

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 140

TUESDAY, 8 SEPTEMBER 1992

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- 1 The House met, at 2 p.m., pursuant to adjournment.
 - 2 **ABSENCE OF SPEAKER:** The Clerk having informed the House that the Speaker (the Honourable Leo McLeay) was absent on parliamentary business overseas, the Chairman of Committees (Mr R. F. Edwards) took the Chair as Acting Speaker, and read Prayers.
 - 3 **DEATH OF FORMER SENATOR (THE HONOURABLE SIR THOMAS DRAKE-BROCKMAN):** Mr Keating (Prime Minister) referred to the death of the Honourable Sir Thomas Drake-Brockman, and moved—That the House expresses its deep regret at the death on Friday, 28 August 1992, of former Senator the Honourable Sir Thomas Charles Drake-Brockman, DFC, Senator for the State of Western Australia from 1958 to 1978, Minister for Air from 1969 to 1972, Minister for Aboriginal Affairs and Minister for Administrative Services in 1975, places on record its appreciation of his long and meritorious public 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.
 - 4 **QUESTIONS:** Questions without notice were asked.
 - 5 **PAPERS:** The Acting Speaker presented the following papers:
Public Service Act—Department of the House of Representatives—Report for 1991-92.
Joint Advance to the President and the Speaker—Application for funds.
 - 6 **AUDITOR-GENERAL'S REPORT—PUBLICATION OF PAPER:** The Acting Speaker presented the following paper:
Audit Act—Auditor-General—Audit report No. 1 of 1992-93—Ministerial portfolios: Budget sittings 1992.
Mr Beazley (Leader of the House), 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 report No. 1 of 1992-93; and
(2) the report be printed.
Question—put and passed.
 - 7 **PAPERS:** The following papers were presented:
Aboriginal and Torres Strait Islander Commission Act—Interim review report on the operation of the Act pursuant to section 26.

- Australian National University Act—Council of the Australian National University—Report for 1991.
- Employment, Education and Training Act—National Board of Employment, Education and Training—Report of the Higher Education Council, including the Board's comments—Planning for the 1993-95 Triennium: Preliminary advice.
- Industry Commission Act—Industry Commission—Reports—
 No. 24—The Australian Horticultural Corporation: Effectiveness in increasing international competitiveness, 30 June 1992.
 No. 25—Intrastate aviation, 17 July 1992.
- Maritime College Act—Council of the Australian Maritime College—Report for 1991.
- Nursing home and hostel standards—List of monitoring reports published between 1 May and 31 July 1992.
- United Nations General Assembly—46th session, 1991—Report of the Australian Delegation.
- 8 INDUSTRY COMMISSION—REPORT—MOTION TO TAKE NOTE OF PAPER:**
 Mr Beazley (Leader of the House) moved—That the House take note of the following paper:
 Industry Commission Act—Industry Commission—Report No. 25—
 Intrastate Aviation, 17 July 1992.
 Debate adjourned (Mr Smith), and the resumption of the debate made an order of the day for the next sitting.
- 9 UNITED NATIONS GENERAL ASSEMBLY—REPORT—MOTION TO TAKE NOTE OF PAPER:** Mr Beazley (Leader of the House) moved—That the House take note of the following paper:
 United Nations General Assembly—46th session, 1991—Report of the Australian Delegation.
 Debate adjourned (Mr Smith), and the resumption of the debate made an order of the day for the next sitting.
- 10 AUSTRALIAN MARITIME COLLEGE—REPORT—MOTION TO TAKE NOTE OF PAPER:** Mr Beazley (Leader of the House) moved—That the House take note of the following paper:
 Maritime College Act—Council of the Australian Maritime College—
 Report for 1991.
 Debate adjourned (Mr Smith), and the resumption of the debate made an order of the day for the next sitting.
- 11 SECURITY IN PARLIAMENTARY PRECINCTS—STATEMENT BY ACTING SPEAKER:** The Acting Speaker made a statement relating to the wider review of the protective security of Parliament House which the Speaker had foreshadowed in his statement to the House on 18 August 1992. The Acting Speaker informed the House that the review had commenced and a report on the first stage of the assessment would be completed by 2 October 1992. The House was also informed that the next stage would consider changes to current security arrangements.
- 12 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—TRADE POLICY:** The House was informed that both Mr Courtice and Mr Peacock had proposed that definite matters of public importance be submitted to the House for discussion today. In accordance with the provisions of standing order 107, the Acting Speaker had given priority to the matter proposed by Mr Courtice, namely, "The urgent need for the Government to refute the Opposition's recent statements on the United States' Export Enhancement Program and other trade policy matters which have diminished Australia's

international reputation and specifically put at risk Australia's multi-billion dollar export industries".

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

Discussion ensued.

Discussion concluded.

- 13 **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:

21 August 1992—Message No. 308—Superannuation Guarantee (Administration) 1992.

27 August 1992—Message No. 309—Sugar Cane Levy Amendment 1992.

- 14 **DISCHARGE OF ORDERS OF THE DAY:** Mr Duncan (Parliamentary Secretary to the Attorney-General), by leave, moved—That the following orders of the day, government business, be discharged:

Service and Execution of Process Bill 1992—Second reading: Resumption of debate.

