

1993

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 13

MONDAY, 30 AUGUST 1993

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

2 **DEATH OF FORMER MEMBER (MR C. W. J. FALKINDER)**

The Speaker informed the House of the death, on 11 July 1993, of Mr Charles William Jackson Falkinder, DSO DFC, a Member of this House for the Division of Franklin from 1946 to 1966.

As a mark of respect to the memory of the deceased all Members present stood, in silence.

3 **QUESTIONS**

Questions without notice being asked—

Paper: Mr Fischer (Leader of the National Party of Australia), in accordance with standing order 321, having called for a document quoted from by Mr Kerr (Minister for Justice)—

Mr Kerr laid upon the Table the following paper:

Administrative Appeals Tribunal—Appointment of non-judicial members.

Questions without notice continued.

4 **AUDITOR-GENERAL'S REPORTS—PUBLICATION OF PAPERS**

The Speaker presented the following papers:

Audit Act—Auditor-General—Audit reports of 1993-94—

No. 1—Report on ministerial portfolios: Budget sittings 1993—Volumes 1 to 9.

No. 2—Project audit—Australian Bureau of Statistics: Computer security.

Mr Beazley (Leader of the House), by leave, moved—That:

(1) this House authorises the publication of the Auditor-General's audit reports Nos. 1 and 2 of 1993-94; and

(2) the reports be printed.

Question—put and passed.

5 PAPERS

The following papers were presented:

Australia and the Asian Development Bank—Report by Hon. J. Dawkins, MP, Treasurer, for 1992.

Australian National University Act—Council of the Australian National University—Report for 1992.

Australian Nuclear Science and Technology Organisation Act—

Nuclear Safety Bureau—Report for 30 June 1992.

Safety Review Committee—Report for 1991-92.

Foreign Affairs, Defence and Trade—Joint Committee—Report—Stockholding and sustainability in the Australian Defence Force, December 1992—Government response.

Honey Marketing Act—Australian Honey Board—30th and final report, for period 1 July to 31 December 1992.

Nursing home and hostel standards—List of monitoring reports published between 1 April and 30 June 1993.

Public Service Act—Department of the Prime Minister and Cabinet—Report for 1992-93.

Science and technology budget statement 1993-94.

Tobacco Marketing Act—Australian Tobacco Marketing Advisory Committee—Report for 1992.

6 PAPERS—MOTION TO TAKE NOTE OF PAPERS

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

Australia and the Asian Development Bank—Report by Hon. J. Dawkins, MP, Treasurer, for 1992.

Australian National University Act—Council of the Australian National University—Report for 1992.

Australian Nuclear Science and Technology Organisation Act—Safety Review Committee—Report for 1991-92.

Foreign Affairs, Defence and Trade—Joint Committee—Report—Stockholding and sustainability in the Australian Defence Force, December 1992—Government response.

Public Service Act—Department of the Prime Minister and Cabinet—Report for 1992-93.

Science and technology budget statement 1993-94.

Tobacco Marketing Act—Australian Tobacco Marketing Advisory Committee—Report for 1992.

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

7 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE— ECONOMIC POLICY

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

inconsistent and erratic handling of economic policy following the introduction of the Budget”.

The proposed discussion having received the necessary support—

Mr Downer rising to address the House—

Mr Beazley (Leader of the House) moved—That the business of the day be called on.

Question—put.

The House divided (the Speaker, Mr Martin, in the Chair)—

AYES, 75

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

NOES, 63

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

* Tellers

And so it was resolved in the affirmative.

8 TARIFF PROPOSALS

Mr Lindsay (Parliamentary Secretary to the Minister for Industry, Technology and Regional Development) moved—

Customs Tariff Proposal No. 10 (1993); and

Excise Tariff Proposal No. 3 (1993).

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

9 SOCIAL SECURITY LEGISLATION AMENDMENT BILL 1993

The House, according to order, again resolved itself into a committee of the whole for the further consideration of the Bill.

In the committee

Bill as a whole—

Debate resumed on the Bill and on the amendments moved together by Mr Ruddock, viz.:

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).”.

Question—That the amendments be agreed to—put.

