

1996

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 23

THURSDAY, 27 JUNE 1996

1 The House met, at 9.30 a.m., pursuant to adjournment. The Speaker (the Honourable Bob Halverson) took the Chair, and read Prayers.

**2 DEVELOPMENT ALLOWANCE AUTHORITY AMENDMENT BILL 1996**

The order of the day having been read for the second reading—Mr Miles (Parliamentary Secretary (Cabinet) to the Prime Minister) moved—That the Bill be now read a second time.

*Papers:* Mr Miles presented an explanatory memorandum and a supplementary explanatory memorandum to the Bill.

Debate ensued.

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

*Consideration in detail*

Bill, by leave, taken as a whole.

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

Schedule 1—

Item 28, page 18 (lines 3 to 6), omit the item.

Item 31, page 18 (lines 11 to 15), omit the item.

Debate continued.

Question—That the amendments be agreed to—put.

The House divided (the Deputy Speaker, Mr J. N. Andrew, in the Chair)—

## AYES, 80

Mr Abbott	Mrs Elson	Mr Lieberman	Mr Scott
Mr Anderson	Mr Entsch	Mr Lindsay	Mr Sinclair
Mr K. J. Andrews	Mr R. D. C. Evans	Mr Lloyd	Mr Slipper
Mr Anthony	Mr Fahey	Mr McArthur*	Mr A. C. Smith
Mrs Bailey	Mr Filing	Mr McDougall	Mr W. L. Smith
Mr R. C. Baldwin	Mr Forrest	Mr McGauran	Mr Somlyay
Mr Barresi	Ms Gambaro	Mr Marek	Mrs Stone
Mr Bartlett	Mrs Gash	Mr Miles	Mrs Sullivan
Mr Billson	Mr Georgiou	Mr Moore	Mr Taylor
Mr Broadbent	Mrs E. J. Grace	Mrs Moylan	Mr A. P. Thomson
Mr Brough	Mr Hardgrave	Mr Mutch	Mr Truss
Mr Cadman	Mr Hawker	Dr Nelson	Mr Tuckey
Mr E. H. Cameron	Mr Hicks*	Mr Neville	Mr M. A. J. Vaile
Mr R. A. Cameron	Mr Hockey	Mr Nugent	Ms D. S. Vale
Mr Causley	Ms Jeanes	Mr Prosser	Mr Wakelin
Mr Charles	Mrs Johnston	Mr Pyne	Mrs West
Mr Cobb	Mr Jull	Mr Reid	Mr Williams
Mr Costello	Mrs D. M. Kelly	Mr Reith	Dr Wooldridge
Mr Dondas	Miss J. M. Kelly	Mr Rocher	Ms Worth
Mrs Draper	Dr Kemp	Mr Ronaldson	Mr Zammit

## NOES, 41

Mr Adams	Mr Fitzgibbon	Ms Macklin	Mr Sawford*
Mr Albanese	Mr E. L. Grace*	Mr McLeay	Mr Sercombe
Mr P. J. Baldwin	Mr Hatton	Mr McMullan	Mr S. F. Smith
Mr Beddall	Mr Hollis	Mr Martin	Mr Tanner
Mr Bevis	Mr Jenkins	Mr Melham	Dr Theophanous
Mr Breerton	Mr Kerr	Mr A. A. Morris	Mr K. J. Thomson
Mr Brown	Mr Langmore	Mr P. F. Morris	Mr Willis
Mr Crean	Mr Latham	Mr Mossfield	Mr Wilton
Ms Ellis	Dr Lawrence	Mr O'Keefe	
Mr G. J. Evans	Mr Lee	Mr Price	
Mr M. J. Evans	Mr McClelland	Mr Quick	

\* Tellers

And so it was resolved in the affirmative.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Mr Miles, by leave, the Bill was read a third time.

### 3 PUBLIC ACCOUNTS—JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS

Mr Somlyay (Chairman) presented the following paper:

Public Accounts—Joint Committee—Report 344—A continuing focus on accountability: Review of Auditor-General's reports 1993-94 and 1994-95, June 1996.

Ordered to be printed.

Mr Somlyay and Mr M. A. J. Vaile, by leave, made statements in connection with the report.

**4 PUBLIC ACCOUNTS—JOINT COMMITTEE—FINANCE MINUTES—  
STATEMENT BY MEMBER**

Mr Somlyay (Chairman), by leave, presented the following papers:

Public Accounts—Joint Committee—Finance minutes on—

Report 337—A focus on accountability: Review of Auditor-General's reports, 1992-93;

Report 340—Cash matters: Cash management in the Commonwealth; and

Report 343—Tax law improvement: A watching brief—

and, by leave, made a statement in connection with the papers.

**5 AVIATION SAFETY REGULATION—MINISTERIAL STATEMENT—MOTION  
TO TAKE NOTE OF PAPER**

The order of the day having been read for the resumption of the debate on the motion of Mr Prosser (Minister for Small Business and Consumer Affairs)—That the House take note of the paper (*presented on 25 June 1996*), viz.:

Aviation safety regulation—Ministerial statement, 25 June 1996—

Debate resumed.

It being 2 p.m., the debate was interrupted in accordance with standing order 101A, and the resumption of the debate made an order of the day for a later hour this day.

**6 QUESTIONS**

Questions without notice being asked—

*Paper:* Dr Wooldridge (Minister for Health and Family Services) presented the following paper:

Active euthanasia and Health Insurance Act—Copy of letter from Dr Keith Woollard, President, Australian Medical Association to Dr Wooldridge, 26 June 1996.

Questions without notice continued.

**7 PRIVILEGE—COMPLAINT OF BREACH**

Mr Holding raised, as a matter of privilege, allegations made in the last Parliament by a former Member concerning a prominent Jewish citizen and stated that the matter had been the subject of a report on a recent ABC Four Corners program and in the Australian Israel Review. He asked the Speaker to advise what action might be taken in respect of such a position.

Mr Howard (Prime Minister) addressed himself to the matter raised.

The Speaker stated that he would consider the matter and report to the House.

**8 AUDITOR-GENERAL'S REPORT—PUBLICATION OF PAPER**

The Speaker presented the following paper:

Audit Act—Auditor-General—Audit report No. 33 of 1995-96—Preliminary study—Joint commercial arrangements.

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

- (1) this House authorises the publication of the Auditor-General's audit report No. 33 of 1995-96; and
- (2) the report be printed.

Question—put and passed.

## 9 PAPERS

The following papers were presented:

Aboriginal Deaths in Custody—Royal Commission—Implementation of the Commonwealth Government responses to the recommendations of the Royal Commission—Report for 1994-95.

Department of Foreign Affairs and Trade and Austrade—Report—Australia-European Union—Trade and investment: Towards 2000.

Government responses to parliamentary committee reports—Response, 27 June 1996, to the schedule tabled in the House of Representatives on 9 May 1996.

## 10 DEATHS OF AUSTRALIAN-BASED JOURNALISTS IN EAST TIMOR IN 1975—PAPERS AND MINISTERIAL STATEMENT

Mr Downer (Minister for Foreign Affairs) presented the following papers:

Deaths of Australian-based journalists in East Timor in 1975—

Letter from Mr Downer to His Excellency Mr Ali Alatas, Indonesian Minister for Foreign Affairs, 26 June 1996.

Report, June 1996—

and, by leave, made a ministerial statement in connection with the report.

Mr Brereton and Mr Andren, by leave, also made statements in connection with the matter.

