

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

## HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 78

TUESDAY, 20 AUGUST 1991

1 The House met, at 2 p.m., pursuant to adjournment. The Speaker (the Honourable Leo McLeay) took the Chair, and read Prayers.

2 **SUSPENSION OF STANDING AND SESSIONAL ORDERS—ROUTINE OF BUSINESS:** Mr Beazley (Leader of the House), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent the ordinary business for this sitting, unless otherwise ordered, being proceeded with as follows:

1. Questions without notice.
2. Presentation of the 1991-92 Budget and associated papers and legislation.
3. Presentation of papers.
4. Ministerial statements, by leave.
5. Matter of public importance.
6. Condolences.
7. Notices and orders of the day.

Debate ensued.

Question—put and passed.

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

4 **MESSAGE FROM THE GOVERNOR-GENERAL, PROPOSED EXPENDITURE AND APPROPRIATION FOR YEAR 1991-92—APPROPRIATION BILL (NO. 1) 1991-92—BUDGET SPEECH:** Message No. 166, dated 19 August 1991, from His Excellency the Governor-General was announced:

- (a) transmitting to the House of Representatives particulars of proposed expenditure from the Consolidated Revenue Fund for the service of the year ending on 30 June 1992; and
- (b) in accordance with the requirements of section 56 of the Constitution, recommending to the House of Representatives that an appropriation of revenue be made for the purposes of a Bill for an Act to appropriate certain sums out of the Consolidated Revenue Fund for the service of the year ending on 30 June 1992, and for related purposes.

Mr Kerin (Treasurer) presented a Bill for an Act to appropriate certain sums out of the Consolidated Revenue Fund for the service of the year ending on 30 June 1992, and for related purposes.

Bill read a first time.

Mr Kerin moved—That the Bill be now read a second time, and delivered the budget speech.

Debate adjourned (Dr Hewson—Leader of the Opposition), and the resumption of the debate made an order of the day for the next sitting.

5 **PAPERS:** Mr Kerin (Treasurer) presented the following papers:

- Budget statements 1991-92 (Budget paper No. 1).
  - The Commonwealth public account 1991-92 (Budget paper No. 2).
  - Portfolio program estimates 1991-92 (Budget paper No. 3).
  - Commonwealth financial relations with other levels of Government 1991-92 (Budget paper No. 4).
  - Government securities on issue at 30 June 1991 (Budget related paper No. 1).
  - National income and expenditure 1990-91 (Budget related paper No. 2).
  - Income tax statistics 1989-90 income year (Budget related paper No. 3).
  - Health care in Australia—Directions for reform in the 1991-92 Budget (Budget related paper No. 9).
  - Improvements to self-assessment: Priority tasks—An information paper, dated August 1991.
- Severally ordered to be printed.

6 **MESSAGE FROM THE GOVERNOR-GENERAL, CERTAIN PROPOSED EXPENDITURE AND APPROPRIATION FOR YEAR 1991-92—APPROPRIATION BILL (NO. 2) 1991-92:** Message No. 167, dated 19 August 1991, from His Excellency the Governor-General was announced:

- (a) transmitting to the House of Representatives particulars of certain proposed expenditure from the Consolidated Revenue Fund in respect of the year ending on 30 June 1992; and
- (b) in accordance with the requirements of section 56 of the Constitution, recommending to the House of Representatives that an appropriation of revenue be made for the purposes of a Bill for an Act to appropriate certain sums out of the Consolidated Revenue Fund for certain expenditure in respect of the year ending on 30 June 1992, and for related purposes.

Mr Willis (Minister for Finance) presented a Bill for an Act to appropriate certain sums out of the Consolidated Revenue Fund for certain expenditure in respect of the year ending on 30 June 1992, and for related purposes. Bill read a first time.

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

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

7 **MESSAGE FROM THE GOVERNOR-GENERAL, PROPOSED EXPENDITURE AND APPROPRIATION IN RELATION TO THE PARLIAMENTARY DEPARTMENTS FOR YEAR 1991-92—APPROPRIATION (PARLIAMENTARY DEPARTMENTS) BILL 1991-92:** Message No. 168, dated 19 August 1991, from His Excellency the Governor-General was announced:

- (a) transmitting to the House of Representatives particulars of proposed expenditure from the Consolidated Revenue Fund in relation to the Parliamentary Departments in respect of the year ending on 30 June 1992; and
- (b) in accordance with the requirements of section 56 of the Constitution, recommending to the House of Representatives that an appropriation of revenue be made for the purposes of a Bill for an Act to appropriate certain sums out of the Consolidated Revenue Fund for certain expenditure in relation to the Parliamentary Departments in respect of the year ending on 30 June 1992, and for related purposes.

Mr Willis (Minister for Finance) presented a Bill for an Act to appropriate certain sums out of the Consolidated Revenue Fund for certain expenditure in relation to the Parliamentary Departments in respect of the year ending on 30 June 1992, and for related purposes. Bill read a first time.

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

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

- 8 **LOAN BILL (NO. 2) 1991:** Mr Willis (Minister for Finance), by leave, presented a Bill for an Act to authorise the borrowing and expending of money for certain purposes.

Bill read a first time.

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

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

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

- 9 **HEALTH INSURANCE AMENDMENT BILL 1991:** Mr Howe (Minister for Health, Housing and Community Services), by leave, presented a Bill for an Act to amend the *Health Insurance Act 1973*.

Bill read a first time.

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

*Papers:* Mr Howe presented an explanatory memorandum and a correction of the explanatory memorandum to the Bill.

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

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

Australia's overseas aid program 1991-92 (Budget related paper No. 4).

Science and technology budget statement 1991-92 (Budget related paper No. 6).

Social justice for indigenous Australians 1991-92 (Budget related paper No. 7).

Women's budget statement 1991-92 (Budget related paper No. 5).

- 11 **SALES TAX (EXEMPTIONS AND CLASSIFICATIONS) AMENDMENT BILL 1991:**

Mr Free (Minister Assisting the Treasurer) presented a Bill for an Act to amend the *Sales Tax (Exemptions and Classifications) Act 1935*, and for related purposes.

Bill read a first time.

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

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

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

- 12 **AUDITOR-GENERAL'S REPORTS—PUBLICATION OF PAPERS:** The Speaker presented the following papers:

Audit Act—Auditor-General—Audit reports of 1991-92—

No. 1—Project audit—Industry, Technology and Commerce Portfolio: Australian Customs Service.

No. 2—Project audit—Australian National University: Housing operations.

No. 3—Project audit—Implementation of purchasing reforms in the Australian Public Service.

No. 4—COMCARE: Compensation payment operations, 1989-90 financial statement audit and 1989-90 annual report presentation.

No. 5—Efficiency audit—Department of Social Security—Family Allowance Supplement: Income and assets testing.

Mr Free (Minister for Science and Technology), by leave, moved—That:

(1) this House, in accordance with the provisions of the *Parliamentary Papers Act 1908*, authorises the publication of the Auditor-General's audit reports Nos. 1, 2, 3, 4 and 5 of 1991-92; and

(2) the reports be printed.

Question—put and passed.

**13 PAPERS:** The following papers were presented:

Advance to the Minister for Finance—

Statements for June and July 1991.

Supporting applications of issues from the Advance during June and July 1991.

Supporting applications of issues from the Advance during June 1991—  
Corrigendum.

