

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 103

MONDAY, 6 MARCH 1989

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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 **GWYDIR ELECTORAL DIVISION—ISSUE OF WRIT:** Madam Speaker informed the House that she had today issued a writ for the election of a Member to serve for the electoral division of Gwydir in the State of New South Wales, to fill the vacancy caused by the resignation of the Honourable Ralph James Dunnet Hunt. The dates in connection with the election are fixed as follows:

Close of rolls	Monday, 13 March 1989.
Date of nomination	Friday, 17 March 1989.
Date of polling	Saturday, 15 April 1989.
Date of return of writ	On or before Thursday, 1 June 1989.
 - 3 **MINISTERIAL ARRANGEMENTS:** Mr Hawke (Prime Minister) informed the House that, during the absence abroad of Mr Jones (Minister for Science, Customs and Small Business), Senator Button (Minister for Industry, Technology and Commerce) would perform Mr Jones' duties and would be represented in this House by Mr Duffy (Minister for Trade Negotiations).
 - 4 **QUESTIONS:** Questions without notice were asked.
 - 5 **PAPERS:** The following papers were presented:
 - National Museum of Australia Act—National Museum of Australia—Report and financial statements, including the Auditor-General's Report, for 1987-88.
 - Protection of Movable Cultural Heritage Act—Report on the working of the Act, including the Auditor-General's Report on the National Cultural Heritage Fund, for 1987-88.
 - 6 **NAMIBIA—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Mr Hawke (Prime Minister), by leave, made a ministerial statement on recent events in Namibia and Australia's role in assisting the implementation of UN Security Council Resolution 435 of 1978, including the deployment of Australian troops as part of a UN Peacekeeping Force in Namibia, and presented the following paper:
 - Namibia—Ministerial statement, 6 March 1989.
 Mr West (Minister for Administrative Services) moved—That the House take note of the paper.
 Debate ensued.
 Debate adjourned (Mrs Darling), and the resumption of the debate made an order of the day for a later hour this day.

7 MESSAGES FROM THE SENATE: Messages from the Senate were reported:

- (a) returning the National Occupational Health and Safety Commission Amendment Bill 1988 without amendment—Message No. 304, dated 2 March 1989.
- (b) acquainting the House that Senator Macklin had been discharged from the Joint Standing Committee on Foreign Affairs, Defence and Trade, and that Senator McLean had been appointed a member of the committee—Message No. 309, dated 3 March 1989.

8 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—LIVING STANDARDS OF LOW TO MIDDLE INCOME EARNERS: The House was informed that Mr Peacock (Deputy Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The impact of six years of economic mismanagement under the Hawke Government on the living standards of low to middle income earners".

The proposed discussion having received the necessary support—
Mr Peacock addressed the House.

Discussion ensued.

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

Real disposable incomes for persons and families on average weekly earnings—
Table detailing changes during the periods 1976-77 to 1984-85, 1984-85 to 1988-89 and 1976-77 to 1988-89.

Discussion continued.

Discussion concluded.

9 CUSTOMS TARIFF AND EXCISE TARIFF PROPOSALS: Mr Duffy (Minister representing the Minister for Industry, Technology and Commerce) moved—
Customs Tariff Proposals Nos. 1 to 9 (1989); and
Excise Tariff Proposals No. 1 (1989).

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

10 MESSAGE FROM THE SENATE—OZONE PROTECTION BILL 1988: The following message from the Senate was reported:

Message No. 305

Madam Speaker,

The Senate returns to the House of Representatives the Bill for "*An Act to provide for measures to protect ozone in the atmosphere*", 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.

KERRY SIBRAA
President

The Senate,
Canberra, 2 March 1989

Ordered—That the amendments be taken into consideration, in committee of the whole House, forthwith.

In the committee

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE

No. 1—Page 2, paragraph 3 (a), line 8, leave out "and".

