

1996-97

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 121

THURSDAY, 23 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 **POSTPONEMENT OF NOTICES**

Ordered—That notices Nos. 1 and 2, given by the Speaker, be postponed until a later hour this day.

3 **STATES GRANTS (GENERAL PURPOSES) AMENDMENT BILL (NO. 2) 1997**

Mr Miles (Parliamentary Secretary (Cabinet) to the Prime Minister), pursuant to notice, presented a Bill for an Act to amend the *States Grants (General Purposes) Act 1994*.

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 K. J. Thomson), and the resumption of the debate made an order of the day for the next sitting.

4 **TAXATION LAWS AMENDMENT BILL (NO. 5) 1997**

Mr Miles (Parliamentary Secretary (Cabinet) to the Prime Minister) presented a Bill for an Act to amend the law relating to taxation, 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 K. J. Thomson), and the resumption of the debate made an order of the day for the next sitting.

5 POSTPONEMENT OF NOTICE

Ordered—That notice No. 2, government business, be postponed until the next sitting.

6 TAXATION LAWS AMENDMENT (TRUST LOSS AND OTHER DEDUCTIONS) BILL 1997—REPORT FROM MAIN COMMITTEE

The Speaker reported that the Bill had been considered by the Main Committee and was returned with an unresolved question (*see item No. 3, Minutes of Proceedings of the Main Committee of 22 October 1997*), 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 Speaker, Mr Halverson, in the Chair)—

AYES, 86

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

NOES, 44

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

* 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.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Miles (Parliamentary Secretary (Cabinet) to the Prime Minister), the Bill was read a third time.

**7 FAMILY TRUST DISTRIBUTION TAX (PRIMARY LIABILITY) BILL 1997—
REPORT FROM MAIN COMMITTEE**

The 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 Miles (Parliamentary Secretary (Cabinet) to the Prime Minister), by leave, the Bill was read a third time.

**8 FAMILY TRUST DISTRIBUTION TAX (SECONDARY LIABILITY) BILL 1997—
REPORT FROM MAIN COMMITTEE**

The 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 Miles (Parliamentary Secretary (Cabinet) to the Prime Minister), by leave, the Bill was read a third time.

**9 MEDICARE LEVY CONSEQUENTIAL AMENDMENT (TRUST LOSS) BILL 1997—
REPORT FROM MAIN COMMITTEE**

The 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 Miles (Parliamentary Secretary (Cabinet) to the Prime Minister), by leave, the Bill was read a third time.

**10 SUPERANNUATION INDUSTRY (SUPERVISION) AMENDMENT BILL 1997—
REPORT FROM MAIN COMMITTEE**

The 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 Miles (Parliamentary Secretary (Cabinet) to the Prime Minister), by leave, the Bill was read a third time.

11 PRIVILEGES COMMITTEE

Mrs Sullivan (Parliamentary Secretary to the Minister for Foreign Affairs), by leave, moved—That Mr M. A. J. Vaile (Minister for Transport and Regional Development) be discharged from attendance on the Committee of Privileges, and that, in his place, Mr McGauran be appointed a member of the committee.

Question—put and passed.

12 STANDING AND JOINT COMMITTEES—MEMBERSHIP

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

Members' Interests—Standing

Mr Jull had been nominated by the Government Whip in place of Mr Somlyay (Minister for Regional Development, Territories and Local Government).

Procedure—Standing

Mr E. H. Cameron and Mr Nugent had been nominated by the Government Whip in place of Mr Somlyay (Minister for Regional Development, Territories and Local Government) and Mrs Sullivan (Parliamentary Secretary to the Minister for Foreign Affairs).

Treaties—Joint Standing

Mr McGauran had been nominated by the Chief National Party Whip in place of Mr Truss (Minister for Customs and Consumer Affairs).

