

1996-97

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 116

WEDNESDAY, 1 OCTOBER 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 AUSTRALIAN MEAT AND LIVE-STOCK INDUSTRY BILL 1997

Mr Anderson (Minister for Primary Industries and Energy), pursuant to notice, presented a Bill for an Act relating to the Australian meat and live-stock industry, and for related purposes.

Bill read a first time.

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

Paper

Mr Anderson presented an explanatory memorandum to the Bill.

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

3 AUSTRALIAN MEAT AND LIVE-STOCK INDUSTRY (REPEALS AND CONSEQUENTIAL PROVISIONS) BILL 1997

Mr Anderson (Minister for Primary Industries and Energy), pursuant to notice, presented a Bill for an Act to repeal and amend certain Acts in connection with the enactment of the *Australian Meat and Live-stock Industry Act 1997*, and for related purposes.

Bill read a first time.

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

Paper

Mr Anderson presented an explanatory memorandum to the Bill.

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

4 BEEF PRODUCTION LEVY AMENDMENT BILL 1997

Mr Anderson (Minister for Primary Industries and Energy) presented a Bill for an Act to amend the *Beef Production Levy Act 1990*, and for related purposes.

Bill read a first time.

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

Paper

Mr Anderson presented an explanatory memorandum to the Bill.

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

5 BUFFALO EXPORT CHARGE BILL 1997

Mr Anderson (Minister for Primary Industries and Energy) presented a Bill for an Act to impose a charge on the export of buffaloes, and for purposes dealing with the imposition of the charge.

Bill read a first time.

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

Paper

Mr Anderson presented an explanatory memorandum to the Bill.

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

6 BUFFALO SLAUGHTER LEVY BILL 1997

Mr Anderson (Minister for Primary Industries and Energy) presented a Bill for an Act to impose a levy on the slaughter of buffaloes, and for purposes dealing with the imposition of the levy.

Bill read a first time.

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

Paper

Mr Anderson presented an explanatory memorandum to the Bill.

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

7 CATTLE (EXPORTERS) EXPORT CHARGE BILL 1997

Mr Anderson (Minister for Primary Industries and Energy) presented a Bill for an Act to impose a charge, payable by exporters, on the export of cattle, and for purposes dealing with the imposition of the charge.

Bill read a first time.

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

Paper

Mr Anderson presented an explanatory memorandum to the Bill.

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

8 CATTLE (PRODUCERS) EXPORT CHARGES BILL 1997

Mr Anderson (Minister for Primary Industries and Energy) presented a Bill for an Act to impose charges, payable by producers, on the export of cattle, and for purposes dealing with the imposition of the charges.

Bill read a first time.

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

Paper

Mr Anderson presented an explanatory memorandum to the Bill.

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

9 CATTLE TRANSACTIONS LEVY BILL 1997

Mr Anderson (Minister for Primary Industries and Energy) presented a Bill for an Act to impose a levy on certain transactions and other dealings involving cattle, and for purposes dealing with the imposition of the levy.

Bill read a first time.

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

Paper

Mr Anderson presented an explanatory memorandum to the Bill.

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

10 LIVE-STOCK SLAUGHTER (PROCESSORS) LEVY BILL 1997

Mr Anderson (Minister for Primary Industries and Energy) presented a Bill for an Act to impose a levy, payable by processors, on the slaughter of certain live-stock, and for purposes dealing with the imposition of the levy.

Bill read a first time.

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

Paper

Mr Anderson presented an explanatory memorandum to the Bill.

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

11 LIVE-STOCK TRANSACTIONS LEVY BILL 1997

Mr Anderson (Minister for Primary Industries and Energy) presented a Bill for an Act to impose a levy on certain transactions and other dealings involving live-stock, and for purposes dealing with the imposition of the levy.

Bill read a first time.

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

Paper

Mr Anderson presented an explanatory memorandum to the Bill.

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

12 LIVE-STOCK (EXPORTERS) EXPORT CHARGE BILL 1997

Mr Anderson (Minister for Primary Industries and Energy) presented a Bill for an Act to impose a charge, payable by exporters, on the export of certain live-stock, and for purposes dealing with the imposition of the charge.

Bill read a first time.

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

Paper

Mr Anderson presented an explanatory memorandum to the Bill.

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

13 LIVE-STOCK (PRODUCERS) EXPORT CHARGES BILL 1997

Mr Anderson (Minister for Primary Industries and Energy) presented a Bill for an Act to impose charges, payable by producers, on the export of certain live-stock, and for purposes dealing with the imposition of the charges.

Bill read a first time.

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

Paper

Mr Anderson presented an explanatory memorandum to the Bill.

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

14 NATIONAL RESIDUE SURVEY (BUFFALO SLAUGHTER) LEVY BILL 1997

Mr Anderson (Minister for Primary Industries and Energy) presented a Bill for an Act to impose National Residue Survey Levy in respect of the slaughter of buffaloes, and for purposes dealing with the imposition of the levy.

Bill read a first time.

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

Paper

Mr Anderson presented an explanatory memorandum to the Bill.

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

15 NATIONAL RESIDUE SURVEY (CATTLE TRANSACTIONS) LEVY BILL 1997

Mr Anderson (Minister for Primary Industries and Energy) presented a Bill for an Act to impose National Residue Survey Levy on certain transactions and other dealings involving cattle, and for purposes dealing with the imposition of the levy.

Bill read a first time.

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

Paper

Mr Anderson presented an explanatory memorandum to the Bill.

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

16 NATIONAL RESIDUE SURVEY (CATTLE EXPORT) LEVY BILL 1997

Mr Anderson (Minister for Primary Industries and Energy) presented a Bill for an Act to impose National Residue Survey Levy on the export of cattle from Australia, and for purposes dealing with the imposition of the levy.

Bill read a first time.

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

Paper

Mr Anderson presented an explanatory memorandum to the Bill.

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

17 NATIONAL RESIDUE SURVEY (SHEEP, LAMBS AND GOATS TRANSACTIONS) LEVY BILL 1997

Mr Anderson (Minister for Primary Industries and Energy) presented a Bill for an Act to impose National Residue Survey Levy in respect of certain transactions and other dealings involving sheep, lambs and goats, and for purposes dealing with the imposition of the levy.

Bill read a first time.

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

Paper

Mr Anderson presented an explanatory memorandum to the Bill.

