

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 141

WEDNESDAY, 9 SEPTEMBER 1992

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- 1 The House met, at 10 a.m., pursuant to adjournment. The Acting Speaker (Mr R. F. Edwards) took the Chair, and read Prayers.
 - 2 **POSTPONEMENT OF ORDER OF THE DAY:** Ordered—That order of the day No. 1, government business, be postponed until a later hour this day.
 - 3 **SUPPLY BILL (NO. 3) 1992-93:** 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 Price (Parliamentary Secretary to the Minister for Defence), the Bill was read a third time.
 - 4 **SUPPLY BILL (NO. 4) 1992-93:** 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 Price (Parliamentary Secretary to the Minister for Defence), the Bill was read a third time.
 - 5 **LOAN 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.
Message from the Governor-General: Message No. 310, dated 21 August 1992, from His Excellency the Governor-General was announced recommending an appropriation of moneys for the purposes of the Bill.
Leave granted for third reading to be moved forthwith.
On the motion of Mr Price (Parliamentary Secretary to the Minister for Defence), the Bill was read a third time.
 - 6 **POSTPONEMENT OF NOTICES:** Ordered—That notices Nos. 1 to 3, government business, be postponed until a later hour this day.
 - 7 **APPROPRIATION BILL (NO. 1) 1992-93—BUDGET DEBATE:** 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.
Debate adjourned (Mrs Bailey), and the resumption of the debate made an order of the day for a later hour this day.

- 8 PRIVILEGE—COMPLAINT OF BREACH:** Dr Theophanous raised, as a matter of privilege, an article by Margaret Easterbrook entitled "Call for Chinese students to lose special status" published in the *Melbourne Age* of 8 September 1992, concerning a forthcoming report of the Joint Standing Committee on Migration Regulations to be tabled on Monday, 14 September 1992.

The Acting Speaker referred to the Speaker's statement of 17 September 1990 which set out the manner in which complaints of premature disclosure of committee material should be handled and stated that the committee would need to give further consideration to the issue and inform the House of the result of those considerations so that any appropriate action could be taken.

- 9 QUESTIONS:** Questions without notice being asked—

Member named: The Acting Speaker named the Member for Murray (Mr Lloyd) for again interjecting after a warning had been given by the Chair. Mr Beazley (Leader of the House) moved—That the Member for Murray be suspended from the service of the House.

The House proceeding to a division—

Mr T. A. Fischer (Leader of the National Party of Australia) having addressed the Chair, and Mr Lloyd having apologised to, and the apology having been accepted by, the Chair, the motion was withdrawn and the matter was not further proceeded with.

Questions without notice continued.

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

Australia's strategic planning in the 1990s—Report, 27 November 1989.

Automotive Industry Authority Act—Automotive Industry Authority—Report for 1991-92.

Cash Transaction Reports Act—Cash Transaction Reports Agency—Report for 1991-92.

Equal Employment Opportunity (Commonwealth Authorities) Act—Equal employment opportunity program—OTC Limited—Report for 1990-91.

Family Law Council—Reports—

Family mediation, June 1992.

The interaction of bankruptcy and family law, June 1992.

Law Reform Commission Act—Law Reform Commission—Report No. 61—Administrative penalties in customs and excise.

- 11 AUTOMOTIVE INDUSTRY AUTHORITY—REPORT—MOTION TO TAKE NOTE OF PAPER:** Mr Beazley (Leader of the House) moved—That the House take note of the following paper:

Automotive Industry Authority Act—Automotive Industry Authority—Report for 1991-92.

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

- 12 AUSTRALIA'S STRATEGIC PLANNING IN THE 1990S—REPORT—MOTION TO TAKE NOTE OF PAPER:** Mr Beazley (Leader of the House) moved—That the House take note of the following paper:

Australia's strategic planning in the 1990s—Report, 27 November 1989.

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

- 13 CASH TRANSACTION REPORTS AGENCY—REPORT—MOTION TO TAKE NOTE OF PAPER:** Mr Beazley (Leader of the House) moved—That the House take note of the following paper:

Cash Transaction Reports Act—Cash Transaction Reports Agency—Report for 1991-92.

