

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

## HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 131

WEDNESDAY, 16 AUGUST 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 **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.

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

*Message from the Governor-General:* Message No. 246, dated 10 May 1989, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.

The House resolved itself into a committee of the whole.

*In the committee*

Clauses 1 to 14, by leave, taken together, and agreed to.

Clause 15—

On the motion of Mr P. F. Morris (Minister Assisting the Treasurer), by leave, the following amendments were made together:

Page 8, before proposed paragraph 51 (1)(a) insert the following paragraph:

“(aa) requiring a bank to prepare, and to give to the Reserve Bank, accounts and financial statements;”.

Page 8, line 8, after “in which the” insert “accounts and financial statements are to be prepared and given or in which the”.

Page 8, line 9, before “information” insert “accounts, financial statements or”.

Page 3, lines 12 and 13, omit “such an obligation to give information”, substitute “an obligation of the kind mentioned in paragraph (a)”.

Clause, as amended, agreed to.

Clause 16—

Mr Smith moved the following amendment: Page 9, lines 7–16, omit proposed section 61, substitute the following section:

**Reserve Bank to conduct investigations where Governor considers necessary**

“6. (1) Where the Governor of the Reserve Bank is satisfied that a report on specified prudential matters in relation to a bank is necessary, the Reserve Bank may, in writing, appoint a person to investigate and report on those specified prudential matters in relation to that bank.

(2) The bank:

(a) shall afford the person access to its books, accounts and documents; and

(b) shall give to the person such information and facilities as the person requires to conduct the investigation.

'(3) Nothing in this section is intended to limit the operation of any other provision of this Act.'."

Debate continued.

Question—That the amendment be agreed to—put.

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

AYES, 52

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

NOES, 73

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

\* Tellers

And so it was negated.

Clause agreed to.

It being past 12.45 p.m., in accordance with sessional order 101A—Progress to be reported.

The House resumed; Mr Millar reported accordingly.

Ordered—That the House will, at a later hour this day, again resolve itself into the said committee.

3 **QUESTIONS:** Questions without notice were asked.

4 **PAPER:** The following paper was presented:

National Agenda for Women—Implementation report by the Office of the Status of Women, dated August 1989.

5 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—BUDGET 1989–90:** 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 failure of the Budget to address Australia's fundamental economic problems".

The proposed discussion having received the necessary support—

Dr Hewson addressed the House.

Discussion ensued.

Discussion concluded.

**6 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—MEMBERSHIP:**

The House was informed that the National Party Whip had nominated Mr Anderson to be a member of the Standing Committee on Legal and Constitutional Affairs in place of Mr Adermann.

**7 POSTPONEMENT OF BUSINESS:** Ordered—That order of the day No. 2 and notices Nos. 1 and 2, government business, be postponed until a later hour this day.

**8 CUSTOMS TARIFF PROPOSALS:** Mr Jones (Minister for Science, Customs and Small Business) moved—

Customs Tariff Proposals Nos. 11 to 15 (1989); and

Customs Tariff (Uranium Concentrate Export Duty) Proposals No. 1 (1989).

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

**9 DISCHARGE OF TARIFF PROPOSALS:** Mr Jones (Minister for Science, Customs and Small Business), by leave, moved—That Customs Tariff Proposals No. 11 (1988), Customs Tariff Proposals Nos. 1 to 10 (1989), Excise Tariff Proposals Nos. 3 to 6 (1988), Customs Tariff (Uranium Concentrate Export Duty) Proposals No. 1 (1988) and Customs Tariff (Coal Export Duty) Proposals No. 1 (1988), be discharged.

Question—put and passed.

**10 COMMONWEALTH BORROWING LEVY AMENDMENT BILL 1989:** Mr P. F. Morris (Minister Assisting the Treasurer) presented a Bill for an Act to amend the *Commonwealth Borrowing Levy Act 1987*.

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.

**11 COMMONWEALTH BORROWING LEVY COLLECTION AMENDMENT BILL 1989:** Mr P. F. Morris (Minister Assisting the Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Commonwealth Borrowing Levy Collection Act 1987*.

