

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

## HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 126

WEDNESDAY, 31 MAY 1989

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

2 **FINANCE AND PUBLIC ADMINISTRATION—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS:** Mr Martin (Chairman) presented the following report and related papers:

Finance and Public Administration—Standing Committee—Tax payers or tax players?—Further report on an Auditor-General's efficiency audit of the Australian Taxation Office: international profit shifting—

Report, dated May 1989.

Evidence received by the committee.

Minutes of proceedings.

Ordered—That the report be printed.

Mr Martin and Mr Wilson, by leave, made statements in connection with the report.

3 **SEX DISCRIMINATION AMENDMENT BILL 1989:** 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 N. A. Brown, 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, this House:

(1) notes that the Bill makes no provision in respect of the effective discrimination in so far as the provision of superannuation for part-time employees is concerned; and

(2) noting the urgent need to overcome the inequities, inadequacies and effective discrimination in existing superannuation arrangements, calls on the Government to introduce Retirement Savings Accounts as proposed in the Opposition's Retirement Incomes Policy which is designed to ensure that all employees have an opportunity for access to superannuation cover"—

Debate resumed.

Amendment negatived.

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

The House resolved itself into a committee of the whole.

*In the committee*

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

*New clause—*

On the motion of Mr Bowen (Attorney-General), the following new clause was inserted in the Bill, after debate:

**Discrimination in employment or in superannuation**

"3A. Section 14 of the Principal Act is amended by adding at the end the following subsection:

'(4) It is unlawful for a person who exercises a discretion in relation to the payment of a dependant superannuation benefit for a member of a superannuation fund (not being a member to whom section 41B applies in respect of that fund) to discriminate against another person, on the ground of that other person's sex or marital status, in the exercise of the discretion.'"

Clause 4—

Mr N. A. Brown moved the following amendment: Page 3, omit proposed subsection 41A (3), substitute the following subsection:

"(3) Subsection (2) does not apply to a superannuation fund if the superannuation fund conditions provide that a person who exercises a discretion in relation to the payment of a dependant superannuation benefit for a member of the fund may discriminate against another person, on the grounds of the other person's sex or marital status, in the exercise of the discretion."

Debate continued.

Amendment negatived.

On the motion of Mr Bowen, the following amendment was made: Page 3, lines 27 to 32, omit proposed subsection 41A (3).

Mr N. A. Brown moved the following amendment: Page 4, omit proposed section 41C.

Debate continued.

Amendment negatived.

Clause, as amended, agreed to.

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

Bill to be reported with amendments.

The House resumed; Mr Andrew reported accordingly.

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

- 4 **BANKING LEGISLATION AMENDMENT BILL 1989:** 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.

Mr I. M. D. Cameron addressing the House—

It being 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.

- 5 **QUESTIONS:** Questions without notice were asked.

- 6 **PAPER:** Mr Dawkins (Acting Treasurer), by indulgence, added to an answer given during question time and presented the following paper:

Australia's external liabilities, assets and income flows—Chart detailing public sector debt between June 1982 and March 1989.

- 7 **PAPERS:** The following papers were presented:

Aboriginal Land Rights (Northern Territory) Act—Aboriginal Land Commissioner—Report for—

1986-87.

1987-88.

Australian Civil Offsets Program—Report for 1987-88.

Code of conduct for Australian companies with interests in the Republic of South Africa—2nd Report of the Administrator, dated May 1989.

Equal Employment Opportunity (Commonwealth Authorities) Act—Australian National Railways Commission (Australian National)—Equal Employment Opportunity Program—Report for 1987-88.

International Labour Organisation—International Labour Conference—75th session, 1988—

Australian delegation report.

Statement relating to instruments adopted by the Conference.

Royal Australian Air Force Veterans' Residences Act—Royal Australian Air Force Veterans' Residences Trust—Report and financial statements, including the Auditor-General's Report, for 1987-88.

- 8 **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 adverse effect of the Hawke Government's continued complacency and economic mismanagement on Australian living standards".

The proposed discussion having received the necessary support—

Dr Hewson addressed the House.

Discussion ensued.

Discussion concluded.

- 9 **PUBLIC WORKS COMMITTEE—REFERENCE OF WORK—FITOUT OF CIVIL AVIATION AUTHORITY HEADQUARTERS BUILDING, CANBERRA:** Mr West (Minister for Administrative Services), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Fitout of Civil Aviation Authority headquarters building, Canberra.

Mr West presented plans in connection with the proposed work.

Debate ensued.

Question—put and passed.

- 10 **PUBLIC WORKS COMMITTEE—REFERENCE OF WORK—NORTHSIDE DEVELOPMENT OF CIVIL AVIATION FACILITIES, DARWIN AIRPORT:** Mr West (Minister for Administrative Services), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Northside development of civil aviation facilities, Darwin airport.

Mr West presented plans in connection with the proposed work.

Debate ensued.

Question—put and passed.

