

1996-97

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 72

THURSDAY, 27 FEBRUARY 1997

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 EXPORT MARKET DEVELOPMENT GRANTS BILL 1997

Mr Fischer (Minister for Trade), pursuant to notice, presented a Bill for an Act relating to the grant of financial assistance to provide incentives for the development of export markets.

Bill read a first time.

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

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

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

3 EXPORT MARKET DEVELOPMENT GRANTS (REPEAL AND CONSEQUENTIAL PROVISIONS) BILL 1997

Mr Fischer (Minister for Trade), pursuant to notice, presented a Bill for an Act to repeal the *Export Market Development Grants Act 1974* and to deal with consequential matters arising from the repeal of that Act and the enactment of the *Export Market Development Grants Act 1997*.

Bill read a first time.

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

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

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

4 AGED CARE INCOME TESTING BILL 1997

Mrs Moylan (Minister for Family Services), pursuant to notice, presented a Bill for an Act to provide for determining the ordinary income of certain persons, and for related purposes.

Bill read a first time.

Mrs Moylan moved—That the Bill be now read a second time.

Paper: Mrs Moylan presented an explanatory memorandum to the Bill.

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

5 AIDC SALE BILL 1997

Mr Scott (Minister for Veterans' Affairs), for Mr Fahey (Minister for Finance), pursuant to notice, presented a Bill for an Act to amend the *Australian Industry Development Corporation Act 1970*, and for other purposes.

Bill read a first time.

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

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

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

6 SUSPENSION OF STANDING AND SESSIONAL ORDERS—PRIVATE MEMBERS' BUSINESS

Mr Scott (Minister for Veterans' Affairs), for Mr Reith (Leader of the House), pursuant to notice, moved—That so much of the standing and sessional orders be suspended as would prevent Notice No. 3, private Members' business, given by Mr Lieberman and accorded priority for Monday, 3 March 1997, being moved in his absence by Mr Broadbent.

Debate ensued.

Question—put and passed.

7 HEARING SERVICES ADMINISTRATION BILL 1997

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.

Mrs Moylan (Minister for Family Services), by leave, moved—That the Bill be now read a third time.

Debate ensued.

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

8 HEARING SERVICES AND AGHS REFORM BILL 1997

The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—

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

Message from the Governor-General: Message No. 99, dated 12 February 1997, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

Consideration in detail

Schedule 1—

Items 1 and 2, by leave, taken together, and agreed to, after debate.

Item 3 debated.

Question—That the item be agreed to—put.

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

AYES, 78

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

NOES, 44

Mr Adams	Mr G. J. Evans	Mr Jones	Mr Mossfield
Mr Albanese	Mr M. J. Evans	Mr Kerr	Mr O'Connor
Mr Andren	Mr L. D. T. Ferguson	Dr Lawrence	Mr O'Keefe
Mr P. J. Baldwin	Mr M. J. Ferguson	Mr Lee	Mr Quick
Mr Beddall	Mr Fitzgibbon	Mr McClelland	Mr Sawford*
Mr Brereton	Mr E. L. Grace*	Ms Macklin	Mr Sercombe
Mr Brown	Mr Griffin	Mr McLeay	Mr S. F. Smith
Mr Campbell	Mr Hatton	Mr Martin	Mr Tanner
Mrs Crosio	Mr Holding	Mr Melham	Dr Theophanous
Mr Dargavel	Mr Hollis	Mr A. A. Morris	Mr K. J. Thomson
Ms Ellis	Mr Jenkins	Mr P. F. Morris	Mr Wilton

* Tellers

And so it was resolved in the affirmative.

Item 4 agreed to.

Item 5 debated.

Question—That the item be agreed to—put.

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

AYES, 79

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

NOES, 43

Mr Adams	Mr M. J. Evans	Mr Kerr	Mr O'Connor
Mr Albanese	Mr L. D. T. Ferguson	Dr Lawrence	Mr O'Keefe
Mr P. J. Baldwin	Mr M. J. Ferguson	Mr Lee	Mr Quick
Mr Beddall	Mr Fitzgibbon	Mr McClelland	Mr Sawford*
Mr Brereton	Mr E. L. Grace*	Ms Macklin	Mr Sercombe
Mr Brown	Mr Griffin	Mr McLeay	Mr S. F. Smith
Mr Campbell	Ms Hanson	Mr Martin	Mr Tanner
Mrs Crosio	Mr Hatton	Mr Melham	Dr Theophanous
Mr Dargavel	Mr Hollis	Mr A. A. Morris	Mr K. J. Thomson
Ms Ellis	Mr Jenkins	Mr P. F. Morris	Mr Wilton
Mr G. J. Evans	Mr Jones	Mr Mossfield	

* Tellers

And so it was resolved in the affirmative.

Remainder of Schedule 1 and Schedules 2 to 4, by leave, taken together, and agreed to.

Clauses 1 to 20, by leave, taken together, and agreed to.

Clause 21—

Mrs Moylan (Minister for Family Services), by leave, moved the following amendments together:

Page 14 (line 12), before “unless”, insert “(within the ordinary meaning of the expression concerned)”.

Page 14 (after line 12), after subclause (1), insert:

- (1A) Subsection (1) does not prevent the nominated company from being a Commonwealth authority for the purposes of the *Public Service*

Act 1922 if paragraph (c) or (d) of the definition of *Commonwealth authority* in subsection 7(1) of that Act applies to the company.

(1B) Subsection (1A) is enacted for the avoidance of doubt.

Debate continued.

Paper: Mrs Moylan presented a supplementary explanatory memorandum to the Bill.

Amendments agreed to.

Clause, as amended, agreed to.

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

Bill, as amended, agreed to.

Consideration in detail concluded.