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.

**12 PUBLIC WORKS COMMITTEE—REFERENCE OF WORK—FITOUT WORKS AT BOX HILL AND MOONEE PONDS, VIC., ADELAIDE AND PERTH:** 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 works at Box Hill and Moonee Ponds, Vic., Adelaide and Perth.

Mr West presented plans in connection with the proposed work.

Debate ensued.

Question—put and passed.

**13 BANKING LEGISLATION AMENDMENT BILL 1989:** The House, according to order, again resolved itself into a committee of the whole for the further consideration of the Bill.

—  
In the committee

Clauses 17 to 42, by leave, taken together and agreed to.

Clause 43—

On the motion of Mr P. F. Morris (Minister Assisting the Treasurer), the clause was omitted, and the following clause substituted:

**Transitional—Depositors' Unclaimed Fund**

“43. (1) In spite of the repeal of section 53 of the Principal Act effected by this Part, that section continues in force, after the commencement of this section, in relation to:

- (a) money standing to the credit of the Depositors' Unclaimed Fund immediately before the commencement of this section; and
- (b) money that became the absolute property of the Savings Bank before the commencement of this section;

as if that repeal had not been effected.

“(2) A reference in section 69 of the *Banking Act 1959* to unclaimed moneys does not include a reference to money standing to the credit of the Depositors' Unclaimed Fund immediately before the commencement of this section.”.

Clauses 44 to 49, by leave, taken together and agreed to.

*Proposed new clause—*

Mr Ruddock moved—That the following new clause be inserted in the Bill:

**Annual reports and financial statements**

“49A. Section 81 of the Principal Act is amended:

- (a) by inserting after paragraph (1) (a) the following paragraph:
  - ‘(aa) a report on any investigations on prudential matters pursuant to section 61 of the *Banking Act 1959*, including details of persons appointed to investigate and report on such matters; and’; and
- (b) by inserting after subsection (1) the following subsection:
  - ‘(1A) Nothing in this section authorises the Board to furnish a report under paragraph (1) (aa) with respect to the affairs of an individual bank or the affairs of an individual customer of a bank.’.”.

Debate continued.

Question—put.

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

AYES, 59

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

## NOES, 79

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

\* Tellers

And so it was negatived.

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

Bill to be reported with amendments.

The House resumed; Mr Millar reported accordingly.

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

- 14 **LIMITATION OF LIABILITY FOR MARITIME CLAIMS 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.

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr R. J. Brown (Minister for Land Transport and Shipping Support), the Bill was read a third time.

- 15 **EXOTIC ANIMAL DISEASE CONTROL 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.

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

*Message from the Governor-General:* Message No. 247, dated 24 May 1989, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.

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 Kerin (Minister for Primary Industries and Energy), by leave, the following amendments were made together, after debate:

Clause 7--

Page 4, line 32, after "any" insert "written".

Page 4, at the end of the clause add the following subclause:

"(3) The Minister shall, as soon as practicable, cause a copy of any direction given under subsection (2) to be laid before each House of the Parliament.

Clause 24, page 9, line 36, omit "Poultry", substitute "Egg Industry".

Clause 33, page 13, at the end of proposed section 53A add the following subsection:

“(2) Before making regulations prescribing an amount for the purposes of subsection (1), the Governor-General shall take into consideration any recommendation with respect to the amount to be prescribed for the purposes of that subsection made to the Minister by the members of the Exotic Animal Disease Preparedness Consultative Council (being the Council established by the *Exotic Animal Disease Control Act 1989*) nominated by the National Farmers’ Federation and regulations shall not be made prescribing an amount that is greater than the amount last recommended by those members to the Minister.”.

Bill, as amended, agreed to.

Bill to be reported with amendments.

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

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

16 **DAIRY PRODUCE LEVY (NO. 1) 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—

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*

Bill, by leave, taken as a whole.

On the motion of Mr Kerin (Minister for Primary Industries and Energy), the following amendment was made: Clause 6, page 2, at the end of proposed subsection (4) add “and regulations shall not be made prescribing a rate that is higher than the rate last recommended by those members to the Minister”.

