

1993

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 11

WEDNESDAY, 18 AUGUST 1993



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

2 MURRAY-DARLING BASIN BILL 1993

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. 30, dated 5 May 1993, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Walker (Special Minister of State), the Bill was read a third time.

3 PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 1993

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. 31, dated 5 May 1993, 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 Ms McHugh (Minister for Consumer Affairs), by leave, the following amendments were made together:

After clause 2, page 1, insert the following new Part:

**“PART 1A—AMENDMENTS OF THE AUSTRALIAN
MEAT AND LIVE-STOCK INDUSTRY
SELECTION COMMITTEE ACT 1984**

Principal Act

“2A. In this Part, ‘**Principal Act**’ means the *Australian Meat and Live-stock Industry Selection Committee Act 1984*.

Membership of Committee

“2B. Section 11 of the Principal Act is amended:

- (a) by adding at the end of paragraph (1)(a) ‘and’;
- (b) by adding at the end of paragraph (1)(b) ‘and’;
- (c) by omitting paragraph (1)(d) and substituting the following paragraphs:
 - ‘(d) 2 members appointed to represent meat exporters; and
 - (e) 1 member appointed to represent meat processors.’;
- (d) by inserting after subsection (6) the following subsection:
 - ‘(6A) The member referred to in paragraph (1)(e) is to be appointed on the nomination of the Meat and Allied Trades Federation of Australia.’;
- (e) by omitting from subsection (7) ‘or (6)’ and substituting ‘, (6) or (6A)’.

Deputies

“2C. Section 13 of the Principal Act is amended by omitting from subsection (1) ‘or (6)’ and substituting ‘, (6) or (6A)’.

Casual vacancies

“2D. Section 14 of the Principal Act is amended:

- (a) by omitting from subsection (1) ‘or (d)’ and substituting ‘, (d) or (e)’;
- (b) by omitting from subsection (1) ‘and (6)’ and substituting ‘, (6) and (6A)’.

Meetings

“2E. Section 20 of the Principal Act is amended by adding at the end of subsection (5) ‘or (e)’.”.

Schedule, page 6, amendment of the *Australian Meat and Live-stock Corporation Act 1977*, before the amendment of subsections 30G(5) and (6), insert:

“Subsection 30E(4):

Insert ‘, or a facsimile of the instrument,’ after ‘appointed’.”.

Schedule, page 7, amendments of the *Meat Research Corporation Act 1985*, after the amendment inserting proposed sections 19A and 19B, insert:

“Subsection 25(4):

Insert ‘, or a facsimile of the instrument,’ after ‘appointed’.”.

Paper: Ms McHugh presented a supplementary explanatory memorandum to the Bill.

Bill, as amended, agreed to.

Bill to be reported with amendments.

The House resumed; Mr Snow reported accordingly.

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

4 QUESTIONS

Questions without notice were asked.

5 PAPERS

The following papers were presented:

Advance to the Minister for Finance—

Statements for May, June and July 1993.

Supporting applications of issues from the Advance during May, June and July 1993.

AeroSpace Technologies of Australia Pty Limited—Report for—

1990-91.

1991-92.

Department of Defence—Explosives Factory Maribyrnong—Financial statements for 1991-92.

Employment, Education and Training—Standing Committee—Report—Getting to work: Inquiry into entry or return to the workforce by social security pensioners, 24 May 1988—Government response.

Services Trust Funds Act—

Australian Military Forces Relief Trust Fund—Report for 1992.

Royal Australian Air Force Welfare Trust Fund—Report for 1992.

Royal Australian Navy Relief Trust Fund—Report for 1992.

Social justice for indigenous Australians 1993-94.

6 PAPERS—MOTION TO TAKE NOTE OF PAPERS

Mr Beazley (Leader of the House) moved—That the House take note of the following papers:

Employment, Education and Training—Standing Committee—Report—Getting to work: Inquiry into entry or return to the workforce by social security pensioners, 24 May 1988—Government response.

Social justice for indigenous Australians 1993-94.

Advance to the Minister for Finance—

Statements for May, June and July 1993.

Supporting applications of issues from the Advance during May, June and July 1993.