No. 2—Page 2, after paragraph 3 (b), add the following new paragraph:

“; and (c) to use the best endeavours to encourage Australian industry to:

- (i) replace ozone depleting substances; and
- (ii) achieve a faster and greater reduction in the levels of production and use of ozone depleting substances than are provided for in the Convention and the Protocol,

to the extent that such replacements and achievements are reasonably possible within the limits imposed by the availability of suitable alternate substances, and appropriate technology and devices.”.

No. 3—Page 18, paragraph 37 (1) (d), line 9, at end of paragraph, add “other than the Northern Territory”.

No. 4—Page 18, paragraph 37 (2) (c), line 13, after “Territory”, insert “other than the Northern Territory”.

No. 5—Page 18, subclause 37 (3), line 18, leave out the subclause.

On the motion of Mr P. F. Morris (Minister for Industrial Relations), the amendments were agreed to, after debate.

Resolution to be reported.

The House resumed; Mr R. F. Edwards reported accordingly.

On the motion of Mr P. F. Morris, the House adopted the report.

11 MESSAGE FROM THE SENATE—OZONE PROTECTION (LICENCE FEES—IMPORTS) BILL 1988: The following message from the Senate was reported:

Message No. 306

Madam Speaker,

The Senate returns to the House of Representatives the Bill for “*An Act to provide for payment of fees in respect of import of scheduled substances under licences granted under the ‘Ozone Protection Act 1988’*”, and requests the House to amend the Bill as indicated by the annexed Schedule.

KERRY SIBRAA
President

The Senate,

Canberra, 2 March 1989

Ordered—That the amendment requested by the Senate be taken into consideration, in committee of the whole House, forthwith.

In the committee

SCHEDULE OF THE REQUEST BY THE SENATE FOR AN AMENDMENT

Page 2, subclause 4 (3), lines 3 and 4, leave out “only in force for”, insert “in force for only”.

On the motion of Mr P. F. Morris (Minister for Industrial Relations), the requested amendment was made, after debate.

Resolution to be reported.

The House resumed; Mr R. F. Edwards reported accordingly.

On the motion of Mr P. F. Morris, the House adopted the report.

12 MESSAGE FROM THE SENATE—OZONE PROTECTION (LICENCE FEES—MANUFACTURE) BILL 1988: The following message from the Senate was reported:

Message No. 307

Madam Speaker,

The Senate returns to the House of Representatives the Bill for “*An Act to provide for payment of fees in respect of manufacture of scheduled substances under licences granted under the ‘Ozone Protection Act 1988’*”, and requests the House to amend the Bill as indicated by the annexed Schedule.

KERRY SIBRAA
President

The Senate,

Canberra, 2 March 1989

Ordered—That the amendment requested by the Senate be taken into consideration, in committee of the whole House, forthwith.

In the committee

SCHEDULE OF THE REQUEST BY THE SENATE FOR AN AMENDMENT

Page 2, subclause 4 (3), lines 5 and 6, leave out “only in force for”, insert “in force for only”.

On the motion of Mr P. F. Morris (Minister for Industrial Relations), the requested amendment was made, after debate.

Resolution to be reported.

The House resumed; Mr R. F. Edwards reported accordingly.

On the motion of Mr P. F. Morris, the House adopted the report.

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

1988: The following message from the Senate was reported:

Message No. 308

Madam 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.

KERRY SIBRAA
President

The Senate,
Canberra, 2 March 1989

Ordered—That the amendments be taken into consideration, in committee of the whole House, forthwith.

In the committee

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE

No. 1—Page 24, clause 37, proposed sub-subparagraph 160ZWA (13) (b) (ii) (B), line 3, leave out “and”.

No. 2—Page 24, clause 37, after proposed subparagraph 160ZWA (13) (b) (ii), insert the following new subparagraph:

“(iia) if land (in this subparagraph called the ‘excepted land’) that formed part (whether a minor part or a significant part) of the original area is not included in the new area but land (in this subparagraph called the ‘new land’) that did not form part of the original area is included in the new area—the circumstances that gave rise to the exclusion of the excepted land from, and the inclusion of the new land in, the new area and, in particular, (if applicable) the circumstance that the taxpayer sought, but was unable to secure, the inclusion of the excepted land and agreed to the inclusion of the new land only as a substitute for the excepted land; and”.