Bill, as amended, agreed to.

Bill to be reported with an amendment.

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

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

17 **EGG INDUSTRY RESEARCH (HEN QUOTA) LEVY 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—

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*

Bill, by leave, taken as a whole.

On the motion of Mr Kerin (Minister for Primary Industries and Energy), the following amendment was made: Clause 4, page 2, at the end of the clause add the following paragraph:

“(d) by adding at the end the following subsection:

‘(4) Regulations shall not be made for the purposes of paragraph 10 (b) prescribing an amount that is greater than the last amount recommended to the Minister under subsection (2A).’.

Bill, as amended, agreed to.

Bill to be reported with an amendment.

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

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

- 18 **LAYING CHICKEN LEVY 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—

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Kerin (Minister for Primary Industries and Energy), the Bill was read a third time.

- 19 **MEAT CHICKEN LEVY 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—

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Kerin (Minister for Primary Industries and Energy), the Bill was read a third time.

- 20 **LIVE-STOCK SLAUGHTER LEVY 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—

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*

Bill, by leave taken as a whole.

On the motion of Mr Kerin (Minister for Primary Industries and Energy), the following amendment was made: Clause 10, page 3, at the end of proposed subsection (2B) add “and regulations shall not be made prescribing for the purposes of any of those paragraphs an amount that is greater than the amount last recommended by those members for the purposes of that paragraph”.

Bill, as amended, agreed to.

Bill to be reported with an amendment.

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

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

- 21 **PIG SLAUGHTER LEVY 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—

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Kerin (Minister for Primary Industries and Energy), the Bill was read a third time.

- 22 **CHILD SUPPORT (ASSESSMENT) 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

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

The House resolved itself into a committee of the whole.

In the committee

Clauses 1 to 4, by leave, taken together, and agreed to.

Clause 5—

On the motion of Mr Howe (Minister for Social Security), by leave, the following amendments were made together:

Page 3, line 10, omit the definition of “child support”, substitute the following definitions:

“‘child support’ means financial support under this Act, including financial support under this Act by way of lump sum payment or by way of transfer or settlement of property;

‘child support agreement’ has the meaning given by section 63B;”.

Page 3, lines 16-18, omit the definition of “child support percentage”, substitute the following definitions:

“‘child support percentage’ has the meaning given by section 34 (as modified in relation to certain cases by paragraphs 45 (e) and 51 (b) and (c));

‘child support terminating event’ has the meaning given by section 11A;”.

Page 3, lines 24-28, omit the definitions of “custodian entitled to child support” and “de facto spouse”, substitute the following definitions:

“‘court exercising jurisdiction under this Act’ does not include a court exercising jurisdiction in proceedings under paragraph 63 (a);

‘court having jurisdiction under this Act’ does not include a court that has jurisdiction under this Act only in relation to the recovery of amounts of child support;

‘custodian entitled to child support’ has the meaning given by section 29 or, in relation to a case in which the liability to pay the child support concerned arose because of the acceptance by the Registrar of a child support agreement, section 63P;”.

Page 3, line 31, after “Part 2” insert “(Children who may be covered by Act)”.

Mr Wilson moved the following amendment: Page 3, after the definition of “*Family Law Act 1975*” insert the following definition:

“‘income tested pension, allowance or benefit’ has the same meaning as in the *Family Law Act 1975*;”.

Debate continued.

Amendment negatived.

On the motion of Mr Howe, by leave, the following amendments were made together:

Page 3, lines 41-44, omit the definition of “last relevant year of income”, substitute the following definitions:

“‘income tested pension, allowance or benefit’ has the same meaning as in the *Family Law Act 1975*;

‘last relevant year of income’, in relation to a person and a child support year, means the year of income immediately before the year of income that ended most recently before the start of the child support year;”.

Page 4, examples of operation of definition of “last relevant year of income”, omit “Last completed year of income”, substitute “Most recently ended year of income”.

