

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 92

TUESDAY, 22 NOVEMBER 1988

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- 1 The House met, at 2 p.m., pursuant to adjournment. Madam Speaker (the Honourable Joan Child) took the Chair, and read Prayers.
- 2 **DEATHS OF FORMER MEMBERS (LT COL C. G. W. ANDERSON AND MR W. J. FULTON):** Mr Hawke (Prime Minister) referred to the deaths of Lt Col C. G. W. Anderson and Mr W. J. Fulton, and moved—That this House expresses its deep regret at the deaths of Charles Groves Wright Anderson, VC, MC, a former Member of this House for the Division of Hume from 1949 to 1951 and 1955 to 1961, and William John Fulton, a former Member of this House for the Division of Leichhardt from 1958 to 1975, places on record its appreciation of their long and meritorious public service, and tenders its sympathy to their families in their bereavement.
- And Mr Howard (Leader of the Opposition) having seconded the motion, and Mr Sinclair (Leader of the National Party of Australia) and other Members having addressed the House in support thereof, and all Members present having risen, in silence—
- Question—passed.
- 3 **MINISTERIAL ARRANGEMENTS:** Mr Hawke (Prime Minister) informed the House that, during the absence abroad of Mr Kerin (Minister for Primary Industries and Energy), Senator Cook (Minister for Resources) was acting as Minister for Primary Industries and Energy and Mr Jones (Minister for Science, Customs and Small Business) was representing the Acting Minister in this House.
- 4 **QUESTIONS:** Questions without notice were asked.
- 5 **PAPERS:** The following papers were presented:
- Antarctic Mineral Resources—4th Special Antarctic Treaty Consultative Meeting—Final Report and the final Act, including the Convention on the Regulation of Antarctic Mineral Resource Activities.
News release No. M200, by the Minister for Foreign Affairs and Trade, dated 22 November 1988.
 - Aussat Pty Ltd—Report for 1987-88.
 - Australian Tourist Commission Act—Australian Tourist Commission—Report and financial statements, including the Auditor-General's Report, for 1987-88.
 - Budget outlays—Forward estimates for 1989-90 to 1991-92—Report, dated November 1988.
 - Postal Services Act—Australian Postal Commission—Report and financial statements, including the Auditor-General's Report and freedom of information statement, for 1987-88.
 - Public Service Act—Department of Industry, Technology and Commerce—Report, including freedom of information statement, for 1987-88.

Snowy Mountains Engineering Corporation Act—Snowy Mountains Engineering Corporation—18th Report and financial statements, including the Auditor-General's Report, for 1987-88.

Student Assistance Act—Report by Minister on operation of Act, for 1987.

6 BUDGET OUTLAYS—FORWARD ESTIMATES—REPORT—MOTION TO TAKE NOTE OF PAPER: Mr Beazley (Leader of the House) moved—That the House take note of the following paper:

Budget outlays—Forward estimates for 1989-90 to 1991-92—Report, dated November 1988.

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

7 ANTARCTIC MINERAL RESOURCES—REPORT AND PAPER—MOTION TO TAKE NOTE OF PAPERS: Mr Beazley (Leader of the House) moved—That the House take note of the following papers:

Antarctic Mineral Resources—4th Special Antarctic Treaty Consultative Meeting—

Final Report and the final Act, including the Convention on the Regulation of Antarctic Mineral Resource Activities.

News release No. M200, by the Minister for Foreign Affairs and Trade, dated 22 November 1988.

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

8 JOINT DEFENCE FACILITIES—MINISTERIAL STATEMENT AND PAPERS—MOTION TO TAKE NOTE OF PAPERS: Mr Hawke (Prime Minister), by leave, made a ministerial statement on changes to the arrangements concerning the operation of the joint defence facilities at Pine Gap and Nurrungar, and presented the following papers:

Joint defence facilities—Exchange of notes, dated 16 November 1988, constituting an agreement between Australia and the United States of America relating to the joint defence facility at—

Nurrungar.

Pine Gap.

Mr P. F. Morris (Minister for Industrial Relations) moved—That the House take note of the papers.

Debate ensued.