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

18 NATIONAL RESIDUE SURVEY (SHEEP, LAMBS AND GOATS EXPORT) LEVY BILL 1997

Mr Anderson (Minister for Primary Industries and Energy) presented a Bill for an Act to impose National Residue Survey Levy on the export of sheep, lambs and goats from Australia, and for purposes dealing with the imposition of the levy.

Bill read a first time.

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

Paper

Mr Anderson presented an explanatory memorandum to the Bill.

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

19 HEALTH LEGISLATION AMENDMENT BILL 1997

Ms Worth (Parliamentary Secretary to the Minister for Health and Family Services), for Dr Wooldridge (Minister for Health and Family Services), pursuant to notice, presented a Bill for an Act to amend legislation relating to health, and for related purposes.

Bill read a first time.

Ms Worth moved—That the Bill be now read a second time.

Paper

Ms Worth presented an explanatory memorandum to the Bill.

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

20 SYDNEY AIRPORT DEMAND MANAGEMENT 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.

Message from the Governor-General

Message No. 185, dated 26 September 1997, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Ronaldson (Parliamentary Secretary to the Minister for Transport and Regional Development), the Bill was read a third time.

21 NATIVE TITLE AMENDMENT 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—*And on the amendment moved thereto by Mr G. J. Evans (Deputy Leader of the Opposition), 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 notes that:*

- (1) native title rights, including on pastoral leases, are fundamental legal property rights, acknowledged and upheld as such by the High Court, and entitled to the same respect and protection as the property rights of non-indigenous Australians: any amendment of the Native Title Act in response to the *Wik* decision or for any other reason must fully reflect that reality;
- (2) it is in the national interest that the Act balance and reconcile to the maximum possible extent the interests and reasonable expectations of both indigenous Australians and other major stakeholders—farmers, miners and Australian taxpayers generally;

- (3) it is both in the national interest, and in the interests of indigenous Australians, farmers and miners, that there be the maximum possible predictability and certainty about the status of the Act and its practical operation;
- (4) there is a need, in particular, to guarantee the constitutional validity of the legislation, by ensuring that legislation operates for the net benefit of indigenous Australians;
- (5) it is also in everyone's interest that the processes established by this legislation to deal with the registration and determination of claims, and the reconciliation of competing interests, be as effective and expeditious as possible;
- (6) there are aspects of the Bill which may advance these objectives, in particular by encouraging and assisting the entering into of agreements, and by setting a stricter regime for the registration of claims;
- (7) nonetheless, the Bill is seriously deficient, and requires substantial amendment, in many respects, including:
 - (i) the reach of the validation provisions beyond that which is necessary for the practical redress of post-*Wik* problems;
 - (ii) the manifestly unacceptable over-reach of the provisions purporting to confirm the extinguishment of native title where exclusive tenure has previously been involved;
 - (iii) the unnecessarily broad application, in relation to coexistence on pastoral leases, of the statutory authorisation of non-pastoral activities;
 - (iv) the unnecessarily broad application of extinguishment in relation to the provision of government services and public works;
 - (v) the indefensibly limited test for allowing statutory access rights for registered claimants;
 - (vi) the dramatic limitation of the right to negotiate, and in particular its effective elimination in relation to mining on pastoral leases, which (along with the provisions amounting to direct or de facto extinguishment) significantly tilts the balance of the legislation against indigenous Australians;
 - (vii) the unacceptable limitation on the effective enjoyment of the right to negotiate which is involved in powers of early ministerial intervention;
 - (viii) the absurd and counterproductive sunset clause, which will simply ensure a proliferation of ambit claims under the Act, and the pursuit of future claims through expensive and complex common law processes;
 - (ix) the inappropriately rigid and legalistic constraints on Registrars in the management of claims; and

- (x) the inappropriate introduction of formal rules of evidence, and limitations on the extent to which cultural and customary concerns can be taken into account, in the Federal Court claims process”—

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.

22 QUESTIONS

Questions without notice being asked—

Paper

Mr McLeay, in accordance with standing order 321, having called for documents quoted from by Mr Williams (Attorney-General and Minister for Justice)—

Mr Williams presented the following paper:

Native Title and the Aboriginal and Torres Strait Islander Land Fund—Parliamentary Joint Committee—Submission by Australian Law Reform Commission—Conversation with Alan Rose on 23 September 1997—Copy of note from Norman Reaburn to Hugh Funder, 29 September 1997.

Questions without notice continued.

23 PAPERS

The Speaker presented the following papers:

Department of the House of Representatives—Senior officer travelling allowance payments, 1996-97.

Travelling allowance payments to Members of the House of Representatives—Details for May and June 1997, together with summary details of expenditure for 1996-97.

24 PAPERS

The following papers were presented:

Australian Postal Corporation Act—Australian Postal Corporation (Australia Post)—Report for 1996-97.

Australian Wool Research and Promotion Organisation Act—Australian Wool Research and Promotion Organisation—Report for 1996-97.

Civil Aviation Act—Civil Aviation Safety Authority—Corporate plan 1996-97 to 1998-99.

Defence Force Discipline Act—Judge Advocate General—Report for 1996.

Official Establishments Trust—Report for 1996-97.

Public Service Act—Department of the Prime Minister and Cabinet—Report for 1996-97.

25 PAPERS—MOTION TO TAKE NOTE OF PAPERS

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

Civil Aviation Act—Civil Aviation Safety Authority—Corporate plan 1996-97 to 1998-99.

Defence Force Discipline Act—Judge Advocate General—Report for 1996.

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

26 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—NURSING HOME ENTRY FEES

The House was informed that Ms Macklin had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The Government’s failure to protect thousands of Australians from having to pay nearly \$100,000 to enter a nursing home from today”.

The proposed discussion having received the necessary support—

Ms Macklin addressed the House.

Discussion ensued.

Discussion concluded.

27 POSTPONEMENT OF NOTICE

Ordered—That notice No. 4, government business, be postponed until a later hour this day.

28 MIGRATION LEGISLATION AMENDMENT (MIGRATION AGENTS) BILL 1997

Mr Ruddock (Minister for Immigration and Multicultural Affairs), pursuant to notice, presented a Bill for an Act to amend the law about migration agents, and for related purposes.

Bill read a first time.

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

Paper

Mr Ruddock presented an explanatory memorandum to the Bill.