## 11 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—DEVELOPMENT IMPORT FINANCE FACILITY PROGRAM

The House was informed that Mr Brereton had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The enormous damage arising from the Government's decision to abolish the Development Import Finance Facility program".

The proposed discussion having received the necessary support—

Mr Brereton addressed the House.

Discussion ensued.

Discussion concluded.

## 12 CIVIL AVIATION AMENDMENT BILL 1996—REPORT FROM MAIN COMMITTEE

The Second Deputy Speaker reported that the Civil Aviation Amendment Bill 1996 had been considered in the Main Committee and was returned with an unresolved question (*see item No. 2, Minutes of Proceedings of the Main*

*Committee*), and presented a certified copy of the Bill together with a schedule of the unresolved question.

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

The House divided (the Second Deputy Speaker, Mr Jenkins, in the Chair)—

AYES, 83

Mr Abbott	Mr Entsch	Mr McArthur*	Mr Sharp
Mr J. N. Andrew	Mr R. D. C. Evans	Mr McDougall	Mr Sinclair
Mr K. J. Andrews	Mr Fahey	Mr McGauran	Mr Slipper
Mr Anthony	Mr Filing	Mr Marek	Mr A. C. Smith
Mr R. C. Baldwin	Mr Forrest	Mr Miles	Mr W. L. Smith
Mr Barresi	Ms Gambaro	Mr Moore	Mr Somlyay
Mr Bartlett	Mrs Gash	Mrs Moylan	Mrs Stone
Mr Billson	Mr Georgiou	Mr Mutch	Mrs Sullivan
Mrs Bishop	Mrs E. J. Grace	Mr Nairn	Mr Taylor
Mr Broadbent	Mr Hardgrave	Mr Nehl	Mr A. P. Thomson
Mr Brough	Mr Hawker	Dr Nelson	Mr Truss
Mr Cadman	Mr Hicks*	Mr Neville	Mr Tuckey
Mr E. H. Cameron	Mr Hockey	Mr Nugent	Mr M. A. J. Vaile
Mr Causley	Ms Jeanes	Mr Prosser	Ms D. S. Vaile
Mr Charles	Mrs Johnston	Mr Pyne	Mr Wakelin
Mr Cobb	Mr Jull	Mr Randall	Mrs West
Mr Costello	Mrs D. M. Kelly	Mr Reid	Mr Williams
Mr Dondas	Miss J. M. Kelly	Mr Reith	Dr Wooldridge
Mr Downer	Mr Lieberman	Mr Ronaldson	Ms Worth
Mrs Draper	Mr Lindsay	Mr Ruddock	Mr Zammit
Mrs Elson	Mr Lloyd	Mr Scott	

NOES, 40

Mr Adams	Ms Ellis	Mr Latham	Mr Mossfield
Mr Albanese	Mr G. J. Evans	Dr Lawrence	Mr O'Keefe
Mr Andren	Mr M. J. Evans	Mr Lee	Mr Quick
Mr P. J. Baldwin	Mr M. J. Ferguson	Mr McClelland	Mr Sawford*
Mr Beddall	Mr Fitzgibbon	Ms Macklin	Mr Sercombe
Mr Bevis	Mr E. L. Grace*	Mr McLeay	Mr S. F. Smith
Mr Breton	Mr Hatton	Mr McMullan	Mr Tanner
Mr Brown	Mr Holding	Mr Martin	Dr Theophanous
Mr Campbell	Mr Hollis	Mr A. A. Morris	Mr K. J. Thomson
Mr Crean	Mr Langmore	Mr P. F. Morris	Mr Willis

\* 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.

*Consideration in detail*

Bill, by leave, taken as a whole.

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

Schedule 1—

Item 4, page 3 (lines 13 and 14), omit the item.

Page 4 (after line 16), after item 11, add the following item:

**12 After subsection 42 (4A)**

Insert:

- (4AA) The Minister may, by direction in writing, terminate the appointment of all members of the Board (other than the Director) or specified members of the Board (other than the Director) on a day specified in the instrument of direction, being a day not earlier than the day on which the direction is given, and the termination has effect notwithstanding that none of the grounds referred to in subsection (1), (2), (4) and (4A) is or may be applicable.

Debate continued.

Question—That the amendments be agreed to—put.

The House divided (the Second Deputy Speaker, Mr Jenkins, in the Chair)—

AYES, 3

Mr Andren                      Mr Campbell\*                      Mr Filing\*

NOES, 119

Mr Abbott	Mr M. J. Evans	Mr McClelland	Mr Ruddock
Mr Albanese	Mr R. D. C. Evans	Mr McDougall	Mr Sawford*
Mr J. N. Andrew	Mr M. J. Ferguson	Mr McGauran	Mr Scott
Mr K. J. Andrews	Mr Fitzgibbon	Ms Macklin	Mr Sercombe
Mr Anthony	Mr Forrest	Mr McLeay	Mr Sharp
Mr P. J. Baldwin	Ms Gambaro	Mr McMullan	Mr Sinclair
Mr R. C. Baldwin	Mrs Gash	Mr Marek	Mr Slipper
Mr Barresi	Mr Georgiou	Mr Martin	Mr A. C. Smith
Mr Bartlett	Mrs E. J. Grace	Mr Melham	Mr S. F. Smith
Mr Beddall	Mr E. L. Grace	Mr Miles	Mr W. L. Smith
Mr Bevis	Mr Hardgrave	Mr Moore	Mr Somlyay
Mr Billson	Mr Hatton	Mr A. A. Morris	Mrs Stone
Mrs Bishop	Mr Hawker	Mr P. F. Morris	Mrs Sullivan
Mr Breerton	Mr Hicks*	Mr Mossfield	Mr Tanner
Mr Broadbent	Mr Hockey	Mrs Moylan	Mr Taylor
Mr Brough	Mr Hollis	Mr Mutch	Dr Theophanous
Mr Brown	Ms Jeanes	Mr Nairn	Mr A. P. Thomson
Mr Cadman	Mrs Johnston	Mr Nehl	Mr K. J. Thomson
Mr E. H. Cameron	Mr Jull	Dr Nelson	Mr Truss
Mr R. A. Cameron	Mrs D. M. Kelly	Mr Neville	Mr M. A. J. Vaile
Mr Causley	Miss J. M. Kelly	Mr Nugent	Ms D. S. Vale
Mr Charles	Mr Kerr	Mr O'Keefe	Mr Wakelin
Mr Cobb	Mr Langmore	Mr Price	Mrs West
Mr Costello	Mr Latham	Mr Prosser	Mr Williams
Mr Crean	Dr Lawrence	Mr Pyne	Mr Willis
Mr Dondas	Mr Lee	Mr Quick	Mr Wilton
Mrs Draper	Mr Lieberman	Mr Randall	Dr Wooldridge
Ms Ellis	Mr Lindsay	Mr Reid	Ms Worth
Mrs Elson	Mr Lloyd	Mr Reith	Mr Zammit
Mr Entsch	Mr McArthur	Mr Ronaldson	

\* Tellers

And so it was negatived.

Bill agreed to.

Consideration in detail concluded.

On the motion of Mr Sharp (Minister for Transport and Regional Development), by leave, the Bill was read a third time.

**13 PUBLICATIONS COMMITTEE—1ST REPORT**

Mr Lieberman (Chair) presented the following paper:

**PUBLICATIONS COMMITTEE 1ST REPORT**

The Publications Committee reports that it has met in conference with the Publications Committee of the Senate.