Mrs Moylan, by leave, moved—That the Bill be now read a third time.

Debate ensued.

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

9 RETIREMENT SAVINGS ACCOUNTS 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.

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.

10 QUESTIONS

Questions without notice were asked.

11 PAPER

Mr Costello (Treasurer), by indulgence, added to an answer given during question time and presented the following paper:

Bank retail transaction accounts—Labor to monitor fees and charges on retail transaction accounts—Copy of press release issued by the Treasurer, 26 February 1996.

12 PAPER

Mr Hockey, by leave, during a personal explanation, presented the following paper:

Resignation of Ms Roxanne Cameron as adviser to Mr Hockey, MP—Copy of letter from Ms Roxanne Cameron to Mr Hockey, 19 February 1996.

13 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—CAR INDUSTRY

The House was informed that Mr Beazley (Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The failure of the Howard Government to ensure job

security for at least 250,000 Australians whose employment is directly or indirectly dependent on a healthy car industry”.

The proposed discussion having received the necessary support—

Mr Beazley addressed the House.

Discussion ensued.

Discussion concluded.

14 SELECTION COMMITTEE—AMENDED REPORT

Mr Nehl (Chair) presented the following paper:

Selection Committee—Amended report relating to the consideration of committee and delegation reports and private Members’ business on Monday, 3 March 1997—

and, by leave, moved—That the report be adopted in lieu of the report presented on 25 February 1997.

Question—put and passed.

15 MESSAGE FROM THE GOVERNOR-GENERAL—ASSENT TO BILL

A message from His Excellency the Governor-General was announced informing the House that His Excellency, in the name of Her Majesty, had assented to the following Bill:

26 February 1997—Message No. 102—Import Processing Charges 1997.

16 MESSAGE FROM THE SENATE

Message No. 145, dated 26 February 1997, from the Senate was reported acquainting the House of the following resolution agreed to by the Senate:

That the following matter be referred to the Joint Standing Committee on Foreign Affairs, Defence and Trade for inquiry and report:

The level of funding required to ensure that the Australian Defence Force is equipped, trained and maintained to a level necessary to provide for the defence of Australia as principally defined by strategic guidance, with particular reference to:

- (a) equipment and facilities on order, equipment and facilities required to implement essential new capabilities, and equipment and facilities required to replace obsolete materiel and for which no alternative technology is appropriate;
- (b) training to achieve appropriate and sustainable levels of preparedness of personnel;
- (c) operational activities and capabilities necessary to support Australia’s foreign policy, regional engagement, regional stability and United Nations support;

- (d) stockholding requirements for weapons, consumables and maintenance spares;
- (e) research and development to ensure continued development of Defence capabilities, to adapt foreign technologies to Australian conditions, and to provide the knowledge essential for Defence to remain an informed intelligent customer; and
- (f) essential management and administrative overheads required for the efficient management of the Defence organisation.

17 LAW AND JUSTICE LEGISLATION AMENDMENT BILL 1996—REPORT FROM MAIN COMMITTEE

The Second Deputy Speaker reported that the Law and Justice Legislation Amendment Bill 1996 had been fully considered by the Main Committee and agreed to with amendments (*see item No. 4, Minutes of Proceedings of the Main Committee of 26 February 1997*), 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 Mrs Moylan (Minister for Family Services), by leave, the Bill was read a third time.

18 TRANS-TASMAN MUTUAL RECOGNITION BILL 1996—REPORT FROM MAIN COMMITTEE

The Second Deputy Speaker reported that the Trans-Tasman Mutual Recognition Bill 1996 had been fully considered by the Main Committee and agreed to without amendment, and presented a certified copy of the Bill.

Bill agreed to.

On the motion of Mrs Moylan (Minister for Family Services), by leave, the Bill was read a third time.

19 VETERANS' AFFAIRS LEGISLATION AMENDMENT (1996-97 BUDGET AND OTHER MEASURES) BILL 1996—REPORT FROM MAIN COMMITTEE

The Second Deputy Speaker reported that the Main Committee had considered the Veterans' Affairs Legislation Amendment (1996-97 Budget and Other Measures) Bill 1996 up to and including the second reading of the Bill, Governor-General's messages recommending appropriations for the purposes of the Bill and amendments to the Bill had been reported and the Committee had returned the Bill for further consideration, and presented a certified copy of the Bill.

Consideration in detail

Bill, by leave, taken as a whole.

Mr Martin moved the following amendment:

Schedule 1, Part 3, page 11 (line 2) to page 13 (line 18), omit the Part.

Question—put.

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

AYES, 43

Mr Adams	Mr M. J. Evans	Dr Lawrence	Mr O'Connor
Mr Albanese	Mr L. D. T. Ferguson	Mr Lee	Mr O'Keefe
Mr P. J. Baldwin	Mr M. J. Ferguson	Mr McClelland	Mr Quick
Mr Beddall	Mr Fitzgibbon	Ms Macklin	Mr Sawford*
Mr Brereton	Mr E. L. Grace*	Mr McLeay	Mr Sercombe
Mr Brown	Mr Griffin	Mr McMullan	Mr S. F. Smith
Mr Crean	Mr Hatton	Mr Martin	Mr Tanner
Mrs Crosio	Mr Holding	Mr Melham	Dr Theophanous
Mr Dargavel	Mr Hollis	Mr A. A. Morris	Mr K. J. Thomson
Ms Ellis	Mr Jones	Mr P. F. Morris	Mr Wilton
Mr G. J. Evans	Mr Kerr	Mr Mossfield	

NOES, 80

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

* Tellers

And so it was negatived.