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

29 MIGRATION AGENTS REGISTRATION APPLICATION CHARGE BILL 1997

Mr Ruddock (Minister for Immigration and Multicultural Affairs) presented a Bill for an Act to impose charge on applications by individuals for registration as migration agents.

Bill read a first time.

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

Paper

Mr Ruddock presented an explanatory memorandum to the Bill.

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

30 MIGRATION AGENTS REGISTRATION RENEWAL CHARGE BILL 1997

Mr Ruddock (Minister for Immigration and Multicultural Affairs) presented a Bill for an Act to impose charge on renewals of individuals' registration as migration agents.

Bill read a first time.

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

Paper

Mr Ruddock presented an explanatory memorandum to the Bill.

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

31 TAXATION LAWS AMENDMENT (TRUST LOSS AND OTHER DEDUCTIONS) BILL 1997

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 following Bills:

Taxation Laws Amendment (Trust Loss and Other Deductions) 1997;

Family Trust Distribution Tax (Primary Liability) 1997;

Family Trust Distribution Tax (Secondary Liability) 1997; and

Medicare Levy Consequential Amendment (Trust Loss) 1997.

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

32 FAMILY TRUST DISTRIBUTION TAX (PRIMARY LIABILITY) BILL 1997

Mr Miles (Parliamentary Secretary (Cabinet) to the Prime Minister) presented a Bill for an Act to impose a tax on certain distributions etc. by trusts, partnerships and companies.

Bill read a first time.

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

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

33 FAMILY TRUST DISTRIBUTION TAX (SECONDARY LIABILITY) BILL 1997

Mr Miles (Parliamentary Secretary (Cabinet) to the Prime Minister) presented a Bill for an Act to impose a tax in respect of certain unpaid family trust distribution tax.

Bill read a first time.

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

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

34 MEDICARE LEVY CONSEQUENTIAL AMENDMENT (TRUST LOSS) BILL 1997

Mr Miles (Parliamentary Secretary (Cabinet) to the Prime Minister) presented a Bill for an Act to amend the *Medicare Levy Act 1986*, and for related purposes.

Bill read a first time.

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

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

35 SUPERANNUATION INDUSTRY (SUPERVISION) AMENDMENT BILL 1997

Mr Miles (Parliamentary Secretary (Cabinet) to the Prime Minister), pursuant to notice, presented a Bill for an Act to amend the *Superannuation Industry (Supervision) Act 1993*, 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 L. D. T. Ferguson), and the resumption of the debate made an order of the day for the next sitting.

36 NATIONAL FIREARMS PROGRAM IMPLEMENTATION BILL 1997—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the Bill had been fully considered by the Main Committee, a Governor-General's message recommending an appropriation had been reported, and the Bill had been agreed to without amendment, and presented a certified copy of the Bill.

Bill agreed to.

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

37 NATIONAL ROAD TRANSPORT COMMISSION AMENDMENT BILL 1997—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the Bill 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 Mr McLachlan (Minister for Defence), by leave, the Bill was read a third time.

38 MESSAGE FROM THE SENATE—SOCIAL SECURITY AND VETERANS' AFFAIRS LEGISLATION AMENDMENT (MALE TOTAL AVERAGE WEEKLY EARNINGS BENCHMARK) BILL 1997

A message from the Senate was reported returning the following Bill with requests for amendments:

1 October 1997—Message No. 330—Social Security and Veterans' Affairs Legislation Amendment (Male Total Average Weekly Earnings Benchmark) 1997.

Ordered—That the amendments requested by the Senate be considered at the next sitting.

39 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REPORTS—STATEMENT BY MEMBER

Mr Tuckey (Chairman) presented the following papers:

Public Works—Parliamentary Standing Committee—Reports—

Development of operational facilities at RAAF Base Learmonth, WA (9th report of 1997).

Redevelopment of facilities for 51st Battalion Far North Queensland Regiment throughout Far North Queensland and the Torres Strait (10th report of 1997).

Severally ordered to be printed.

Mr Tuckey, by leave, made a statement in connection with the reports.

40 NATIVE TITLE AMENDMENT 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—*And on the amendment moved thereto by Mr G. J. Evans (Deputy Leader of the Opposition), 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 notes that:

- (1) native title rights, including on pastoral leases, are fundamental legal property rights, acknowledged and upheld as such by the High Court, and entitled to the same respect and protection as the property rights of non-indigenous Australians: any amendment of the Native Title Act in response to the *Wik* decision or for any other reason must fully reflect that reality;
- (2) it is in the national interest that the Act balance and reconcile to the maximum possible extent the interests and reasonable expectations of both indigenous Australians and other major stakeholders—farmers, miners and Australian taxpayers generally;

- (3) it is both in the national interest, and in the interests of indigenous Australians, farmers and miners, that there be the maximum possible predictability and certainty about the status of the Act and its practical operation;
- (4) there is a need, in particular, to guarantee the constitutional validity of the legislation, by ensuring that legislation operates for the net benefit of indigenous Australians;
- (5) it is also in everyone's interest that the processes established by this legislation to deal with the registration and determination of claims, and the reconciliation of competing interests, be as effective and expeditious as possible;
- (6) there are aspects of the Bill which may advance these objectives, in particular by encouraging and assisting the entering into of agreements, and by setting a stricter regime for the registration of claims;
- (7) nonetheless, the Bill is seriously deficient, and requires substantial amendment, in many respects, including:
 - (i) the reach of the validation provisions beyond that which is necessary for the practical redress of post-*Wik* problems;
 - (ii) the manifestly unacceptable over-reach of the provisions purporting to confirm the extinguishment of native title where exclusive tenure has previously been involved;
 - (iii) the unnecessarily broad application, in relation to coexistence on pastoral leases, of the statutory authorisation of non-pastoral activities;
 - (iv) the unnecessarily broad application of extinguishment in relation to the provision of government services and public works;
 - (v) the indefensibly limited test for allowing statutory access rights for registered claimants;
 - (vi) the dramatic limitation of the right to negotiate, and in particular its effective elimination in relation to mining on pastoral leases, which (along with the provisions amounting to direct or de facto extinguishment) significantly tilts the balance of the legislation against indigenous Australians;
 - (vii) the unacceptable limitation on the effective enjoyment of the right to negotiate which is involved in powers of early ministerial intervention;
 - (viii) the absurd and counterproductive sunset clause, which will simply ensure a proliferation of ambit claims under the Act, and the pursuit of future claims through expensive and complex common law processes;
 - (ix) the inappropriately rigid and legalistic constraints on Registrars in the management of claims; and

- (x) the inappropriate introduction of formal rules of evidence, and limitations on the extent to which cultural and customary concerns can be taken into account, in the Federal Court claims process”—

Debate resumed.