Debate adjourned (Mr Beazley—Minister for Defence), and the resumption of the debate made an order of the day for the next sitting.

9 ACQUIRED IMMUNE DEFICIENCY SYNDROME—POLICY DISCUSSION PAPER—PAPER AND MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPERS: Dr Blewett (Minister for Community Services and Health) presented the following paper:

AIDS: a time to care, a time to act; towards a strategy for Australians—Policy discussion paper.

Dr Blewett, by leave, made a ministerial statement on the acquired immune deficiency syndrome and the policy discussion paper on AIDS, and presented the following paper:

AIDS policy discussion paper—Ministerial statement, 22 November 1988.

Mr Humphreys (Minister for Veterans' Affairs) moved—That the House take note of the papers.

Debate ensued.

Debate adjourned (Mr R. J. Brown—Minister for Land Transport and Shipping Support), and the resumption of the debate made an order of the day for the next sitting.

- 10 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—LIVING STANDARDS:** The House was informed that Dr Hewson had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The threat that the Hawke/Keating Government's continuing economic mismanagement poses for living standards in Australia".
The proposed discussion having received the necessary support—
Dr Hewson addressed the House.
Discussion ensued.
Discussion concluded.
- 11 MESSAGE FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS:** 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 Bills:
14 November 1988—Message No. 137—
Sales Tax Assessment (No. 1) Amendment 1988.
Sales Tax (Exemptions and Classifications) Amendment 1988.
Export Market Development Grants Amendment 1988.
- 12 SUSPENSION OF STANDING AND SESSIONAL ORDERS—QUESTION TIME ON 23 NOVEMBER 1988:** Mr R. J. Brown (Minister for Land Transport and Shipping Support), for Mr Beazley (Leader of the House), pursuant to notice, moved—That so much of the standing and sessional orders be suspended as would prevent the Speaker (1) interrupting the business before the House at 12.20 p.m. and (2) calling on questions without notice at 2.30 p.m., on Wednesday, 23 November 1988.
Question—put and passed.
- 13 SUSPENSION OF STANDING AND SESSIONAL ORDERS—ADJOURNMENT, NEW BUSINESS AND BILLS—LIMITATION OF DEBATE:** Mr R. J. Brown (Minister for Land Transport and Shipping Support), for Mr Beazley (Leader of the House), pursuant to notice, moved—That:
(1) standing order 48A (adjournment of House), as amended by sessional order, and standing order 103 (11 o'clock rule) be suspended for the sittings this week; and
(2) in relation to the proceedings on the following bills, so much of the standing and sessional orders be suspended as would prevent the Leader of the House making one declaration of urgency and moving one motion for the allotment of time in respect of all the bills:
Australian Industry Development Corporation Amendment Bill 1988;
International Arbitration Amendment Bill 1988;
States Grants (Schools Assistance) Bill 1988;
States Grants (Schools Assistance) Amendment Bill (No. 2) 1988;
States Grants (Technical and Further Education Assistance) Bill 1988;
Higher Education Funding Bill 1988;
Higher Education Funding Amendment Bill 1988;
Overseas Students Charge Amendment Bill 1988;
Overseas Students Charge Collection Amendment Bill 1988;
Australian Sports Commission Bill 1988;
Customs and Excise Legislation Amendment Bill 1988;
Customs Tariff Amendment Bill (No. 3) 1988;
National Occupational Health and Safety Commission Amendment Bill 1988;
Federal Airports Corporation Amendment Bill 1988;
Social Security Legislation Amendment Bill 1988;
Social Security and Veterans' Affairs Legislation Amendment Bill 1988;
Copyright Amendment Bill 1988;
Circuit Layouts Bill 1988;
Sales Tax Laws Amendment Bill 1988;

Sales Tax Assessment Bill (No. 12) 1988;
 Sales Tax Bill (No. 12) 1988;
 Sales Tax Bill (No. 1A) 1988;
 Community Services and Health Legislation Amendment Bill (No. 2) 1988;
 Ozone Protection Bill 1988;
 Ozone Protection (Licence Fees—Imports) Bill 1988;
 Ozone Protection (Licence Fees—Manufacture) Bill 1988;
 Defence Service Homes Amendment Bill 1988; and
 Foreign Takeovers Amendment Bill 1988.