Mr Scott (Minister for Veterans' Affairs), by leave, moved the following amendments together:

Clause 2, page 2 (lines 1 to 11), omit subclauses (2) and (3), substitute:

- (2) Parts 1 and 3 of Schedule 1 and Schedules 2, 3, 4, 4B and 4C, and Part 2 of Schedule 5 commence, or are taken to have commenced, on 1 July 1997.
- (3) Schedule 4A commences on 20 September 1997.
- (4) Part 1 of Schedule 6 is taken to have commenced on 2 July 1987, immediately after subsection 49(2) of the *Veterans' Affairs Legislation Amendment Act 1987*.

- (5) Part 2 of Schedule 6 is taken to have commenced on 20 March 1995, immediately after Division 3 of Part 2 of the *Veterans' Affairs (1994-95 Budget Measures) Legislation Amendment Act (No. 2) 1994*.
- (6) Part 3 of Schedule 6 is taken to have commenced on 17 October 1995, immediately after section 1 of the *Veterans' Affairs Legislation Amendment and Repeal Act 1995*.
- (7) Part 4 of Schedule 6 is taken to have commenced on 1 October 1995, immediately after Schedule 4 to the *Veterans' Affairs (1995-96 Budget Measures) Legislation Amendment Act 1995*.
- (8) Part 5 of Schedule 6 is taken to have commenced on 20 March 1996, immediately after Schedule 6 to the *Veterans' Affairs Legislation Amendment (1995-96 Budget Measures) Act (No. 2) 1995*.
- (9) Part 6 of Schedule 6 is taken to have commenced on 10 July 1996, immediately after Schedule 17 to the *Social Security and Veterans' Affairs Legislation Amendment Act 1995*.
- (10) Part 1 of Schedule 5 commences, or is taken to have commenced, on 26 June 1997.
- (11) Part 8 of Schedule 6 commences, or is taken to have commenced, on 26 June 1997, immediately before Part 1 of Schedule 5.

Page 6, item 34, (lines 10 and 11), omit the item, substitute:

34 Subsection 52(1)

Omit "52ZA, 52ZCA, 53AJ and 53AL", substitute "52ZA and 52ZCA".

Page 8, item 57 (lines 10 and 11), omit the item, substitute:

57 Section 56K

Omit " , carer service pension".

Page 11 (after line 29), after subsection (3), insert:

- (3A) The Commission is not to make a determination under subsection (1) if a person:
 - (a) receives an invalidity service pension under section 37; or
 - (b) receives income support supplement under subparagraph 45A(1)(b)(iii).

Schedule 4—

Item 2, page 16 (lines 11 and 12), omit paragraph (b), substitute:

- (b) the person receives a veteran's disability pension or the person's partner receives an age pension and a veteran's disability pension; and

Item 2, page 16 (line 22), after "section as", insert "paragraph (a), (b) or (c) of the definition of".

Item 3, page 17 (line 4), omit "The", substitute "Subject to subsection (4), the".

Item 3, page 17 (line 13), omit “last pension payday before”, substitute “first pension payday after”.

Item 3, page 17 (lines 18 and 19), omit “if the last pension payday were the next”, substitute “on the”.

Item 3, page 17 (after line 20), at the end of section 59A, add:

(4) If the Secretary determines pension paydays under subsection 57(3) in relation to a person before the person receives an instalment of age pension where:

- (a) the age pension has been granted to the person for the first time under this Act; or
 - (b) the age pension has been granted to the person under this Act after the person’s age pension has been cancelled;
- subsection (2) does not apply to the person.

Item 5, page 18 (line 13), after “section as”, insert “paragraph (a), (b) or (c) of the definition of”.

Item 6, page 19 (line 6), omit “last pension payday before”, substitute “first pension payday after”.

Item 6, page 19 (line 11), omit “if the last pension payday were the next”, substitute “on the”.

Page 19 (after line 13), after Schedule 4, insert:

Schedule 4A—Amendment of the Veterans’ Entitlements Act 1986 to remove the means test exemption for superannuation assets in certain cases

1 Section 5 (index)

Insert:

prescribed pre-pension age person 5Q(1)

2 Subsection 5H(1) (definition of *income*)

After “(5)”, insert “, (7A)”.

3 After subsection 5H(7)

Insert:

Excluded amounts—superannuation investment returns

(7A) Subject to subsection (7B), a return on a person’s investment in a superannuation fund, an approved deposit fund or a deferred annuity is not income for the purposes of this Act if the person has not:

- (a) reached pension age; or

(b) started to receive a pension or an annuity out of the fund.

Note 1: For *pension age* see subsection 5Q(1).

Note 2: For *superannuation fund*, *approved deposit fund* and *deferred annuity* see subsection 5J(1).

(7B) Subsection (7A) does not exclude a return on a person's investment if the person is a prescribed pre-pension age person.

Note: For *prescribed pre-pension age person* see subsection 5Q(1).

4 Paragraph 5H(8)(i)

Repeal the paragraph and the notes.

5 Paragraph 5J(1B)(d) (note)

Omit "before pension age is reached", substitute "by persons who are neither prescribed pre-pension age persons nor persons who have reached pension age".

6 Paragraph 5J(1B)(e) (note)

Omit "before pension age is reached", substitute "by persons who are neither prescribed pre-pension age persons nor persons who have reached pension age".

7 Paragraph 5J(1B)(f) (note)

Omit "before pension age is reached", substitute "by persons who are neither prescribed pre-pension age persons nor persons who have reached pension age".

8 Paragraph 5J(1C)(a)

After "investor", insert "is not a prescribed pre-pension age person and".

9 Paragraph 5J(1C)(b)

After "investor", insert "is not a prescribed pre-pension age person and".

10 Paragraph 5J(1C)(c)

After "investor", insert "is not a prescribed pre-pension age person and".

11 Subsection 5J(1C) (note 1)

Repeal the note, substitute:

Note 1: For *pension age* and *prescribed pre-pension age person* see subsection 5Q(1).