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

41 ABORIGINAL AND TORRES STRAIT ISLANDER AFFAIRS—STANDING COMMITTEE

The House was informed that the Chief National Party Whip had nominated Mr McGauran to be a member of the Standing Committee on Aboriginal and Torres Strait Islander Affairs in place of Mr Marek.

42 AIRPORTS LEGISLATION AMENDMENT BILL 1997

Mr Fahey (Minister for Finance), pursuant to notice, presented a Bill for an Act to amend the law relating to airports, and for other purposes.

Bill read a first time.

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

Paper

Mr Fahey presented an explanatory memorandum to the Bill.

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

43 POSTPONEMENT OF ORDERS OF THE DAY

Ordered—That orders of the day Nos. 3 to 15, government business, be postponed until a later hour this day.

44 AUDITOR-GENERAL BILL 1996—SENATE'S AMENDMENTS

The order of the day having been read for the consideration of the amendments made by the Senate, viz.:

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE

- (1) Clause 15, page 10 (after line 10), at the end of the clause, add:
 - (3) For the purposes of this section, an Agency is taken not to include any persons who are employed or engaged under the *Members of Parliament (Staff) Act 1984* and who are allocated to the Agency by regulations for the purposes of the definition of *Agency* in section 5 of the *Financial Management and Accountability Act 1996*.
- (2) Clause 37, page 23 (after line 17), after subclause (2), insert:
 - (2A) The Attorney-General must not issue a certificate in respect of information requested of the Auditor-General by a House of the Parliament, a committee of a House of the Parliament or a joint committee of both Houses of the Parliament—

On the motion of Mr Fahey (Minister for Finance), Senate amendment (1) was agreed to.

On the motion of Mr Fahey, Senate amendment (2) was disagreed to, after debate.

Mr Fahey moved—That Mr Reid, Mr J. N. Andrew and the mover be appointed a committee to draw up reasons for the House of Representatives disagreeing to amendment (2) of the Senate.

Question—put and passed.

Mr Fahey, on behalf of the committee, brought up reasons, which were circulated, and are as follows:

Reasons of the House of Representatives for disagreeing to amendment (2) of the Senate

The amendment proposes clause 37, page 23 after subclause (2) be supplemented to include that the Attorney-General must not issue a certificate in respect of information requested of the Auditor-General by a House of the Parliament, a committee of a House of the Parliament or a joint committee of both Houses of the Parliament. The House of Representatives does not accept the amendment for two reasons.

First, it is the proper role of the elected Executive to bear responsibility for preventing damage to the public interest – and it is the Executive which will be held accountable by the Parliament and, ultimately, the electorate for its performance in that regard. Secondly, the framework of clause 37, as amended by the Senate, would provide scope for the Auditor-General to be drawn in as an unwitting party to the, often, political issues that Members and Senators may wish to pursue.

Clause 37 replicates a framework that has been in operation in the *Audit Act 1901* for almost 20 years. The scope for intervention by the Attorney-General to prevent disclosure of particular kinds of information on public interest grounds is not extensive. The reasons listed in clause 37(2) for the Attorney-General to issue a certificate relate only to matters of genuine importance and significance. If one were to imagine a worst case scenario that could occur under the Senate amendment, it is possible to see how damage could be caused to Australia's national or international security and how the integrity of the Commonwealth's position could be undermined in ways that caused genuine damage to Australia. Accordingly, the House of Representatives believes that it is not worth the risk to accept the Senate amendment.

The House of Representatives believes that the framework in clause 37, unamended, has been proven to operate in a realistic and sensible way, having been used only once, for reasons of national security. Moreover, clause 37, as drafted, provides an added measure of accountability on the Executive in that it compels the Auditor-General to report any intervention by the Executive and the reasons for it. The House of Representatives believes that the framework provided for in clause 37 is sound and therefore disagrees with the Senate amendment.

On the motion of Mr Fahey, the committee's reasons were adopted.

45 FINANCIAL MANAGEMENT AND ACCOUNTABILITY BILL 1996—SENATE'S AMENDMENT

The order of the day having been read for the consideration of the amendment made by the Senate, viz.:

SCHEDULE OF THE AMENDMENT MADE BY THE SENATE

Clause 5, page 3 (lines 21 and 22), omit the definition of *bank*, substitute:

bank means:

- (a) a person who carries on the business of banking, either in Australia or outside Australia; or
- (b) any other institution:
 - (i) that carries on a business in Australia that consists of or includes taking money on deposit; and
 - (ii) the operations of which are subject to prudential supervision or regulation under a law of the Commonwealth, a State or a Territory—

On the motion of Mr Fahey (Minister for Finance), the amendment was agreed to.

46 COMMONWEALTH AUTHORITIES AND COMPANIES BILL 1996—SENATE'S AMENDMENT

The order of the day having been read for the consideration of the amendment made by the Senate, viz.:

SCHEDULE OF THE AMENDMENT MADE BY THE SENATE

Clause 5, page 3 (lines 7 and 8), omit the definition of *bank*, substitute:

bank means:

- (a) a person who carries on the business of banking, either in Australia or outside Australia; or
- (b) any other institution:
 - (i) that carries on a business in Australia that consists of or includes taking money on deposit; and
 - (ii) the operations of which are subject to prudential supervision or regulation under a law of the Commonwealth, a State or a Territory.

On the motion of Mr Fahey (Minister for Finance), the amendment was agreed to.