13 MESSAGES FROM THE SENATE

Messages from the Senate, dated 22 October 1997, were reported:

- (a) transmitting a resolution of the Senate referring a matter concerning the adequacy and appropriateness of legislation and procedures for the conduct of military inquiries and hearings to the Joint Standing Committee on Foreign Affairs, Defence and Trade—Message No. 345;
- (b) acquainting the House that Senator Troeth has been discharged from the Joint Standing Committee on Foreign Affairs, Defence and Trade and Senator Synon has been appointed a member of the committee—Message No. 346; and
- (c) returning the Veterans' Affairs Legislation Amendment (Budget and Compensation Measures) Bill 1997 without amendment—Message No. 347.

14 CHILD CARE PAYMENTS 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 Ms Macklin, 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:

- (1) condemns the Government for its cuts of \$820 million to child care over two budgets, resulting in fee increases of up to \$20 per child per week, lower quality child care, the closure of services and job losses - changes that are forcing some people to stop working, take their children out of child care, or rely on back-yard care;
- (2) calls on the Government to reverse its unfair decisions to cap childcare assistance at 50 hours, and to limit emergency childcare assistance to 4 weeks in any 12 month period;
- (3) deplores the Government's lack of consultation with the child care industry about implementation of the legislation and its failure to provide adequate information about regulations and guidelines to be made under the Act;
- (4) condemns the Government's attempts to rush this legislation through and implement its far-reaching changes by 1 January 1998 thus causing chaos in the child care sector"—

Debate resumed.

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

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

AYES, 83

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

NOES, 43

Mr Adams	Mr M. J. Evans	Mr Latham	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 Price
Mr Beddall	Mr Fitzgibbon	Mr McClelland	Mr Quick
Mr Brereton	Mr E. L. Grace*	Ms Macklin	Mr Sawford*
Mr Brown	Mr Griffin*	Mr McLeay	Mr S. F. Smith
Mr Crean	Mr Hatton	Mr McMullan	Dr Theophanous
Mrs Crosio	Mr Holding	Mr Martin	Mr K. J. Thomson
Mr Dargavel	Mr Hollis	Mr Melham	Mr Willis
Ms Ellis	Mr Jenkins	Mr A. A. Morris	Mr Wilton
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.

Messages from the Governor-General

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

No. 195, dated 17 July 1997, recommending an appropriation for the purposes of the Bill; and

No. 196, dated 28 August 1997, recommending an appropriation for the purpose of amendments to the Bill.

Consideration in detail

Bill, by leave, taken as a whole.

Mr W. L. Smith (Minister for Family Services), by leave, moved the following amendments together:

Clause 3, pages 2 to 3 (table), omit the table, substitute:

Terms that are not identified		
Item	This term	is defined in section
1	AAT	5
2	child care assistance	5
3	child care rebate	5
4	child care service	5
5	partner	5
6	Secretary	5
7	SSAT	5

Clause 5—

Page 7 (line 26) to page 8 (line 2), omit the definition of *immunised*, substitute:

immunised, in relation to a child, means the child is immunised in accordance with:

- (a) a standard vaccination schedule determined under subsection 18(1); or
- (b) a catch up vaccination schedule determined under subsection 18(1).

Page 10 (after line 26), after the definition of *satisfies the work/training/study test*, insert:

Secretary means the Secretary of the Department.

Page 11 (line 2), omit “section 18”, substitute “subsection 18(2)”.

Clause 18, page 21 (line 24) to page 22 (line 4), omit the clause, substitute:

18 Minister’s power to make determinations for the purposes of other definitions

Immunised

- (1) The Minister may, for the purpose of the definition of *immunised* in section 5, determine, in writing:
 - (a) one or more standard vaccination schedules for the immunisation of children; and
 - (b) one or more catch up vaccination schedules for the immunisation of children who have not been immunised in accordance with a standard vaccination schedule.