Debate ensued.

Question—put.

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

AYES, 75

Mr Baldwin	Mr Duncan	Mr Jones	Mr Price
Mr Beazley	Mr R. F. Edwards	Mrs Kelly	Mr Punch
Mr Beddall	Ms Fatin	Mr Kent	Mr Saunderson
Mr Bilney	Mr Fitzgibbon	Mr Kerr	Mr Sawford
Mr Blanchard	Mr Free	Dr Klugman	Mr Scholes
Mr Bowen	Mr Gayler	Mr Lamb*	Mr Sciacca
Mr R. J. Brown	Mr Gear	Mr Langmore	Mr J. L. Scott
Mr Brumby	Mr Gorman	Mr Lavarch	Mr L. J. Scott
Mr Campbell	Mr Grace	Mr Lee	Mr Simmons
Mr Charles	Mr Griffiths	Mr Lindsay	Mr Snow
Dr Charlesworth	Mr Hand	Ms McHugh	Mr Snowdon
Mr Chynoweth	Mrs Harvey	Mr McLeay	Mr Staples
Mr Cleeland	Mr Holding	Mr Martin	Dr Theophanous
Mr Courtice	Mr Hollis	Mr Mildren	Mr Tickner
Ms Crawford	Mr Howe	Mr Milton	Mr Uren
Mr Cross	Mr Humphreys	Mr A. A. Morris	Mr West
Mr Cunningham*	Mrs Jakobsen	Mr P. F. Morris	Mr Willis
Mr Dubois	Mr Jenkins	Mr O'Keefe	Mr Wright
Mr Duffy	Mr Johns	Mr O'Neil	

NOES, 56

Mr Adermann	Mr Dobie	Mr Lloyd	Mr Ruddock
Mr Aldred	Mr Downer	Mr McArthur	Mr Shack
Mr Andrew*	Dr H. R. Edwards	Mr McGauran	Mr Sharp
Mr Beale	Mr Fife	Mr MacKellar	Mr Shipton
Mr Blunt	Mr T. A. Fischer	Mr Macphee	Mr Sinclair
Mr Braithwaite	Mr P. S. Fisher	Mr Miles	Mr Smith
Mr N. A. Brown	Mr Goodluck	Mr Millar	Mr Spender
Mr Burr	Mr Hall	Mr Moore	Mrs Sullivan
Mr Cadman	Mr Halverson	Mr Nehl	Mr Taylor
Mr E. C. Cameron	Mr Hawker	Mr Porter	Mr Tuckey
Mr Carlton	Dr Hewson	Mr Pratt	Mr Webster
Mr Cobb	Mr Hicks*	Mr Prosser	Mr White
Mr Connolly	Mr Hunt	Mr Reith	Mr Wilson
Mr Cowan	Mr Jull	Mr Rocher	Dr Woods

* Tellers

And so it was resolved in the affirmative.

14 DECLARATION OF BILLS AS URGENT BILLS—LIMITATION OF DEBATE: Mr Beazley (Leader of the House) declared that the Australian Industry Development Corporation Amendment Bill 1988, International Arbitration Amendment Bill 1988, States Grants (Schools Assistance) Bill 1988, States Grants (Schools Assistance) Amendment Bill (No. 2) 1988, States Grants (Technical and Further Education Assistance) Bill 1988, Higher Education Funding Bill 1988, Higher Education Funding Amendment Bill 1988, Overseas Students Charge Amendment Bill 1988, Overseas Students Charge Collection Amendment Bill 1988, Australian Sports Commission Bill 1988, Customs and Excise Legislation Amendment Bill 1988, Customs Tariff Amendment Bill (No. 3) 1988, National Occupational Health and Safety Commission Amendment Bill 1988, Federal Airports Corporation Amendment Bill 1988, Social Security Legislation Amendment Bill

1988, Social Security and Veterans' Affairs Legislation Amendment Bill 1988, Copyright Amendment Bill 1988, Circuit Layouts Bill 1988, Sales Tax Laws Amendment Bill 1988, Sales Tax Assessment Bill (No. 12) 1988, Sales Tax Bill (No. 12) 1988, Sales Tax Bill (No. 1A) 1988, Community Services and Health Legislation Amendment Bill (No. 2) 1988, Ozone Protection Bill 1988, Ozone Protection (Licence Fees—Imports) Bill 1988, Ozone Protection (Licence Fees—Manufacture) Bill 1988, Defence Service Homes Amendment Bill 1988 and Foreign Takeovers Amendment Bill 1988 were urgent Bills.