No. 3—Page 24, clause 37, after proposed subsection 160ZWA (14), add the following new subsections:

“(15) Where:

- (a) a Crown Lease (in this subsection called the “original lease”) of land (in this subsection called the “original land”) has been granted to a taxpayer;
- (b) after the grant of the original lease, the original land came to be vested in or held by a government authority; and
- (c) the government authority granted to the taxpayer under a statutory law of the Commonwealth, of a State or of a Territory a lease (in this

subsection called the “fresh lease”) of the original land, or of that land less an excised area or together with an additional area;

then, for the purposes of this section, the fresh lease shall be taken to be a Crown Lease and to have been granted by way of renewal of the original lease.

‘(16) If there was a period between the end of the term of the original lease referred to in subsection (15) and the beginning of the term of the fresh lease so referred to, that period shall not be taken to preclude the fresh lease from being regarded for the purposes of that subsection as a renewal of the original lease provided that the taxpayer concerned continued in occupation of the original land during that period under a permission, licence or authority granted by the relevant government authority pending the grant of the fresh lease.’”

No. 4—Page 34, clause 46, proposed paragraph 160ZZMA (1) (a), line 30, leave out “after 28 January 1988”, insert “on or after 20 September 1985”.

On the motion of Mr P. F. Morris (Minister Assisting the Treasurer), the amendments were agreed to, after debate.

Resolution to be reported.

The House resumed; Mr R. F. Edwards reported accordingly.

On the motion of Mr P. F. Morris, the House adopted the report.

14 NAMIBIA—MINISTERIAL STATEMENT—PAPER NOTED: The order of the day having been read for the resumption of the debate on the motion of Mr West (Minister for Administrative Services)—That the House take note of the paper (*presented this day*), viz.:

Namibia—Ministerial statement, 6 March 1989—

Debate resumed.

Question—put and passed.

15 POSTPONEMENT OF NOTICE: Ordered—That notice No. 1, government business, be postponed until a later hour this day.

16 AGED OR DISABLED PERSONS HOMES 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—*And on the amendment moved thereto by Mr Braithwaite, 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) note the concerns of service-providers in adhering to the changed arrangements, at the lack of funding, and at the lack of flexibility in the arrangements which are diminishing the quality of care to our aged; and
- (2) expresses its concern at the diminishing morale of the providers of services to the aged because of various Government initiatives, particularly the commissioning of the report *I'm Still an Individual*—

Debate ensued.

Mr Robinson addressing the House—

17 ADJOURNMENT: It being 10.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 11 p.m., adjourned until tomorrow at 2 p.m.

PAPERS: The following papers were deemed to have been presented on 6 March 1989:

- Acts Interpretation Act—Statement relating to the extension of specified period for presentation of periodic report—
 - ACT Forestry Trust—Report for 1987-88.
 - ACT Housing Trust—Report for 1987-88.
 - ACT Transport Trust—Report for 1987-88.
 - City of Canberra (Municipal) Accounts 1987-88.
- Aged or Disabled Persons Homes Act—Certificate pursuant to paragraph 9 (1) (b), dated 12 January 1989.
- Census and Statistics Act—Australian Bureau of Statistics—Statement of disclosure of information—1989—No. 1—List of names and addresses of agricultural establishments for Australian Meat and Live-stock Corporation.
- Civil Aviation Act—Civil Aviation Regulations—Amendments to Civil Aviation Orders—Parts—
 - 105—dated 23 December 1988, 16 and 25 January and 27 and 28 February 1989.
 - 106—dated 16 January 1989.
 - 107—dated 16 January 1989.

MEMBERS PRESENT: All Members were present (at some time during the sitting) except Mr Campbell, Mr Cleeland, Mr Jones, Mr A. A. Morris, Mr O'Keefe, Mr Shipton and Mr Uren.

A. R. BROWNING
Clerk of the House of Representatives