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

7 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—TAXATION

The House was informed that Mr Downer had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The increases in taxation in the Budget which will fall most heavily on low income Australians and do nothing to create jobs".

The proposed discussion having received the necessary support—

Mr Downer addressed the House.

Discussion ensued.

Discussion concluded.

8 POSTPONEMENT OF NOTICE

Ordered—That notice No. 1, government business, be postponed until the next sitting.

9 AUSTRALIAN MEAT AND LIVE-STOCK (QUOTAS) AMENDMENT BILL 1993

Mr Crean (Minister for Primary Industries and Energy) presented a Bill for an Act to amend the *Australian Meat and Live-stock (Quotas) Act 1990*.

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 Peacock), and the resumption of the debate made an order of the day for the next sitting.

10 AUSTRALIAN BROADCASTING CORPORATION AMENDMENT BILL 1993

The order of the day having been read for the second reading—Mr Beddall (Minister for Communications) moved—That the Bill be now read a second time.

Paper: Mr Beddall 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 ABORIGINAL AND TORRES STRAIT ISLANDER COMMISSION AMENDMENT BILL (NO. 2) 1993

Mr Tickner (Minister for Aboriginal and Torres Strait Islander Affairs), pursuant to notice, presented a Bill for an Act to amend the *Aboriginal and Torres Strait Islander Commission Act 1989*, and for related purposes.

Bill read a first time.

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

Paper: Mr Tickner presented an explanatory memorandum to the Bill.

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

12 COMMONWEALTH BANKS AMENDMENT BILL 1993

Mr Gear (Assistant Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Commonwealth Banks Act 1959*, and for related purposes.

Bill read a first time.

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

Paper: Mr Gear presented an explanatory memorandum to the Bill.

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

13 SELECTION COMMITTEE—REPORT

Mr Jenkins (Chairman) presented the following report:

Selection Committee—Report relating to the program of business prior to 12.30 p.m. on Thursday, 19 August 1993—

and, by leave, moved—That the report be adopted.

Question—put and passed.

14 SOCIAL SECURITY LEGISLATION AMENDMENT BILL 1993

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 by Mr Ruddock who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “whilst not declining to give the Bill a second reading, the House condemns the Government for its gross breach of faith with the Australian electorate in the following ways:

- (1) in failing to honour its promises to:
 - (a) exempt all pensioners from the tax system by 1995;
 - (b) establish a new Commonwealth dental health program for emergency and basic dental care for pensioners and health card holders this year; and
 - (c) implement by April 1994 a Seniors Health Card to low income retirees;
- (2) its failure to repeal the provisions of the Social Security Act treating unrealised capital gains as income for the purposes of the income test for pension and benefit eligibility; and
- (3) its betrayal of the poor, the disadvantaged and the needy by increasing taxes and excises with little or no compensation”.

Debate continued.

Question—That the words proposed to be omitted stand part of the question—put.

The House divided (the Deputy Speaker, Mr L. J. Scott, in the Chair)—

AYES, 71

Mr Adams	Mr Duncan	Mr Humphreys	Mr O’Keefe
Mr Baldwin	Mrs Easson	Mr Jenkins	Mr Price
Mr Beazley	Mr Elliott	Mr Johns	Mr Punch
Mr Beddall	Ms Fatin	Mr Jones	Mr Quick
Mr Bevis	Mr Ferguson	Mrs Kelly	Mr Sawford
Mr Bilney	Mr Fitzgibbon	Mr Kerr	Mr Sciacca
Dr Blewett	Mr Free	Mr Knott	Mr Simmons
Mr Brereton	Mr Gibson	Mr Langmore	Mrs S. J. Smith
Mr Brown	Mr Gorman	Mr Lavarch	Mr S. F. Smith
Mr Campbell	Mr Grace*	Mr Lee	Mr Snow
Mr Chynoweth	Mr Griffin	Mr Lindsay	Mr Snowdon
Mr Cleeland	Mr Griffiths	Ms McHugh	Mr Staples
Ms Crawford	Mr Haviland	Mr McLeay*	Mr Swan
Mr Crean	Ms Henzell	Mr Melham	Dr Theophanous
Mr Cunningham	Mr Holding	Mr A. A. Morris	Mr Tickner
Ms Deahm	Mr Hollis	Mr P. F. Morris	Mr Walker
Mr Dodd	Mr Horne	Mr Newell	Mr Woods
Mr Duffy	Mr Howe	Mr O’Connor	