The Committee, having considered petitions and documents presented to the Parliament since 30 April 1996, recommends that the following be printed:

Aboriginal Land Rights (Northern Territory) Act—Reports for 1994-95—  
Anindilyakwa Land Council.

Central Land Council.

Northern Land Council.

Tiwi Land Council.

Advance Australia Logo Protection Act—Advance Australia Foundation—  
Report for 1994-95.

Albury-Wodonga Development Act—Albury-Wodonga Development  
Corporation—Reports—  
1993-94.  
1994-95.

ANL Act—ANL Limited—Report for 1994-95.

Australia and the Asian Development Bank—Report for 1 January 1994 to 30  
June 1995.

Australian Horticultural Corporation Act—Australian Dried Fruits Board—  
Report for 1994-95.

Australian Institute of Health and Welfare Act—Australian Institute of Health  
and Welfare—Report—Australia's health 1996.

Australian Meat and Livestock Industry Policy Council Act—Australian Meat  
and Livestock Industry Policy Council—Report for 1994-95.

Australian Nuclear Science and Technology Organisation Act—Safety Review  
Committee—Report for 1994-95.

Australian Science and Technology Council Act—Australian Science and  
Technology Council—Reports—

Australia's science and engineering base for information and communications  
services and technologies, November 1995.

Developing long-term strategies for science and technology in Australia:  
outcomes of the study matching science and technology to future needs.

Christmas Island Act—Casino Control Ordinance—Casino Surveillance  
Authority and Casino Controller—Reports for 1994-95.

- Commonwealth Grants Commission Act—Commonwealth Grants Commission—Reports—  
 Christmas Island inquiry, 1995.  
 General revenue grant relativities—1996 update.
- Fisheries Act—  
 Northern Territory Fisheries Joint Authority—Reports—  
 1993.  
 1994.  
 Western Australian Fisheries Joint Authority—Report for 1994.
- Foreign Investment Review Board—Report for 1994-95.
- Freedom of Information Act—Report for 1994-95 on the operation of the Act.
- Housing Loans Insurance Act—Housing Loans Insurance Corporation—Report for 1994-95.
- Human Rights and Equal Opportunity Commission Act—Human Rights and Equal Opportunity Commission—Report of the Human Rights Commissioner on the reconvened Inquiry into the Human Rights of People with Mental Illness (Victoria), December 1995.
- Industry Commission Act—Industry Commission—Reports—  
 No. 43—Vehicle and recreational marine craft repair and insurance industries, 15 March 1995.  
 No. 48—Competitive tendering and contracting by public sector agencies, 24 January 1996.
- International Monetary Agreements Act—Australia and the IMF—Report for 1 May 1994 to 30 April 1995.
- International Monetary Agreements Act and the International Bank for Reconstruction and Development (General Capital Increase) Act—Australia and the World Bank—Report for 1994-95.
- Law Reform Commission Act—  
 Law Reform Commission—Report—No. 78—Beyond the door-keeper: Standing to sue for public remedies.  
 Law Reform Commission (Report No. 77) and Administrative Review Council (Report No. 40)—Joint Report—Open government: A review of the federal Freedom of Information Act 1982.
- Maritime College Act—Australian Maritime College—Report for 1995.
- National Road Transport Commission Act—National Road Transport Commission—Report for 1994-95.
- Primary Industries and Energy Research and Development Act—Honeybee Research and Development Council—Report for 1994-95.
- Services Trust Funds Act—Reports for 1995—  
 Australian Military Forces Relief Trust Fund.  
 Royal Australian Air Force Welfare Trust Fund.  
 Royal Australian Navy Relief Trust Fund.
- University of Canberra Act—University of Canberra—Report for 1995.



War Crimes Act—Report for 1994-95.

Wheat Marketing Act—Australian Wheat Board—Report for period 1 October 1994 to 30 September 1995.

LOU LIEBERMAN

Chair

27 June 1996

Mr Lieberman, by leave, moved—That the report be agreed to.

Question—put and passed.

**14 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENT BY MEMBER**

Mr Martin, by leave, presented the following paper:

Australian Parliamentary Delegation to the 4th annual meeting of the Asia Pacific Parliamentary Forum, Cha-Am, Phetchaburi Province, Kingdom of Thailand, 15 to 18 January 1996—Report, June 1996.

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

**15 CUSTOMS TARIFF PROPOSAL**

Mr Prosser (Minister for Small Business and Consumer Affairs) moved Customs Tariff Proposal No. 1 (1996).

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

**16 STANDING COMMITTEES—MEMBERSHIP**

The House was informed of the nominations of Members to be members of the following standing committees:

*Family and Community Affairs*

Mrs D. M. Kelly had been nominated by the Chief National Party Whip, in place of Mr Marek.

*Aboriginal and Torres Strait Islander Affairs*

Mr Marek had been nominated by the Chief National Party Whip, in place of Mr Neville.

**17 MESSAGES FROM THE SENATE**

Messages from the Senate were reported:

(a) returning the following Bills without amendment:

Message, dated 27 June 1996—

No. 45—Telecommunications (Carrier Licence Fees) Amendment 1996 (*without requests*).

No. 46—Parliamentary Contributory Superannuation Amendment 1996.

No. 48—Customs Amendment 1996.

- (b) acquainting the House that Senator Lees had been discharged from the Joint Standing Committee on Electoral Matters and Senator Stott Despoja had been discharged from the Joint Committee on the National Capital and External Territories—Message No. 47, dated 26 June 1996.

#### 18 REFERENCE OF REPORT TO STANDING COMMITTEE

Mr Williams (Attorney-General), by leave, moved—That the Auditor-General's audit report No. 31 of 1995-96—Performance audit—Environmental management of Commonwealth land: Site contamination and pollution prevention, presented on Monday, 24 June 1996, be referred to the Standing Committee on Environment, Recreation and the Arts.

Question—put and passed.

#### 19 POSTPONEMENT OF ORDER OF THE DAY

Ordered—That order of the day No. 3, government business, be postponed until a later hour this day.

#### 20 NATIVE TITLE AMENDMENT BILL 1996

Mr Williams (Attorney-General and Minister for Justice), pursuant to notice, presented a Bill for an Act to amend the *Native Title Act 1993*, and for related purposes.

Bill read a first time.

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

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*Adjournment negatived:* It being 5.30 p.m.—The question was proposed—That the House do now adjourn.

Mr Williams requiring the question to be put forthwith without debate—

Question—put and negatived.

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Mr Williams continued his speech.

*Paper:* Mr Williams presented an explanatory memorandum to the Bill.

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

#### 21 NATIVE TITLE ACT—PROPOSED CHANGES—REFERENCE TO COMMITTEE

Mr Williams (Attorney-General), pursuant to notice, moved—

(1) That:

- (a) the proposed changes to the *Native Title Act 1993* contained in the Native Title Amendment Bill 1996 presented to the House this day be referred to the Parliamentary Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Fund for consideration and an advisory report to the House by 1 November 1996; and

- (b) the terms of this resolution, so far as they are inconsistent with the standing and sessional orders, have effect notwithstanding anything contained in the standing and sessional orders.
- (2) That a message be sent to the Senate acquainting it of this reference to the committee.

Question—put and passed.

**22 PRIMARY INDUSTRIES AND ENERGY LEGISLATION AMENDMENT BILL (NO. 2) 1996**

Mr Miles (Parliamentary Secretary (Cabinet) to the Prime Minister), for Mr Anderson (Minister for Primary Industries and Energy), pursuant to notice, presented a Bill for an Act to amend the law relating to primary industries and energy, to repeal certain Acts, and for related purposes.