47 AUDIT (TRANSITIONAL AND MISCELLANEOUS) AMENDMENT BILL 1997—SENATE'S AMENDMENTS

The order of the day having been read for the consideration of the amendments made by the Senate, viz.:

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE

- (1) Schedule 2, item 14, page 6 (lines 22 and 23), omit the definition of *bank*, substitute:
- bank* has the same meaning as it has in the *Commonwealth Authorities and Companies Act 1997*.
- (2) Schedule 2, item 36, page 9 (lines 9 and 10), omit the definition of *bank*, substitute:
- bank* has the same meaning as it has in the *Commonwealth Authorities and Companies Act 1997*.
- (3) Schedule 2, page 14 (after line 9), after item 72, insert:
- 72A Paragraph 22(1)(b) and subsection 22(9)**
- Omit "Chairman" (wherever occurring), substitute "Chair".
- (4) Schedule 2, page 14 (after line 23), after item 77, insert:
- 77A Subsection 36(3)**
- Omit "Chairman" (wherever occurring), substitute "Chair".
- (5) Schedule 2, page 15 (after line 14), after item 82, insert:
- 82A Subsection 56(3)**
- Omit "Chairman" (wherever occurring), substitute "Chair".
- (6) Schedule 2, page 15 (after line 22), before item 84, insert:
- 83A Subsection 2(2)**
- Repeal the subsection.
- 83B At the end of section 2**
- Add:
- Note: For the manner in which the Chairperson and Deputy Chairperson may be referred to, see section 18B of the *Acts Interpretation Act 1901*.
- (7) Schedule 2, page 19 (after line 7), after item 109, insert:
- 109A Subsections 4(5) and (5A) and 7(1) and (1A)**
- Omit "Chairman" (wherever occurring), substitute "Chair".
- (8) Schedule 2, item 111, page 19 (line 22), omit "Chairman", substitute "Chair".
- (9) Schedule 2, page 19 (after line 25), after item 111, insert:
- 111A Subsection 28(1) and sections 30 and 31**
- Omit "Chairman" (wherever occurring), substitute "Chair".
- (10) Schedule 2, page 22 (after line 14), after item 127, insert:
- 127A Subsections 65(2) and (3)**
- Omit "Chairman" (wherever occurring), substitute "Chair".
- (11) Schedule 2, page 22 (after line 24), after item 128, insert:
- 128A Section 18B**
- Repeal the section, substitute:

18B How Chairs and Deputy Chairs may be referred to

- (1) Where an Act establishes an office of Chair of a body, the Chair may be referred to as Chair, Chairperson, Chairman, Chairwoman or by any other such term as the person occupying the office so chooses.
 - (2) If a person occupying an office mentioned in subsection (1) does not make known his or her choice of term, the person may be referred to by whichever of the following terms that a person addressing that person considers appropriate:
 - (a) Chair;
 - (b) Chairperson;
 - (c) Chairman;
 - (d) Chairwoman.
 - (3) Where an Act establishes an office of Deputy Chair of a body, the Deputy Chair may be referred to as Deputy Chair, Deputy Chairperson, Deputy Chairman, Deputy Chairwoman or by any other such term as the person occupying the office so chooses.
 - (4) If a person occupying an office mentioned in subsection (3) does not make known his or her choice of term, the person may be referred to by whichever of the following terms that a person addressing that person considers appropriate:
 - (a) Deputy Chair;
 - (b) Deputy Chairperson;
 - (c) Deputy Chairman;
 - (d) Deputy Chairwoman.
- (12) Schedule 2, page 25 (after line 11), before item 145, insert:

144A Section 5

Omit "Chairman" (wherever occurring), substitute "Chair".

144B Subsection 5(1)

Omit "Chairmen", substitute "Chairs".

- (13) Schedule 2, page 25 (after line 17), after item 145, insert:

145A Subclause 5(3) of Schedule 2

Omit "Chairman" (wherever occurring), substitute "Chair".

- (14) Schedule 2, page 25 (after line 24), after item 146, insert:

146A Subarticles 7(1) and (2) of the Schedule

Omit "Chairman" (wherever occurring), substitute "Chair".

- (15) Schedule 2, page 28 (after line 7), after item 164, insert:

164A Subsection 9(3), paragraph 9(4)(a), subsection 12(1) and section 15

Omit "Chairman" (wherever occurring), substitute "Chair".

- (16) Schedule 2, page 33 (after line 8), before item 202, insert:
201A Section 3 (definition of *Chairman*)
Omit “Chairman” (wherever occurring), substitute “Chair”.
- (17) Schedule 2, page 33 (after line 13), after item 203, insert:
203A Section 9, subsections 10(6), 14(2), (4) and (5) and 15(6)
Omit “Chairman” (wherever occurring), substitute “Chair”.
- (18) Schedule 2, page 34 (after line 19), before item 210, insert:
209A Section 3 (definitions of *Chairman*, *Deputy Chairman* and *member*)
Omit “Chairman” (wherever occurring), substitute “Chair”.
- (19) Schedule 2, page 34 (after line 30), after item 211, insert:
211A Subsection 15(1) and sections 19 and 20
Omit “Chairman” (wherever occurring), substitute “Chair”.
- (20) Schedule 2, page 35 (after line 5), after item 213, insert:
213A Subsections 23(3) and 28(1), (4), (5), (6) and (7)
Omit “Chairman” (wherever occurring), substitute “Chair”.
- (21) Schedule 2, page 35 (after line 26), after item 219, insert:
219A Subsection 12(5) and section 13
Omit “Chairman” (wherever occurring), substitute “Chair”.
- (22) Schedule 2, page 36 (after line 2), after item 221, insert:
221A Sections 20 and 23
Omit “Chairman” (wherever occurring), substitute “Chair”.
- (23) Schedule 2, page 36 (after line 12), after item 224, insert:
224A Paragraph 51(c)
Omit “chairman”, substitute “chair”.
- (24) Schedule 2, page 36 (after line 13), before item 225, insert:
224B Section 3 (definition of *Chairman*)
Omit “Chairman” (wherever occurring), substitute “Chair”.
- (25) Schedule 2, page 36 (after line 19), after item 225, insert:
225A Paragraph 12(1)(a), subsections 12(1A), (3), (7), (8) and (9), section 16 and subsection 17(2)
Omit “Chairman” (wherever occurring), substitute “Chair”.
- (26) Schedule 2, page 37 (after line 3), after item 227, insert:
227A Section 20
Omit “Chairman” (wherever occurring), substitute “Chair”.
- (27) Schedule 2, page 37 (after line 12), after item 228, insert:

228A Subsection 32(2)

Omit “Chairman”, substitute “Chair”.

(28) Schedule 2, page 38 (after line 20), after item 235, insert:

235A At the end of section 13

Add:

Note: For the manner in which the Chairperson may be referred to, see section 18B of the *Acts Interpretation Act 1901*.

235B Section 14

Repeal the section.

235C Subsection 15(8)

Repeal the subsection.