- 11 **COMMONWEALTH AND COMMONWEALTH INSTRUMENTALITIES (APPLICATION OF LAWS) BILL 1989:** Mr Bowen (Attorney-General), pursuant to notice, presented a Bill for an Act relating to the application of laws to the Crown in right of the Commonwealth and to Commonwealth instrumentalities, and for related purposes.

Bill read a first time.

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

*Paper:* Mr Bowen presented an explanatory memorandum to the Bill.

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

- 12 **TAXATION LAWS AMENDMENT BILL (NO. 4) 1989:** Mr P. F. Morris (Minister Assisting the Treasurer) presented a Bill for an Act to amend the law relating to taxation.

Bill read a first time.

Mr P. F. Morris moved—That the Bill be now read a second time.

*Paper:* Mr P. F. Morris presented an explanatory memorandum to the Bill.

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

- 13 **SALES TAX (EXEMPTIONS AND CLASSIFICATIONS) (COMPUTER PROGRAMS) AMENDMENT BILL 1989:** Mr P. F. Morris (Minister Assisting the Treasurer) presented a Bill for an Act to amend the *Sales Tax (Exemptions and Classifications) Act 1935*, to make special provision in relation to sales tax regulations, and for related purposes.

Bill read a first time.

Mr P. F. Morris moved—That the Bill be now read a second time.

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

- 14 SALES TAX LAWS (COMPUTER PROGRAMS) AMENDMENT BILL 1989:** Mr P. F. Morris (Minister Assisting the Treasurer) presented a Bill for an Act to amend the law relating to sales tax.

Bill read a first time.

Mr P. F. Morris moved—That the Bill be now read a second time.

*Paper:* Mr P. F. Morris presented an explanatory memorandum to the following Bills:

Sales Tax Laws (Computer Programs) Amendment 1989.

Sales Tax (Exemptions and Classifications) (Computer Programs) Amendment 1989.

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

- 15 FOREIGN AFFAIRS AND DEFENCE—JOINT COMMITTEE—REPORT ON DISARMAMENT AND ARMS CONTROL IN THE NUCLEAR AGE—PAPER AND GOVERNMENT RESPONSE—MOTION TO TAKE NOTE OF PAPERS:** Mr Charles, by leave, presented the following papers:

Foreign Affairs and Defence—Joint Committee—Report on Disarmament and Arms Control in the Nuclear Age—

Government response, dated May 1989.

Letter from Senator Evans, Minister for Foreign Affairs and Trade, to Mr Bilney, MP, Chairman, Joint Committee on Foreign Affairs, Defence and Trade, dated 16 May 1989.

Mr MacKellar, by leave, moved—That the House take note of the papers.

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

- 16 ENVIRONMENT, RECREATION AND THE ARTS—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS:** Mr Milton (Chairman) presented the following report and related papers:

Environment, Recreation and the Arts—Standing Committee—Tourism in Antarctica—

Report, dated May 1989.

Minutes of proceedings.

Ordered—That the report be printed.

Mr Milton and Mr I.M.D. Cameron, by leave, made statements in connection with the report.

*Paper:* Mr I.M.D. Cameron, by leave, presented the following paper:

Project Antarctica: In search of the Emperor Penguin—Copy of itinerary of commercial tour to Antarctica, December 1990.

Mr Chynoweth and Mr Webster, by leave, also made statements in connection with the report.

- 17 INTER-PARLIAMENTARY UNION—GUATEMALA CITY (1988) AND BUDAPEST (1989) CONFERENCES—REPORTS—STATEMENTS BY MEMBERS:** Mr Uren, by leave, presented the following papers:

Inter-Parliamentary Union—Reports of the Australian Delegation—

79th Conference, Guatemala City, Guatemala, 11-16 April 1988.

81st Conference, Budapest, Hungary, 13-18 March 1989.

Mr Uren and Mr Shipton, by leave, made statements in connection with the reports.

18 **BANKING LEGISLATION AMENDMENT BILL 1989:** 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.

Dr H. R. Edwards was granted leave to continue his remarks when the debate is resumed.

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

19 **ADJOURNMENT:** Mrs Kelly (Minister for Telecommunications and Aviation Support) moved—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 8 p.m.—Madam Speaker adjourned the House until tomorrow at 10 a.m.

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**PAPERS:** The following papers were deemed to have been presented on 31 May 1989:

Civil Aviation Act—Civil Aviation Regulations—Civil Aviation Orders—Parts—  
105—Amendments, dated 9, 11, 19, 26, 29 May 1989.

106—Amendments, dated 9 May 1989.

107—Amendments, dated 9 May 1989.

States Grants (Technical and Further Education Assistance) Act—Determinations—  
1989—Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13.

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**MEMBERS PRESENT:** All Members were present (at some time during the sitting) except Mr Aldred, Mr Gear, Mr Hall, Mr Howe, Mr Keating, Mr Porter, Mr Punch and Mr Sinclair.

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**A. R. BROWNING**  
Clerk of the House of Representatives