

1993-94-95

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 146

TUESDAY, 20 JUNE 1995

1 The House met, at 12.30 p.m., pursuant to adjournment.

2 ABSENCE OF SPEAKER AND DEPUTY SPEAKER

The Clerk having informed the House that the Speaker (the Honourable Stephen Martin) and the Deputy Speaker (Mr Jenkins) were absent until later this day, the Second Deputy Speaker (Mr Rocher) took the Chair as Acting Speaker, and read Prayers.

3 HOUSING FOR SERVICE FAMILIES AT HMAS CERBERUS—REDEVELOPMENT—APPROVAL OF WORK

Mr Walker (Minister for Administrative Services), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Redevelopment of housing for service families at HMAS *Cerberus*.

Question—put and passed.

4 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—DEVELOPMENT OF READY RESERVE WORKING ACCOMMODATION AT ENOGGERA, QLD

Mr Walker (Minister for Administrative Services), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Development of Ready Reserve (49th Battalion, Royal Queensland Regiment and 6th Brigade Administrative Support Battalion) working accommodation at Enoggera, Qld.

Question—put and passed.

5 CHILD CARE LEGISLATION AMENDMENT BILL 1995

The order of the day having been read for the second reading—Dr Theophanous (Parliamentary Secretary to the Minister for Human Services and Health) moved—That the Bill be now read a second time.

Debate ensued.

Question—put.

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

AYES, 75

Mr Adams	Mr Duncan	Mr Johns	Mr Price
Mr Baldwin	Mrs Easson	Mr Jones	Mr Punch
Mr Beazley	Mr M. J. Evans	Mr Kerr	Mr Quick
Mr Beddall	Ms Fatin	Mr Knott	Mr Sawford*
Mr Bevis	Mr Ferguson	Mr Langmore	Mr Sciacca
Mr Bilney	Mr Fitzgibbon	Mr Latham	Mr Simmons
Mr Brereton	Mr Free	Mr Lavarch	Mrs S. J. Smith
Mr Brown	Mr Gear	Dr Lawrence	Mr S. F. Smith
Mr Campbell	Mr Gibson	Mr Lee	Mr Snow
Mr Chynoweth	Mr Gorman	Mr Lindsay	Mr Snowdon
Mr Cleary	Mr Grace*	Ms McHugh	Mr Staples
Mr Cleeland	Mr Griffin	Mr Mack	Mr Swan
Ms Crawford	Mr Griffiths	Mr McLeay	Mr Tanner
Mr Crean	Mr Haviland	Mr Melham	Dr Theophanous
Mrs Crosio	Ms Henzell	Mr A. A. Morris	Mr Tickner
Mr Cunningham	Mr Holding	Mr P. F. Morris	Mr Walker
Ms Deahm	Mr Hollis	Mr Newell	Mr Willis
Mr Dodd	Mr Home	Mr O'Connor	Mr Woods
Mr Duffy	Mr Humphreys	Mr O'Keefe	

NOES, 61

Mr Abbott	Mr Downer	Mr McGauran	Mr Slipper
Mr Aldred	Mr R. D. C. Evans	Mr McLachlan	Mr B. M. Smyth
Mr Anderson	Mr Filing	Mr Miles	Mr Somlyay
Mr J. N. Andrew	Mr Forrest	Mr Moore	Mrs Sullivan
Mr K. J. Andrews	Mrs Gallus	Mr Nehl	Mr Taylor
Mr Atkinson	Mr Georgiou	Mr Neville	Mr Thomson
Mrs Bishop	Mr Hall	Mr Nugent	Mr Truss
Mr Bradford	Mr Halverson	Mr Prosser	Mr Tuckey
Mr Braithwaite	Mr Hawker*	Mr Pyne	Mr Vaile
Mr Cadman	Mr Hicks*	Mr Reid	Mr Wakelin
Mr Cameron	Mr Jull	Mr Reith	Mr Williams
Mr Charles	Mr Katter	Mr Rocher	Dr Wooldridge
Mr Cobb	Dr Kemp	Mr Ruddock	Ms Worth
Mr Connolly	Mr Lieberman	Mr B. C. Scott	
Mr Costello	Mr Lloyd	Mr Sharp	
Mr Dobie	Mr McArthur	Mr Sinclair	

* Tellers

And so it was resolved in the affirmative—Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Dr Theophanous, the Bill was read a third time.

6 QUESTIONS

Questions without notice were asked.

7 PAPERS

The following papers were presented:

Equal Employment Opportunity (Commonwealth Authorities) Act—Equal employment opportunity program—Federal Airports Corporation—Report for 1994.