235D At the end of section 15

Add:

Note: For the manner in which the Chairperson may be referred to, see section 18B of the *Acts Interpretation Act 1901*.

(29) Schedule 2, page 40 (after line 5), after item 246, insert:

246A At the end of section 84

Add:

Note: For the manner in which the Chairperson may be referred to, see section 18B of the *Acts Interpretation Act 1901*.

246B Section 85

Repeal the section.

246C Subsection 86(8)

Repeal the subsection.

246D At the end of section 86

Add:

Note: For the manner in which the Deputy Chairperson may be referred to, see section 18B of the *Acts Interpretation Act 1901*.

(30) Schedule 2, page 41 (after line 16), before item 256, insert:

255A Section 4 (definition of *Chairman*)

Omit “Chairman” (wherever occurring), substitute “Chair”.

(31) Schedule 2, page 42 (after line 17), after item 260, insert:

260A Section 11, subsections 12(1) and 13(2), sections 15A, 16, 17 and 18 and subsection 19(1)

Omit “Chairman” (wherever occurring), substitute “Chair”.

(32) Schedule 2, page 42 (after line 20), after item 261, insert:

261A Section 20, paragraph 20A(1)(b) and subsections 21(1), (2), (3), (4) and (5)

Omit “Chairman” (wherever occurring), substitute “Chair”.

(33) Schedule 2, page 43 (after line 13), after item 269, insert:

269A Subsection 33(2)

Omit “Chairman”, substitute “Chair”.

(34) Page 45 (after line 22), before item 286, insert:

285A Subsection 3(3)

Repeal the subsection.

285B At the end of section 3

Add:

Note: For the manner in which the Chairperson may be referred to, see section 18B of the *Acts Interpretation Act 1901*.

(35) Schedule 2, page 54 (after line 3), after item 350, insert:

350A Section 3 (definitions of *Chairman*, *Commissioner* and *Deputy Chairman*)

Omit “Chairman” (wherever occurring), substitute “Chair”.

(36) Schedule 2, page 54 (after line 22), after item 356, insert:

356A Paragraphs 24(1)(a) and (b), subsections 24(4), (5) and (6), 25(3) and (4) and 26(1), (2) and (3), sections 29 and 30 and paragraphs 31(1)(b) and 32(2)(b) and (c)

Omit “Chairman” (wherever occurring), substitute “Chair”.

(37) Schedule 2, page 55 (after line 15), after item 359, insert:

359A Subsections 34(2), (4) and (5) and 36A(2), sections 36E, 39 and 41 and subsections 43(1), (2), (6) and (8)

Omit “Chairman” (wherever occurring), substitute “Chair”.

(38) Schedule 2, page 59 (after line 12), after item 384, insert:

384A Subsection 9(6)

Repeal the subsection.

384B At the end of section 9

Add:

Note: For the manner in which the Chairperson and Deputy Chairperson may be referred to, see section 18B of the *Acts Interpretation Act 1901*.

(39) Schedule 2, page 59 (after line 23), after item 388, insert:

388A Subsection 26(12)

Repeal the subsection.

388B At the end of section 26

Add:

Note: For the manner in which the Chairperson and Deputy Chairperson may be referred to, see section 18B of the *Acts Interpretation Act 1901*.

(40) Schedule 2, page 65 (after line 26), after item 428, insert:

428A Subsection 10(2)

Repeal the subsection.

428B At the end of section 10

Add:

Note: For the manner in which the Chairperson and Deputy Chairperson may be referred to, see section 18B of the *Acts Interpretation Act 1901*.

(41) Schedule 2, page 74 (after line 13), before item 493, insert:

492A Section 3 (definition of *Chairman*)

Omit "Chairman" (wherever occurring), substitute "Chair".

(42) Schedule 2, page 74 (after line 19), after item 493, insert:

493A Section 11

Omit "Chairman" (wherever occurring), substitute "Chair".

(43) Schedule 2, page 74 (after line 24), after item 495, insert:

495A Subsections 17(1), (3) and (4) and 19(6)

Omit "Chairman" (wherever occurring), substitute "Chair".

(44) Schedule 2, page 75 (after line 14), before item 502, insert:

501A Subsection 4(2)

Repeal the subsection.

501B At the end of section 4

Add:

Note: For the manner in which the Chairperson and Deputy Chairperson may be referred to, see section 18B of the *Acts Interpretation Act 1901*.

(45) Schedule 2, page 80 (after line 14), after item 539, insert:

539A Subparagraph 40(1)(f)(ii)

Omit "Chairman", substitute "Chair".

(46) Schedule 2, page 80 (after line 17), after item 540, insert:

540A Section 257 and paragraph 258(a)

Omit "chairman" (wherever occurring), substitute "chair".

(47) Schedule 2, page 85 (after line 16), after item 581, insert:

581A Paragraph 66(d)

Omit "chairman", substitute "chair".

(48) Schedule 2, page 85 (after line 25), after item 583, insert:

583A Section 12 and subsections 13(2) and 14(1), (2), (3) and (4)

Omit "Chairman" (wherever occurring), substitute "Chair".

(49) Schedule 2, page 86 (after line 25), after item 591, insert:

591A Section 37 and subsections 39(1), (2), (3) and (4)

Omit "Chairman" (wherever occurring), substitute "Chair".

(50) Schedule 2, page 87 (after line 28), before item 598, insert:

597A Sections 183DA and 183DC and subsections 183J(1) and (4), 183K(1) and 183R(1)

Omit "Chairman" (wherever occurring), substitute "Chair".

(51) Schedule 2, page 88 (after line 17), after item 603, insert:

603A Subsection 3(2)

Repeal the subsection.

603B At the end of section 3

Add:

Note: For the manner in which the Chairperson and Deputy Chairperson may be referred to, see section 18B of the *Acts Interpretation Act 1901*.

(52) Schedule 2, page 91 (after line 8), after item 620, insert:

620A Paragraph 88(1)(m)

Omit "Chairman", substitute "Chair".

(53) Schedule 2, item 658, page 96 (lines 3 and 4), omit the definition of *bank*, substitute:

bank has the same meaning as it has in the *Commonwealth Authorities and Companies Act 1997*.