Bill read a first time.

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

*Paper:* Mr Miles presented an explanatory memorandum to the Bill.

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

**23 SALES TAX LAWS AMENDMENT BILL (NO. 1) 1996**

Mr Miles (Parliamentary Secretary (Cabinet) to the Prime Minister) presented a Bill for an Act to amend the law relating to sales tax.

Bill read a first time.

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

*Paper:* Mr Miles presented an explanatory memorandum to the Bill.

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

**24 TAXATION LAWS AMENDMENT BILL (NO. 2) 1996**

Mr Miles (Parliamentary Secretary (Cabinet) to the Prime Minister) presented a Bill for an Act to amend the law relating to taxation.

Bill read a first time.

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

*Paper:* Mr Miles presented an explanatory memorandum to the Bill.

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

**25 TAXATION LAWS AMENDMENT (INTERNATIONAL TAX AGREEMENTS) BILL 1996**

Mr Miles (Parliamentary Secretary (Cabinet) to the Prime Minister) presented a Bill for an Act to amend the *International Tax Agreements Act 1953*, and for related purposes.

Bill read a first time.

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

*Paper:* Mr Miles presented an explanatory memorandum to the Bill.

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

**26 MESSAGE FROM THE SENATE—TAXATION LAWS AMENDMENT BILL (NO. 1) 1996**

The following message from the Senate was reported:

Message No. 49

Mr Speaker

The Senate returns to the House of Representatives the bill for **An Act to amend the law relating to taxation**, and acquaints the House that the Senate has considered message no. 57 of the House relating to the bill.

The Senate does not insist upon its amendment disagreed to by the House, and in place thereof, requests the House to amend the bill as indicated by the annexed schedule.

MICHAEL BEAHAN

President

The Senate

27 June 1996

Ordered—That the amendments requested by the Senate be considered forthwith.

**SCHEDULE OF THE REQUESTS BY THE SENATE FOR AMENDMENTS,  
IN PLACE OF THE AMENDMENT DISAGREED TO BY THE HOUSE OF  
REPRESENTATIVES**

- (1) Schedule 1, item 1, page 3 (lines 8 to 11), omit the definition of *provisional tax uplift factor*, substitute:

*provisional tax uplift factor* has the meaning given by section 221YAAA.

- (2) Schedule 1, page 3 (after line 11), after item 1, insert:

**1A After section 221YA**

Insert:

**221YAAA Provisional tax uplift factor**

- (1) This section sets out the meaning of *provisional tax uplift factor* for a year of income.
- (2) The provisional tax uplift factor for the 1996-97 year of income is 6%.
- (3) The provisional tax uplift factor for a later year of income (the *later provisional tax year*) is the percentage worked out using the formula:

$$\left[ 100\% \times \frac{\text{Sum of GDP amounts for the quarters in the later calendar year}}{\text{Sum of GDP amounts for the quarters in the earlier calendar year}} \right] - 100\%$$

- (4) The **GDP amount** for a quarter is the amount published in the document mentioned in subsection (5) as the original gross domestic product (GDP(I)) at current prices for the quarter.
- (5) The document for the purposes of subsection (4) is the first document published by the Australian Statistician after the end of the later calendar year that sets out amounts as mentioned in subsection (4) for all of the quarters in both the later calendar year and the earlier calendar year.
- (6) For the purposes of subsections (3) to (5):

**earlier calendar year** means the calendar year that occurs immediately before the later calendar year.

**later calendar year** means the calendar year ending on the 31 December occurring most recently before the later provisional tax year.

**quarter** means a period of 3 months ending on 31 March, 30 June, 30 September or 31 December.

- (7) In working out the percentage under subsection (3), any substituted accounting period is disregarded.
- (8) If the percentage worked out under subsection (3) is not a whole number, it is rounded to the nearest whole number (rounding a number ending in .5 downwards).
- (9) If the percentage worked out under subsection (3) is negative, it is instead 0%.
- (3) Schedule 1, item 2, page 3 (line 13), omit “amendment made by this Part applies”, substitute “amendments made by this Part apply”.

Mr Miles (Parliamentary Secretary (Cabinet) to the Prime Minister) moved—That the requested amendments be made.

Debate ensued.

Mr Latham moved, as an amendment—That the following words be added to the motion: “with the following modification: Requested amendment (2), omit item 9 of section 221YAAA”.

Debate continued.

Question—That the words proposed to be added be so added—put and negatived.

Question—That the requested amendments be made—put and passed—Mr Rocher dissenting.

27 MESSAGE FROM THE SENATE—CUSTOMS TARIFF AMENDMENT BILL (NO. 1) 1996

The following message from the Senate was reported:

Message No. 50

Mr Speaker

The Senate returns to the House of Representatives the Bill for **An Act to amend the *Customs Tariff Act 1995***, and requests the House to amend the bill as indicated by the annexed schedule.

MICHAEL BEAHAN

President

The Senate

27 June 1996

Ordered—That the amendments requested by the Senate be considered forthwith.

SCHEDULE OF THE REQUESTS BY THE SENATE FOR AMENDMENTS

(1) Schedule 1, page 3 (after line 8), after item 2, insert:

**2A Item 45 of Schedule 4**

Omit the item, substitute:

45	Capital equipment for use in the mining and resource processing industries, as prescribed by by-law	Free
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**2B Item 46 of Schedule 4**

Omit the item, substitute:

46	Capital equipment for use in the agriculture, food processing and food packaging industries, as prescribed by by-law	Free
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(2) Schedule 1, page 3 (after line 14), after item 4, insert:

**4A After item 50 of Schedule 4**

Insert:

50A	Goods that:	Free
	(a) a Tariff Concession Order declares are goods to which item 50 applies; and	
	(b) are categorised, at the time when they are entered for home consumption, as consumption goods in accordance with the United Nations Statistical Papers entitled “Classification by Broad Economic Category” and “Standard International Trade Classification Revision 3”.	

(3) Schedule 1, page 3 (after line 17), after item 5, insert:

**5A Item 56 of Schedule 4**

Omit “and which is ineligible for a Tariff Concession Order”.

On the motion of Mr Moore (Minister for Industry, Science and Tourism), the requested amendments were made, after debate.

**28 ABORIGINAL AND TORRES STRAIT ISLANDER COMMISSION AMENDMENT BILL 1996**

Dr Wooldridge (Minister representing the Minister for Aboriginal and Torres Strait Islander Affairs), by leave, presented a Bill for an Act relating to the Aboriginal and Torres Strait Islander Commission, and for related purposes.

Bill read a first time.

*Declaration of Bill as urgent Bill:* Dr Wooldridge declared that the Bill was an urgent Bill.

Question—That the Bill be considered an urgent Bill—put and passed.

*Allotment of time:* Dr Wooldridge then moved—That the time allotted for the remaining stages of the Bill be until 10.30 p.m. this day.

Debate ensued.

The time allowed by standing order 92 for the debate on the motion having expired—

Question—put.

