

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 104

WEDNESDAY, 28 MAY 1986

1 The House met, at 10 a.m., pursuant to adjournment. Madam Speaker (the Honourable Joan Child) took the Chair, and read Prayers.

2 **TAXATION LAWS AMENDMENT BILL (NO. 2) 1986:** 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 approximately 12.45 p.m., the debate was interrupted in accordance with sessional order 101A, and the resumption of the debate made an order of the day for a later hour this day.

3 **QUESTIONS:** Questions without notice being asked—

Member named and suspended: Madam Speaker named the honourable Member for O'Connor (Mr Tuckey) for continuing to interject after having been warned by the Chair.

Mr Young (Leader of the House) moved—That the honourable Member for O'Connor be suspended from the service of the House.

Question—put.

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

AYES, 76

Mr Baldwin	Mr Duncan	Mr Jones	Mr P. F. Morris
Mr Beazley	Ms Fatin	Mr Keating	Mr Mountford
Mr Beddall	Mr Fitzgibbon	Mrs Kelly	Mr O'Keefe
Mr Bilney	Mr Free	Mr Kent	Mr O'Neil
Mr Blanchard	Mr Gayler	Mr Keogh	Mr Price
Dr Blewett	Mr Gear	Mr Kerin	Mr Punch
Mr Bowen	Mr Gorman	Dr Klugman	Mr Saunderson
Mr J. J. Brown	Mr Grace	Mr Lamb	Mr Scholes
Mr R. J. Brown	Mr Griffiths	Mr Langmore	Mr Scott*
Mr Brumby	Mr Hand	Mr Lee	Mr Simmons
Mr Charles	Mr Hawke	Mr Lindsay	Mr Snow
Dr Charlesworth	Mr Hayden	Ms McHugh	Mr Staples
Mr Chynoweth	Mr Holding	Mr McLeay	Dr Theophanous
Mr Clelland	Mr Hollis	Mr Maher	Mr Tickner
Mr Cross	Mr Howe	Mr Martin	Mr Uren
Mr Cunningham*	Mr Hurford	Mrs Mayer	Mr West
Mrs Darling	Mr Jacobi	Mr Mildren	Mr Willis
Mr Dawkins	Mrs Jakobsen	Mr Milton	Mr Wright
Mr Dubois	Mr Jenkins	Mr A. A. Morris	Mr Young

NOES, 61

Mr Adermann	Mr Cowan	Mr Hunt	Mr Ruddock
Mr Aldred	Mr Downer	Mr Jull	Mr Shack
Mr Andrew*	Mr Drummond	Mr Lloyd	Mr Sharp
Mr Beale	Dr H. R. Edwards	Mr McArthur	Mr Shipton
Mr Blunt	Mr Everingham	Mr McGauran	Mr Sinclair
Mr Braithwaite	Mr Fife	Mr MacKellar	Mr Slipper
Mr N. A. Brown	Mr T. A. Fischer	Mr McVeigh	Mr Spender
Mr Burr	Mr P. S. Fisher	Mr Macphee	Mrs Sullivan
Mr Cadman	Mr Goodluck	Mr Miles	Mr Tuckey
Mr D. M. Cameron	Mr Hall	Mr Millar	Dr Watson
Mr E. C. Cameron	Mr Halverson	Mr Moore	Mr Webster
Mr I. M. D. Cameron	Mr Hawker	Mr Nehl	Mr White
Mr Carlton	Mr Hicks*	Mr Porter	Mr Wilson
Mr Coleman	Mr Hodges	Mr Reith	
Mr Connolly	Mr Hodgman	Mr Robinson	
Mr Conquest	Mr Howard	Mr Rocher	

* Tellers

And so it was resolved in the affirmative.

The honourable Member was, therefore, suspended at 2.49 p.m. for 24 hours under standing order 305, and he accordingly withdrew from the Chamber.

Questions without notice concluded.

- 4 AMNESTY INTERNATIONAL—25TH ANNIVERSARY: Mr Hawke (Prime Minister), by leave, moved—That this House notes that this day marks the 25th anniversary of the foundation of Amnesty International and records its continuing support for Amnesty's efforts in the promotion and protection of human rights.

Debate ensued.

Question—put and passed.

- 5 PETITIONS: The Clerk announced that the following Members had each lodged petitions for presentation, viz.:

Mr Beale, Mr J. J. Brown, Dr H. R. Edwards, Mr Fitzgibbon and Ms McHugh—from certain citizens praying that the standard pension be raised to 25% of average weekly earnings and certain other action be taken to assist pensioners and low income earners.

Mr Duncan, Mr Kent, Mr Milton and Mr Scott—from certain citizens praying that importation of cobalt 60 and other radioactive substances be banned and regulations permitting irradiation of food in Australia be disallowed.