(54) Schedule 2, page 101 (after line 22), after item 700, insert:

700A Subsection 3(2)

Repeal the subsection, substitute:

(2) For the purposes of this Act:

- (a) the Acting Chair may be referred to as the Acting Chair, Acting Chairperson, Acting Chairman or Acting Chairwoman or by any other such term as the person occupying the office so chooses; and
- (b) the Acting Deputy Chair may be referred to as the Acting Deputy Chair, Acting Deputy Chairperson, Acting Deputy Chairman or Acting Deputy Chairwoman or by any other such term as the person occupying the office so chooses.

(2A) If a person occupying either of the offices mentioned in subsection (2) does not make known his or her choice of term, the person may be referred to by whichever of the following terms that a person addressing that person considers appropriate, as the case requires:

- (a) Acting Chair or Acting Deputy Chair;
- (b) Acting Chairperson or Acting Deputy Chairperson;
- (c) Acting Chairman or Acting Deputy Chairman;

(d) Acting Chairwoman or Acting Deputy Chairwoman.

Note: For the manner in which the Chairperson and Deputy Chairperson may be referred to, see section 18B of the *Acts Interpretation Act 1901*.

(55) Schedule 2, page 105 (after line 4), after item 718, insert:

718A Subclause 4(4) of the Schedule

Omit “Chairman”, substitute “Chair”.

(56) Schedule 2, item 733, page 108 (line 4), omit “**Chairman**”, substitute “**Chair**”.

(57) Schedule 2, item 749, page 110 (lines 6 and 7), omit the definition of *bank*, substitute:

bank has the same meaning as it has in the *Commonwealth Authorities and Companies Act 1997*.

(58) Schedule 2, item 873, page 128 (lines 11 and 12), omit the definition of *bank*, substitute:

bank has the same meaning as it has in the *Commonwealth Authorities and Companies Act 1997*.

(59) Schedule 2, page 131 (after line 24), before item 886, insert:

885A Subsection 3(1) (definitions of *Chairman* and *Deputy Chairman*)

Omit “Chairman” (wherever occurring), substitute “Chair”.

(60) Schedule 2, page 132 (after line 3), after item 887, insert:

887A Paragraph 13(1)(a) and section 14

Omit “Chairman” (wherever occurring), substitute “Chair”.

(61) Schedule 2, page 132 (after line 8), after item 889, insert:

889A Section 20 and subsections 22(1) and (5)

Omit “Chairman” (wherever occurring), substitute “Chair”.

(62) Schedule 2, page 137 (after line 13), after item 917, insert:

917A Section 12

Omit “Chairman” (wherever occurring), substitute “Chair”.

(63) Schedule 2, page 137 (after line 18), after item 919, insert:

919A Section 16

Omit “Chairman” (wherever occurring), substitute “Chair”.

(64) Schedule 2, page 138 (after line 10), after item 925, insert:

925A Subsection 17(1)

Omit “Chairman”, substitute “Chair”.

(65) Schedule 2, page 138 (after line 15), after item 927, insert:

927A Subsections 18AE(2), (4), (5) and (7), sections 18AM, 18AN and 18AO and subsection 18AP(6)

Omit “Chairman” (wherever occurring), substitute “Chair”.

(66) Schedule 2, page 138 (after line 26), before item 932, insert:

931A Section 3 (definitions of *Chairman* and *Deputy Chairman*)

Omit “Chairman” (wherever occurring), substitute “Chair”.

(67) Schedule 2, page 139 (after line 11), after item 933, insert:

933A Paragraph 13(1)(a) and section 14

Omit “Chairman” (wherever occurring), substitute “Chair”.

(68) Schedule 2, page 139 (after line 16), after item 935, insert:

935A Section 20 and subsection 22(6)

Omit “Chairman” (wherever occurring), substitute “Chair”.

(69) Schedule 2, page 140 (after line 18), after item 943, insert:

943A Subsection 10(11)

Repeal the subsection.

943B At the end of section 10

Add:

Note: For the manner in which the Chairperson may be referred to, see section 18B of the *Acts Interpretation Act 1901*.

(70) Schedule 2, page 149 (after line 4), after item 997, insert:

997A Subsection 10(10)

Repeal the subsection.

997B At the end of section 10

Add:

Note: For the manner in which the Chairperson may be referred to, see section 18B of the *Acts Interpretation Act 1901*.

997C Subsection 11(9)

Repeal the subsection.

997D At the end of section 11

Add:

Note: For the manner in which the Deputy Chairperson may be referred to, see section 18B of the *Acts Interpretation Act 1901*.

(71) Schedule 2, page 155 (after line 7), after item 1037, insert:

1037A Section 4 (definition of *Chairman*)

Omit “Chairman” (wherever occurring), substitute “Chair”.

(72) Schedule 2, page 155 (after line 9), after item 1038, insert:

1038A Section 4 (definition of *Vice-Chairman*)

Omit “Vice-Chairman” (wherever occurring), substitute “Deputy Chair”.

(73) Schedule 2, page 155 (after line 9), after item 1038, insert:

1038B At the end of section 4

Add:

Note: For the manner in which the Chair and Deputy Chair may be referred to, see section 18B of the *Acts Interpretation Act 1901*.

(74) Schedule 2, page 155 (after line 31), after item 1042, insert:

1042A Paragraph 5(6)(b)

Omit "Chairman" (wherever occurring), substitute "Chair".

1042B Subsections 6(1), (2), (2A) and (3), 6A(1) and (2) and 7(3)

Omit "Chairman" (wherever occurring), substitute "Chair".

1042C Subsections 6(1), (2A) and (3) and 6A(2)

Omit "Vice-Chairman" (wherever occurring), substitute "Deputy Chair".

(75) Schedule 1, page 158 (after line 27), after item 1045, insert:

1045A Subsections 9(3), 10(1), 11(4), 13(2) and 14(1), paragraph 14(3)(c), section 20 and subsections 22(1) and (2)

Omit "Chairman" (wherever occurring), substitute "Chair".

1045B Subsections 9(3), 10(1), 13(2) and 14(1), paragraph 14(3)(c), section 20 and subsection 22(2)

Omit "Vice-Chairman" (wherever occurring), substitute "Deputy Chair".

1045C Schedule, Form A

Omit "Chairman", substitute "Chair".

1045D Schedule, Form A

Omit "Vice-Chairman", substitute "Deputy Chair".

(76) Schedule 2, page 159 (after line 9), after item 1049, insert:

1049A Schedule, Form D

Omit "Chairman", substitute "Chair".