12 Subsection 5Q(1)

Insert:

prescribed pre-pension age person means a person who, whether before, on or after 20 September 1997:

- (a) reaches, or has reached, 55; and
- (b) has received, since reaching 55, any, or any combination, of the following for a single continuous period of 39 weeks, or for separate periods that add up to a period of 39 weeks:
 - (i) a social security pension;

- (ii) a social security benefit;
- (iii) a service pension;
- (iv) income support supplement.

13 Section 46Q

Repeal the section.

14 Paragraph 46R(a)

Omit “before the person reaches pension age”.

15 After paragraph 46R(a)

Insert:

- (aa) when the investment is realised, the person is not a prescribed pre-pension age person and has not reached pension age; and

16 Section 46R (note)

Repeal the note, substitute:

Note 1: For *assessable growth* component see subsection 5J(1).

Note 2: For *pension age* and *prescribed pre-pension age person* see subsection 5Q(1).

17 Paragraph 52(1)(f)

Repeal the paragraph.

18 After section 52

Insert:

52AA Value of certain superannuation investments to be disregarded

- (1) Subject to subsections (2) and (3), the value of a person’s investment in a superannuation fund, an approved deposit fund or a deferred annuity is to be disregarded in calculating the value of the person’s assets for the purposes of this Act if the person has not:
 - (a) reached pension age; or
 - (b) started to receive a pension or an annuity out of the fund.
- (2) Subsection (1) does not apply to the calculation of the value of a person’s assets for the purposes of sections 52G and 52H.
- (3) Subsection (1) does not exclude the value of a person’s investment if the person is a prescribed pre-pension age person.

Note: For *pension age* and *prescribed pre-pension age person* see subsection 5Q(1).

Schedule 4B—Amendment of the Veterans’ Entitlements Act 1986 in relation to rehabilitation

1 At the end of subsection 5H(8)

Add:

; (zn) an amount worked out under section 115G.

2 Subsection 23(4)

Omit “The”, substitute “Subject to subsection (5), the”.

3 At the end of section 23

Add:

(5) If section 115D applies to a veteran, the rate at which pension is payable to the veteran is the amount specified in subsection (4) less the pension reduction amount worked out under that section.

4 Subsection 24(4)

Omit “The”, substitute “Subject to subsection (5), the”.

5 At the end of section 24

Add:

(5) If section 115D applies to a veteran, the rate at which pension is payable to the veteran is the amount specified in subsection (4) less the pension reduction amount worked out under that section.

6 Section 24A

Omit “Where”, substitute “Subject to subsection (2), if”.

7 At the end of section 24A

Add:

(2) Paragraphs (b) and (c) do not apply to a veteran if the veteran is undertaking a rehabilitation scheme under the Veterans’ Vocational Rehabilitation Scheme or section 115D applies to the veteran.

8 After subsection 37(2)

Insert:

(2A) Paragraph (2)(a) does not apply to a person who is a veteran if the veteran is undertaking a rehabilitation scheme under the Veterans’ Vocational Rehabilitation Scheme or section 115G applies to the veteran.

9 After Part VI

Insert:

Part VIA—Rehabilitation

Division 1—Preliminary

115A Definitions

In this Part, unless the contrary intention appears:

CPI payday means the first pension payday that occurs on or after the beginning of each relevant period within the meaning of that term in section 198.

member of the Forces has the same meaning as in subsection 68(1).

member of a Peacekeeping Force has the same meaning as in subsection 68(1).

unaffected pension rate means the rate of pension that a veteran would have received if the veteran had not undertaken a vocational rehabilitation program under the Veterans' Vocational Rehabilitation Scheme.

unemployment includes:

- (a) retirement from remunerative work; and
- (b) undertaking less than 16 hours of remunerative work in a pension period;

but does not include any period of paid leave.

veteran means:

- (a) a person:
 - (i) who is, because of section 7, taken to have rendered eligible war service; or
 - (ii) in respect of whom a pension is payable under subsection 13(6); or
 - (iii) who satisfies subsection 37(3); or
- (b) a member of the Forces; or
- (c) a member of a Peacekeeping Force.

Veterans' Vocational Rehabilitation Scheme means a scheme made under subsection 115B(1).

work and pension income rate means the rate equal to the sum of:

- (a) the veteran's salary, wages or earnings per fortnight from remunerative work; and
- (b) the fortnightly rate of pension paid to the veteran under Part II or IV.

115B Making of the Scheme

- (1) The Commission may, from time to time, by instrument in writing, make a scheme, to be called the Veterans' Vocational Rehabilitation Scheme, to assist specified classes of veterans to find employment and to continue in employment.
- (2) The Commission may, from time to time, by instrument in writing, vary or revoke the scheme.

- (3) A scheme made by the Commission under subsection (1), and an instrument varying or revoking such a scheme, have no force or effect unless approved by the Minister.
- (4) If a scheme has been made by the Commission under subsection (1), or an instrument under subsection (2), the scheme or the instrument is a disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*.
- (5) Without limiting the powers of the Commission under subsection (1), the Scheme may make provision for and in relation to:
 - (a) the provision of rehabilitation programs, under the Scheme, to specified veterans; and
 - (b) the provision of vocational guidance and assistance, under the Scheme, to specified veterans; and
 - (c) the payment of financial assistance, under the Scheme, to specified veterans in respect of education or training that is being undertaken under the Scheme by the veterans; and
 - (d) the provision of services in relation to the assessment of veterans for participation in rehabilitation programs; and
 - (e) the payment of financial assistance, under the Scheme, to specified veterans in respect of transport costs arising from the veterans' participation in the Scheme; and
 - (f) the payment of financial assistance, under the Scheme, to specified veterans in respect of aids that enable the veterans to participate in, or assist veterans to participate in, the Scheme; and
 - (g) the provision for review of determinations under section 115F.
- (6) Before making a scheme, or varying or revoking the scheme, the Commission must consult such organisations and associations, representing the interests of the veteran community, as the Commission thinks appropriate.