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

AYES, 76

Mr Abbott	Mrs Draper	Mr Lindsay	Mr Ruddock
Mr J. N. Andrew	Mrs Elson	Mr Lloyd	Mr Scott
Mr K. J. Andrews	Mr Entsch	Mr McArthur*	Mr Sharp
Mr Anthony	Mr R. D. C. Evans	Mr McDougall	Mr Slipper
Mr R. C. Baldwin	Mr Fahey	Mr McGauran	Mr A. C. Smith
Mr Barresi	Mr Forrest	Mr Marek	Mr W. L. Smith
Mr Bartlett	Ms Gambaro	Mr Miles	Mr Somlyay
Mr Billson	Mr Georgiou	Mr Moore	Mrs Stone
Mrs Bishop	Mrs E. J. Grace	Mrs Moylan	Mrs Sullivan
Mr Broadbent	Mr Hardgrave	Mr Mutch	Mr Taylor
Mr Brough	Mr Hawker	Mr Nairn	Mr A. P. Thomson
Mr Cadman	Mr Hicks*	Mr Nehl	Mr Truss
Mr E. H. Cameron	Mr Hockey	Dr Nelson	Mr M. A. J. Vaile
Mr R. A. Cameron	Ms Jeanes	Mr Neville	Ms D. S. Vale
Mr Causley	Mrs Johnston	Mr Nugent	Mr Wakelin
Mr Charles	Mr Jull	Mr Prosser	Mrs West
Mr Cobb	Mrs D. M. Kelly	Mr Pyne	Dr Wooldridge
Mr Costello	Miss J. M. Kelly	Mr Reith	Ms Worth
Mr Dondas	Mr Lieberman	Mr Ronaldson	Mr Zammit

## NOES, 36

Mr Albanese	Mr Fitzgibbon	Mr McClelland	Mr Price
Mr P. J. Baldwin	Mr Hatton	Ms Macklin	Mr Quick
Mr Beddall	Mr Holding	Mr McLeay	Mr Sawford*
Mr Bevis	Mr Hollis	Mr McMullan	Mr S. F. Smith
Mr Brereton	Mr Jenkins	Mr Martin	Mr Tanner
Mr Brown	Mr Kerr	Mr Melham	Dr Theophanous
Mr Crean	Mr Langmore	Mr A. A. Morris	Mr K. J. Thomson*
Mr M. J. Evans	Mr Latham	Mr Mossfield	Mr Willis
Mr M. J. Ferguson	Dr Lawrence	Mr O'Keefe	Mr Wilton

\* Tellers

And so it was resolved in the affirmative.

Dr Wooldridge moved—That the Bill be now read a second time.

*Paper:* Dr Wooldridge presented an explanatory memorandum to the Bill.

Mr Melham moved—That the debate be now adjourned.

Question—put.

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

## AYES, 37

Mr Albanese	Mr Hatton	Mr McLeay	Mr Sercombe*
Mr P. J. Baldwin	Mr Holding	Mr McMullan	Mr S. F. Smith
Mr Beddall	Mr Hollis	Mr Martin	Mr Tanner
Mr Bevis	Mr Jenkins	Mr Melham	Dr Theophanous
Mr Brereton	Mr Kerr	Mr A. A. Morris	Mr K. J. Thomson
Mr Brown	Mr Langmore	Mr Mossfield	Mr Willis
Mr Crean	Mr Latham	Mr O'Keefe	Mr Wilton
Mr M. J. Evans	Dr Lawrence	Mr Price	
Mr M. J. Ferguson	Mr McClelland	Mr Quick	
Mr Fitzgibbon	Ms Macklin	Mr Sawford*	

## NOES, 78

Mr Abbott	Mrs Draper	Mr Lindsay	Mr Scott
Mr Andren	Mrs Elson	Mr Lloyd	Mr Sharp
Mr J. N. Andrew	Mr Entsch	Mr McArthur*	Mr Sinclair
Mr K. J. Andrews	Mr R. D. C. Evans	Mr McDougall	Mr A. C. Smith
Mr Anthony	Mr Fahey	Mr McGauran	Mr W. L. Smith
Mr R. C. Baldwin	Mr Forrest	Mr Marek	Mr Somlyay
Mr Barresi	Ms Gambaro	Mr Miles	Mrs Stone
Mr Bartlett	Mr Georgiou	Mrs Moylan	Mrs Sullivan
Mr Billson	Mrs E. J. Grace	Mr Mutch	Mr Taylor
Mrs Bishop	Ms Hanson	Mr Nairn	Mr A. P. Thomson
Mr Broadbent	Mr Hardgrave	Mr Nehl	Mr Truss
Mr Brough	Mr Hawker	Dr Nelson	Mr M. A. J. Vaile
Mr Cadman	Mr Hicks*	Mr Neville	Ms D. S. Vale
Mr E. H. Cameron	Mr Hockey	Mr Nugent	Mr Wakelin
Mr R. A. Cameron	Ms Jeanes	Mr Prosser	Mrs West
Mr Causley	Mrs Johnston	Mr Pyne	Dr Wooldridge
Mr Charles	Mr Jull	Mr Randall	Ms Worth
Mr Cobb	Mrs D. M. Kelly	Mr Reith	Mr Zammit
Mr Costello	Miss J. M. Kelly	Mr Ronaldson	
Mr Dondas	Mr Lieberman	Mr Ruddock	

\* Tellers



And so it was negated.

Debate continued.

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

### 29 SUSPENSION OF STANDING ORDER 103

Mr Reith (Leader of the House), by leave, moved—That standing order 103 (new business) be suspended for this sitting.

Question—put and passed.

### 30 ABORIGINAL AND TORRES STRAIT ISLANDER COMMISSION AMENDMENT BILL 1996

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.

*Limitation of debate:* At 10.30 p.m., the Speaker having called the attention of the House to the fact that the time allotted for the remaining stages of the Bill had expired—

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

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

AYES, 81

Mr Abbott	Mrs Draper	Mr Lloyd	Mr Sinclair
Mr Andren	Mrs Elson	Mr McArthur*	Mr Slipper
Mr J. N. Andrew	Mr R. D. C. Evans	Mr McDougall	Mr A. C. Smith
Mr K. J. Andrews	Mr Fahey	Mr McGauran	Mr W. L. Smith
Mr Anthony	Mr Filing	Mr Marek	Mr Somlyay
Mr R. C. Baldwin	Mr Forrest	Mr Miles	Mrs Stone
Mr Barresi	Ms Gambaro	Mrs Moylan	Mrs Sullivan
Mr Bartlett	Mr Georgiou	Mr Mutch	Mr Taylor
Mr Billson	Mrs E. J. Grace	Mr Nairn	Mr A. P. Thomson
Mrs Bishop	Ms Hanson	Dr Nelson	Mr Truss
Mr Broadbent	Mr Hardgrave	Mr Neville	Mr M. A. J. Vaile
Mr Brough	Mr Hawker	Mr Nugent	Ms D. S. Vale
Mr Cadman	Mr Hicks*	Mr Prosser	Mr Wakelin
Mr E. H. Cameron	Mr Hockey	Mr Pyne	Mrs West
Mr R. A. Cameron	Ms Jeanes	Mr Randall	Mr Williams
Mr Campbell	Mrs Johnston	Mr Reid	Dr Wooldridge
Mr Causley	Mr Jull	Mr Reith	Ms Worth
Mr Charles	Mrs D. M. Kelly	Mr Ronaldson	Mr Zammit
Mr Cobb	Miss J. M. Kelly	Mr Ruddock	
Mr Costello	Mr Lieberman	Mr Scott	
Mr Dondas	Mr Lindsay	Mr Sharp	

## NOES, 38

Mr Albanese	Mr Fitzgibbon	Ms Macklin	Mr Sawford*
Mr P. J. Baldwin	Mr Hatton	Mr McLeay	Mr Sercombe*
Mr Beddall	Mr Holding	Mr McMullan	Mr S. F. Smith
Mr Bevis	Mr Hollis	Mr Martin	Mr Tanner
Mr Brereton	Mr Jenkins	Mr Melham	Dr Theophanous
Mr Brown	Mr Kerr	Mr A. A. Morris	Mr K. J. Thomson
Mr Crean	Mr Langmore	Mr Mossfield	Mr Willis
Ms Ellis	Mr Latham	Mr O'Keefe	Mr Wilton
Mr M. J. Evans	Dr Lawrence	Mr Price	
Mr M. J. Ferguson	Mr McClelland	Mr Quick	

\* Tellers

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

Question—That the remaining stages of the Bill be agreed to—put.