1049B Schedule, Form D

Omit "Vice-Chairman", substitute "Deputy Chair".

(77) Schedule 2, page 159 (after line 16), before item 1052, insert:

1051A Part 3 of Schedule 2 (table row relating to Chairman, Albury-Wodonga Development Corporation)

Omit "Chairman", substitute "Chair".

1051B Part 3 of Schedule 2 (table row relating to Chairman, Australian Wheat Board)

Omit "Chairman", substitute "Chair".

1051C Schedule 4 (table row relating to Chairmen of Committees)

Omit "Chairmen", substitute "Chairs".

(78) Schedule 2, page 159 (after line 19), after item 1052, insert:

1052A Schedule 4 (all table rows after the heading relating to Chairmen of Committees except for the table row relating to the Chairman, Parliamentary Standing Committee on Public Works)

Omit "Chairman" (wherever occurring), substitute "Chair".

(79) Schedule 2, page 160 (after line 8), after item 1055, insert:

1055A Subsections 20(2) and (3)

Repeal the subsections.

1055B At the end of section 20

Add:

Note: For the manner in which the Chairperson and Deputy Chairperson may be referred to, see section 18B of the *Acts Interpretation Act 1901*.

(80) Schedule 2, page 164 (after line 29), after item 1083, insert:

1083A Subsection 14A(6)

Repeal the subsection.

1083B At the end of section 14A

Add:

Note: For the manner in which the Chairperson may be referred to, see section 18B of the *Acts Interpretation Act 1901*.

(81) Schedule 2, page 166 (after line 14), before item 1095, insert:

1094A Section 5

Omit "chairman" (wherever occurring), substitute "chair".

(82) Schedule 2, page 167 (after line 9), after item 1095, insert:

1095A Paragraph 36(b)

Omit "chairman", substitute "chair".

(83) Schedule 2, page 168 (after line 24), after item 1103, insert:

1103A Subclauses 17(2) and 18(1) and (2) of Schedule 1

Omit "Chairman" (wherever occurring), substitute "Chair".

(84) Schedule 2, item 1134, page 173 (lines 3 and 4), omit the definition of *bank*, substitute:

bank has the same meaning as it has in the *Commonwealth Authorities and Companies Act 1997*.

(85) Schedule 2, page 174 (after line 8), after item 1135, insert:

1135A Section 170 (definition of *authorized person*)

Omit "Chairman" (wherever occurring), substitute "Chair".

(86) Schedule 2, item 1137, page 174 (lines 20 and 21), omit the definition of *bank*, substitute:

bank has the same meaning as it has in the *Commonwealth Authorities and Companies Act 1997*.

(87) Schedule 2, page 178 (after line 19), after item 1147, insert:

1147A Section 4 (definitions of *Chairman* and *Deputy Chairman*)

Omit “Chairman” (wherever occurring), substitute “Chair”.

(88) Schedule 2, page 178 (after line 31), after item 1149, insert:

1149A Section 7 and subsections 8(5) and 10(2), (3), (4) and (5)

Omit “Chairman” (wherever occurring), substitute “Chair”.

(89) Schedule 2, page 179 (after line 9), after item 1152, insert:

1152A Section 28

Omit “Chairman” (wherever occurring), substitute “Chair”.

(90) Schedule 2, page 181 (after line 23), after item 1168, insert:

1168A Subsection 15(13)

Repeal the subsection.

1168B At the end of section 15

Add:

Note: For the manner in which the Chairperson may be referred to, see section 18B of the *Acts Interpretation Act 1901*.

1168C Subsection 16(8)

Repeal the subsection.

1168D At the end of section 16

Add:

Note: For the manner in which the Deputy Chairperson may be referred to, see section 18B of the *Acts Interpretation Act 1901*.

On the motion of Mr Fahey (Minister for Finance), the amendments were agreed to.

48 PRIVILEGE—COMPLAINT OF BREACH

Mr Taylor raising, as a matter of privilege a letter which he had received concerning treason trials—

Adjournment negatived

It being 7.30 p.m.—The question was proposed—That the House do now adjourn.

Mr Fahey (Minister for Finance) requiring the question to be put forthwith without debate—

Question—put and negatived.

Mr Taylor continued raising the matter of privilege.

The Speaker stated that he would consider the matter and report to the House at a later time.

49 ADJOURNMENT

Mr Miles (Parliamentary Secretary (Cabinet) to the Prime Minister) moved—
That the House do now adjourn.

Debate ensued.

Question—put and passed.

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

PAPERS

The following papers were deemed to have been presented on 1 October 1997:
Christmas Island Act—List of Western Australian Acts for the period 15 March to 12 September 1997.

Parliament Act—Parliamentary Zone—Proposal for—
Additional renovations to East Block building.
Magna Carta Place site works.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr K. J. Andrews, Mr Downer, Dr Kemp, Mr Latham, Mr Pyne and Mr Sharp.

I. C. HARRIS
Clerk of the House of Representatives

1996-97

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 116

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

WEDNESDAY, 1 OCTOBER 1997

1 The Main Committee met at 10 a.m.

2 **NATIONAL FIREARMS PROGRAM IMPLEMENTATION 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.

Suspension of sitting

At 11.06 a.m., the Deputy Speaker left the Chair.

Resumption of sitting

At 11.12 a.m., the Deputy Speaker resumed the Chair—

Debate continued.

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

Message from the Governor-General

Message No. 184, dated 19 September 1997, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

Leave granted for the question on the report to be put forthwith.

Question—That the Bill be reported to the House without amendment—put and passed.

3 **NATIONAL ROAD TRANSPORT COMMISSION AMENDMENT 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.

Leave granted for the question on the report to be put forthwith.

Question—That the Bill be reported to the House without amendment—put and passed.

4 WHEAT MARKETING AMENDMENT 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—*And on the amendment moved thereto by Mr O'Keefe, viz.*—That all words after “That” be omitted with a view to substituting the following words: “, noting the representations of a wide number of graingrowers and, in particular the West Australian Graingrowers' Association and the Australian Grain Industry Taskforce, the House declines to give the bill a second reading pending consideration of the report on the measure by the Senate Rural and Regional Affairs and Transport Legislation Committee, which is due to be presented by 23 October 1997”—

Debate resumed.

Debate adjourned (Mr Griffin), 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 12.58 p.m.

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

B. C. WRIGHT
Clerk of the Main Committee