Division 2—Provisions relating to the income of veterans who participate in vocational rehabilitation programs

115C Rate of pension while on program

- (1) Subject to sections 115D and 115G, this section applies while a veteran is undertaking a vocational rehabilitation program under the Veterans' Vocational Rehabilitation Scheme.
- (2) If this section applies to a veteran on a pension payday, the rate of pension payable to the veteran is equal to the amount the veteran would receive if the veteran were not undertaking the program.

115D Pension reduction amount—pensions under Parts II and IV

- (1) Subject to subsections (4) and (5) and section 115F, the pension reduction amount in respect of a veteran for a pension payday that occurs within the period (the *initial period*) that begins on the day after the veteran first commenced remunerative work as a result of undertaking the vocational rehabilitation program (the *commencement day*) and ends immediately before the first CPI payday that occurs more than 2 years after the beginning of that period is to be worked out using the following formula:

$$\frac{\text{Pension rate on commencement} - \text{General rate}}{2}$$

- (2) Subject to subsections (4) and (5) and section 115F, the pension reduction amount in respect of a veteran for a pension payday that occurs within the period (the *second period*) that begins immediately after the initial period and ends 5 years after the commencement day is to be worked out using the following formula:

$$\left(\frac{20}{(20 - \text{No. of paydays})} \times \frac{\text{Pension rate on commencement} - \text{General rate}}{2} \right)$$

- (3) Subject to subsections (4) and (5) and section 115F, the pension reduction amount in respect of a veteran for a pension payday that occurs more than 5 years after the end of the initial period is to be worked out using the formula:

$$\text{Pension rate on commencement} - \text{General rate}$$

- (4) If a veteran is unemployed for a continuous period of at least 2 weeks, the pension reduction amount for each pension payday within that period is nil.
- (5) If a veteran is in receipt of pension at the special rate because of subsection 24(3), the pension reduction amount for each pension payday is nil.
- (6) In this section:

general rate means the general rate of pension.

no. of paydays means the number of CPI paydays that have occurred in the period.

pension rate on commencement means the rate of pension under this Act that was payable to the veteran on the day on which the veteran commenced his or her vocational rehabilitation program.

115E Application for reduction of the pension reduction amount

- (1) This section applies if, because of the application of the pension reduction amount to the rate of pension payable to a veteran, the work and pension income rate of the veteran in relation to a pension period is or would be less than the unaffected pension rate for the veteran in relation to that period.
- (2) A veteran to whom this section applies may apply to the Commission to have the pension reduction amount reduced.
- (3) An application must be:
 - (a) in writing; and
 - (b) in accordance with a form approved by the Commission; and
 - (c) accompanied by any relevant documentary evidence in relation to salary, wages and other earnings from remunerative work for the period to which the application relates; and
 - (d) lodged at an office of the Department in Australia.

115F Determination by the Commission

- (1) This section applies if, after considering an application under section 115E, the Commission is satisfied that the rate at which a pension has been, is being or is to be paid, to a veteran resulted, or would result in, a work and pension income rate for the applicant in relation to a pension period that is less or would be less than the unaffected pension rate in relation to that period.
- (2) If this section applies, the Commission may determine in writing that the pension reduction amount in relation to the veteran for a past, present or future pension payday is to be reduced by such amount as the Commission is satisfied would result in the work and pension income rate being equal to the unaffected pension rate.
- (3) A determination takes effect on the day on which the determination is made.

115G Excluded income amount—invalidity service pensions

- (1) The excluded income amount in respect of a veteran for a pension payday that occurs within the period (the *initial period*) that begins the day after the veteran first commenced remunerative work as a result of undertaking the vocational rehabilitation program and ends immediately before the first CPI payday that is more than 2 years after the beginning of the initial period is $\frac{1}{2}$ of the earnings of the veteran in the pension period that relates to the pension payday.
- (2) The excluded income reduction amount in respect of a veteran for a pension payday that occurs within each consecutive 6 month period during the 5 years that begins immediately after the initial period is worked out using the following formula:

$$\left(0.5 - 0.05 \times \text{No. of 6 month periods} \right) \times \text{Earnings}$$

where:

no. of 6 month periods means the number of consecutive 6 month periods that have begun in the 5 year period.

earnings means salary, wages or earnings from remunerative work in the pension period that relates to the pension payday.

Division 3—Recovery of cost of rehabilitation

115H Recovery of cost of rehabilitation

- (1) In this section, **compensation**, in relation to a person who is undertaking, or has undertaken, a rehabilitation program under the Veterans' Vocational Rehabilitation Scheme, means an amount that is by way of compensation or damages, or is, in the opinion of the Commission, in the nature of compensation or damages, in respect of the disease, disability or condition because of which the rehabilitation program is being, or has been, undertaken.
- (2) This section applies if a veteran who is undertaking, or has undertaken, a rehabilitation program under the Veterans' Vocational Rehabilitation Scheme:
 - (a) has made a claim against another person for compensation, or may be, or may become, entitled to be paid compensation by another person, in relation to the disease, disability or condition because of which the rehabilitation program is being, or has been, undertaken; or
 - (b) is entitled, whether because of an order of a court, a settlement of a claim for compensation or otherwise, to be paid compensation by another person; or
 - (c) has been paid compensation by another person, whether because of an order of a court, a settlement of a claim for compensation or otherwise.
- (3) A reference in subsection (2) to another person includes a reference to the Commonwealth, a State, a Territory or an authority of the Commonwealth, a State or a Territory.
- (4) If this section applies, the Commission may give to the veteran a written notice requiring the veteran to pay for:
 - (a) a rehabilitation program or any part of such a program that has been undertaken by the veteran under the Veterans' Vocational Rehabilitation Scheme before the day on which the notice was given to the veteran; and
 - (b) a rehabilitation program or any part of such a program undertaken at any time on or after the day on which the notice was given to the veteran;

in relation to the disease, disability or condition.