Broadcasting Act—Australian Broadcasting Tribunal—Report—Film and television co-productions, dated July 1991.

Electoral Matters—Joint Standing Committee—Report—Who pays the piper calls the tune: minimising the risks of funding political campaigns—Inquiry into the conduct of the 1987 Federal election and 1988 referendums, dated June 1989—Government response.

Industry Commission Act—Industry Commission—Report No. 11—Energy generation and distribution, dated 17 May 1991—

Volume I—Summary and recommendations.

Volume II—Report.

Volume III—Supporting appendixes.

Murray-Darling Basin Act—Murray-Darling Basin Commission—Report for 1989-90.

Public Service Act—Department of the Prime Minister and Cabinet—Report for 1990-91.

Tobacco Marketing Act—Australian Tobacco Marketing Advisory Committee—Report for 1990.

**14 INDUSTRY COMMISSION—REPORT—MOTION TO TAKE NOTE OF PAPER:**

Mr Free (Minister for Science and Technology) moved—That the House take note of the following paper:

Industry Commission Act—Industry Commission—Report No. 11—Energy generation and distribution, dated 17 May 1991—

Volume I—Summary and recommendations.

Volume II—Report.

Volume III—Supporting appendixes.

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

**15 ELECTORAL MATTERS—JOINT STANDING COMMITTEE—REPORT—GOVERNMENT RESPONSE—MOTION TO TAKE NOTE OF PAPER:** Mr Free (Minister for Science and Technology) moved—That the House take note of the following paper:

Electoral Matters—Joint Standing Committee—Report—Who pays the piper calls the tune: minimising the risks of funding political campaigns—Inquiry into the conduct of the 1987 Federal election and 1988 referendums, dated June 1989—Government response.

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

**16 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—INTERNATIONAL AGRICULTURAL TRADE:** The House was informed that Mr Lloyd (Deputy Leader of the National Party of Australia) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The concern and anger over the continued corruption of international agricultural trade by the EC and the US and the lack of progress towards genuine trade reform”.

The proposed discussion having received the necessary support—

Mr Lloyd addressed the House.

Discussion ensued.

Discussion concluded.

- 17 **DEATH OF FORMER MEMBER (MR J. N. NELSON):** Mr Hawke (Prime Minister) referred to the death of Mr J. N. Nelson, and moved—That the House expresses its deep regret at the death on Thursday, 20 June 1991, of John Norman Nelson, Member of the House of Representatives for the Northern Territory from 1949 to 1966, places on record its appreciation of his long and meritorious service, and tenders its profound sympathy to his family in their bereavement.
- And Dr Hewson (Leader of the Opposition) having seconded the motion, and Mr T. A. Fischer (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.
- 18 **DEATH OF FORMER MEMBER (THE HONOURABLE R. S. KING):** Mr Hawke (Prime Minister) referred to the death of the Honourable R. S. King, OBE, and moved—That the House expresses its deep regret at the death, in June of this year, of the Honourable Robert Shannon King, Member for Wimmera from 1958 to 1977 and Assistant Minister to the Minister for Primary Industry from 1971 to 1972, places on record its appreciation of his long and meritorious service and tenders its profound sympathy to his family in their bereavement.
- And Dr Hewson (Leader of the Opposition) having seconded the motion, and Mr T. A. Fischer (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.
- 19 **MESSAGES FROM THE SENATE:** Messages from the Senate were reported returning the following Bills without amendment:
- 13 August 1991—Message—
- No. 271—Crimes Legislation Amendment (No. 2) 1991.
- No. 272—Service and Execution of Process Amendment 1991.
- 16 August 1991—Message—
- No. 276—Council for Aboriginal Reconciliation 1991.
- No. 278—Interstate Road Transport Charge Amendment 1991.
- 20 **MESSAGES FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS:** Messages from His Excellency the Governor-General were announced informing the House that His Excellency, in the name of Her Majesty, had assented to the following Bills:
- 25 June 1991—Message—
- No. 157—
- Australian Capital Territory (Electoral) Amendment 1991.
- Social Security (Job Search and Newstart) Amendment 1991.
- Social Security Legislation Amendment 1991.
- Social Security (Rewrite) Transition 1991.
- Sex Discrimination Amendment 1991.
- Veterans' Entitlements Amendment 1991.
- Veterans' Entitlements (Rewrite) Transition 1991.
- Veterans' Affairs Legislation Amendment 1991.
- Petroleum (Submerged Lands) Amendment 1991.
- Petroleum (Submerged Lands) (Royalty) Amendment 1991.
- No. 158—
- Departure Tax Amendment 1991.
- Local Government (Financial Assistance) Amendment 1991.
- 26 June 1991—Message—
- No. 159—
- Australian and Overseas Telecommunications Corporation 1991.

Petroleum Resource Rent Legislation Amendment 1991.  
 Customs Tariff Amendment 1991.  
 Customs Amendment 1991.  
 National Health Amendment 1991.  
 Community Services and Health Legislation Amendment 1991.  
 Therapeutic Goods (Charges) Amendment 1991.  
 Migration Amendment 1991.  
 Export Control Amendment 1991.

## No. 160—

Telecommunications (Application Fees) 1991.  
 Telecommunications (Carrier Licence Fees) 1991.  
 Telecommunications (Numbering Fees) 1991.  
 Telecommunications (Universal Service Levy) 1991.  
 Supply (Parliamentary Departments) 1991-92.  
 Supply (No. 1) 1991-92.  
 Supply (No. 2) 1991-92.  
 Student Assistance Amendment 1991.  
 Income Tax (International Agreements) Amendment 1991.

## 27 June 1991—Message—

No. 161—Australian Wool Industry Council 1991.

## No. 162—

Telecommunications 1991.  
 Telecommunications (Transitional Provisions and Consequential Amendments) 1991.  
 Taxation Laws Amendment (No. 2) 1991.  
 Transport Legislation Amendment 1991.  
 Wool Tax (No. 1) Amendment 1991.  
 Wool Tax (No. 2) Amendment 1991.  
 Wool Tax (No. 3) Amendment 1991.  
 Wool Tax (No. 4) Amendment 1991.  
 Wool Tax (No. 5) Amendment 1991.  
 Australian Wool Realisation Commission 1991.  
 Australian Wool Corporation 1991.  
 Primary Industries and Energy Research and Development Amendment 1991.

## No. 163—

Corporations Legislation Amendment 1991.  
 Training Guarantee (Administration) Amendment 1991.  
 Foreign Judgments 1991.  
 Courts (Mediation and Arbitration) 1991.

## No. 164—

Education Services for Overseas Students (Registration of Providers and Financial Regulation) 1991.  
 Social Security Legislation Amendment (No. 2) 1991.  
 Social Security (Rewrite) Amendment 1991.  
 Bounty Legislation Amendment 1991.  
 National Food Authority 1991.  
 Health Legislation (Pharmaceutical Benefits) Amendment 1991.  
 Proceeds of Crime Legislation Amendment 1991.

## No. 165—

Great Barrier Reef Marine Park Amendment 1991.  
 Industrial Relations Legislation Amendment 1991.

**21 TELEVISIONING OF THE HOUSE OF REPRESENTATIVES—SELECT COMMITTEE:**

Mr Crean (Minister for Primary Industries and Energy), by leave, moved—  
 That the time for bringing up the report of the Select Committee on  
 Televising of the House of Representatives be extended to 5 September  
 1991.

Question—put and passed.