NOES, 59

Mr Aldred	Mr Filing*	Mr Mack	Mr Ronaldson
Mr Anderson	Mr Fischer	Mr MacKellar	Mr Ruddock
Mr J. N. Andrew	Mr Forrest	Mr McLachlan	Mr B. C. Scott
Mr K. J. Andrews	Mrs Gallus	Mr Miles	Mr Sinclair
Mr Atkinson	Mr Hall	Mr Moore	Mr Slipper
Mr Bradford	Mr Halverson	Mrs Moylan	Mr Somlyay
Mr Braithwaite	Mr Hawker	Mr Nehl	Mrs Sullivan
Mr Cadman	Mr Hicks*	Mr Neville	Mr Taylor
Mr Cameron	Mr Jull	Mr Nugent	Mr Truss
Mr Carlton	Mr Katter	Mr Peacock	Mr Vaile
Mr Charles	Dr Kemp	Mr Prosser	Mr Wakelin
Mr Cobb	Mr Lieberman	Mr Pyne	Mr Williams
Mr Costello	Mr Lloyd	Mr Reid	Dr Wooldridge
Mr Dobie	Mr McArthur	Mr Reith	Ms Worth
Mr Evans	Mr McGauran	Mr Rocher	

* Tellers

And so it was resolved in the affirmative.

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

Message from the Governor-General: Message No. 32, dated 27 May 1993, 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.

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

Clause 2, page 2, after subclause (4) insert the following subclause:

“(4A) (a) Subject to paragraph (b), Division 1A of Part 2 is taken to have commenced on 20 September 1993.

(b) No entitlements to benefits, or increased benefits, arising as a result of the provisions of Division 1A of Part 2 shall be payable or deemed to be payable, unless the Parliament has passed a law to appropriate revenue specifically for the purposes of that Division.”.

Before Division 1 of Part 2, page 3, insert the following Division (comprising clauses 3A to 3E):

“Division 1A—Investment income

Index of definitions

“3A. Section 3 of the Principal Act is amended by omitting the following entry from the Index:

‘listed security

9(1)’.

Investment product—definition

“3B. Section 9 of the Principal Act is amended:

(a) by omitting the definition of ‘investment product’ in subsection (1) and substituting the following definition:

“**investment product**” in relation to a managed investment, means all the investments that are:

- (a) with the same body corporate or in the same trust fund; and
- (b) subject to substantially the same terms and conditions as the managed investment;’;
- (b) by omitting the definition of ‘listed security’ in subsection (1).

Heading to Subdivision AA of Division 1 of Part 3.10

“3C. The heading to Subdivision AA of Division 1 of Part 3.10 is amended by omitting ‘*and listed securities*’.

Structure of Division

“3D. Section 1073 of the Principal Act is amended by omitting from the table ‘STRUCTURE OF DIVISION’ the following figures and words:

‘4. Shares and other listed securities 1084 - 1089’.

Investments to which Subdivision applies

“3E. Section 1074A of the Principal Act is amended by omitting subsection (2).”.

Financial initiative of the Crown—Statement by Deputy Chairman

The Deputy Chairman (Mr Hollis) made a statement concerning the Member’s proposed amendments and informed the committee that, as he saw it, the amendments did not technically infringe the financial initiative of the Crown and he was prepared to allow the amendments.

Debate continued.

Mr Reid addressing the committee—

It being 10.30 p.m.—Progress to be reported.

The House resumed; Mr Hollis reported accordingly.

15 ADJOURNMENT

The question was accordingly proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 11 p.m.—The Speaker adjourned the House until tomorrow at 9.30 a.m.

PAPERS

The following papers were deemed to have been presented on 18 August 1993:

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposals for the collection of information—1993 Nos. 14, 15, 16, 17.

Health Insurance Act—Determination—1993 No. INS 13.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Connolly, Mrs Crosio and Mr Kerin.

L. M. BARLIN

Clerk of the House of Representatives