- (5) On being given the notice, the veteran becomes, by force of this section, liable to pay to the Commonwealth an amount equal to the cost, or amounts equal to the sum of the costs, as determined by the Commission, of and incidental to:
 - (a) a rehabilitation program or any part of such a program that has been undertaken by the veteran under the Veterans' Vocational Rehabilitation Scheme before the day on which the notice was given to the veteran; and
 - (b) a rehabilitation program or any part of such a program undertaken at any time on or after the day on which the notice was given to the veteran.
- (6) If the veteran is, under subsection (2), liable to make payment to the Commonwealth for a rehabilitation program provided by the Commission, the Commission may, by written notice given to a person who:
 - (a) may be, or may become, liable; or
 - (b) is liable;

to pay compensation to, or for the benefit of, the veteran in respect of the disease, disability or condition, inform the person that the veteran is liable to make payment to the Commonwealth for a rehabilitation program under the Veterans' Vocational Rehabilitation Scheme, whether undertaken before or after the giving of the notice.
- (7) A reference in subsection (6) to a person includes a reference to an insurer who, under a contract of insurance, is liable to indemnify the person or is liable to pay compensation to, or for the benefit of, the veteran against that liability.

115J Where a person receives a notice under subsection 115H(5)

- (1) This section applies to a person if the person has been given a notice under subsection 115H(5).
- (2) The person:
 - (a) is, on being given the notice, liable to pay compensation to, or for the benefit of, the veteran to whom the notice relates in respect of the disease, disability or condition to which the notice relates; or
 - (b) becomes, after receiving the notice, so liable to pay compensation; or

the person becomes liable, because of this subsection, to pay to the Commonwealth:

 - (c) an amount equal to the cost of the rehabilitation program that the veteran is liable, or may become liable, under subsection 115H, to pay; or

- (d) an amount equal to the amount of compensation that the person is liable, or becomes liable, so to pay; whichever is the less.
- (3) If, before the notice was given to the person, the person paid to, or for the benefit of, the veteran the whole of the compensation that the person was liable to pay in respect of the disease, disability or condition to which the notice relates, the notice has no effect.
- (4) If a person is liable, or becomes liable, to pay an amount to the Commonwealth under subsection (2), the person must not, without the permission of the Commission, pay the compensation, or any part of the compensation, to, or for the benefit of, the veteran.
- (5) Payment to the Commonwealth of an amount under subsection (2) operates, to the extent of the payment:
- (a) as a discharge to the person of his or her liability to pay compensation to the veteran entitled to receive the compensation; and
 - (b) as a discharge of the veteran's liability under subsection 115H(3).

115K Recovery of amount by the Commonwealth

The Commonwealth may recover in a court of competent jurisdiction an amount that a person is liable to pay to the Commonwealth under subsection 115H(5) or 115J(2).

115L Determination of amount of costs of rehabilitation programs

- (1) This section applies if the Commission determines, in writing, the amount of the cost of, or incidental to, a rehabilitation program under a Veterans' Vocational Rehabilitation Scheme for a veteran during a specified period in respect of a disease, disability or condition in relation to which a notice has been given under subsection 115H(4).
- (2) The Commission may give a notice to the veteran containing a copy of that determination, or notices to the veteran and the person referred to in subsection 115H(6) containing copies of that determination.
- (3) If the Commission gives a copy of a determination to a veteran or a person under subsection (2), the copy is, for all purposes, prima facie evidence:
- (a) that the copy of that determination set out in the notice is a true copy of the determination of which it purports to be a copy; and
 - (b) that the determination was duly made by the Commission; and
 - (c) that the amount specified in the determination is the amount which the veteran is liable, by force of subsection 115H(5),

to pay to Commonwealth as the cost of and incidental to the rehabilitation program under the Veterans' Vocational Rehabilitation Scheme during the period so specified for and in relation to that disease, disability or condition.

- (4) The giving of a notice, or notices, under subsection (2) does not prevent the making of a further determination or determinations, and the giving by the Commission of a further notice or further notices under that subsection.

Schedule 4C—Amendment of the National Health Act 1953 in relation to the abolition of the modified income test

1 Subsection 84(1) (paragraphs (ba) and (bb) of the definition of concessional beneficiary)

Repeal the paragraphs.

Page 20, Schedule 5 (after line 2), after the Schedule heading, insert:

Part 1—Amendment of the Veterans' Entitlements Act 1986 commencing on 26 June 1997

1A At the end of Schedule 5

Add:

7A Transitional provisions: amendments relating to the transfer of carer service pensioners

- (1) This clause applies to a person if:
- (a) the person was receiving a carer service pension immediately before 26 June 1997; and
 - (b) subclause 8(1) or (3) would not apply to the person if that clause commenced on the same day as this clause.
- (2) If this clause applies to a person and the person was receiving a carer service pension immediately before 26 June 1997, an instalment of carer service pension is payable to the person on 26 June 1997 at the rate worked out using the following formula:

$$\frac{\text{Reduced annual rate}}{2} + \text{Pharmaceutical allowance}$$

where:

reduced annual rate means the rate last determined by the Commission under this Act excluding any pharmaceutical allowance payable to a person under this Act.

pharmaceutical allowance means the amount of pharmaceutical allowance that would have been included in the person's carer service pension if the payment was an instalment under section 58A.