- 22 MESSAGE FROM THE SENATE—DEFENCE FORCE SUPERANNUATION LEGISLATION AMENDMENT BILL 1991: The following message from the Senate was reported:

Message No. 273

Mr Speaker,

The Senate returns to the House of Representatives the bill for "*An Act to amend certain Acts providing retirement and death benefits for members of the Defence Force, and for related purposes*", 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, 14 August 1991

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—Clause 12, page 4, proposed paragraph 24(5)(b), line 2, after "retirement", insert "pay".
- No. 2—Clause 12, page 4, proposed subparagraph 24(5)(e)(ii), lines 15 and 16, omit the subparagraph, substitute the following subparagraph:  
" (ii) has made the election on the day immediately following the day on which the person retired; and".
- No. 3—Clause 12, page 4, proposed subsection 24(6), line 20, omit "(e)", substitute "(f)".
- No. 4—Clause 12, page 4, proposed paragraph 24(6)(a), line 25, omit "(4)", substitute "(2A)".
- No. 5—Clause 12, page 4, proposed paragraph 24(6)(a), line 27, omit "(4)", substitute "(2A)".
- No. 6—Clause 23, page 11, line 2, omit "64", substitute "62".
- No. 7—Clause 28, page 13, paragraph (b), proposed paragraph 57(3A)(a), line 23, after "51(2)", insert "as a result of a reclassification under section 53".
- On the motion of Mr Crean (Minister for Primary Industries and Energy), the amendments were agreed to.
- Resolution to be reported.

The House resumed; Mr L. J. Scott reported accordingly.  
On the motion of Mr Crean, the House adopted the report.

- 23 MESSAGE FROM THE SENATE—MILITARY SUPERANNUATION AND BENEFITS BILL 1991: The following message from the Senate was reported:

Message No. 274

Mr Speaker,

The Senate returns to the House of Representatives the bill for "*An Act to make provision for and in relation to an occupational superannuation scheme for, and the payment of other benefits to, members of the Defence Force, and for related purposes*", 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, 14 August 1991  
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—Clause 6, pages 3 and 4, paragraph (1)(d), line 35 (page 3) to line 2 (page 4), omit the paragraph, substitute the following paragraph:

“(d) a member of the Emergency Forces or the Reserve Forces who is rendering continuous full-time service under an undertaking to serve for a period of less than 3 months with a unit of the Defence Force that was allotted for duty in an operational area (within the meaning of the *Veterans’ Entitlements Act 1986*) and:

- (i) has elected to become a member of the Scheme under subsection 7(2); or
- (ii) has elected to become a member of the Scheme under section 61B of the *DFRDB Act*.”

No. 2—Clause 7, page 4, lines 8 to 17, omit the clause, substitute the following clause:

“7.(1) A person who intends to render continuous full-time service as a member of the Emergency Forces or the Reserve Forces under an undertaking to serve for a period of not less than 3 months but less than 12 months may, before becoming such a member, elect in writing to become a member of the Scheme.

“(2) A person who intends to render continuous full-time service as a member of the Emergency Forces or the Reserve Forces under an undertaking to serve for a period of less than 3 months with a unit of the Defence Force that was allotted for duty in an operational area (within the meaning of the *Veterans’ Entitlements Act 1986*) may, before becoming such a member, elect in writing to become a member of the Scheme.”

No. 3—Clause 54, page 21, paragraph (b), line 19, after “subsection 35(3)”, insert “or 61D(2)”.

No. 4—Clause 58, page 23, proposed subsection 61B(2), lines 9 to 13, omit the subsection, substitute the following subsections:

“(2) Subsection (1) does not apply if the person has previously:

- (a) made an election under that subsection; or
- (b) made, under subsection (3), an election to become a member of the MSB scheme.

“(3) A recipient member who:

- (a) intends:
  - (i) to resume full-time service as a member of the Emergency Forces or the Reserve Forces for a continuous period of not less than 3 months but less than 12 months; or
  - (ii) to resume continuous full-time service as a member of the Emergency Forces or the Reserve Forces under an undertaking to serve for a period of less than 3 months with a unit of the Defence Force that was allotted for duty in an operational area (within the meaning of the *Veterans’ Entitlements Act 1986*); and

(b) has not previously made, under this section, an election to become a member of the MSB scheme; must, before resuming service, in writing addressed to the Authority, elect whether or not to become a member of that scheme.”

No. 5—Clause 58, page 23, proposed subsection 61C(3), lines 22 to 31, omit the subsection, substitute the following subsection:

“(3) Where a recipient member whose retirement pay is suspended under subsection (1) dies, then, for the purposes of section 39 and subsections 42(3) and 43(3):

- (a) the member is taken to have been entitled to retirement pay immediately before his or her death; and
- (b) the retirement pay is taken to have been then payable to the member at the rate at which it would have been payable to him or her if it had not been suspended.”.

No. 6—Clause 58, page 23, proposed section 61D, line 34, omit “Where”, substitute “Subject to subsection (2), where”.

No. 7—Clause 58, page 23, at end of proposed section 61D, add the following subsections:

“(2) Where:

- (a) a person becomes a member of the MSB scheme; and
- (b) immediately before becoming such a member, the person was a recipient member entitled to invalidity pay under section 32; and
- (c) immediately before becoming a recipient member the person was an eligible member with a total period of effective service of not less than 20 years;

the person’s invalidity pay is not cancelled but is, subject to subsection (3), suspended.

“(3) A suspension under subsection (2) ceases to have effect when the recipient member whose invalidity pay has been suspended ceases to be a member of the MSB scheme.

“(4) Where a recipient member whose invalidity pay is suspended under subsection (2) dies:

- (a) the member is taken, for the purposes of section 39 and subsections 42(3), 43(3) and 47(1), to have been entitled to invalidity pay immediately before his or her death; and
- (b) for the purposes of sections 39, 42 and 43, the invalidity pay is taken to have been then payable to the member at the rate at which it would have been payable to him or her if it had not been suspended.”.

No. 8—Clause 60, page 24, lines 2 and 3, omit all words after “by”, substitute “omitting ‘section 35’ and substituting ‘subsection 35(3), 61C(1), 61D(2) or 135(2)’ ”.

No. 9—Clause 61, page 26, proposed section 135, line 6, omit “A person”, substitute “Subject to this section, a person”.

No. 10—Clause 61, page 26, at end of proposed section 135, add the following subsection:

“(2) Where:

- (a) a person who has been an eligible member of the Defence Force on more than one occasion ceases, or is taken to have ceased, to be an eligible member of the Defence Force under section 134 or 138; and
- (b) at the time (in this subsection called the “**relevant time**”) when the person last became an eligible member of the Defence Force, the person’s retirement pay was cancelled under subsection 62(1);

the following provisions have effect:

- (c) the person’s retirement pay is taken not to have been cancelled under subsection 62(1) at the relevant time;
- (d) the person’s retirement pay is taken, instead, to have been suspended at the relevant time, and remains so suspended until the person ceases to be a member of the MSB scheme;

(e) in spite of subsection (1), the person is entitled to be paid retirement pay in accordance with this Act upon the person's ceasing to be a member of the MSB scheme.”.

On the motion of Mr Crean (Minister for Primary Industries and Energy), the amendments were agreed to.

Resolution to be reported.

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The House resumed; Mr L. J. Scott reported accordingly.

On the motion of Mr Crean, the House adopted the report.