Page 4, lines 1-4, omit the definitions of “liable parent” and “married person”, substitute the following definitions:

“‘liable parent’ has the meaning given by section 29 or, in relation to a case in which the liability to pay the child support concerned arose

because of the acceptance by the Registrar of a child support agreement, section 63P;

'married person' means:

- (a) a person who is legally married to another person and is not living separately and apart from the other person on a permanent basis; or
- (b) a person who is living with another person of the opposite sex as the spouse of the other person on a genuine domestic basis although not legally married to the other person;"

Page 4, line 8, omit "to a woman as a result", substitute "because".

Page 4, line 19, after "custodian" insert "but is not a liable parent".

Page 4, line 28, after "spouse" insert "within the meaning of that Act".

Page 5, line 17, omit the definition of "spouse".

Page 5, line 19, after "married person" insert "(as defined in this section)".

Clause, as amended, agreed to.

Clauses 6 and 7, by leave, taken together, and agreed to.

Clause 8—

On the motion of Mr Howe, by leave, the following amendments were made together:

Page 5, line 36, omit "sole or".

Page 6, at the end of the clause add the following subclause:

"(2) Subsection (1) is not to be taken to limit by implication the circumstances in which a person shares ongoing daily care of a child substantially equally with another person."

Clause, as amended, agreed to.

Clauses 9 and 10, by leave, taken together, and agreed to.

Clause 11—

On the motion of Mr Howe, the following amendment was made: Page 6, line 17, after "matters" insert "(if any)".

Clause, as amended, agreed to.

*New clause—*

On the motion of Mr Howe, the following new clause was inserted in the Bill:

**Interpretation—happening of child support terminating events**

"11A. (1) A child support terminating event happens in relation to a child if:

- (a) the child dies; or
- (b) the child ceases to be an eligible child under regulations made under subsection 20 (1); or
- (c) the child turns 18; or
- (d) the child is adopted; or
- (e) the child becomes a married person; or
- (f) none of the following subparagraphs applies any longer in relation to the child:
  - (i) the child is present in Australia;
  - (ii) the child is an Australian citizen;
  - (iii) the child is ordinarily resident in Australia.

"(2) A child support terminating event happens in relation to a person who is a custodian entitled to child support in relation to a child if:

- (a) the person dies; or
- (b) the person ceases to be an eligible custodian of the child.

"(3) A child support terminating event happens in relation to a person who is a liable parent in relation to a child if:

- (a) the person dies; or
- (b) the person ceases to be a resident of Australia.

“(4) A child support terminating event happens in relation to a child and the persons who are respectively a custodian entitled to child support and a liable parent in relation to the child if:

(a) either of the following subparagraphs applies in relation to the child and those persons:

(i) the custodian entitled to child support elects by a notice that complies with section 94 (Election by custodian entitled to child support to end administrative assessment) that the liability of the liable parent to pay or provide child support for the child to the custodian entitled to child support is to end from a specified day;

(ii) the Registrar accepts a child support agreement made in relation to the child between the custodian entitled to child support and the liable parent, and the agreement includes provisions under which the liability of the liable parent to pay or provide child support for the child to the custodian entitled to child support is to end from a specified day; and

(b) the specified day arrives.”.

Clauses 12 to 15, by leave, taken together, and agreed to.

*New Part—*

On the motion of Mr Howe, the following new Part 1A (comprising clause 15A) was inserted in the Bill:

#### “PART 1A—COUNSELLING

##### **Court counselling facilities to be made available**

“15A. (1) A parent of an eligible child, or an eligible custodian of an eligible child who is not a parent of the child, may seek the assistance of the counselling facilities of the Family Court or a Family Court of a State.

“(2) The Principal Director of Court Counselling of the Family Court or an appropriate officer of the Family Court of the State must, as far as practicable, make the counselling facilities available.”.

Heading to Part 2—

On the motion of Mr Howe, the following amendment was made: Page 8, line 1, omit the heading, substitute the following heading:

#### “PART 2—CHILDREN WHO MAY BE COVERED BY ACT”.

Clauses 16 to 18, by leave, taken together, and agreed to.