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

- 14 **FAMILY LAW COUNCIL—REPORT ON INTERACTION OF BANKRUPTCY AND FAMILY LAW—MOTION TO TAKE NOTE OF PAPER:** Mr Beazley (Leader of the House) moved—That the House take note of the following paper:

Family Law Council—Report—The interaction of bankruptcy and family law, June 1992.

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

- 15 **FAMILY LAW COUNCIL—REPORT ON FAMILY MEDIATION—MOTION TO TAKE NOTE OF PAPER:** Mr Beazley (Leader of the House) moved—That the House take note of the following paper:

Family Law Council—Report—Family mediation, June 1992.

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

- 16 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—PRIVATE SECTOR JOB MARKET:** The House was informed that Mr Howard had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The parlous state of Australia’s private sector job market”.

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

Discussion ensued.

Discussion concluded.

- 17 **CUSTOMS TARIFF PROPOSAL:** Mr Beddall (Minister for Small Business, Construction and Customs) moved Customs Tariff Proposal No. 9 (1992).

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

- 18 **DISCHARGE OF TARIFF PROPOSALS:** Mr Beddall (Minister for Small Business, Construction and Customs), by leave, moved—That Customs Tariff Proposals Nos. 3 to 13 (1991) and Customs Tariff Proposals Nos. 1 to 3 (1992), constituting part of order of the day No. 62, government business, be discharged.

Question—put and passed.

- 19 **SUSPENSION OF SESSIONAL ORDER 48A AND STANDING ORDER 103:** Mr Beazley (Leader of the House), pursuant to notice, moved—That sessional order 48A (adjournment of House) and standing order 103 (11 o’clock rule) be suspended for the remainder of this period of sittings.

Debate ensued.

Question—put and passed.

- 20 **PIPELINE AUTHORITY AMENDMENT BILL 1992:** Mr Griffiths (Minister for Resources), pursuant to notice, presented a Bill for an Act to amend the *Pipeline Authority Act 1973*, and for related purposes.

Bill read a first time.

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

Paper: Mr Griffiths 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.

- 21 **SOCIAL SECURITY AMENDMENT BILL (NO. 2) 1992:** Mr Simmons (Minister for Family Support), pursuant to notice, presented a Bill for an Act to amend the *Social Security Act 1991*.

Bill read a first time.

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

Paper: Mr Simmons 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.

- 22 **SWIMMING POOLS TAX REFUND BILL 1992:** The House, according to order, resolved itself into a committee of the whole for the further consideration of the Bill.

In the committee

Proposed new clause—

Debate resumed on proposed new clause 3A moved by Mr Rocher, viz.:

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.”—

Papers: Mr Rocher, by leave, presented the following papers:

Swimming Pool and Spa Association of Australia Ltd (SPASA) and the Australian Taxation Office—Copies of letters from—

Mr A. J. Firmstone, Partner—Indirect Taxes, Ernst & Young, Chartered Accountants, Sydney, to Mr J. Landau, First Assistant Commissioner, Sales Tax, Australian Taxation Office, Canberra, 15 November 1990 and 19 November 1990.

Mr J. L. Harwood, for First Assistant Commissioner, Sales Tax, Australian Taxation Office, Canberra, to Mr A. J. Firmstone, Partner—Indirect Taxes, Ernst & Young, Chartered Accountants, Sydney, 27 November 1990.

Mr P. A. McCullough, Regional Co-Ordinator, Sales Tax, South Western Region, Australian Taxation Office, Adelaide, to Mr A. J. Firmstone, Ernst & Young, Chartered Accountants, Sydney, 28 July 1992.

Debate continued.

Proposed new clause negatived.

Clause 4—

Mr Rocher moved the following amendment: Page 2, omit subclause (1), substitute the following subclause:

“(1) Other than pursuant to the agreement referred to in section 3A, the Commonwealth is liable to make an *in situ* pool tax refund payment to a person as provided in this section.”.

Mr Rocher moved—That the Deputy Chairman do report progress and ask leave to sit again.

Question—put and negatived.

Amendment negatived.

Clause agreed to, after debate.

Clause 5 agreed to.