Question—put and passed.

Allotment of time: Mr Beazley then moved—That the time allotted in connection with the Bills be as follows:

- (1) Australian Industry Development Corporation Amendment Bill 1988—For the remaining stages, until 6.20 p.m. this day.
- (2) International Arbitration Amendment Bill 1988—For the remaining stages, until 8.30 p.m. this day.
- (3) States Grants (Schools Assistance) Bill 1988—For the remaining stages, until 10.30 p.m. this day.
- (4) States Grants (Schools Assistance) Amendment Bill (No. 2) 1988—For the remaining stages, until 10.35 p.m. this day.
- (5) States Grants (Technical and Further Education Assistance) Bill 1988—For the remaining stages, until 10.40 p.m. this day.
- (6) Higher Education Funding Bill 1988—
 - (a) For the second reading, until 10.45 p.m. this day.
 - (b) For the committee stage, until 10.50 p.m. this day.
 - (c) For the remaining stages, until 10.55 p.m. this day.
- (7) Higher Education Funding Amendment Bill 1988—For the remaining stages, until 11 p.m. this day.
- (8) Overseas Students Charge Amendment Bill 1988—
 - (a) For the second reading, until 11.05 p.m. this day.
 - (b) For the committee stage, until 11.10 p.m. this day.
 - (c) For the remaining stages, until 11.15 p.m. this day.
- (9) Overseas Students Charge Collection Amendment Bill 1988—For the remaining stages, until 11.20 p.m. this day.
- (10) Australian Sports Commission Bill 1988—
 - (a) For the second reading, until 10.30 a.m., Wednesday, 23 November.
 - (b) For the committee stage, until 10.35 a.m., Wednesday 23 November.
 - (c) For the remaining stages, until 10.40 a.m., Wednesday, 23 November.
- (11) Social Security Legislation Amendment Bill 1988—
 - (a) For the second reading, until 4.35 p.m., Wednesday, 23 November.
 - (b) For the committee stage, until 4.40 p.m., Wednesday, 23 November.
 - (c) For the remaining stages, until 4.45 p.m., Wednesday, 23 November.
- (12) Social Security and Veterans' Affairs Legislation Amendment Bill 1988—For the remaining stages, until 4.50 p.m., Wednesday, 23 November.
- (13) Copyright Amendment Bill 1988—
 - (a) For the second reading, until 5.30 p.m., Wednesday, 23 November.
 - (b) For the committee stage, until 5.35 p.m., Wednesday, 23 November.
 - (c) For the remaining stages, until 5.40 p.m., Wednesday, 23 November.
- (14) Circuit Layouts Bill 1988—For the remaining stages, until 5.45 p.m., Wednesday, 23 November.
- (15) National Occupational Health and Safety Commission Amendment Bill 1988—For the remaining stages, until 8.45 p.m., Wednesday, 23 November.
- (16) Ozone Protection Bill 1988—
 - (a) For the second reading, until 10.25 p.m., Wednesday, 23 November.
 - (b) For the committee stage, until 10.30 p.m., Wednesday, 23 November.
 - (c) For the remaining stages, until 10.35 p.m., Wednesday, 23 November.
- (17) Ozone Protection (Licence Fees—Imports) Bill 1988—For the remaining stages, until 10.40 p.m., Wednesday, 23 November.