Law Reform Commission Act—Law Reform Commission—Report No. 73—For the sake of the kids: Complex contact cases and the Family Court.

Maritime College Act—Council of the Australian Maritime College—Report for 1994.

Student Assistance Act—Report by Minister for 1994.

Telecommunications (Interception) Act—Report for 1993-94.

8 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 1994.

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

9 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—FRENCH NUCLEAR TESTING

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 damage caused to Australia’s national interest by deep divisions in the Government over French nuclear testing”.

The proposed discussion having received the necessary support—

Mr Downer addressed the House.

Discussion ensued.

Discussion concluded.

10 SOCIAL SECURITY LEGISLATION AMENDMENT BILL (NO. 1) 1995—REPORT FROM MAIN COMMITTEE

The Second Deputy Speaker reported that the Social Security Legislation Amendment Bill (No. 1) 1995 had been fully considered by the Main Committee, Governor-General’s messages had been reported, and the Bill had been agreed to with amendments (*see item No. 2, Minutes of Proceedings of the Main Committee*), and presented a certified copy of the Bill together with a schedule of amendments.

Amendments made by the Main Committee agreed to.

Bill, as amended, agreed to.

On the motion of Mr Punch (Minister for Defence Science and Personnel), by leave, the Bill was read a third time.

11 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS

Mr Hollis (Chairman) rising to address the House—

Absence of quorum: Mrs Sullivan called the attention of the Second 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 Second Deputy Speaker at 5.02 p.m., in accordance with standing order 45, announced that the Chair would be resumed at the ringing of the bells.

At 5.25 p.m., the Speaker resumed the Chair, and a quorum of Members was present.

Mr Hollis presented the following report:

Public Works—Parliamentary Standing Committee—Report relating to the proposed Maralinga rehabilitation project, SA (10th report of 1995).

Ordered to be printed.

Mr Hollis, by leave, made a statement in connection with the report.

Paper: Mr Hollis, by leave, presented the following paper:

Non-Destructive Assay examination of sample material supplied by Geosafe—Letter from Mr Russell Leslie, Safeguards Officer, Australian Safeguards Office to Mr P. Davoren, Manager, Rehabilitation and Radioactive Waste Policy, Department of Primary Industries and Energy, 8 June 1995.

Mr Cleary, Mr Braithwaite, Mr J. N. Andrew and Mr Wakelin, by leave, also made statements in connection with the report.

12 POSTPONEMENT OF ORDER OF THE DAY

Ordered—That order of the day No. 2, government business, be postponed until a later hour this day.

13 BILLS REFERRED TO MAIN COMMITTEE

Mr McLeay (Chief Government Whip), pursuant to notice, moved—That the following Bills be referred to the Main Committee for consideration:

Commonwealth Authorities (Australian Capital Territory Pay-roll Tax) 1995; and Sex Discrimination Amendment 1995.

Question—put and passed.

14 BANKRUPTCY LEGISLATION AMENDMENT BILL 1995

The order of the day having been read for the second reading—Mr Snowdon (Parliamentary Secretary to the Minister for Employment, Education and Training) moved—That the Bill be now read a second time.

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

Debate ensued.

Debate adjourned (Mr Jenkins), and the resumption of the debate made an order of the day for a later hour this day.

15 SELECTION COMMITTEE—REPORT

Mr Jenkins (Chair) presented the following report:

Selection Committee—Report relating to the program of business prior to 2.45 p.m. on Monday, 26 June 1995.

16 BANKRUPTCY LEGISLATION AMENDMENT BILL 1995

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 (Ms Crawford—Parliamentary Secretary to the Minister for Housing and Regional Development), and the resumption of the debate made an order of the day for the next sitting.

17 ADJOURNMENT

Ms Crawford (Parliamentary Secretary to the Minister for Housing and Regional Development) moved—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 8 p.m., adjourned until tomorrow at 9.30 a.m.

PAPERS

The following papers were deemed to have been presented on 20 June 1995:

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposals 1995 Nos. 13, 14.

Quarantine Act—Proclamation No. 156A.

Rice Levy Act—Rice Levy Rates Specification 1995 No. 1.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Beale, Mr Elliott, Mr Fischer, Mr Keating, Mrs Moylan and Mr L. J. Scott.

L. M. BARLIN

Clerk of the House of Representatives

1993-94-95

HOUSE OF REPRESENTATIVES

SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 146

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

TUESDAY, 20 JUNE 1995

1 The Main Committee met at 12.45 p.m.

2 **SOCIAL SECURITY LEGISLATION AMENDMENT BILL (NO. 1) 1995**

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.