24 MESSAGE FROM THE SENATE—INTERSTATE ROAD TRANSPORT AMENDMENT BILL 1991: The following message from the Senate was reported:

Message No. 277

Mr Speaker,

The Senate returns to the House of Representatives the bill for “*An Act to amend the 'Interstate Road Transport Act 1985'*”, and acquaints the House that the Senate has agreed to the bill with the amendment indicated by the annexed schedule, in which amendment the Senate requests the concurrence of the House of Representatives.

KERRY SIBRAA  
President

The Senate,  
Canberra, 16 August 1991

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

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*In the committee*

SCHEDULE OF THE AMENDMENT MADE BY THE SENATE

Clause 7, page 4, at end of proposed section 43A, add the following subsections:

“(4) The Minister shall cause a copy of a determination under subsection (2) to be laid before each House of the Parliament within 15 sitting days of that House after the determination is published in the *Gazette*.

“(5) If either House of the Parliament, within 15 sitting days of that House after a copy of a determination has been laid before that House, passes a resolution disapproving of the determination, then the determination shall not have any force or effect on or after the day on which the resolution was passed.”.

On the motion of Mr Crean (Minister for Primary Industries and Energy), the amendment was agreed to, after debate.

Resolution to be reported.

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The House resumed; Mr L. J. Scott reported accordingly.

On the motion of Mr Crean, the House adopted the report.

25 MESSAGE FROM THE SENATE—PARLIAMENTARY ZONE—JOINT STANDING COMMITTEE: The following message from the Senate was reported:

Message No. 275

Mr Speaker,

The Senate, having considered message no. 4 of the House of Representatives, has agreed to the following resolution in connection therewith:

That the Senate concurs in the resolution transmitted to the Senate by message no. 4 of the House of Representatives relating to the appointment

of a Joint Committee on the Parliamentary Zone subject to the following modification:

Paragraph (2), omit the paragraph, substitute the following paragraph:  
 “(2) That the committee consist of the President of the Senate, the Speaker of the House of Representatives and 10 other members, 3 Members of the House of Representatives to be nominated by the Government Whip or Whips and 2 Members of the House of Representatives to be nominated by the Opposition Whip or Whips or by any independent Member, 2 Senators to be nominated by the Leader of the Government in the Senate, 2 Senators to be nominated by the Leader of the Opposition in the Senate and 1 Senator to be nominated by any minority groups or independent Senators.”

The Senate requests the concurrence of the House of Representatives in the Senate’s modification of the resolution transmitted to the Senate by the House.

KERRY SIBRAA  
 President

The Senate,  
 Canberra, 15 August 1991

Ordered—That the message be taken into consideration forthwith.

On the motion of Mr Crean (Minister for Primary Industries and Energy), the modification was agreed to.

- 26 **PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL (NO. 2) 1991:** Mr Crean (Minister for Primary Industries and Energy), by leave, presented a Bill for an Act to amend legislation relating to primary industries.  
 Bill read a first time.  
 Mr Crean moved—That the Bill be now read a second time.  
*Paper:* Mr Crean presented an explanatory memorandum to the Bill.  
 Debate adjourned (Mr Hawker), and the resumption of the debate made an order of the day for the next sitting.
- 27 **DISCHARGE OF ORDER OF THE DAY:** Mr Staples (Minister for Aged, Family and Health Services), by leave, moved—That the following order of the day, government business, be discharged:  
 Carriage of Goods by Sea Bill 1990—Second reading: Resumption of debate.  
 Question—put and passed.
- 28 **MESSAGE FROM THE SENATE:** A message from the Senate was reported returning the following Bill without amendment:  
 20 August 1991—Message No. 279—Superannuation Legislation Amendment 1991.
- 29 **POSTPONEMENT OF ORDER OF THE DAY:** Ordered—That order of the day No. 1, government business, be postponed until a later hour this day.
- 30 **LAW AND JUSTICE LEGISLATION AMENDMENT BILL 1991:** 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. 169, dated 30 May 1991, 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.

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In the committee

Bill, by leave, taken as a whole.

Mr Duffy (Attorney-General), by leave, moved the following amendments together:

Clause 2, page 1, after subclause (1) insert the following subclauses:

“(1A) Part 2A commences immediately after the commencement of the *Privacy Amendment Act 1990*.

“(1B) Part 2B commences on 24 September 1991.”.

After clause 9, page 4, insert the following new Parts:

“PART 2A—AMENDMENTS OF THE PRIVACY ACT 1988

**Principal Act**

“9A. In this Part, ‘Principal Act’ means the *Privacy Act 1988*<sup>1A</sup>.

**Interpretation**

“9B. Section 6 of the Principal Act is amended by omitting from the definition of ‘credit reporting business’ in subsection (1) ‘, or for purposes that include the purpose, of’ and substituting ‘of, or for purposes that include as the dominant purpose the purpose of.’.

**Credit providers**

“9C. Section 11B of the Principal Act is amended by adding at the end the following subsections:

‘(5) Subject to subsection (6), while a person is acting as an agent of a credit provider in performing, on behalf of the credit provider, a task that is necessary:

(a) in processing an application for a loan; or

(b) in managing:

(i) a loan given by the credit provider; or

(ii) an account maintained by any person with the credit provider;

the first-mentioned person:

(c) is taken, for the purposes of this Act, to be another credit provider; and

(d) is subject to the same obligations under this Act as any other credit provider.

‘(6) Nothing in this Act prevents such an agent of a credit provider disclosing to the credit provider, in the agent’s capacity as such an agent, a report (within the meaning of subsection 18N(9)) to which section 18N applies.

‘(7) The reference in subsection (5) to the management of a loan does not include a reference to any act relating to the collection of payments that are overdue in respect of the loan.’.

**Access to credit information files and credit reports**

“9D. Section 18H of the Principal Act is amended by adding at the end the following subsection:

‘(3) An individual’s rights of access under this section may also be exercised by a person (other than a credit provider, mortgage insurer or trade insurer) authorised, in writing, by the individual to exercise those rights on the individual’s behalf in connection with:

(a) an application, or a proposed application, by the individual for a loan; or

(b) the individual having sought advice in relation to a loan.’.

**Limits on disclosure of personal information by credit reporting agencies**

“9E. Section 18K of the Principal Act is amended:

(a) by omitting from paragraph (1)(b) ‘, in writing.’;

- (b) by inserting after subsection (1) the following subsection:
  - '(1A) For the purposes of paragraph (1)(b), the individual's agreement to the report being given to the credit provider must be in writing unless:
    - (a) the report is requested for the purpose of assessing an application for commercial credit that was at first instance made orally; and
    - (b) the application has not yet been made in writing.';
- (c) by adding at the end of subsection (6) '(other than information that the credit reporting agency is permitted under section 18E to include in the individual's credit information file)'.

**Limits on use by credit providers of present information contained in credit reports etc.**

"9F. Section 18L of the Principal Act is amended:

- (a) by inserting after paragraph (1)(b) the following paragraph:
  - '(ba) the report was obtained under paragraph 18K(1)(a), (b) or (c) and the credit provider uses the report or information for the internal management purposes of the credit provider, being purposes directly related to the provision or management of loans by the credit provider; or';
- (b) by omitting from subsection (4) 'in writing,';
- (c) by inserting after subsection (4) the following subsection:
  - '(4A) For the purposes of subsection (4), the individual's agreement to the information being obtained by the credit provider must be in writing unless:
    - (a) the information is obtained for the purpose of assessing an application for credit that was at first instance made orally; and
    - (b) the application has not yet been made in writing.'