The committee divided (the Deputy Chairman, Mr J. N. Andrew, in the Chair)—

AYES, 58

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

NOES, 76

Mr Adams	Mr Duncan	Mr Jenkins	Mr Price
Mr Baldwin	Mrs Easson	Mr Johns	Mr Punch
Mr Beazley	Mr Elliott	Mr Jones	Mr Quick
Mr Beddall	Ms Fatin	Mrs Kelly	Mr Sawford*
Mr Bevis	Mr Ferguson	Mr Kerin	Mr Sciacca
Mr Bilney	Mr Fitzgibbon	Mr Kerr	Mr L. J. Scott
Dr Blewett	Mr Free	Mr Knott	Mr Simmons
Mr Brereton	Mr Gear	Mr Langmore	Mrs S. J. Smith
Mr Brown	Mr Gibson	Mr Lavarch	Mr S. F. Smith
Mr Campbell	Mr Gorman	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	Mr Tanner
Mr Cunningham	Mr Holding	Mr A. A. Morris	Dr Theophanous
Mr Dawkins	Mr Hollis	Mr P. F. Morris	Mr Tickner
Ms Deahm	Mr Horne	Mr Newell	Mr Walker
Mr Dodd	Mr Howe	Mr O'Connor	Mr Willis
Mr Duffy	Mr Humphreys	Mr O'Keefe	Mr Woods

* Tellers

And so it was negatived.

Bill agreed to.

Bill to be reported without amendment.

The House resumed; Mr J. N. Andrew reported accordingly.

On the motion of Mr Sciacca (Parliamentary Secretary to the Minister for Social Security), the House adopted the report, and, by leave, the Bill was read a third time.

10 CUSTOMS TARIFF 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.

Absence of quorum: Mr Charles called the attention of the Deputy Speaker to the fact that a quorum of Members was not present.

The bells having been rung, and a quorum not having been obtained within the prescribed time, the Deputy Speaker at 5.49 p.m., in accordance with standing order 45, announced that he would take the Chair again at 5.55 p.m.

At 5.55 p.m., the Deputy Speaker resumed the Chair, and a quorum of Members was present.

Debate continued.

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

Leave granted for third reading to be moved forthwith.

Mr Lindsay (Parliamentary Secretary to the Minister for Industry, Technology and Regional Development) moved—That the Bill be now read a third time.

Debate ensued.

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

11 APPROPRIATION BILL (NO. 1) 1993-94—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.

Mr Rocher addressing the House—

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

Mr Snowdon (Parliamentary Secretary to the Minister for the Environment, Sport and Territories) requiring the question to be put forthwith without debate—

Question—put and negatived.

Mr Rocher continued his speech.

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

12 ADJOURNMENT

Mr Snowdon (Parliamentary Secretary to the Minister for the Environment, Sport and Territories) moved—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 2 p.m.

PAPERS

The following papers were deemed to have been presented on 30 August 1993:
Australian Meat and Live-stock Corporation Act—Orders Nos. M57/93, M58/93, M59/93, MQ46/93, MQ47/93.

Civil Aviation Act—Regulations—Statutory Rules 1993 No. 221.

Defence Act—

Defence Force Remuneration Tribunal—Determinations—1993 Nos. 11, 12, 13, 14.

Determinations under section 58B—1993 Nos. 19, 23.

Federal Court of Australia Act—Rules—Statutory Rules 1993 No. 225.

Health Insurance Commission Act—Regulations—Statutory Rules 1993 No. 217.

Migration Act—Regulations—Statutory Rules 1993 Nos. 218, 219.

National Health Act—Determination—1993 No. INS 18.

Occupational Health and Safety (Commonwealth Employment) Act—Notice of approval—1993 No. 2.

Public Service Act—Determinations—1993 Nos. 150, 151, 152, 153, 154, LES 15, LES 16.

Quarantine Act—Determinations—1993 No. 2.

Superannuation Act 1976—

Declaration—Statutory Rules 1993 No. 223.

Determination under section 238—1993 No. 6.

Superannuation Act 1990—Declaration—Statutory Rules 1993 No. 222.

Superannuation (Productivity Benefit) Act—Declaration—Statutory Rules 1993 No. 224.

Veterans' Entitlements Act—Regulations—Statutory Rules 1993 No. 220.

ATTENDANCE

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

L. M. BARLIN

Clerk of the House of Representatives