- (18) Ozone Protection (Licence Fees—Manufacture) Bill 1988—For the remaining stages, until 10.45 p.m., Wednesday, 23 November.
- (19) Sales Tax Laws Amendment Bill 1988—For the remaining stages, until 4.55 p.m., Thursday, 24 November.
- (20) Sales Tax Assessment Bill (No. 12) 1988—For the remaining stages, until 5 p.m., Thursday, 24 November.
- (21) Sales Tax Bill (No. 12) 1988—For the remaining stages, until 5.05 p.m., Thursday, 24 November.
- (22) Sales Tax Bill (No. 1A) 1988—For the remaining stages, until 5.10 p.m., Thursday, 24 November.
- (23) Federal Airports Corporation Amendment Bill 1988—For the remaining stages, until 8.15 p.m., Thursday, 24 November.
- (24) Customs and Excise Legislation Amendment Bill 1988—For the remaining stages, until 8.55 p.m., Thursday, 24 November.
- (25) Customs Tariff Amendment Bill (No. 3) 1988—For the remaining stages, until 9 p.m., Thursday, 24 November.
- (26) Community Services and Health Legislation Amendment Bill (No. 2) 1988—For the remaining stages, until 10 p.m., Thursday, 24 November.
- (27) Foreign Takeovers Amendment Bill 1988—For the remaining stages, until 11 p.m., Thursday, 24 November.
- (28) Defence Service Homes Amendment Bill 1988—For the remaining stages, until 12.30 a.m., Friday, 25 November.

Question—put and passed.

15 AUSTRALIAN INDUSTRY DEVELOPMENT CORPORATION AMENDMENT BILL

1988: 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 Moore 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 is of the opinion that the Government should sell the Australian Industry Development Corporation in its entirety to the private sector as soon as possible in view of:

- (1) the fact that the Corporation operates as a commercial enterprise and furthermore that there is no essential public interest reason for maintaining Federal Government ownership; and
- (2) the extremely poor record of government involvement in investment ventures as illustrated by the current financial crises enveloping the Victorian Economic Development Corporation and Rothwells merchant bank”.

Debate continued.

Limitation of debate: At 6.20 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—

Amendment negatived.

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

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

16 INTERNATIONAL ARBITRATION AMENDMENT BILL 1988: 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 West (Minister for Administrative Services), the Bill was read a third time.

17 STATES GRANTS (SCHOOLS ASSISTANCE) BILL 1988: 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 Beale 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 mishandling of schools, TAFE and higher education policies and for creating the appalling confusion that now exists in education”.

Debate continued.

Limitation of debate: At 10.30 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 words proposed to be omitted stand part of the question—put.

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

AYES, 77

Mr Baldwin	Mr Duffy	Mr Jones	Mr Price
Mr Beazley	Mr Duncan	Mrs Kelly	Mr Punch
Mr Beddell	Mr R. F. Edwards	Mr Kent	Mr Saunderson
Mr Bilney	Ms Fatin	Mr Kerr	Mr Sawford
Mr Blanchard	Mr Fitzgibbon	Dr Klugman	Mr Scholes
Dr Blewett	Mr Free	Mr Lamb*	Mr Sciacca
Mr J. J. Brown	Mr Gayler	Mr Langmore	Mr J. L. Scott
Mr R. J. Brown	Mr Gear	Mr Lavarch	Mr L. J. Scott
Mr Brunby	Mr Gorman	Mr Lee	Mr Simmons
Mr Campbell	Mr Grace	Mr Lindsay	Mr Snow
Mr Charles	Mr Griffiths	Ms McHugh	Mr Snowdon
Dr Charlesworth	Mr Hand	Mr McLeay	Mr Staples
Mr Chyroweth	Mrs Harvey	Mr Martin	Mr Tickner
Mr Cleland	Mr Holding	Mr Mildren	Mr Uren
Mr Courtice	Mr Hollis	Mr Milton	Mr West
Ms Crawford	Mr Howe	Mr A. A. Morris	Mr Willis
Mr Cross	Mr Humphreys	Mr P. F. Morris	Mr Wright
Mr Cunningham*	Mrs Jakobsen	Mr Mountford	
Mr Dawkins	Mr Jenkins	Mr O’Keefe	
Mr Dubois	Mr Johns	Mr O’Neil	