"9G. Section 18M of the Principal Act is repealed and the following section is substituted:

**Information to be given if an individual's application for credit is refused**

'18M.(1) If:

- (a) a credit provider refuses an application by an individual for credit (including an application made jointly by that individual and one or more other persons); and
  - (b) the refusal is based wholly or partly on information derived from a credit report relating to that individual that a credit reporting agency has given to the credit provider for the purpose of assessing the application;
- the credit provider must give the individual a written notice:
- (c) stating:
    - (i) that the application has been refused; and
    - (ii) that the refusal was based wholly or partly, as the case requires, on information derived from a credit report relating to that individual that a credit reporting agency has given to the credit provider; and
    - (iii) the name and address of the credit reporting agency; and
  - (d) notifying that individual of his or her right under this Act to obtain access to his or her credit information file maintained by the credit reporting agency.

'(2) If:

- (a) a credit provider refuses an application by an individual for credit, being an application made jointly by that individual and one or more other persons; and

- (b) the refusal is based wholly or partly on information derived from a credit report relating to one of those other persons that a credit reporting agency has given to the credit provider for the purpose of assessing the application;
- the credit provider must give to that individual a written notice stating:
- (c) that the application has been refused; and
  - (d) that the refusal was based wholly or partly, as the case requires, on information derived from a credit report relating to that person that a credit reporting agency has given to the credit provider.’.

**Limits on disclosure by credit providers of personal information contained in reports relating to credit worthiness etc.**

“9H. Section 18N of the Principal Act is amended:

- (a) by omitting from paragraph (1)(b) ‘, in writing;’;
- (b) by inserting after paragraph (1)(b) the following paragraphs:
  - (ba) the report or information is disclosed:
    - (i) to the guarantor of a loan provided by the credit provider to the individual concerned; and
    - (ii) for any purpose related to the enforcement or proposed enforcement of the guarantee; or
  - (bb) the report or information is disclosed to a mortgage insurer:
    - (i) for the purpose of assessing whether to provide insurance to, or the risk of providing insurance to, a credit provider in respect of mortgage credit given by the credit provider to the individual concerned or applied for by the individual concerned to the credit provider; or
    - (ii) for the purpose of assessing the risk of the individual defaulting on mortgage credit in respect of which the mortgage insurer has provided insurance to the credit provider; or
    - (iii) for any purpose arising under a contract for mortgage insurance that has been entered into between the credit provider and the mortgage insurer; or
  - (bc) the report or information is disclosed:
    - (i) to a person or body generally recognised and accepted in the community as being a person appointed, or a body established, for the purpose of settling disputes between credit providers, acting in their capacity as credit providers, and their customers; and
    - (ii) for the purpose of settling a dispute between the credit provider and the individual concerned; or
  - (bd) the report or information is disclosed:
    - (i) to an authority of a State or Territory whose functions include giving assistance (directly or indirectly) that facilitates the giving of mortgage credit to individuals; and
    - (ii) for the purpose of enabling the authority to determine the extent of assistance (if any) it will give in relation to the giving of mortgage credit to the individual concerned; or
  - (be) the report or information:
    - (i) is disclosed to a person or body carrying on a business of supplying goods or services; and

- (ii) is disclosed for the purpose of enabling that person or body to decide whether to accept, as payment for goods or services supplied to the individual concerned, payment by means of credit card or electronic transfer of funds; and
  - (iii) does not contain or include any personal information derived from a credit report, other than:
    - (A) information of a kind referred to in paragraph 18E(1)(a); and
    - (B) information as to whether the individual has a line of credit with the credit provider, or funds deposited with the credit provider, sufficient to meet the payment concerned; or
- (bf) the report or information:
- (i) is disclosed to a person or body that is considering taking an assignment of, or discharging on the individual's behalf, a debt owed by the individual to the credit provider; and
  - (ii) does not contain or include any personal information derived from a credit report, other than:
    - (A) information of a kind referred to in paragraph 18E(1)(a); and
    - (B) information as to the amount of the debt, or the amount required to be paid in order to discharge the debt; or
- (bg) the report or information is disclosed:
- (i) in connection with an application for mortgage credit by the individual concerned, being credit that the credit provider proposes will be funded by means of an arrangement involving mortgage securitisation; and
  - (ii) to a person or body that carries on a business that is involved in the funding of mortgage credit by means of such arrangements; and
  - (iii) for the purpose of enabling the person or body to perform a task that is necessary in the funding of the mortgage credit concerned by means of that arrangement;
- and the individual concerned has specifically agreed to the disclosure of the report or information to any such person or body for that purpose; or';
- (c) by inserting after paragraph (1)(g) the following paragraph:
- '(ga) the report or information is given to:
- (i) the individual; or
  - (ii) a person (other than a credit provider, mortgage insurer or trade insurer) authorised, in writing, by the individual to seek access to the report or information; or';
- (d) by inserting after subsection (1) the following subsections:
- '(1A) For the purposes of paragraph (1)(b), the individual's agreement to the disclosure of the report or information to another credit provider:
- (a) must be in writing unless:
    - (i) the disclosure is sought for the purpose of assessing an application for credit or commercial credit that was initially made orally; and

- (ii) the application has not yet been made in writing; and
- (b) must be given to:
  - (i) the credit provider with possession or control of the report or information; or
  - (ii) the other credit provider.

‘(1B) For the purposes of paragraph (1)(bg), the individual’s agreement to the disclosure of the report or information must be in writing unless:

- (a) the disclosure is sought for the purpose of enabling a person or body to perform a task that is necessary in order to fund, by means of an arrangement involving mortgage securitisation, mortgage credit for which an application has initially been made orally; and
- (b) the application has not yet been made in writing.

‘(1C) Paragraph (1)(ga) does not affect the operation of paragraph (1)(g) in relation to an individual obtaining access to credit report under section 18H.’

**Limits on use or disclosure by mortgage insurers or trade insurers of personal information contained in credit reports**

“9J. Section 18P of the Principal Act is amended:

- (a) by omitting from subsection (1) ‘assessing’;
- (b) by omitting paragraph (1)(a) and substituting the following paragraph:
  - ‘(a) assessing whether to provide insurance to, or the risk of providing insurance to, a credit provider in respect of mortgage credit given by the credit provider to the individual concerned or applied for by the individual concerned to the credit provider; or’;
- (c) by inserting in paragraph (1)(b) ‘assessing’ before ‘the risk’;
- (d) by inserting after paragraph (1)(b) the following word and paragraph:
  - ‘; or (c) any purpose arising under the contract for mortgage insurance that has been entered into between a credit provider and the mortgage insurer;’;
- (e) by adding at the end the following subsection:
  - ‘(7) A reference in this section to a credit report is taken to include a reference to a report or information disclosed to a mortgage insurer under paragraph 18N(1)(bb).’.