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

## AYES, 81

Mr Abbott	Mrs Draper	Mr Lloyd	Mr Sinclair
Mr Andren	Mrs Elson	Mr McArthur*	Mr Slipper
Mr J. N. Andrew	Mr R. D. C. Evans	Mr McDougall	Mr A. C. Smith
Mr K. J. Andrews	Mr Fahey	Mr McGauran	Mr W. L. Smith
Mr Anthony	Mr Filing	Mr Marek	Mr Somlyay
Mr R. C. Baldwin	Mr Forrest	Mr Miles	Mrs Stone
Mr Barresi	Ms Gambaro	Mrs Moylan	Mrs Sullivan
Mr Bartlett	Mr Georgiou	Mr Mutch	Mr Taylor
Mr Billson	Mrs E. J. Grace	Mr Nairn	Mr A. P. Thomson
Mrs Bishop	Ms Hanson	Dr Nelson	Mr Truss
Mr Broadbent	Mr Hardgrave	Mr Neville	Mr M. A. J. Vaile
Mr Brough	Mr Hawker	Mr Nugent	Ms D. S. Vale
Mr Cadman	Mr Hicks*	Mr Prosser	Mr Wakelin
Mr E. H. Cameron	Mr Hockey	Mr Pyne	Mrs West
Mr R. A. Cameron	Ms Jeanes	Mr Randall	Mr Williams
Mr Campbell	Mrs Johnston	Mr Reid	Dr Wooldridge
Mr Causley	Mr Jull	Mr Reith	Ms Worth
Mr Charles	Mrs D. M. Kelly	Mr Ronaldson	Mr Zammit
Mr Cobb	Miss J. M. Kelly	Mr Ruddock	
Mr Costello	Mr Lieberman	Mr Scott	
Mr Dondas	Mr Lindsay	Mr Sharp	

## NOES, 38

Mr Albanese	Mr Fitzgibbon	Ms Macklin	Mr Sawford*
Mr P. J. Baldwin	Mr Hatton	Mr McLeay	Mr Sercombe*
Mr Beddall	Mr Holding	Mr McMullan	Mr S. F. Smith
Mr Bevis	Mr Hollis	Mr Martin	Mr Tanner
Mr Brereton	Mr Jenkins	Mr Melham	Dr Theophanous
Mr Brown	Mr Kerr	Mr A. A. Morris	Mr K. J. Thomson
Mr Crean	Mr Langmore	Mr Mossfield	Mr Willis
Ms Ellis	Mr Latham	Mr O'Keefe	Mr Wilton
Mr M. J. Evans	Dr Lawrence	Mr Price	
Mr M. J. Ferguson	Mr McClelland	Mr Quick	

\* Tellers

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

31 **SUSPENSION OF SITTING**

At 10.49 p.m. the Deputy Speaker left the Chair.

FRIDAY, 28 JUNE 1996

32 **RESUMPTION OF SITTING**

The Speaker resumed the Chair at noon.

33 **MIGRATION—JOINT STANDING COMMITTEE**

The House was informed that the Chief Opposition Whip had nominated Mr Martin to be a member of the Joint Standing Committee on Migration, in place of Dr Theophanous.

34 **NATURAL HERITAGE TRUST OF AUSTRALIA BILL 1996**

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 Dr Lawrence who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “the House is of the opinion that the Bill should be withdrawn and redrafted to provide, in the interest of certainty, for \$1 billion from the Consolidated Revenue Fund to be credited upon enactment to the Natural Heritage Trust of Australia Reserve”.

Debate continued.

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

35 **MESSAGE FROM THE SENATE—DEVELOPMENT ALLOWANCE AUTHORITY AMENDMENT BILL 1996**

The following message from the Senate was reported:

Message No. 52

Mr Speaker

The Senate returns to the House of Representatives the bill for **An Act to amend the *Development Allowance Authority Act 1992*, and for related purposes**, and acquaints the House that the Senate has disagreed to the amendments made by the House, for the reason shown in the annexed schedule.

The Senate desires the reconsideration by the House of the bill in respect of the amendments.

MICHAEL BEAHAN

President

The Senate

28 June 1996

Ordered—That the message be considered forthwith.

SCHEDULE OF THE AMENDMENTS MADE BY THE HOUSE OF REPRESENTATIVES TO WHICH THE SENATE HAS DISAGREED

No. 1 - Schedule 1, item 28, page 18 (lines 3 to 6), omit the item.

No. 2 - Schedule 1, item 31, page 18 (lines 11 to 15), omit the item.

*Senate reason for disagreeing to the amendments of the House of Representatives*

The tax concession for development of urban roads is an inappropriate use of the tax system as it promotes double benefits for developers of road projects.

Mr Costello (Treasurer) moved—That the House insists on its amendments disagreed to by the Senate.

Debate ensued.

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

Question—That the question be now put—put.

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

AYES, 74

Mr Abbott	Mrs Elson	Mr Lindsay	Mr Scott
Mr J. N. Andrew	Mr Entsch	Mr Lloyd	Mr Slipper
Mr K. J. Andrews	Mr R. D. C. Evans	Mr McArthur*	Mr Somlyay
Mr Anthony	Mr Fahey	Mr McDougall	Dr Southcott
Mr R. C. Baldwin	Mr Forrest	Mr Marek	Mrs Stone
Mr Barresi	Ms Gambaro	Mr Miles	Mrs Sullivan
Mr Bartlett	Mr Georgiou	Mrs Moylan	Mr Taylor
Mr Billson	Mrs E. J. Grace	Mr Mutch	Mr A. P. Thomson
Mr Broadbent	Ms Hanson	Mr Nairn	Mr Truss
Mr Brough	Mr Hardgrave	Dr Nelson	Mr M. A. J. Vaile
Mr Cadman	Mr Hawker	Mr Neville	Ms D. S. Vale
Mr E. H. Cameron	Mr Hicks*	Mr Nugent	Mr Wakelin
Mr R. A. Cameron	Mr Hockey	Mr Prosser	Mrs West
Mr Causley	Ms Jeanes	Mr Pyne	Mr Williams
Mr Charles	Mrs Johnston	Mr Randall	Dr Wooldridge
Mr Cobb	Mr Jull	Mr Reid	Ms Worth
Mr Costello	Mrs D. M. Kelly	Mr Reith	Mr Zammit
Mr Dondas	Miss J. M. Kelly	Mr Ronaldson	
Mrs Draper	Mr Lieberman	Mr Ruddock	

NOES, 39

Mr Andren	Mr Filing	Dr Lawrence	Mr Rocher
Mr P. J. Baldwin	Mr Fitzgibbon	Mr Lee	Mr Sawford*
Mr Beddall	Mr E. L. Grace*	Mr McClelland	Mr Sercombe
Mr Bevis	Mr Hatton	Mr McLeay	Mr S. F. Smith
Mr Crean	Mr Holding	Mr Martin	Mr Tanner
Ms Ellis	Mr Hollis	Mr Melham	Dr Theophanous
Mr G. J. Evans	Mr Jenkins	Mr A. A. Morris	Mr K. J. Thomson
Mr M. J. Evans	Mr Kerr	Mr Mossfield	Mr Willis
Mr L. D. T. Ferguson	Mr Langmore	Mr O'Keefe	Mr Wilton
Mr M. J. Ferguson	Mr Latham	Mr Price	

\* Tellers

And so it was resolved in the affirmative.