NOES, 53

Mr Aldred	Dr H. R. Edwards	Mr McGauran	Mr Shipton
Mr Andrew*	Mr Fife	Mr MacKellar	Mr Sinclair
Mr Beale	Mr T. A. Fischer	Mr Macphee	Mr Smith
Mr Blunt	Mr P. S. Fisher	Mr Miles	Mr Spender
Mr Braithwaite	Mr Goodluck	Mr Millar	Mrs Sullivan
Mr N. A. Brown	Mr Hall	Mr Moore	Mr Taylor
Mr Burr	Mr Halverson	Mr Nehl	Mr Tuckey
Mr E. C. Cameron	Mr Hawker	Mr Porter	Mr Webster
Mr I. M. D. Cameron	Dr Hewson	Mr Pratt	Mr Wilson
Mr Carlton	Mr Hicks*	Mr Prosser	Dr Woods
Mr Coob	Mr Hunt	Mr Reith	Dr Wooldridge
Mr Connolly	Mr Jull	Mr Rocher	
Mr Cowan	Mr Lloyd	Mr Shack	
Mr Dwyer	Mr McArthur	Mr Sharp	

* 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.

Message from the Governor-General: Message No. 138, dated 6 November 1988, from His Excellency the Governor-General was announced recommending an appropriation of revenue and moneys for the purposes of the Bill.

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

18 STATES GRANTS (SCHOOLS ASSISTANCE) AMENDMENT BILL (NO. 2) 1988: 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—

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

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. 139, dated 6 November 1988, from His Excellency the Governor-General was announced recommending an appropriation of revenue and moneys for the purposes of the Bill.

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

19 STATES GRANTS (TECHNICAL AND FURTHER EDUCATION ASSISTANCE) BILL 1988: 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.

Message from the Governor-General: Message No. 140, dated 6 November 1988, from His Excellency the Governor-General was announced recommending an appropriation of revenue and moneys for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Dawkins (Minister for Employment, Education and Training), the Bill was read a third time.

20 HIGHER EDUCATION FUNDING BILL 1988: 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.

Message from the Governor-General: Message No. 141, dated 6 November 1988, from His Excellency the Governor-General was announced recommending an appropriation of revenue and moneys for the purposes of:

- (a) the making of, or of advances on account of, payments to the States in accordance with Chapters 2, 5, 6 and 7 of a Bill entitled a Bill for an Act relating to the funding of certain institutions of higher education, and for matters connected therewith;
- (b) the making of payments from the Consolidated Revenue Fund to the Higher Education Trust Fund under Chapter 4 of a Bill so entitled;
- (c) the making of, or of advances on account of, payments in discharge of liabilities of students for contributions payable in accordance with Chapter 4 of a Bill so entitled;
- (d) the repayment of amounts that were not required to be paid to the Commonwealth under Chapter 4 of a Bill so entitled, or that are otherwise required under that Chapter to be refunded;
- (e) the making of payments to a State of amounts equal to amounts paid by students in discharge or reduction of their indebtedness to the Commonwealth under Chapter 4 of a Bill so entitled, in respect of courses of study funded by the State; and
- (f) the making of payments from the Loan Fund to the Consolidated Revenue Fund in accordance with Chapter 6 of a Bill so entitled.

The House resolved itself into a committee of the whole.

In the committee

Bill, by leave, taken as a whole.

Mr Dawkins (Minister for Employment, Education and Training), by leave, moved the following amendments together:

Clause 18, page 10, lines 40 and 41, omit subclause (2), substitute the following subclause:

- “(2) Paragraph (1) (d) does not apply in relation to:
 (a) the Marcus Oldham College of Farm Management; or
 (b) a course of study at Avondale College that is not funded in whole or in part by the Commonwealth.”.

Clause 34—

Page 21, line 28, omit “or”.

Page 21, line 30, omit “study;”, substitute “study; or”.

Page 23, after paragraph (c) of the definition of “designated course of study” in subclause (1) add the following paragraph:

“(d) a course provided at Avondale College, McAuley College or Signadou College of Education, being a course that is not funded in whole or in part by the Commonwealth;”.