Part 2—Amendment of the Veterans' Entitlements Act 1986 commencing on 1 July 1997

Page 22, Schedule 6 (after line 2), after the Schedule heading, insert:

Part 1—Amendment of the Veterans' Affairs Legislation Amendment Act 1987

1A Schedule 1 (paragraph (a) of the amendment of Schedule 2 (item 8))

Repeal the paragraph, substitute:

- (a) Omit "161 kilometres" (in column 1, wherever occurring), substitute "185.2 kilometres".

Part 2—Amendment of the Veterans' Affairs (1994-95 Budget Measures) Legislation Amendment Act (No. 2) 1994

1B Paragraph 18(g)

Repeal the paragraph, substitute:

- (g) by omitting subsections (2) and (3) and substituting the following subsections:
 - (2) If:
 - (a) the rate of income support supplement applicable to a person who is not permanently blind is worked out by using the Income Support Supplement Rate Calculator Where There Are No Dependent Children at the end of section 45X; and
 - (b) the maximum rate applicable to the person is increased by an amount worked out under the rent assistance Module of the Rate Calculator; and
 - (c) an amount of that income support supplement is to be reduced under section 59T (compensation recovery);
 the reduction is to be applied:
 - (d) first—to that part of the amount that does not include the increase under the rent assistance Module; and
 - (e) then—to the amount of the increase under the rent assistance Module.
 - (3) If:

- (a) the rate of income support supplement applicable to a person who is permanently blind is worked out by using the Income Support Supplement Rate Calculator Where There Are No Dependent Children at the end of section 45X; and
- (b) the person would be eligible to have rent assistance added to his or her maximum basic rate under point 45X-D2 if the person were not blind (i.e. if the rate of the person's income support supplement were calculated using the Method statement set out in point 45X-B1 instead of that set out in point 45X-B2);

the person's ceiling rate or adjusted ceiling rate (as the case may be) is taken to include an amount for rent assistance worked out under Module D of the Rate Calculator.

Part 3—Amendment of the Veterans' Affairs Legislation Amendment and Repeal Act 1995

1C Item 4 of Schedule 1

Repeal the item, substitute:

4 Subsection 43(4) (definition of PA)

Omit "in Point 43-A1".

1D Item 107 of Schedule 1

Repeal the item, substitute:

107 Point 42-E2

Omit "the couple's ordinary incomes (on a yearly basis)", substitute "the annual rates of the couple's ordinary incomes".

Part 4—Amendment of the Veterans' Affairs (1995- 96 Budget Measures) Legislation Amendment Act 1995

1E Item 8 of Schedule 4

Repeal the item, substitute:

8 After subparagraph 38(1)(c)(i)

Insert:

- (ia) whose partner or non-illness separated spouse, immediately before his or her death, was receiving an age service pension or an invalidity service pension, or would have been receiving such a pension if not for the operation of one or more disqualifying provisions; and

Schedule 6, Act heading, page 22 (lines 3 and 4), omit the heading, substitute:

**Part 5—Amendment of the Veterans' Affairs
Legislation Amendment (1995-96 Budget
Measures) Act (No. 2) 1995**

Schedule 6, page 22 (after line 12), at the end of the Schedule, add:

**Part 6—Amendment of the Social Security and
Veterans' Affairs Legislation Amendment
Act 1995**

3 Item 13 of Schedule 17

Repeal the item, substitute:

13 Subsection 52(1)

After "52H," insert "52ZA, 52ZCA,".

**Part 7—Amendment of the Veterans' Entitlements
Act 1986**

4 Paragraph 5H(8)(zb)

Repeal the paragraph, substitute:

(zb) a payment to a veteran that is a bereavement payment under section 98A; or

5 Paragraph 5H(8)(zl) (last occurring)

Renumber as (zm).

6 Paragraph 5L(10A)(b)

Repeal the paragraph, substitute:

or (b) income support supplement; or

(c) a social security pension;

7 Subsection 5L(12)

After "service pension", insert "or an income support supplement".

8 Subparagraph 36H(2)(a)(iii)

Repeal the subparagraph, substitute:

(iii) income support supplement; or

(iv) a social security pension; and

9 At the end of subsection 36H(2)

Add:

Note: For *social security pension* see subsection 5Q(1).

10 Subparagraph 37H(2)(a)(iii)

Repeal the subparagraph, substitute:

(iii) income support supplement; or

(iv) a social security pension; and

11 At the end of subsection 37H(2)

Add:

Note: For *social security pension* see subsection 5Q(1).

12 Paragraph 52FA(1)(a)

Omit “or a social security pension”, substitute “, an income support supplement or a social security pension”.

13 Paragraph 52GA(1)(b)

Omit “or a social security pension”, substitute “, an income support supplement or a social security pension”.

14 Subparagraph 52GA(1)(c)(ii)

Omit “or a social security pension”, substitute “, an income support supplement or a social security pension”.

15 Subsection 93B(4)

Omit “21”, substitute “15B”.

16 Paragraph 118E(2)(a)

Omit “paragraph 118JA(c)”, substitute “paragraph 118A(1)(c)”.

17 Paragraph 118E(2)(b)

Omit “paragraph 118JA(a) or (b)”, substitute “paragraph 118A(1)(a) or (b)”.

18 Subsection 128(6)

After “States,”, insert “of the Australian Capital Territory,”.

Part 8—Amendment of the Veterans’ Entitlements Act 1986

19 Schedule 5

Renumber the items in the Schedule 1 to 7.

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

Amendments agreed to.

Bill, as amended, agreed to.

Consideration in detail concluded.