And the question—That the motion be agreed to—being accordingly put—  
The House divided (the Deputy Speaker, Mr Nehl, in the Chair)—

## AYES, 77

Mr Abbott	Mrs Elson	Mr Lindsay	Mr Scott
Mr Andren	Mr Entsch	Mr Lloyd	Mr Slipper
Mr J. N. Andrew	Mr R. D. C. Evans	Mr McArthur*	Mr Somlyay
Mr K. J. Andrews	Mr Fahey	Mr McDougall	Dr Southcott
Mr Anthony	Mr Filing	Mr Marek	Mrs Stone
Mr R. C. Baldwin	Mr Forrest	Mr Miles	Mrs Sullivan
Mr Barresi	Ms Gambaro	Mrs Moylan	Mr Taylor
Mr Bartlett	Mr Georgiou	Mr Mutch	Mr A. P. Thomson
Mr Billson	Mrs E. J. Grace	Mr Nairn	Mr Truss
Mr Broadbent	Ms Hanson	Dr Nelson	Mr M. A. J. Vaile
Mr Brough	Mr Hardgrave	Mr Neville	Ms D. S. Vale
Mr Cadman	Mr Hawker	Mr Nugent	Mr Wakelin
Mr E. H. Cameron	Mr Hicks*	Mr Prosser	Mrs West
Mr R. A. Cameron	Mr Hockey	Mr Pyne	Mr Williams
Mr Causley	Ms Jeanes	Mr Randall	Dr Wooldridge
Mr Charles	Mrs Johnston	Mr Reid	Ms Worth
Mr Cobb	Mr Jull	Mr Reith	Mr Zammit
Mr Costello	Mrs D. M. Kelly	Mr Rocher	
Mr Dondas	Miss J. M. Kelly	Mr Ronaldson	
Mrs Draper	Mr Lieberman	Mr Ruddock	

## NOES, 36

Mr P. J. Baldwin	Mr Fitzgibbon	Dr Lawrence	Mr Price
Mr Beddall	Mr E. L. Grace*	Mr Lee	Mr Sawford*
Mr Bevis	Mr Hatton	Mr McClelland	Mr Sercombe
Mr Crean	Mr Holding	Mr McLeay	Mr S. F. Smith
Ms Ellis	Mr Hollis	Mr Martin	Mr Tanner
Mr G. J. Evans	Mr Jenkins	Mr Melham	Dr Theophanous
Mr M. J. Evans	Mr Kerr	Mr A. A. Morris	Mr K. J. Thomson
Mr L. D. T. Ferguson	Mr Langmore	Mr Mossfield	Mr Willis
Mr M. J. Ferguson	Mr Latham	Mr O'Keefe	Mr Wilton

\* Tellers

And so it was resolved in the affirmative.

### 36 MESSAGE FROM THE SENATE—CUSTOMS TARIFF AMENDMENT BILL (NO. 1) 1996

The following message from the Senate was reported:

Message No. 54

Mr Speaker

The Senate returns to the House of Representatives the bill for **An Act to amend the *Customs Tariff Act 1995***, and requests the House to further amend the bill as indicated by the annexed schedule.

MICHAEL BEAHAN

President

The Senate

28 June 1996

Ordered—That the further requests for amendments by the Senate be considered forthwith.

**SCHEDULE OF THE FURTHER REQUESTS BY THE SENATE FOR  
AMENDMENTS**

- (1) Schedule 1, item 5, page 3 (lines 15 to 17), omit the item.
- (2) Schedule 1, items 6 and 7, page 3 (lines 18 to 23), omit the items, substitute:

**6 Item 57 of Schedule 4**

Omit “which are ineligible for a Tariff Concession Order”.

**7 Item 60 of Schedule 4**

Omit “which are ineligible for a Tariff Concession Order”.

On the motion of Mr Prosser (Minister for Small Business and Consumer Affairs), the further requested amendments were made, after debate.

**37 MESSAGE FROM THE SENATE**

A message from the Senate was reported returning the Taxation Laws Amendment Bill (No. 1) 1996 and acquainting the House that the Senate had agreed to the Bill as amended by the House at the request of the Senate—Message No. 53, dated 28 June 1996.

**38 NATURAL HERITAGE TRUST OF AUSTRALIA BILL 1996**

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—*And on the amendment moved thereto by Dr Lawrence, viz.*—That all words after “That” be omitted with a view to substituting the following words: “the House is of the opinion that the Bill should be withdrawn and redrafted to provide, in the interest of certainty, for \$1 billion from the Consolidated Revenue Fund to be credited upon enactment to the Natural Heritage Trust of Australia Reserve”—

Debate resumed.

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

**39 MESSAGE FROM THE SENATE—ABORIGINAL AND TORRES STRAIT ISLANDER COMMISSION AMENDMENT BILL 1996 [NO. 2]**

Message No. 51, dated 26 June 1996, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act relating to the Aboriginal and Torres Strait Islander Commission, and for related purposes.

Bill read a first time.

Mr Reith (Leader of the House), by leave, moved—That the second reading be made an order of the day for a later hour this day.

Question—put and passed.

**40 ABORIGINAL AND TORRES STRAIT ISLANDER COMMISSION AMENDMENT BILL 1996 [NO. 2]**

The order of the day having been read for the second reading—Mr Reith (Leader of the House) moved—That the order of the day be discharged.

Debate ensued.

Question—put.

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

AYES, 73

Mr Abbott	Mr Entsch	Mr McArthur*	Mr Slipper
Mr J. N. Andrew	Mr R. D. C. Evans	Mr McDougall	Mr Somlyay
Mr K. J. Andrews	Mr Fahey	Mr Marek	Dr Southcott
Mr Anthony	Mr Forrest	Mr Miles	Mrs Stone
Mr R. C. Baldwin	Ms Gambaro	Mrs Moylan	Mrs Sullivan
Mr Barresi	Mr Georgiou	Mr Mutch	Mr Taylor
Mr Bartlett	Mrs E. J. Grace	Mr Nairn	Mr A. P. Thomson
Mr Billson	Mr Hardgrave	Mr Nehl	Mr Truss
Mr Broadbent	Mr Hawker	Dr Nelson	Mr M. A. J. Vaile
Mr Brough	Mr Hicks*	Mr Neville	Ms D. S. Vale
Mr Cadman	Mr Hokey	Mr Nugent	Mr Wakelin
Mr E. H. Cameron	Ms Jeanes	Mr Prosser	Mrs West
Mr R. A. Cameron	Mrs Johnston	Mr Pyne	Mr Williams
Mr Causley	Mr Jull	Mr Randall	Dr Wooldridge
Mr Charles	Mrs D. M. Kelly	Mr Reith	Ms Worth
Mr Cobb	Miss J. M. Kelly	Mr Ronaldson	Mr Zammit
Mr Costello	Mr Lieberman	Mr Ruddock	
Mrs Draper	Mr Lindsay	Mr Scott	
Ms Elson	Mr Lloyd	Mr Sharp	

NOES, 41

Mr Albanese	Mr M. J. Ferguson	Mr Latham	Mr Sawford*
Mr Andren	Mr Fitzgibbon	Dr Lawrence	Mr Sercombe
Mr P. J. Baldwin	Mr E. L. Grace*	Mr Lee	Mr S. F. Smith
Mr Beddall	Mr Griffin	Mr McClelland	Mr Tanner
Mr Brown	Ms Hanson	Mr Martin	Dr Theophanous
Mr Campbell	Mr Hatton	Mr Melham	Mr K. J. Thomson
Mr Crean	Mr Holding	Mr A. A. Morris	Mr Willis
Ms Ellis	Mr Hollis	Mr Mossfield	Mr Wilton
Mr G. J. Evans	Mr Jenkins	Mr O'Keefe	
Mr M. J. Evans	Mr Kerr	Mr Price	
Mr L. D. T. Ferguson	Mr Langmore	Mr Rocher	

\* Tellers

And so it was resolved in the affirmative.