Page 23, line 39, at the end of the definition of “overseas student” add “but does not include a student to whom paragraph 4 (1) (a) of the Overseas Students Charge Collection Regulations applies”.

Page 24, line 29, at the end of paragraph (4) (a) add “other than Marcus Oldham College of Farm Management”.

Clause 35, page 25, omit subclause (4), substitute the following subclause:

“(4) An overseas student in relation to a course of study at an institution in respect of a year is an exempt student in relation to that course of study in respect of that year.”.

Clause 38, page 26, at the end of the clause add the following subclause:

“(2) Without limiting the operating of subsection (1), the following provisions of this Chapter do not of their own force require an institution to do any act or thing.”.

Clause 41—

Page 28, line 1, after “85%” insert “(or such greater percentage as the student chooses)”.

Page 28, line 12, after “paying” insert “at least”.

Page 28, line 15, omit “15%”, substitute “the remainder (if any)”.

Page 28, line 16, omit “15%”, substitute “remainder”.

Page 28, line 24, after “paid” insert “at least”.

Page 28, line 27, omit “whole”, substitute “unpaid part”.

Page 28, line 29, after “pay” insert “the unpaid part of”.

Clause 54—

Page 33, line 20, at the end of sub-subparagraph (A) add “and”.

Page 33, line 22, omit “— that amount; and”, substitute “or, if the student requests, under paragraph 57 (b)—that amount.”.

Page 33, lines 23 to 26, omit sub-subparagraph (C).

Clause 56, page 34, omit the clause.

Clause 57, pages 34 and 35, omit the clause, substitute the following clause:

Overpayment of contribution

“57. Where a student has made a payment to an institution in accordance with subparagraph 41 (1) (a) (i) in respect of the contribution that the institution assessed would be payable by the student in respect of a course of study in respect of a semester under subsection 39 (3):

- “(a) if no contribution is payable by the student, the institution shall, as soon as practicable and in any event not later than 14 days after giving notice to the student under section 54 in respect of the course of study in respect of the semester, pay to the student an amount equal to the amount paid by the student; or
 (b) if the amount of the payment exceeds 85% of the amount of the contribution payable by the student and the student requests the repayment of the whole or a part of the excess, the institution shall, as soon as practicable after receiving the request, pay to the student an amount equal to the excess or that part of the excess, as the case may be.”.

Clause 58—

Page 35, line 15, omit "15%", substitute "the remainder (if any)".

Page 35, line 16, omit "15%", substitute "remainder".

Page 35, line 20, omit "whole", substitute "unpaid part".

Page 35, line 22, after "pay" insert "the unpaid part of".

Debate continued.

Limitation of debate: At 10.50 p.m., the Deputy Chairman having called the attention of the committee to the fact that the time allotted for the committee stage had expired—

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

Further question—That the Bill, as amended, be agreed to, and the Bill be reported with amendments—put and passed.

The House resumed; Mr Mountford reported accordingly.

On the motion of Mr Dawkins, the House adopted the report, and the Bill was read a third time.

- 21 **HIGHER EDUCATION FUNDING AMENDMENT BILL 1988:** 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.

Limitation of debate: At 11 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 Bill be now read a second time—put and passed—Bill read a second time.

Message from the Governor-General: Message No. 142, dated 9 November 1988, from His Excellency the Governor-General was announced recommending an appropriation of revenue and moneys for the purposes of the Bill.

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

- 22 **OVERSEAS STUDENTS CHARGE AMENDMENT BILL 1988:** 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.

The House resolved itself into a committee of the whole.

In the committee

Bill, by leave, taken as a whole.

On the motion of Mr Dawkins (Minister for Employment, Education and Training), the following amendment was made:

Clause 3, page 2, omit paragraph (a), substitute the following paragraph:

"(a) by omitting from subsection (1) the definition of 'overseas student' and substituting the following definition:

'overseas student' means a person who:

(a) is not an Australian citizen; and

(b) is enrolled, or proposes to become enrolled, in a prescribed course or as a casual higher education student for a year;

but does not include:

(c) a person who is the holder of a permanent entry permit;

(d) if the enrolment or proposed enrolment is in respect of a secondary education course—a person to whom subsection 8 (1) of the *Migration Act 1958* applies; or

(e) if paragraph (d) does not apply—a person to whom subsection 8 (1) of the *Migration Act 1958* applies other

than a person referred to in paragraph (b) of that subsection;".