Clause 6 debated.

Question—That the clause be agreed to—put.

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

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Mr Baldwin	Mr Dubois	Mr Humphreys	Mr O'Neil
Mr Beazley	Mr Duffy	Mrs Jakobsen	Mr Price
Mr Beddall	Mr Duncan	Mr Jenkins	Mr Sawford
Mr Bevis	Mr R. F. Edwards	Mr Johns	Mr Scholes
Mr Bilney	Mr Elliott	Mr Jones	Mr Sciacca
Dr Blewett	Ms Fatin	Mrs Kelly	Mr J. L. Scott
Mr Brereton	Mr Ferguson	Mr Kerin	Mr L. J. Scott
Mr R. J. Brown	Mr Fitzgibbon	Mr Kerr	Mr Simmons
Mr Campbell	Mr Free	Mr Langmore	Mr Snow
Dr Catley	Mr Gayler	Mr Lavarch	Mr Snowdon
Dr Charlesworth	Mr Gear*	Mr Lee	Mr Staples
Mr Cleary	Mr Gibson	Mr Lindsay	Dr Theophanous
Mr Courtice	Mr Gorman	Ms McHugh	Mr Tickner
Ms Crawford	Mr Grace*	Mr Melham	Mr Walker
Mr Crean	Mr Griffiths	Mr A. A. Morris	Mr West
Mrs Crosio	Mr Hand	Mr P. F. Morris	Mr Willis
Mrs Darling	Mr Howe	Mr Newell	Mr H. F. Woods
Mr Dawkins	Mr Hulls	Mr O'Keefe	

NOES, 61

Mr Aldred	Mr Connolly	Mr Lloyd	Mr Ruddock
Mr Anderson	Mr Costello	Mr McArthur	Mr B. C. Scott
Mr J. N. Andrew*	Mr Cowan	Mr Mack	Mr Shack
Mr K. J. Andrews	Mr Dobie	Mr MacKellar	Mr Sharp
Mrs Bailey	Mr Downer	Mr McLachlan	Mr Sinclair
Mr Beale	Dr H. R. Edwards	Mr Miles	Mr Smith
Mr Bradford	Mr Filing	Mr Moore	Mr Somlyay
Mr Braithwaite	Mr T. A. Fischer	Mr Nehl	Mr Taylor
Mr Broadbent	Mr P. S. Fisher	Mr Nugent	Mr Truss
Mr Burr	Mr Ford	Mr Peacock	Mr Tuckey
Mr Cadman	Mrs Gallus	Mr Prosser	Mr Webster
Mr Cameron	Mr Hall	Mr Reid	Mr Wilson
Mr Carlton	Mr Hawker	Mr Reith	Dr Wooldridge
Mr Chaney	Mr Hicks*	Mr Riggall	
Mr Charles	Mr Howard	Mr Rocher	
Mr Cobb	Mr Jull	Mr Ronaldson	

* Tellers

And so it was resolved in the affirmative.

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

Bill to be reported without amendment.

The House resumed; Mr Hollis reported accordingly.

On the motion of Mr Baldwin (Minister Assisting the Treasurer), the House adopted the report, and, by leave, the Bill was read a third time.

- 23 **APPROPRIATION BILL (NO. 1) 1992-93—BUDGET DEBATE:** 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.

Debate adjourned (Mr Staples—Minister for Aged, Family and Health Services), and the resumption of the debate made an order of the day for the next sitting.

- 24 **ADJOURNMENT:** Mr Staples (Minister for Aged, Family and Health Services) moved—That the House do now adjourn.

Debate ensued.

Closure: Mr Staples moved—That the question be now put.

Question—That the question be now put—put and passed.

And the question—That the House do now adjourn—was put accordingly, and passed.

And then the House, at 11.59 p.m., adjourned until tomorrow at 9.30 a.m.

PAPERS: The following papers were deemed to have been presented on 9 September 1992:

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

105—Amendments, 8 September 1992.

106—Amendments, 8 September 1992.

107—Amendments, 8 September 1992.

Public Service Act—Determinations—1992 Nos. 155, 161, 162.

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

L. M. BARLIN

Clerk of the House of Representatives