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

20 COMMONWEALTH SERVICES DELIVERY AGENCY BILL 1996—REPORT FROM MAIN COMMITTEE

The Second Deputy Speaker reported that the Commonwealth Services Delivery Agency Bill 1996 had been considered by 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, 77

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

NOES, 42

Mr Adams	Mr M. J. Evans	Dr Lawrence	Mr O'Connor
Mr Albanese	Mr L. D. T. Ferguson	Mr Lee	Mr O'Keefe
Mr P. J. Baldwin	Mr M. J. Ferguson	Mr McClelland	Mr Quick
Mr Beddall	Mr Fitzgibbon	Ms Macklin	Mr Sawford*
Mr Brereton	Mr E. L. Grace*	Mr McLeay	Mr Sercombe
Mr Brown	Mr Griffin	Mr McMullan	Mr S. F. Smith
Mr Crean	Mr Hatton	Mr Martin	Dr Theophanous
Mrs Crosio	Mr Holding	Mr Melham	Mr K. J. Thomson
Mr Dargavel	Mr Hollis	Mr A. A. Morris	Mr Wilton
Ms Ellis	Mr Jones	Mr P. F. Morris	
Mr G. J. Evans	Mr Kerr	Mr Mossfield	

* 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.

Mr Ruddock (Minister representing the Minister for Social Security), by leave, moved—That the Bill be now read a third time.

Debate ensued.

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

21 RETIREMENT SAVINGS ACCOUNTS 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.

Mr Hockey was granted leave to continue his speech when the debate is resumed.

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

22 BILLS REFERRED TO MAIN COMMITTEE

Mr Ruddock (Minister for Immigration and Multicultural Affairs), by leave, moved—That the following Bills be referred to the Main Committee for further consideration:

Retirement Savings Accounts 1996;

Retirement Savings Accounts (Consequential Amendments) 1996; and

Retirement Savings Accounts Supervisory Levy 1996.

Question—put and passed.

23 ADJOURNMENT

Mr Ruddock (Minister for Immigration and Multicultural Affairs) moved—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 5.58 p.m., adjourned until Monday next at 12.30 p.m.

PAPERS

The following papers were deemed to have been presented on 27 February 1997:

Air Force Act—Regulations—Statutory Rules 1997 No. 15.

Banking Act—Regulations—Statutory Rules 1997 No. 24.

Civil Aviation Act—

Civil Aviation Regulations—Civil Aviation Orders—

Part 105—Amendments 8, 9(4), 10 January, 3(2), 4(4), 5, 12(9), 13(4), 14(2), 17(9) February 1997.

Part 106—Amendments 16, 29 January, 3, 14 February 1997.

Part 107—Amendments 12, 14, 17 February 1997.

Regulations—Statutory Rules 1997 No. 23.

Copyright Act—

Declaration under section 10A, 5 February 1997.

Revocation of declaration, 5 February 1997.

Crimes Act—Regulations—Statutory Rules 1997 No. 14.

Customs Act—Regulations—Statutory Rules 1997 No. 22.

Fisheries Management Act—Regulations—Statutory Rules 1997 No. 19.

Horticultural Levy Act, Horticultural Export Charge Act and Primary Industries Levies and Charges Collection Act—Regulations—Statutory Rules 1997 No. 18.

Lands Acquisition Act—Statement under section 40.

Migration Act—Regulations—Statutory Rules 1997 No. 17.

National Health Act—Regulations—Statutory Rules 1997 No. 16.

Trade Practices Act—Regulations—Statutory Rules 1997 Nos. 20, 21.



ATTENDANCE

All Members attended (at some time during the sitting) except Mr K. J. Andrews, Mr Bevis, Mrs D. M. Kelly, Mr Latham, Mr Price, Mrs Stone and Mr Willis.



L. M. BARLIN

Clerk of the House of Representatives

1996-97

HOUSE OF REPRESENTATIVES

SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 72

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 27 FEBRUARY 1997

1 The Main Committee met at 10 a.m.

2 COMMONWEALTH SERVICES DELIVERY AGENCY 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 M.J. Ferguson, 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 expresses grave concern about:

- (1) the lack of parliamentary scrutiny of, and public accountability for, the use of the Minister’s power to require the Board of the Agency to implement the ‘general policies’ of the Government in relation to the Agency, the Board or the employees of the Agency:
- (2) the Board’s unfettered power to set the terms and conditions of the Chief Executive Officer; and
- (3) the erosion of public service terms and conditions through the Agency’s ability to employ staff under terms and conditions different to those specified in the Public Service Act”—

Debate resumed.

Paper: Mr Ruddock (Minister for Immigration and Multicultural Affairs) presented a corrigendum to the explanatory memorandum.

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 VETERANS’ AFFAIRS LEGISLATION AMENDMENT (1996-97 BUDGET AND OTHER MEASURES) 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.

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.100, dated 18 December 1996, recommending an appropriation for the purposes of the Bill; and

No. 101, dated 26 February 1997, recommending an appropriation for the purpose of amendments to the Bill.

On the motion of Mr Sawford, further proceedings to be conducted in the House.

4 APPROPRIATION BILL (NO. 3) 1996-97

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.

Suspension of sitting: At 12.02 p.m., a division having been called in the House, the proceedings were suspended.

Resumption of sitting: At 12.17 p.m., the proceedings were resumed.

Debate continued.

Suspension of sitting: At 12.20 p.m., a division having been called in the House, the proceedings were suspended.

Resumption of sitting: At 12.32 p.m., the proceedings were resumed.

Debate continued.

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

5 ADJOURNMENT

On the motion of Mr M. A. J. Vaile, the Main Committee adjourned at 12.59 p.m.

The Deputy Speaker fixed Monday, 3 March 1997, at 8 p.m. for the next meeting of the Main Committee.

I. C. HARRIS
Clerk of the Main Committee