Bill, as amended, agreed to.

Bill to be reported with an amendment.

The House resumed; Mr Mountford reported accordingly.

On the motion of Mr Dawkins, the House adopted the report, and the Bill was read a third time.

- 23 OVERSEAS STUDENTS CHARGE COLLECTION AMENDMENT BILL 1988:** 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 Dawkins (Minister for Employment, Education and Training), the Bill was read a third time.

- 24 AUSTRALIAN SPORTS COMMISSION BILL 1988:** 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.

The House continuing to sit until after 12 midnight—

WEDNESDAY, 23 NOVEMBER 1988

Debate continued.

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

- 25 ADJOURNMENT:** Mr Holding (Minister for the Arts and Territories) moved—That the House do now adjourn.

Question—put and passed.

And then the House, at 12.26 a.m., adjourned until this day at 10 a.m.

PAPERS: The following papers were deemed to have been presented on 22 November 1988:

Admiralty Act—Rules—Statutory Rules 1988, No. 269.

Air Navigation Act—Regulations—Statutory Rules 1988, No. 277.

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposals for collection of information—1988—

No. 63—Quarterly survey of sales of Tasmanian hardwood timber.

No. 64—Topics to be included as supplements to the monthly labour force survey: How workers get their training, career paths of tradespersons and career paths of nurses.

Christmas Island Act—Ordinance—1988—No. 5—Motor Traffic (Amendment).

Commonwealth Teaching Service Act—Determination—1988—No. 4.

Comparies Act—Regulations—Statutory Rules 1988, No. 265.

Comper.sation (Commonwealth Government Employees) Act—Regulations—Statutory Rules 1988, No. 278.

Customs Act—Regulations—Statutory Rules 1988, Nos. 260, 270.

Defence Act—Determinations under section 58B—1988—

No. 59—Isolated Establishment Allowance.

No. 60—Temporary Rental Allowance.

No. 61—Salary of Permanent Force Members and other allowances.

No. 62—Overseas Living Allowance and other allowances.

No. 63—Travelling Allowance and other allowances.

Dried Fruits Levy Act—Regulation—Statutory Rules 1988, No. 268.

Federal Airports Corporation Act—Federal Airports Corporation—By-laws—1988—Federal Airports (Amendment) (*in substitution for the paper presented on 7 November 1988*).

Fisheries Levy Act—Regulations—Statutory Rules 1988, Nos. 271, 272.

Lands Acquisition Act—Statement of lands acquired by agreement authorised under subsection 7 (1).

Marriage Act—Regulation—Statutory Rules 1988, No. 276.

Proclamation by His Excellency the Governor-General fixing 9 November 1988 as the date on which the amendments of the *Australian Capital Territory Supreme Court Act 1933* made under the *Statute Law (Miscellaneous Provisions) Act 1988* shall come into operation.

Public Service Act—

Determinations—1988—Nos. 218, 225, 226, 227, 228, 230.

Parliamentary Presiding Officers' Determination—1988—No. 3.

Securities Industry Act—Regulations—Statutory Rules 1988, Nos. 263, 264.

Ships (Capital Grants) Act—Regulations—Statutory Rules 1988, No. 279.

Superannuation Act—Regulations—Statutory Rules 1988, Nos. 273, 274, 275.

Superannuation Benefit (Interim Arrangement) Act—Regulations—Statutory Rules 1988, Nos. 266, 267.

Telecommunications Act—Australian Telecommunications Commission By-laws—Telecommunications (General)—Amendment No. 52.

Telecommunications (Charging Zones and Charging Districts)—Amendment No. 84.

World Heritage Properties Conservation Act—Notice of consent pursuant to section 9, dated 9 November 1988.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr D. M. Cameron*, Mrs Darling*, Mr Katter, Mr Kerin and Mr Peacock.

*On leave

A. R. BROWNING
Clerk of the House of Representatives