**41 SPECIAL ADJOURNMENT**

Mr Reith (Leader of the House) moved—That the House, at its rising, adjourn until Tuesday, 20 August 1996, at 2 p.m., unless otherwise called together by the Speaker or, in the event of the Speaker being unavailable, by the Deputy Speaker.

Question—put and passed.

**42 LEAVE OF ABSENCE TO ALL MEMBERS**

Mr Reith (Leader of the House) moved—That leave of absence be given to every Member of the House of Representatives from the determination of this sitting of the House to the date of its next sitting.

Question—put and passed.

**43 SUSPENSION OF STANDING AND SESSIONAL ORDERS—ADJOURNMENT DEBATE**

Mr Reith (Leader of the House), by leave, moved—That so much of the standing and sessional orders be suspended as would allow each Member speaking to the question for the adjournment of the House to terminate this sitting to speak for one period of 10 minutes.

Question—put and passed.

**44 ADJOURNMENT NEGATIVED**

Mr Reith (Leader of the House) moved—That the House do now adjourn.

Debate ensued.

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*Matter raised by Mr Holding—Statement by Speaker*

The Speaker referred to the matter raised at this sitting by Mr Holding concerning certain actions of a former Member in connection with allegations against a Mr Mark Leibler.

The Speaker expressed his view that Members must take responsibility for their actions in the House. The Speaker stated that it was his understanding that when a Member uses the privileges of the House to make allegations and it later emerges that the Member was in error, the Member would be considered to have a duty to withdraw and apologise. The Speaker further stated that the House may consider that it was a matter of regret that this course was not followed in this case.

Mr Holding addressed the matter.

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Debate continued.

*Member named and suspended:* The Deputy Speaker named the Member for Kalgoorlie (Mr Campbell) for refusing to withdraw objectionable words.

Mr Martin moved—That the Member for Kalgoorlie be suspended from the service of the House.

Question—put and passed.

The Member was, therefore, suspended at 3.42 p.m. for 24 hours under standing order 305, and he accordingly withdrew from the Chamber.



*Papers:* Mr Reith, by leave, presented the following papers:

Indigenous organisations—Funding—

Aboriginal and Torres Strait Islander Commission Act—General directions pursuant to subsections 12(1) and 142E(1), 28 June 1996.

Statement by Senator Herron, 28 June 1996.

*Statement by Member*

Mr Melham, by leave, made a statement in connection with the papers.

Debate continued on the question—That the House do now adjourn.

Question—put and negatived.

**45 MESSAGE FROM THE SENATE—DEVELOPMENT ALLOWANCE AUTHORITY AMENDMENT BILL 1996**

The following message from the Senate was reported:

Message No. 57

Mr Speaker

The Senate returns to the House of Representatives the bill for **An Act to amend the *Development Allowance Authority Act 1992*, and for related purposes**, and acquaints the House that the Senate insists on disagreeing to the amendments insisted on by the House, as indicated by the annexed schedule.

MICHAEL BEAHAN

President

The Senate

28 June 1996

Mr Reith (Leader of the House) moved—That the Bill be laid aside.

Debate ensued.

Question—put and passed.

**46 MESSAGES FROM THE SENATE**

Messages from the Senate, dated 27 June 1996, were reported acquainting the House that, from 1 July 1996:

- (a) Senator Baume had been discharged from attendance on the Joint Committee of Public Accounts, and Senator Ian Macdonald had been appointed a member of the committee—Message No. 55.
- (b) Senator Sandy Macdonald had been appointed a member of the Joint Committee on Foreign Affairs, Defence and Trade—Message No. 56.

**47 MESSAGE FROM THE SENATE**

A message from the Senate was reported returning the Customs Tariff Amendment Bill (No. 1) 1996 and acquainting the House that the Senate had agreed to the Bill as amended by the House at the request of the Senate—Message No. 58, dated 28 June 1996.

**48 ADJOURNMENT**

Mr Reith (Leader of the House) moved—That the House do now adjourn.

Question—put and passed.

And then the House, at 4.23 p.m., adjourned until Tuesday, 20 August 1996, at 2 p.m., in accordance with the resolution agreed to at this sitting.

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**PAPERS**

The following papers were deemed to have been presented on 27 June 1996:

Civil Aviation Act—Civil Aviation Regulations—Civil Aviation Orders—  
Exemptions—Nos. 143/FRS/155/1996, 144/FRS/156/1996, 145/FRS/157/1996,  
146/FRS/158/1996, 147/FRS/159/1996.

Part—95 Amendment 19 June 1996.

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**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Bradford, Mrs Crosio, Mrs Gallus, Mr Jones, Mr Katter, Mr McLachlan and Mr O'Connor.

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**L. M. BARLIN**  
Clerk of the House of Representatives

1996

**HOUSE OF REPRESENTATIVES**  
**SUPPLEMENT TO VOTES AND PROCEEDINGS**

No. 23

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

**THURSDAY, 27 JUNE 1996**

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1 The Main Committee met at 10 a.m.

**2 CIVIL AVIATION AMENDMENT BILL 1996**

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—*And on the amendment moved thereto by Mr Tanner, viz.*—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 is of the opinion that:

- (1) it is appropriate that the Board of the Civil Aviation Safety Authority should include members in areas such as the law, regulation and general systems safety, as well as members with specific expertise in aviation; and
- (2) no person should be appointed to the Board who has engaged recently in political lobbying or public advocacy on aviation safety issues on behalf of any company or interest group involved in the aviation industry"—

Debate resumed.

Question—That the words proposed to be omitted stand part of the question—put and not being resolved—Bill to be returned to the House.

**3 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—REPORT ON PROVISION OF ACADEMIC STUDIES AND PROFESSIONAL MILITARY EDUCATION TO OFFICER CADETS AND OFFICERS OF THE AUSTRALIAN DEFENCE FORCE—GOVERNMENT RESPONSE—MOTION TO TAKE NOTE OF PAPER**

The order of the day having been read for the resumption of the debate on the motion of Mr Reith (Leader of the House)—That the House take note of the paper (*presented on 30 May 1996*), viz.:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Officer education: The Military after next—Report, October 1995—Government response—

Debate resumed.

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

**4 ADJOURNMENT**

On the motion of Mr Ronaldson, the Main Committee adjourned at 12.07 p.m.

The Deputy Speaker fixed Wednesday, 21 August 1996 at 10 a.m. for the next meeting of the Main Committee.

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**I. C. HARRIS**  
Clerk of the Main Committee