Session of care

- (2) The Minister may, in writing, determine what constitutes a *session of care* for the purposes of this Act.
- (3) A determination under subsection (2) may also deal with how a session of care that starts on one day and ends on another day is to be treated for the purposes of this Act. The determination has effect accordingly.

Determinations under this section are disallowable

- (4) A determination under this section is a disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*.

Clause 22, page 26 (line 22) to page 27 (line 7), omit subclauses (2) and (3).

Clause 23—

Page 28 (lines 6 and 7), omit paragraph (e).

Page 28 (after line 7), after subclause (1), insert:

- (1A) If:
 - (a) neither the person nor the person’s partner has made an earlier claim under this Act (whether retrospective or prospective, whether for child care assistance or child care rebate, and whether relating to the same or a different child); and

(b) the Secretary is not satisfied as mentioned in subsection (1) in respect of a session of care to which the claim relates; the Secretary may give the person a notice to the effect that the child must be *immunised if the person is to receive child care assistance in respect of the child. The notice must also explain the alternatives to immunisation that may be available under paragraphs (1)(b) to (d).

(1B) If the Secretary gives the person a notice under subsection (1A), the Secretary may apply subsection (1) to the claim and the session of care as if:

- (a) references in subsection (1) to particular requirements being satisfied at the time of the session of care were instead references to those requirements being satisfied at a time during the period starting after the session of care and ending at the end of the 28th day after the day on which the notice is given; and
- (b) references in subsection (1) to particular requirements being satisfied before the session of care were instead references to those requirements being satisfied at a time during the period referred to in paragraph (a).

The determination of the claim may be deferred until the end of the period referred to in paragraph (a).

Page 28 (line 10), after “subsection (1)”, insert “(including as applied under subsection (1B))”.

Page 28 (lines 18 to 23), omit subclauses (3) and (4).

Clause 80, page 64 (line 28) to page 65 (line 11), omit subclauses (2) and (3).

Clause 81—

Page 66 (lines 9 and 10), omit paragraph (e).

Page 66 (after line 10), after subclause (1), insert:

(1A) If:

- (a) neither the person nor the person’s partner has made an earlier claim under this Act (whether retrospective or prospective, whether for child care assistance or child care rebate, and whether relating to the same or a different child); and
- (b) the Secretary is not satisfied as mentioned in subsection (1) in respect of a session of care to which the claim relates; the Secretary may give the person a notice to the effect that the child must be *immunised if the person is to receive child care rebate in respect of the child. The notice must also explain the alternatives to immunisation that may be available under paragraphs (1)(b) to (d).

- (1B) If the Secretary gives the person a notice under subsection (1A), the Secretary may apply subsection (1) to the claim and the session of care as if:
- (a) references in subsection (1) to particular requirements being satisfied at the time of the session of care were instead references to those requirements being satisfied at a time during the period starting after the session of care and ending at the end of the 28th day after the day on which the notice is given; and
 - (b) references in subsection (1) to particular requirements being satisfied before the session of care were instead references to those requirements being satisfied at a time during the period referred to in paragraph (a).

The determination of the claim may be deferred until the end of the period referred to in paragraph (a).

Page 66 (line 13), after “subsection (1)”, insert “(including as applied under subsection (1B))”.

Page 66 (lines 21 to 26), omit subclauses (3) and (4).

Clause 192, page 142 (line 8), omit “commencement of this Act”, substitute “payment commencement day”.

Schedule 1, page 215 (lines 17 to 22), omit subpoint D2(1), substitute:

D2(1) This point applies to a person in respect of a week unless:

- (a) one of the following subparagraphs applies:
 - (i) if the person is not a *member of a couple—the person *satisfies the work/training/study test at some time in the week; or
 - (ii) if the person is a member of a couple—both the person and the person’s partner satisfy the work/training/study test at some time in the week; or
- (b) child disability allowance under the *Social Security Act 1991* is payable to the person or the person’s partner in respect of some or all of the week:
 - (i) in respect of a dependent child of the person or the person’s partner; and
 - (ii) pursuant to a claim that was determined before the week.