Mr Beale, Mr Halverson and Mr Hicks—from certain citizens praying that no cutbacks be made to the portfolio of Veterans' Affairs and certain action be taken to assist ex-servicemen and women.

Mr Beale and Mr Halverson—from certain citizens praying that prescription drugs continue to be provided to pensioners without fee.

Dr H. R. Edwards and Mr McArthur—from certain citizens praying that the national flag not be changed except by a referendum.

Dr H. R. Edwards—from certain citizens in similar terms to the last preceding petition.

Mr Free and Mr Grace—from certain residents of New South Wales praying that the Western Sydney State University be established in conjunction with the NSW Government.

Mr Beale—from certain citizens praying that the legislation to tax fringe benefits not proceed.

Mr Beale—from certain citizens praying that any legislation imposing capital gains tax be repealed.

Mr Cadman—from certain citizens praying that proclamation of the Australian Bill of Rights Bill be delayed until a referendum has been held.

Mr D. M. Cameron—from certain citizens praying that the Australian Bill of Rights Bill and the Human Rights and Equal Opportunity Commission Bill not be enacted until a referendum has been held.

- Mr E. C. Cameron—from certain citizens praying that debate on the Australian Bill of Rights Bill 1985 be deferred for 12 months and that the Bill be circulated for 12 months for the widest possible debate, scrutiny and discussion.
- Mr E. C. Cameron—from certain residents of the Division of Indi praying that the Tertiary Education Assistance allowance be raised to the level of the unemployment benefit.
- Mr Fife—from certain citizens praying that the commitment to the oil import parity pricing policy be honoured.
- Mr Hawker—from certain citizens praying that the assets test on pensions be repealed.
- Mr Hawker—from certain citizens praying that the Australian Bill of Rights Bill be opposed and certain other action be taken in relation to the Bill.
- Mr Hawker—from certain residents of Victoria praying that the proposed capital gains tax legislation be introduced without delay and that it be rejected.
- Mr Humphreys—from certain citizens praying that a television translator be erected to improve the reception of the Brisbane SBS UHF television station.
- Mrs Kelly—from certain citizens praying that action be taken to ensure all legal barriers to the equality of women workers are removed.
- Mr Scott—from certain citizens praying for official recognition of the African National Congress and the South West Africa Peoples Organisation and that certain other financial and humanitarian support be given to the South African and Namibian people.
- Mr Slipper—from certain residents of Queensland praying that means be sought for the protection of the people's interests to reverse the decision to hand Ayers Rock over to an Aboriginal Land Council.
- Mr Slipper—from certain residents of the Division of Fisher praying that home loan interest rates be tax deductible.
- Mr Slipper—from certain residents of the Division of Fisher praying that the right to work be acknowledged and protected and that certain other action be taken to protect workers.
- Mr Slipper—from certain residents of the Division of Fisher praying that the 1985 tax proposals outlined in the Government's White Paper be rejected.
- Mr Slipper—from certain residents of the Division of Fisher praying that the existing national flag remain sacrosanct.
- Mr Staples—from certain citizens praying that certain action be taken to relieve housing-related poverty.
- Mr Staples—from certain citizens praying that wild horses be protected from industry and indiscriminate slaughter.
- Mr Staples—from certain citizens praying that 1989 be proposed as the International Year for Repairing the Earth and certain other action be taken in support of world peace.
- Mr Staples—from certain citizens praying that financial support be given to the Port Arthur Conservation and Development Project in co-operation with the Tasmanian Government.
- Mr Staples—from certain citizens praying that the Government support the stand taken by the New Zealand Government on nuclear vessels and that the policy of developing zones of peace and nuclear free zones in the Indian and Pacific Oceans be implemented.
- Mr Staples—from certain citizens praying that the introduction of a compulsory identification card be rejected.
- Mr Staples—from certain citizens praying that Australia use its influence to establish a nuclear test moratorium and comprehensive nuclear test ban treaty.

Petitions received.

- 6 MESSAGE FROM THE SENATE—PARLIAMENTARY COMMISSION OF INQUIRY—
APPOINTMENT OF MEMBERS: The following message from the Senate was reported:

Message No. 259

Madam Speaker,

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

That, in accordance with section 4 of the *Parliamentary Commission of Inquiry Act 1986*—

- (a) the Honourable Sir George Hermann Lush, the Honourable Sir Richard Arthur Blackburn and the Honourable William Andrew Wells be appointed members of the Parliamentary Commission of Inquiry, and
- (b) the Honourable Sir George Hermann Lush be appointed the Presiding Member.