Messages from the Governor-General: The following messages from His Excellency the Governor-General were announced:

No. 284, dated 6 April 1995, recommending an appropriation for the purposes of the Bill; and

No. 274, dated 29 May 1995, recommending an appropriation for the purpose of amendments to the Bill.

Consideration in detail

Bill, by leave, taken as a whole.

On the motion of Mrs Crosio (Parliamentary Secretary to the Minister for Social Security), by leave, the following amendments were made together:

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

“(2A) Item 4A of Schedule 3 commences, or is taken to have commenced, on 1 July 1995.”.

Schedule 3—

Page 6, item 4, omit from proposed subsection 7(6) “or a social security benefit (other than a special benefit)”, substitute “, a social security benefit (other than a special benefit) or a youth training allowance”.

Page 7, item 4, omit from proposed subparagraph 7(6B)(c)(iii) “determination”, substitute “declaration”.

Page 9, item 4, proposed paragraph 7(6C)(c), omit the paragraph, substitute:

“(c) is the holder of:

- (i) a subclass 820 visa—Extended eligibility (spouse); or
- (ii) a temporary visa of a class referred to in a declaration of the Minister under subsection 25A(1) that is in force.’”.

Page 9, after item 4 insert the following item:

“4A. Subsection 7(6):

After ‘(other than a special benefit)’ insert ‘, a non-benefit parenting allowance’.”.

Page 9, item 6, omit from proposed subsection 25A(1) “paragraph 7(6C)(c)”, substitute “subparagraph 7(6C)(c)(ii)”.

Schedule 16—

Page 47, after item 15 insert the following item:

“15A. Subsection 1164(1):

Omit the subsection.”.

Page 47, items 17 and 18, omit the items, substitute the following item:

“17. Subsections 1164(4) and (4A):

Omit the subsections.”.

Page 55, after item 60 insert the following item:

“60A. Items 78 and 79 of Schedule 1:

Omit the items, substitute:

‘78. Subsection 1164(6):

Omit “If”, substitute “Subject to subsection (7), if”.

79. After subsection 1164(6):

Insert:

“(7) Subsection (6) does not prevent a parenting allowance being granted to the person unless the person’s maximum basic rate of parenting allowance exceeds the maximum basic component of parenting allowance.

Note: For the maximum basic component of parenting allowance see point 1068A-B6 of the Parenting Allowance Rate Calculator at the end of section 1068A.”.’”.

Schedule 20—

Page 75, items 38 and 39, omit the items, substitute the following item:

“38. Items 2, 3 and 4 of Schedule 3 (proposed subsection 771HA(1)):

Omit the items, substitute:

‘2. Subsection 771HA(1):

Omit the subsection, substitute:

“(1) Subject to subsections (1A) and (3), and section 771HB, a person is qualified for a partner allowance in respect of a period if:

- (a) throughout the period, the person is a member of a couple; and
- (b) throughout the period, the person’s partner is at least 21; and
- (c) throughout the period, the person’s partner is receiving job search allowance, newstart allowance, youth training allowance, sickness allowance, special benefit, rehabilitation allowance, age pension, disability support pension, disability wage supplement or mature age allowance; and

- (d) throughout the period, the person:
 - (i) is an Australian resident; and
 - (ii) is in Australia; and
- (e) the person was born on or before 1 July 1955; and
- (f) the person is not qualified for parenting allowance at any time during the period; and
- (g) the person has not received job search allowance, newstart allowance, youth training allowance or sickness allowance at any time in the 13 week period immediately before the day on which the person claimed partner allowance; and
- (h) the person does not have recent workforce experience.

Note 1: For 'member of a couple' see section 4.

Note 2: For 'Australian resident' see section 7.

Note 3: A person may be temporarily absent from Australia for up to 3 months and nevertheless be treated as being in Australia for the purposes of this section (see subsection (4)).".'.".

Page 75, after item 41 insert the following item:

"41A. After item 5 of Schedule 3:

Insert:

'5A. Subsection 771HA(2):

Omit the subsection.'".

Bill, as amended, agreed to.

Consideration in detail concluded.

Ordered—That the Bill be reported to the House with amendments.

3 ADJOURNMENT

On the motion of Mrs Crosio (Parliamentary Secretary to the Minister for Social Security), the Main Committee adjourned at 1.50 p.m.

The Chair reported that the Deputy Speaker had fixed tomorrow at 10 a.m. for the next meeting of the Main Committee.

I. C. HARRIS
Clerk of the Main Committee