**Limits on use by certain persons of personal information obtained by credit providers**

“9K. Section 18Q of the Principal Act is amended:

- (a) by inserting after subsection (1) the following subsection:
  - ‘(1A) A person or body that has obtained a report or information under paragraph 18N(1)(bg) must not use the report or information, or any personal information derived from the report or information, for any purpose other than the purpose referred to in subparagraph 18N(1)(bg)(iii), unless use of the report or information, or the information so derived, for that other purpose is required or authorised by or under law.’;
- (b) by omitting from subsection (5) ‘paragraph 18N(1)(e) or (f)’ and substituting ‘paragraph 18N(1)(bg), (e) or (f)’;
- (c) by omitting from subsection (6) ‘paragraph 18N(1)(d), (e) or (f)’ and substituting ‘paragraph 18N(1)(bg), (d), (e) or (f)’;
- (d) by omitting from subsection (8) ‘paragraph 18N(1)(e) or (f)’ and substituting ‘paragraph 18N(1)(bg), (e) or (f)’;
- (e) by inserting in subsection (9) ‘(1A),’ after ‘subsection (1),’.

**Application of this Part**

“9L. Section 18V of the Principal Act is amended:

- (a) by omitting from subsections (2) and (3) ‘the commencement of this section’ and substituting ‘25 February 1992’;
- (b) by omitting from subsection (3) ‘the day on which this section commenced’ and substituting ‘25 February 1992’.

**“PART 2B—AMENDMENT OF THE PRIVACY AMENDMENT ACT 1990**

“9M. The *Privacy Amendment Act 1990*<sup>1B</sup> is amended by adding at the end the following section:

**Application of amendments**

‘25. For the purposes of the Principal Act as amended by this Act, the doing of an act, or the engaging in of a practice, before 25 February 1992 is not taken to constitute:

- (a) a breach of the Code of Conduct; or
  - (b) a breach of any provision of Part IIIA;
- unless the doing of the act, or the engaging in of the practice, constitutes a breach of section 18H or 18J of the Principal Act as amended by this Act.’”.

*Paper:* Mr Duffy presented a supplementary explanatory memorandum to the Bill.

Debate continued.

Amendments agreed to.

Bill, as amended, agreed to.

Bill to be reported with amendments.

The House resumed; Mr L. J. Scott reported accordingly.

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

- 31 **ARTS, SPORT, ENVIRONMENT AND TOURISM LEGISLATION AMENDMENT BILL 1991:** 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 Simmons (Minister for the Arts, Tourism and Territories) addressing the House—

*Adjournment negatived:* It being 10.30 p.m.—The question was proposed—That the House do now adjourn.

Mr Simmons requiring the question to be put forthwith without debate—Question—put and negatived.

Mr Simmons concluded his speech.

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.

Mr Simmons, by leave, moved the following amendments together:

Clause 1, page 1, lines 3 and 4, omit “*and Tourism Legislation Amendment Act*”, substitute “, *Tourism and Territories Legislation Amendment Act (No. 2)*”.

Clause 3, page 1, at the end of the clause add the following subclause:

“(2) A person who:

- (a) immediately before the commencement of this Act, was the holder of a public office within the meaning of the *Remuneration Tribunal Act 1973*; and
- (b) upon that commencement, has in respect of that office such recreation leave entitlements as are determined by the Remuneration Tribunal;

retains, in respect of that office, such rights (if any) in relation to leave of absence for recreation as had accrued to the person immediately before that commencement.”.

Schedule, page 2, after the amendment of paragraph 34(1)(a) of the *Australia Council Act 1975* insert:

**“Australian Capital Territory (Planning and Land Management) Act 1988**

**Section 38:**

“Repeal the section, substitute the following section:

**Leave of absence**

‘38.(1) Subject to section 87E of the *Public Service Act 1922*, a full-time member has such recreation leave entitlements as are determined by the Remuneration Tribunal.

‘(2) The Minister may:

- (a) grant a full-time member leave of absence, other than recreation leave, on such terms and conditions as to remuneration or otherwise as the Minister determines in writing; and
- (b) grant a part-time member leave to be absent from a meeting or meetings of the Authority.’.

**Paragraph 41(2)(b):**

“Omit ‘granted by the Minister’.”.

Title, page 1, omit “**and tourism**”, substitute “, **tourism and Territories**”.

*Paper:* Mr Simmons presented a supplementary explanatory memorandum to the Bill.

Debate continued.

Amendments agreed to.

Bill, as amended, agreed to.

Bill to be reported with amendments, and with an amended title.

The House resumed; Mr Dubois reported accordingly.

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

32 **ADJOURNMENT:** Mr Simmons (Minister for the Arts, Tourism and Territories) moved—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 11 p.m.—The Deputy Speaker adjourned the House until tomorrow at 10 a.m.

**PAPERS:** The following papers were deemed to have been presented on 20 August 1991:

Aboriginal and Torres Strait Islander Commission Act—Determinations—1991—Nos. 3, 4.

Aboriginal and Torres Strait Islander Heritage Protection Act—Regulations—Statutory Rules 1991, No. 231.

- Administrative Appeals Tribunal Act—Regulations—Statutory Rules 1991, No. 233.
- Administrative Decisions (Judicial Review) Act—Regulations—Statutory Rules 1991, No. 160.
- Air Force Act—Regulations—Statutory Rules 1991, No. 132.
- Air Navigation Act—Regulations—Statutory Rules 1991, No. 193.
- Air Navigation (Charges) Act—Regulations—Statutory Rules 1991, No. 237.
- Archives Act—Regulations—Statutory Rules 1991, No. 159.
- Audit Act—Regulations—Statutory Rules 1991, No. 135.
- Australian Citizenship Act—Regulations—Statutory Rules 1991, No. 221.
- Australian Horticultural Corporation Act—Regulations—Statutory Rules 1991, Nos. 199, 214.
- Australian National Maritime Museum Act—Regulations—Statutory Rules 1991, No. 220.
- Australian Trade Commission Act—Regulations—Statutory Rules 1991, No. 138.
- Australian Wool Corporation Act—Regulations—Statutory Rules 1991, No. 215.
- Australian Wool Industry Council Act—Regulations—Statutory Rules 1991, No. 194.
- Australian Wool Realisation Commission Act—Regulations—Statutory Rules 1991, No. 216.
- Banks (Shareholdings) Act—Regulations—Statutory Rules 1991, No. 225.
- Cash Transaction Reports Act—Regulations—Statutory Rules 1991, No. 166.
- Child Support (Registration and Collection) Act—Regulations—Statutory Rules 1991, No. 242.
- Christmas Island Act—Ordinances—1991—  
No. 3—Evidence (Amendment).  
No. 4—Lotteries (Amendment).
- Civil Aviation Act—  
Civil Aviation Regulations—Civil Aviation Orders—Parts—  
20—Amendments, dated 26 June 1991, 8 July 1991 and 12 August 1991.  
82—Amendments, dated 27 June 1991 and 7 August 1991.  
105—Amendments, dated 27 May 1991, 3 and 6 June 1991 and 1(3), 3, 4(2) and 10(2) July 1991.  
106—Amendments, dated 3 June 1991 and 1 July 1991.  
107—Amendments, dated 3 June 1991, 1 and 4 July 1991.  
Exemption under regulation 308, dated 13 August 1991.  
Regulations—Statutory Rules 1991, Nos. 147, 157, 247.
- Cocos (Keeling) Islands Act—Ordinances—1991—  
No. 1—Local Government (Amendment).  
No. 2—Postal Services (Amendment).  
No. 3—Evidence (Amendment).
- Commonwealth Funds Management Limited Act—Regulations—Statutory Rules 1991, No. 136.
- Corporations Act—Regulations—Statutory Rules 1991, Nos. 218, 219.
- Crimes Act—Regulations—Statutory Rules 1991, No. 235.
- Crimes (Protection of Aircraft) Act—Regulations—Statutory Rules 1991, No. 217.
- Currency Act—Regulations—Statutory Rules 1991, No. 149.
- Customs Act—Regulations—Statutory Rules 1991, Nos. 129, 139, 140, 228, 248.
- Defence Act—  
Determinations under section 58B—1991—  
No. 40—Rates of Travelling Allowance—Vanuatu and other allowances.