D. MCCLELLAND
President

The Senate,
Canberra, 27 May 1986

- 7 MESSAGE FROM THE SENATE: A message from the Senate was reported returning the following Bill without amendment:

27 May 1986—Message No. 260—Appropriation (Parliamentary Departments) (No. 2) 1985-86.

- 8 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—INDUSTRIAL RELATIONS:

The House was informed that Mr N. A. Brown (Deputy Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The public concern at the Government's incompetent handling of current industrial relations issues".

The proposed discussion having received the necessary support—

Mr N. A. Brown addressed the House.

Discussion ensued.

Discussion concluded.

- 9 TAXATION LAWS AMENDMENT BILL (NO. 2) 1986: 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.

Papers: Mr Hurford (Minister Assisting the Treasurer), by leave, presented the following papers:

Explanatory memoranda to the following Bills:

Taxation Laws Amendment (No. 2) 1986;

Income Tax (Securities and Agreements) (Withholding Tax Recoupment) 1986;

Taxation Laws Amendment (Foreign Tax Credits) 1986;

Income Tax Assessment Amendment (Capital Gains) 1986, and

Income Tax (Rates) Amendment (Capital Gains) 1986.

Erratum to explanatory memorandum to the Taxation Boards of Review (Transfer of Jurisdiction) Bill 1986.

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

The House resolved itself into a committee of the whole.

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In the committee

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

Clause 4 debated.

Question—That the clause be agreed to—put.

The committee divided (the Chairman, Mr McLeay, in the Chair)—

AYES, 72

Mr Baldwin	Mr Dubois	Mr Jones	Mr P. F. Morris
Mr Beazley	Ms Fatin	Mr Keating	Mr Mountford
Mr Beddall	Mr Fitzgibbon	Mrs Kelly	Mr O'Keefe
Mr Bilney	Mr Free	Mr Kent	Mr O'Neil
Mr Blanchard	Mr Gayler	Mr Keogh	Mr Price
Dr Blewett	Mr Gear	Mr Kerin	Mr Punch
Mr Bowen	Mr Gorman	Dr Klugman	Mr Saunderson
Mr J. J. Brown	Mr Grace	Mr Lamb	Mr Scholes
Mr R. J. Brown	Mr Griffiths	Mr Langmore	Mr Scott*
Mr Brumby	Mr Hand	Mr Lee	Mr Simmons
Mr Charles	Mr Hayden	Mr Lindsay	Mr Snow
Dr Charlesworth	Mr Holding	Ms McHugh	Mr Staples
Mr Chynoweth	Mr Hollis	Mr Maher	Mr Tickner
Mr Cleeland	Mr Howe	Mr Martin	Mr Uren
Mr Cross	Mr Hurford	Mrs Mayer	Mr West
Mr Cunningham*	Mr Jacobi	Mr Mildren	Mr Willis
Mrs Darling	Mrs Jakobsen	Mr Milton	Mr Wright
Mr Dawkins	Mr Jenkins	Mr A. A. Morris	Mr Young

NOES, 55

Mr Adermann	Mr Connolly	Mr Hicks*	Mr Reith
Mr Aldred	Mr Conquest	Mr Hodges	Mr Rocher
Mr Andrew*	Mr Cowan	Mr Hodgman	Mr Ruddock
Mr Beale	Mr Downer	Mr Hunt	Mr Shack
Mr Blunt	Mr Drummond	Mr Jull	Mr Sharp
Mr Braithwaite	Dr H. R. Edwards	Mr Lloyd	Mr Shipton
Mr N. A. Brown	Mr Everingham	Mr McArthur	Mr Slipper
Mr Burr	Mr Fife	Mr MacKellar	Mr Spender
Mr Cadman	Mr T. A. Fischer	Mr McVeigh	Mrs Sullivan
Mr D. M. Cameron	Mr P. S. Fisher	Mr Macphee	Dr Watson
Mr E. C. Cameron	Mr Goodluck	Mr Miles	Mr Webster
Mr I. M. D. Cameron	Mr Hall	Mr Millar	Mr White
Mr Carlton	Mr Halverson	Mr Nehl	Mr Wilson
Mr Coleman	Mr Hawker	Mr Porter	

* Tellers

And so it was resolved in the affirmative.

Limitation of debate: The time allotted for the remaining stages of the Bill having expired—

Question—That the remainder of the Bill be agreed to and that the Bill be reported without amendment—put and passed.

The House resumed; Mr McLeay reported accordingly.

Question—That the report be adopted and that the Bill be now read a third time—put and passed—Bill read a third time.

10 **INCOME TAX (SECURITIES AND AGREEMENTS) (WITHHOLDING TAX RECOUPMENT) BILL 1986:** 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 Hurford (Minister Assisting the Treasurer), the Bill was read a third time.

11 **TAXATION LAWS AMENDMENT (FOREIGN TAX CREDITS) BILL 1986:** 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.