Papers

Mr W. L. Smith presented a supplementary explanatory memorandum and a further supplementary explanatory memorandum to the Bill.

Debate continued.

Amendments agreed to.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Mr W. L. Smith, by leave, the Bill was read a third time.

15 CHILD CARE PAYMENTS (CONSEQUENTIAL AMENDMENTS AND TRANSITIONAL PROVISIONS) 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. 197, dated 28 August 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 W. L. Smith (Minister for Family Services), the Bill was read a third time.

16 SOCIAL SECURITY LEGISLATION AMENDMENT (PARENTING AND OTHER MEASURES) 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 by Ms Macklin who moved, as an amendment—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:

- (1) condemns the government for its continuing assault on low income Australian families through, for example, the abolition of the dental health program, higher costs for prescriptions, higher child care costs and the introduction of accommodation bonds and income tested daily fees for aged care; and
- (2) calls on the government to reconsider its plans to further penalise families with children with disabilities and sole parents”.

Debate continued.

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

17 PARLIAMENTARY SERVICE BILL 1997

The Speaker, pursuant to notice, presented a Bill for an Act to provide for the establishment and management of the Australian Parliamentary Service, and for other purposes.

Bill read a first time.

The Speaker moved—That the Bill be now read a second time.

Paper

The Speaker presented an explanatory memorandum to the Bill incorporating an outline of the Parliamentary Service (Consequential Amendments) Bill 1997.

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

18 PARLIAMENTARY SERVICE (CONSEQUENTIAL AMENDMENTS) BILL 1997

The Speaker, pursuant to notice, presented a Bill for an Act to make consequential amendments arising from the enactment of the *Parliamentary Service Act 1997*, and for other purposes.

Bill read a first time.

The Speaker moved—That the Bill be now read a second time.

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

19 SOCIAL SECURITY LEGISLATION AMENDMENT (PARENTING AND OTHER MEASURES) 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 Ms Macklin, 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:

- (1) condemns the Government for its continuing assault on low income Australian families through, for example, the abolition of the dental health program, higher costs for prescriptions, higher child care costs and the introduction of accommodation bonds and income tested daily fees for aged care; and
- (2) calls on the government to reconsider its plans to further penalise families with children with disabilities and sole parents”—

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.

20 QUESTIONS

Questions without notice being asked—

Member ordered to withdraw

At 3.10 p.m. the Member for Burke (Mr O’Keefe) was ordered, under standing order 304A, to withdraw from the House for one hour for continuing to interject after a warning had been given from the Chair, and he accordingly withdrew from the Chamber.

Questions without notice continued.

21 AUDITOR-GENERAL’S REPORTS

The Speaker presented the following papers:

Audit Act—Auditor-General—Audit reports of 1997-98—Performance audits—

No. 9—Management of telecommunications services in selected agencies.

No. 10—Aspects of corporate governance: Australian Tourist Commission.

Severally ordered to be printed.

22 PAPERS

The following papers were presented:

Aboriginal and Torres Strait Islander Commission Act—Indigenous Land Corporation—Report for 1996-97.

Aboriginal Hostels Limited—Report for 1996-97.

Commonwealth Grants Commission Act—Commonwealth Grants Commission—Report for 1996-97.

Data-matching Program (Assistance and Tax) Act—Data-matching program—Commissioner of Taxation—Report for 1996-97.

Export Finance and Insurance Corporation Act—Export Finance and Insurance Corporation—Report for 1996-97.

Foreign Affairs, Defence and Trade—Joint Standing Committee—Report—Australia's relations with Southern Africa, November 1996—Government response, October 1997.

Genetic Manipulation Advisory Committee—Report for 1996-97.

International Air Services Commission Act—International Air Services Commission—Report for 1996-97.