- No. 52—Rates of Travelling Allowance—Luxembourg and other allowances.
- No. 53—Rates of Travelling Allowance—Zambia and other allowances.
- No. 54—Excess baggage allowance.
- No. 55—Designated pre schools.
- No. 56—Extension of special rent arrangements for certain ADF members and rental and utilities contribution.
- No. 57—Rates of Travelling Allowance—Cook Islands and other allowances.
- No. 58—Rates of Travelling Allowance—Mexico and other allowances.
- No. 59—Rates of Travelling Allowance—Belgium and other allowances.
- No. 60—Household maintenance and assistance allowance.
- No. 62—Rates of Travelling Allowance—New Zealand and other allowances.
- No. 63—Rates of Travelling Allowance—New Caledonia and other allowances.
- No. 64—Education assistance—United States of America and excess commuting costs—United States of America.
- No. 66—Rates of Travelling Allowance—Nepal and other allowances.
- No. 67—Reimbursement of excess medical costs.
- No. 68—Rates of Travelling Allowance—Kuwait and other allowances.
- No. 69—Rates of Travelling Allowance—USA—New York and other allowances.
- No. 71—Temporary Rental Allowance.
- No. 72—Excess commuting costs and parking allowance.
- No. 73—Rates of Travelling Allowance—Poland and other allowances.
- No. 74—Household maintenance and assistance allowance.
- No. 76—Charge for rations and quarters.
- No. 77—Household maintenance and assistance allowance.
- No. 80—Rates of Travelling Allowance—Pakistan and other allowances.
- No. 81—Rates of Travelling Allowance—Ireland and other allowances.
- No. 82—Operation Blazer and other allowances.
- Regulations—Statutory Rules 1991, Nos. 131, 245.
- Defence Force (Home Loans Assistance) Act—Regulations—Statutory Rules 1991, No. 130.
- Defence Force Retirement and Death Benefits Act—Regulations—Statutory Rules 1991, No. 133.
- Dried Vine Fruits Equalization Act—Regulations—Statutory Rules 1991, No. 236.
- Export Control Act—Export Control (Orders) Regulations—Orders—1991—No. 5—Export Control (Fees) as amended (Amendment).
- Export Inspection (Establishment Registration Charges) Act—Regulations—Statutory Rules 1991, No. 175.
- Export Inspection (Quantity Charge) Act—Regulations—Statutory Rules 1991, No. 176.
- Export Inspection (Service Charge) Act—Regulations—Statutory Rules 1991, No. 174.
- Export Market Development Grants Act—Regulations—Statutory Rules 1991, No. 246.
- Federal Court of Australia Act—Rules of Court—Statutory Rules 1991, No. 249.
- Fisheries Act—
- Notices—Nos. AF22, BSS4, GEM4, GEM5, ORF16, ORF17, ORF18, TEC5, TEC6.
- Plan of Management—No. 29—Southern Shark Fishery Management Plan (Amendment).

- Fisheries Levy Act—Regulations—Statutory Rules 1991, Nos. 141, 142, 143.
- Grape Research Levy Act—Regulations—Statutory Rules 1991, No. 144.
- Health Insurance Act—Statement of particulars of ministerial determination authorised under section 106AA, relating to Dr Thung Sing Tiong, dated 26 July 1991.
- Heard Island and McDonald Islands Act—Ordinance—1991—No. 1—Environment Protection and Management (Amendment).
- Higher Education Funding Act—Determinations—1991—  
 No. T27—Grants in respect of Teaching Hospitals (Supplementation Adjustment).  
 Nos. T28, T29—Grants for Expenditure for Operating Purposes (Transfer between section 15 & section 16).  
 No. T30—Grants for Expenditure for Operating Purposes (Supplementation).  
 No. T31—Grants for Expenditure for Operating Purposes (Supplementation Adjustment).  
 No. T32—Declaration amending Table of Higher Education Institutions.  
 Nos. T33, T34—Grants for Expenditure for Operating Purposes (Final Adjustment for Overseas Students in 1990).  
 No. T35—Grants for Expenditure for Operating Purposes (Distance Education Centres).  
 Nos. T36, T37—Grants for Expenditure for Operating Purposes (Qld Conservatorium of Music amalgamation with Griffith University).  
 No. T38—Grants for Expenditure for Operating Purposes (Adjustment of Early Retirement).  
 No. T39—Grants for Expenditure for Operating Purposes.  
 No. T40—Grants for Expenditure for Operating Purposes (Staff Development Fund).  
 Nos. T42, T43—Grants for Expenditure for Operating Purposes (Adjustment to HECS Chapter 4 for 1990).  
 No. T44—Grants for Building Projects.
- Horticultural Export Charge Act and Primary Industries Levies and Charges Collection Act—Regulations—Statutory Rules 1991, No. 203.
- Income Tax Assessment Act—Regulations—Statutory Rules 1991, Nos. 156, 158, 240.
- Industrial Chemicals (Notification and Assessment) Act—Regulations—Statutory Rules 1991, No. 165.
- Industrial Relations Act—Regulations—Statutory Rules 1991, No. 137.
- Lands Acquisition Act—Statements of lands acquired by agreement authorised under—  
 Subsection 40(1) (2).  
 Subsection 125(3).
- Long Service Leave (Commonwealth Employees) Act—Regulations—Statutory Rules 1991, No. 224.
- Marine Navigation Levy Act—Regulations—Statutory Rules 1991, No. 153.
- Marine Navigation (Regulatory Functions) Levy Collection Act—Regulations—Statutory Rules 1991, No. 152.
- Maternity Leave (Commonwealth Employees) Act—Regulations—Statutory Rules 1991, No. 223.
- Meat Inspection Act—Meat Inspection (Orders) Regulations—Orders—1991—No. 3—Meat Inspection (Fees) as amended (Amendment).
- Migration Act—Regulations—Statutory Rules 1991, Nos. 201, 202, 222, 226, 229, 230, 243.
- Motor Vehicle Standards Act—Road Vehicle (National Standards) determinations—1991—Nos. 1, 2.
- Mutual Assistance in Criminal Matters Act—Regulations—Statutory Rules 1991, No. 244.

## National Health Act—

## Determinations—

1991—Nos. BIT7, BIT8, BIT9, BIT10, BIT11, BIT12, BIT13, BIT14.  
Pursuant to paragraph 40AH(b), dated 18 June 1991.

Pharmaceutical benefits—Declarations—1991—Nos. PB5, PB6, PB7, PB8, PB9.

Regulations—Statutory Rules 1991, No. 232.

National Measurement Act—Regulations—Statutory Rules 1991, No. 146.

Naval Defence Act—Regulations—Statutory Rules 1991, Nos. 134, 234.

Navigation Act—Navigation (Orders) Regulations—Orders—1991—

No. 1—Marine, Part 30.

No. 2—Marine, Part 26.

Occupational Superannuation Standards Act—Regulations—Statutory Rules 1991, Nos. 148, 150, 155.