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

AYES, 72

Mr Baldwin	Mr Dubois	Mr Jones	Mr P. F. Morris
Mr Beazley	Ms Fatin	Mr Keating	Mr Mountford
Mr Beddall	Mr Fitzgibbon	Mrs Kelly	Mr O'Keefe
Mr Bilney	Mr Free	Mr Kent	Mr O'Neil
Mr Blanchard	Mr Gayler	Mr Keogh	Mr Price
Dr Blewett	Mr Gear	Mr Kerin	Mr Punch
Mr Bowen	Mr Gorman	Dr Klugman	Mr Saunderson
Mr J. J. Brown	Mr Grace	Mr Lamb	Mr Scholes
Mr R. J. Brown	Mr Griffiths	Mr Langmore	Mr Scott*
Mr Brumby	Mr Hand	Mr Lee	Mr Simmons
Mr Charles	Mr Hayden	Mr Lindsay	Mr Snow
Dr Charlesworth	Mr Holding	Ms McHugh	Mr Staples
Mr Chynoweth	Mr Hollis	Mr Maher	Mr Tickner
Mr Cleeland	Mr Howe	Mr Martin	Mr Uren
Mr Cross	Mr Hurford	Mrs Mayer	Mr West
Mr Cunningham*	Mr Jacobi	Mr Mildren	Mr Willis
Mrs Darling	Mrs Jakobsen	Mr Milton	Mr Wright
Mr Dawkins	Mr Jenkins	Mr A. A. Morris	Mr Young

NOES, 55

Mr Adermann	Mr Connolly	Mr Hicks*	Mr Reith
Mr Aldred	Mr Conquest	Mr Hodges	Mr Rocher
Mr Andrew*	Mr Cowan	Mr Hodgman	Mr Ruddock
Mr Beale	Mr Downer	Mr Hunt	Mr Shack
Mr Blunt	Mr Drummond	Mr Jull	Mr Sharp
Mr Braithwaite	Dr H. R. Edwards	Mr Lloyd	Mr Shipton
Mr N. A. Brown	Mr Everingham	Mr McArthur	Mr Slipper
Mr Burr	Mr Fife	Mr MacKellar	Mr Spender
Mr Cadman	Mr T. A. Fischer	Mr McVeigh	Mrs Sullivan
Mr D. M. Cameron	Mr P. S. Fisher	Mr Macphee	Dr Watson
Mr E. C. Cameron	Mr Goodluck	Mr Miles	Mr Webster
Mr I. M. D. Cameron	Mr Hall	Mr Millar	Mr White
Mr Carlton	Mr Halverson	Mr Nehl	Mr Wilson
Mr Coleman	Mr Hawker	Mr Porter	

* Tellers

And so it was resolved in the affirmative—Bill read a second time.

Limitation of debate: At 7 p.m., the Deputy Speaker having called the attention of the House to the fact that the time allotted for the remaining stages of the Bill had expired—

Question—That the remaining stages of the Bill be agreed to—put and passed—
Bill read a third time.

12 TAXATION BOARDS OF REVIEW (TRANSFER OF JURISDICTION) BILL 1986: 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—Mr Adermann dissenting.

Bill read a second time.

The House resolved itself into a committee of the whole.

In the committee

Bill, by leave, taken as a whole, and debated.

Limitation of debate: At 7.10 p.m., the Deputy Chairman having called the attention of the committee to the fact that the time allotted for the remaining stages of the Bill had expired—

Question—That the Bill be agreed to—put and passed.

Further question—That the Bill be reported without amendment—put and passed.

The House resumed; Mr Mildren reported accordingly.

Message from the Governor-General: Message No. 157, dated 13 May 1986, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.

Question—That the report be adopted and that the Bill be now read a third time—put and passed—Mr Hodgman dissenting.
Bill read a third time.

13 ADJOURNMENT: Mr P. F. Morris (Minister for Transport) moved—That the House do now adjourn.

Debate ensued.

Debate extended: It being 8 p.m., the debate was interrupted.

Mr Howe (Minister for Social Security) required the debate to be extended.

The debate continuing until 8.04 p.m., Madam Speaker adjourned the House until tomorrow at 10 a.m.

PAPERS: The following papers were deemed to have been presented on 28 May 1986:
Banks (Shareholdings) Act—Regulation—Statutory Rules 1986, No. 107.
Canberra College of Advanced Education Act—Statute—No. 58—Courses and Awards Amendment 1986.
Remuneration Tribunals Act—Remuneration Tribunal—Determination—1986/4—Holders of public offices on the Committee to Review Funding of Technical and Further Education.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Campbell, Mr Cobb, Mr Cohen, Mr Duffy, Mr R. F. Edwards, Mr Humphreys, Mr Peacock and Mr Smith.

A. R. BROWNING
Clerk of the House of Representatives