Clause 19 agreed to.

*Proposed new clause—*

Mr Wilson moved—That the following new clause be inserted in the Bill:

##### **Children declared deemed eligible children are eligible children**

“19A. A child declared, by a court, to be deemed to be an eligible child under section 31A is, for the purposes of this Act, an eligible child.”.

Debate continued.

Question—That the proposed new clause be inserted in the Bill—put.

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

AYES, 47

Mr Adermann	Mr Downer	Mr McArthur	Mr Sinclair
Mr Aldred	Dr H. R. Edwards	Mr McGauran	Mr Smith
Mr Anderson	Mr Fife	Mr MacKellar	Mr Spender
Mr Andrew	Mr T. A. Fischer	Mr Miles	Mrs Sullivan
Mr Blunt	Mr P. S. Fisher	Mr Nehl	Mr Taylor
Mr Braithwaite	Mr Goodluck	Mr Porter	Mr Tuckey
Mr Burr	Mr Hall	Mr Pratt	Mr Webster
Mr Cadman	Mr Hawker*	Mr Prosser	Mr White
Mr D. M. Cameron	Mr Hicks*	Mr Reith	Mr Wilson
Mr E. C. Cameron	Mr Howard	Mr Rocher	Dr Woods
Mr Carlton	Mr Jull	Mr Sharp	Dr Wooldridge
Mr Cobb	Mr Lloyd	Mr Shipton	

## NOES, 72

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

\* Tellers

And so it was negatived.

Clause 20—

Mr Wilson moved the following amendment: Page 8, line 29, omit “and 19”, substitute “, 19 and 19A”.

Amendment negatived.

Clause agreed to.

Clauses 21 and 22, by leave, taken together, and agreed to.

Clause 23—

On the motion of Mr Howe, the following amendment was made: Page 9, line 23, omit “*bona fide*”, substitute “genuine”.

Clause, as amended, agreed to.

Clause 24 agreed to.

Clause 25—

On the motion of Mr Howe, the following amendment was made: Page 10, line 14, after “documents” insert “(if any)”.

Clause, as amended, agreed to.

Clauses 26 to 28, by leave, taken together, and agreed to.

Clause 29—

Mr Wilson moved the following amendment: Page 11, lines 34-36, omit paragraph (c), substitute the following paragraph:

“(c) child support is payable for the child by the liable parent to the custodian entitled to child support on and from:

(i) if the application was made to the Registrar within 28 days after the earliest day or the most recent earliest day, as the case requires, on which an application for administrative assessment of child support could properly be made by the custodian entitled to child support seeking payment of child support for the child from the liable parent—that earliest day; or

(ii) in any other case—the 28th day before the day on which the application was made to the Registrar or such later day as may be accepted by the Registrar, not being a day later than the day on which the application was made to the Registrar; and”.

Progress to be reported, and leave asked to sit again.

The House resumed; Mr Millar reported accordingly.

Ordered—That the House will, at the next sitting, again resolve itself into the said committee.

23 ADJOURNMENT: Mr Howe (Minister for Social Security) moved—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 11 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 16 August 1989:

Australian National Railways Commission Act—Australian National Railways Commission—General By-Law—Amendment No. 5.

Defence Act—Determinations under section 58B—1989—

No. 102—USA—Education and USA—Excess commuting costs.

No. 104—Allowances payable during recreation leave and other allowances.

No. 105—Utilities and Leases on Behalf of the Commonwealth.

No. 106—Rates of Travelling Allowance—Namibia and other allowances.

No. 107—Household maintenance and assistance—Malaysia and other allowances.

No. 108—Revised rates of allowance and other allowances.

No. 109—Adjustment of rates of Overseas Vehicle Allowance and Adjustment of rates of Overseas Vehicle Contribution.

No. 110—Recreation Leave and other allowances.

National Health Act—Pharmaceutical Benefits—Declarations—1989—Nos. PB6, PB7, PB8.

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**MEMBERS PRESENT:** All Members were present (at some time during the sitting) except Mr Halverson and Mr Punch.

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