Overseas Students (Refunds) Act—Determination of education institutions under section 4, dated 29 May 1991.

Passports Act—Regulations—Statutory Rules 1991, No. 204.

Petroleum Excise (Prices) Act—Regulations—Statutory Rules 1991, No. 177.

Primary Industries and Energy Research and Development Act—Regulations—Statutory Rules 1991, Nos. 178, 179, 227.

Primary Industries Levies and Charges Collection Act—Regulations—Statutory Rules 1991, Nos. 180, 181, 182, 183, 184, 185, 186, 187, 188, 196.

Primary Industries Levies and Charges Collection Act and Horticultural Export Charge Act—Regulations—Statutory Rules 1991, No. 208.

Primary Industries Levies and Charges Collection Act and Horticultural Levy Act—Regulations—Statutory Rules 1991, Nos. 197, 205, 206.

Primary Industries Levies and Charges Collection Act, Horticultural Levy Act and Horticultural Export Charge Act—Regulations—Statutory Rules 1991, Nos. 195, 207.

Proclamations by His Excellency the Governor-General fixing the dates on which the following Acts, sections and subsections of Acts shall come into operation—

*Builders Labourers' Federation Legislation Amendment Act 1990*—Paragraphs 3(c) and (d), and subsection 4(1)—27 June 1991.

*Companies (Insolvency Assistance) Amendment Act 1991*—1 July 1991.

*Corporations Legislation Amendment Act 1991*—Sections 7, 8 and 15 to 22 (inclusive)—1 August 1991.

*Customs and Excise Legislation Amendment Act 1990*—

Paragraphs 4(e) and (h), sections 6, 7, 8, 9, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 28, 29, 31 and 32, paragraphs 34(a), (b) and (c), and sections 40, 41, 42, 43, 44, 45 and 46—1 June 1991.

*Great Barrier Reef Marine Park Amendment Act 1991*—1 October 1991.

*Health Legislation (Pharmaceutical Benefits) Amendment Act 1991*—

Paragraphs 7(b) and (d), sections 13 and 14, paragraphs 15(a), (b), (d), (e), (f), (g) and (h) and sections 16 and 17 and section 4 to the extent that it inserts subsection 8D(2) in the *Health Insurance Commission Act 1973*—1 August 1991.

*Industrial Relations Legislation Amendment Act (No.2) 1991*—

(a) section 3, Part 1 of the Schedule, other than the item that amends the definition of “presidential member of the Commission” in section 58F of the *Defence Act 1903*, and Part 2 of the Schedule—2 July 1991; and

(b) amendments of section 202 of the *Industrial Relations Act 1988* set out in Part 3 of the Schedule —1 August 1991.

*National Food Authority Act 1991*—19 August 1991.

- Nursing Homes and Hostels Legislation Amendment Act 1986*—Section 7—1 August 1991.
- Public Service Act—
- Determinations—1991—Nos. 42, 45, 55, 56, 57, 58, 74, 75, 76, 77, 78, 80, 83, 84, 163, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 184, 185, 186, 187, 188, LES 12.
- Parliamentary Presiding Officers' Determinations—1991—Nos. 12, 13.
- Remuneration Tribunal Act—Remuneration Tribunal—
- Determinations—
- 1991/11—Remuneration and allowances—Members of, and holders of offices connected with the Legislative Assembly for the Australian Capital Territory.
- 1991/12—Remuneration and allowances—Associate Head of Administration, ACT and holders of public offices on other bodies.
- 1991/14—Remuneration and allowances—Director of Public Prosecutions, Australian Capital Territory.
- 1991/15—Remuneration and allowances—Administrator, Cocos (Keeling) Islands.
- Regulations—Statutory Rules 1991, No. 164.
- Sales Tax Assessment Act (No. 1)—Regulations—Statutory Rules 1991, No. 238.
- Sales Tax Assessment Acts (Nos. 1 to 10)—Regulations—Statutory Rules 1991, No. 239.
- Social Security Act—Notice under subsection 1237(3), dated 8 July 1991.
- States Grants (Coal Mining Industry Long Service Leave) Act—Regulations—Statutory Rules 1991, No. 163.
- States Grants (Petroleum Products) Act—Amendments of the schedules to the subsidy schemes in relation to New South Wales, Victoria, Queensland, South Australia, Western Australia, Tasmania and the Northern Territory, dated 5 July 1991.
- States Grants (TAFE Assistance) Act—Determination—No. TAFE 19/91.
- Superannuation Act 1976*—
- Declaration—Statutory Rules 1991, No. 128.
- Determinations pursuant to subsections—
- 238(1)—No. 2—Superannuation (CSS) Period.
- 240(1)—No. 2—Superannuation (CSS) Assets Transfer (CAA Staff Superannuation Fund).
- 241(1)—No. 2—Superannuation (CSS) Employer Component Payment (CAA Staff Superannuation Fund).
- Regulations—Statutory Rules 1991, Nos. 161, 162, 167, 168, 169, 170, 171, 172, 173, 191, 192.
- Superannuation Act 1976 and Superannuation Legislation Amendment Act 1990*—Declaration—Statutory Rules 1991, No. 190.
- Superannuation Act 1990*—
- Second amending deed to the deed to establish an occupational superannuation scheme for Commonwealth employees and certain other persons, pursuant to section 5, dated 1 July 1991.
- Declarations—Statutory Rules 1991, Nos. 151, 189.
- Superannuation Benefits (Supervisory Mechanisms) Act—Determinations—1991—Nos. 5, 6, 7.
- Superannuation (Productivity Benefit) Act—Declarations—Statutory Rules 1991, Nos. 123, 124, 125, 126, 127.
- Superannuation Supervisory Levy Act—Regulations—Statutory Rules 1991, No. 154.

- Supported Accommodation Assistance Act—Variation agreement in relation to the Supported Accommodation Assistance Program between the Commonwealth and Queensland, dated 17 May 1991.
- Telecommunications Act 1989*—Determinations pursuant to section 106, dated 15 May 1991—  
 Technical Standard.  
 Variations to Technical Standards.
- Telecommunications Act 1991*—  
 Determination under subsection 16(1)—1991—No.1.  
 Directions pursuant to subsections—  
 106(1)—1991—No. 1.  
 204(1)—1991—No. 1.  
 Regulations—Statutory Rules 1991, No. 200.
- Veterans' Entitlements Act—  
 Instrument varying Pharmaceutical Benefits Scheme, dated 1 August 1991.  
 Regulations—Statutory Rules 1991, No. 241.
- Wheat Marketing Act—Regulations—Statutory Rules 1991, No. 198.  
 Wine Grapes Levy Act—Regulations—Statutory Rules 1991, No. 145.  
 Wool Tax Act (No. 1)—Regulations—Statutory Rules 1991, No. 209.  
 Wool Tax Act (No. 2)—Regulations—Statutory Rules 1991, No. 210.  
 Wool Tax Act (No. 3)—Regulations—Statutory Rules 1991, No. 211.  
 Wool Tax Act (No. 4)—Regulations—Statutory Rules 1991, No. 212.  
 Wool Tax Act (No. 5)—Regulations—Statutory Rules 1991, No. 213.

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ATTENDANCE: All Members attended (at some time during the sitting) except Mr Duncan and Mr Goodluck.

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**L. M. BARLIN**  
 Clerk of the House of Representatives