the Governor-General

Message No. 176, dated 17 July 1997, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

On the motion of Mrs Moylan (Minister for Family Services), the Bill was read a third time.

29 NATIVE TITLE AMENDMENT (TRIBUNAL APPOINTMENTS) 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.

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

30 ADJOURNMENT

Mrs Moylan (Minister for Family Services) moved—That the House do now adjourn.

Debate ensued.

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

PAPERS

The following papers were deemed to have been presented on 28 August 1997:

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposal 1997 No. 15.

Australian Communications Authority Act and—Telecommunications (Transitional Provisions and Consequential Amendments) Act—Determination 1997 Telecommunications Charges (Connection Permits and Cabling Licences).

Higher Education Funding Act—Determinations 1997 Nos. T17, T18.

Private Health Insurance Incentives Act—Principles relating to personal information, 19 June 1997.

Superannuation Act 1976—

Determination under section 240, 14 August 1997.

Determination under section 248, 14 August 1997.

Telecommunications Act 1997—

Declarations 1997—

Industry development plan exemption.

Telecommunications (Revocation) No.1.

Telecommunications (Types of cabling work).

Determination of a technical standard 1997 No. TS 100.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Dondas, Mr Sawford and Mr A. C. Smith.

I. C. HARRIS
Clerk of the House of Representatives

1996-97

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 105

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 28 AUGUST 1997

1 The Main Committee met at 10 a.m.

2 **RADIOCOMMUNICATIONS (SPECTRUM LICENCE TAX) 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 having been resumed by Mr Lee—

Suspension of sitting

At 10.10 a.m., a division having been called in the House, the proceedings were suspended.

Resumption of sitting

At 10.19 a.m., the proceedings were resumed.

Debate continued.

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 **RADIOCOMMUNICATIONS LEGISLATION 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.

4 TRANSPORT, COMMUNICATIONS AND INFRASTRUCTURE—STANDING COMMITTEE—REPORT ON INQUIRY INTO AVIATION SAFETY—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 Reith (Leader of the House)—That the House take note of the paper (*presented on 7 May 1996*), viz.:

Transport, Communications and Infrastructure—Standing Committee—Plane safe—Report on the inquiry into aviation safety: The commuter and general aviation section, December 1995—

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

5 TRANSPORT, COMMUNICATIONS AND INFRASTRUCTURE—STANDING COMMITTEE—REPORT ON INQUIRY INTO SHIP SAFETY—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 Reith (Leader of the House)—That the House take note of the paper (*presented on 7 May 1996*), viz.:

Transport, Communications and Infrastructure—Standing Committee—Ships of Shame—A sequel: Report on the inquiry into ship safety, November 1996—

Debate resumed.

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

6 ANL LIMITED—REPORT FOR 1995-96—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 Reith (Leader of the House)—That the House take note of the paper (*presented on 31 October 1996*), viz.:

ANL Act—ANL Limited—Report for 1995-96—

Debate resumed.

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

7 AVIATION SAFETY REGULATION—MINISTERIAL STATEMENT—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 Prosser—That the House take note of the paper (*presented on 26 June 1996*), viz.:

Aviation safety regulation—Ministerial statement, 25 June 1996—

Debate resumed.

Mr Marek, who had already spoken, again addressed the question, by leave.

Debate continued.

Mr K. J. Andrews moved—That further proceedings be conducted in the House.

Question—put and passed.

8 POSTPONEMENT OF ORDERS OF THE DAY

Ordered—That orders of the day Nos. 1 and 2, committee and delegation reports, be postponed until a later hour this day.

9 TREATIES—JOINT STANDING COMMITTEE—REPORT ON PROTOCOLS II AND IV TO THE INHUMANE WEAPONS CONVENTION—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 Taylor—That the House take note of the paper (*presented on 24 February 1997*), viz.:

Treaties—Joint Standing Committee—5th report—Restrictions on the use of blinding laser weapons and landmines—Report, incorporating a dissenting report, February 1997—

Debate resumed.

Suspension of sitting: At 11.46 a.m., a division having been called in the House, the proceedings were suspended.

Resumption of sitting: At 11.59 a.m., the proceedings were resumed.

Debate continued.

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

10 NATIONAL CRIME AUTHORITY—PARLIAMENTARY JOINT COMMITTEE—REPORT ON ORGANISED CRIMINAL PAEDOPHILE ACTIVITY—GOVERNMENT RESPONSE—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 Reith (Leader of the House)—That the House take note of the paper (*presented on 20 March 1997*), viz.:

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

Debate resumed.

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

**11 INDUSTRY, SCIENCE AND TECHNOLOGY—STANDING COMMITTEE—
REPORT ON BUSINESS CONDUCT ISSUES ARISING OUT OF COMMERCIAL
DEALINGS BETWEEN FIRMS—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 Reid—That the House take note of the paper (*presented on 26 May 1997*), viz.:

Industry, Science and Technology—Standing Committee—Finding a balance: Towards fair trading in Australia—Report, incorporating a dissenting report, May 1997—

Debate resumed.

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

12 ADJOURNMENT

On the motion of Mr Slipper, the Main Committee adjourned at 1.34 p.m.

The Deputy Speaker fixed Wednesday, 3 September 1997, at 10 a.m. for the next meeting of the Main Committee.

B. C. WRIGHT
Clerk of the Main Committee