Meat and Live-stock Industry Act—

Australian Meat and Live-stock Corporation—Report for 1996-97.

Meat Research Corporation—Report for 1996-97.

Primary Industries and Energy Research and Development Act—Forest and Wood Products Research and Development Corporation—Report for 1996-97.

Primary Industry Councils Act—Australian Pig Industry Council—Report for 1996-97.

Public Service Act—Department of Transport and Regional Development—Report for 1996-97.

23 GENETIC MANIPULATION ADVISORY COMMITTEE—REPORT—MOTION TO TAKE NOTE OF PAPER

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

Genetic Manipulation Advisory Committee—Report for 1996-97.

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

24 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—NURSING HOME ARRANGEMENTS

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 failure of the Government to protect the interests of Australian families, and particularly the children and the grandchildren of the elderly, in introducing its new nursing home arrangements”.

The proposed discussion having received the necessary support—

Ms Macklin addressed the House.

Discussion ensued.

Discussion concluded.

25 NATIONAL CRIME AUTHORITY—PARLIAMENTARY JOINT COMMITTEE

Mr Scott (Minister for Veterans’ Affairs), by leave, moved—That Mr Sharp be appointed a member of the Joint Committee on the National Crime Authority in place of Mr Truss (Minister for Customs and Consumer Affairs).

Question—put and passed.

26 MESSAGE FROM THE SENATE—SOCIAL SECURITY AND VETERANS’ AFFAIRS LEGISLATION AMENDMENT (FAMILY AND OTHER MEASURES) BILL 1997

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

20 October 1997—Message No. 341—Social Security and Veterans’ Affairs Legislation Amendment (Family and Other Measures) 1997.

Ordered—That the amendments be considered at the next sitting.

27 MESSAGE FROM THE SENATE

A message from the Senate was reported returning the following Bill without amendment:

23 October 1997—Message No. 348—National Road Transport Commission Amendment 1997.

28 SNOWY HYDRO CORPORATISATION BILL 1997—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the Main Committee had been unable to complete consideration of the Bill and returned the Bill for further consideration, and presented a certified copy of the Bill.

Debate resumed on the question—That the Bill be now read a second time—*And on the amendment moved thereto by Mr S. F. Smith, 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:

- (1) notes that the Commonwealth’s stated rationale for a water inquiry prior to the proclamation of the corporatisation legislation is to allow the views of

all interested parties—irrigators, environmental interests and other downstream users of water—to be expressed and the financial consequences of any changed allocations to be clarified in order to provide a valid basis on which the governments of New South Wales and Victoria could take action, if any, on water allocation;

- (2) notes that as the Bill currently stands, the Commonwealth's role in the water inquiry is restricted to approving its terms of reference and that the Commonwealth has no say in the selection of a Commissioner to head the inquiry or any say in the findings or any role in their implementation;
- (3) notes that concern was raised at the public hearing on 26 September 1997 by the Senate Finance and Public Administration Legislation Committee that the water inquiry should have preceded the legislation, and that there was no legislated commitment to the consideration or to implementation of any findings of the inquiry;
- (4) notes that the Snowy River is a national icon, and issues falling for consideration for the water inquiry include rehabilitation for the Snowy, water distribution with regard to electricity, irrigation and environmental considerations, management responsibility, and, compensation, if any, for costs incurred by water users; and
- (5) is of the view that the Commonwealth's role should not be relinquished pending satisfaction as to the adequacy, conduct, outcome and implementation of the results of the water inquiry".

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

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

AYES, 81

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

Mrs Draper Mr Lieberman Mr Sharp

NOES, 39

Mr Adams	Mr M. J. Evans	Mr Latham	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 S. F. Smith
Mr Brown	Mr Griffin*	Mr McMullan	Dr Theophanous
Mr Crean	Mr Hatton	Mr Martin	Mr K. J. Thomson
Mrs Crosio	Mr Holding	Mr Melham	Mr Willis
Mr Dargavel	Mr Hollis	Mr A. A. Morris	Mr Wilton
Ms Ellis	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.