Service and Execution of Process (Transitional Provisions and Consequential Amendments) Bill 1992—Second reading: Resumption of debate.

Question—put and passed.

- 15 **SALES TAX (EXEMPTIONS AND CLASSIFICATIONS) AMENDMENT BILL 1992:**

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 Riggall addressing the House—

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

Mr Baldwin (Minister Assisting the Treasurer) requiring the question to be put forthwith without debate—

Question—put and negatived.

Debate continued.

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Baldwin, the Bill was read a third time.

- 16 **SWIMMING POOLS TAX REFUND BILL 1992:** The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—

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

The House resolved itself into a committee of the whole.

In the committee

Clauses 1 to 3, by leave, taken together.

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

Clause 3—

Page 2, line 3, omit “, or under an agreement.”.

Page 2, lines 13 and 14, omit “, whether the liability arose as a result of a refund agreement or otherwise”.

Page 2, lines 15 to 17, omit the definition of “refund agreement”.

Amendments negatived.

Clauses agreed to.

Proposed new clause—

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

Swimming Pool and Spa Association of Australia—Australian Taxation Office Agreement not affected by Act

“3A. Nothing in this Act applies to the agreement constituted by conversations and letters in November 1990 between representatives of the Swimming Pool and Spa Association of Australia Limited and the Australian Taxation Office relating to *in situ* pool tax, or to any payment that the Commonwealth is liable to make to any person pursuant to that agreement.”.

Debate continued.

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

The House resumed; Mr Jenkins reported accordingly.

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

17 **ADJOURNMENT:** Mr Baldwin (Minister for Higher Education and Employment Services) moved—That the House do now adjourn.

Question—put and passed.

And then the House, at 11.01 p.m., adjourned until tomorrow at 10 a.m.

PAPERS: The following papers were deemed to have been presented on 8 September 1992:

Australian Horticultural Corporation Act—Regulations—Orders—1992 No. 1.

Bounty and Subsidy Acts—Returns for 1991-92, pursuant to the following Acts—

Bounty (Bed Sheeting).

Bounty (Books).

Bounty (Citric Acid).

Bounty (Computers).

Bounty (Machine Tools and Robots).

Bounty (Photographic Film).

Bounty (Printed Fabrics).

Bounty (Ships).

Bounty and Capitalisation Grants (Textile Yarns).

Civil Aviation Act—Civil Aviation Regulations—Civil Aviation Orders—Parts—

40 and 100—Amendments, 26 August 1992.

105—Amendments, 21 August 1992.

106—Amendments, 18 and 19 August 1992.

Commonwealth Funds Management Limited Act—Determination under subsection 38(1), 26 August 1992.

Currency Act—Determinations—1992 Nos. 6, 7.

Defence Act—Determinations under section 58B—1992 Nos. 40, 41.

Federal Airports Corporation Act—Federal Airports (Amendment) By-laws—1992 No. 2.

Higher Education Funding Act—Determinations—1992 Nos. T25, T26, T27, T28, T29.

Horticultural Research and Development Corporation Act—Regulations—Orders—1992 No. 1.

International Air Services Commission Act—Instrument under section 54, 20 August 1992.

Lands Acquisition Act—Statements (2) under subsection 40(1).

National Food Authority Act—Direction and statement of reasons, 1 July 1992.

- National Health Act—Determinations—1992 Nos. HSB 14, HSB 15, HSB 16, HSB 17.
- Proclamation by His Excellency the Governor-General fixing 20 August 1992 as the date on which paragraphs 4(c) and (e) and section 5 of the *Industrial Relations Legislation Amendment Act 1992* commence.
- Public Service Act—Determinations—1992 Nos. 67, 72, 81, 82, 83, 88, 250, 251, 252, 253, 260, 261, 262, 263, 264, 265, LES 23.
- Quarantine Act—Determination—1992 No. 1.
- Social Security Act 1991*—Determination—1992 No. 92-30.
- Student Assistance Act—Determination—1992 No. 1.
- Superannuation Benefits (Supervisory Mechanisms) Act—Determinations—1992 Nos. 7, 8, 9, 10, 11, 12.
- Telecommunications Act 1991*—Notice under sections 267 and 280, 28 August 1992.
- Wildlife Protection (Regulation of Exports and Imports) Act—Declaration under subsection 9(1), 6 August 1992.
- World Heritage Properties Conservation Act—Proclamation under subsection 6(3), 3 August 1992.

ATTENDANCE: All Members attended (at some time during the sitting) except Mr Atkinson, Mrs Bailey, Dr Catley, Mr Goodluck, Mr Hawker, Mr Holding, Mr McLeay, Mr Martin, Mr Punch, Mrs Sullivan, Mr Tuckey and Mr Wright.

L. M. BARLIN
Clerk of the House of Representatives