Message from the Governor-General

Message No. 198, dated 30 July 1997, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

Consideration in detail

Bill, by leave, taken as a whole.

Mr S. F. Smith moved the following amendment: Clause 2, page 2 (lines 11 to 14), omit subclause (2), substitute:

- (2) A proclamation fixing a day for the commencement of section 59 is not to be made unless:
 - (a) a public inquiry, sponsored by the States, has been held into environmental issues arising out of the current pattern of water flows associated with the operation of the Snowy Mountains Scheme and the Minister is satisfied with the adequacy, conduct, outcome and implementation of the inquiry; and
 - (b) the Minister is satisfied that the Governments of New South Wales and Victoria have agreed to that section commencing on that day.

Debate continued.

Amendment negated.

Bill agreed to.

Consideration in detail concluded.

On the motion of Mr Scott (Minister for Veterans' Affairs), by leave, the Bill was read a third time.

29 SNOWY HYDRO CORPORATISATION (CONSEQUENTIAL AMENDMENTS) BILL 1997—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the Main Committee had been unable to complete consideration of the Bill and returned the Bill for further consideration, and presented a certified copy of the Bill.

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Scott (Minister for Veterans' Affairs), the Bill was read a third time.

30 SOCIAL SECURITY LEGISLATION AMENDMENT (PARENTING AND OTHER MEASURES) 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 Ms Macklin, 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:

- (1) condemns the Government for its continuing assault on low income Australian families through, for example, the abolition of the dental health program, higher costs for prescriptions, higher child care costs and the introduction of accommodation bonds and income tested daily fees for aged care; and
- (2) calls on the Government to reconsider its plans to further penalise families with children with disabilities and sole parents”—

Debate resumed.

31 ADJOURNMENT

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

Debate ensued.

The House continuing to sit until 6 p.m.—The Speaker adjourned the House until Monday next at 12.30 p.m.

PAPERS

The following papers were deemed to have been presented on 23 October 1997:

Civil Aviation Act—Civil Aviation Regulations—Civil Aviation Orders—
Part 105—Amendments 1997 29 September, 1 (2), 8, 17 (2) October.

Part 107—Amendment 17 October 1997.

Corporations Act—Accounting standards Nos. AASB 1002, AASB 1026.

Higher Education Funding Act—Determinations 1997 Nos. T22, T23.

Life Insurance Act—Actuarial standards Nos. AS4.01, AS5.01.

Privacy Act—Determinations 1997 No. PID 7.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Abbott, Mrs Gash, Ms Hanson, Mr Howard, Mr Jones, Mr P. F. Morris, Mr Sercombe and Mr Tanner.

I. C. HARRIS

Clerk of the House of Representatives

1996-97

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 121

MAIN COMMITTEE**MINUTES OF PROCEEDINGS****THURSDAY, 23 OCTOBER 1997**

1 The Main Committee met at 10 a.m.

2 SNOWY HYDRO CORPORATISATION 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 by Mr S. F. Smith who moved, as amendment—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:

- (1) notes that the Commonwealth’s stated rationale for a water inquiry prior to the proclamation of the corporatisation legislation is to allow the views of all interested parties—irrigators, environmental interests and other downstream users of water—to be expressed and the financial consequences of any changed allocations to be clarified in order to provide a valid basis on which the governments of New South Wales and Victoria could take action, if any, on water allocation;
- (2) notes that as the Bill currently stands, the Commonwealth’s role in the water inquiry is restricted to approving its terms of reference and that the Commonwealth has no say in the selection of a Commissioner to head the inquiry or any say in the findings or any role in their implementation;
- (3) notes that concern was raised at the public hearing on 26 September 1997 by the Senate Finance and Public Administration Legislation Committee that the water inquiry should have preceded the legislation, and that there was no legislated commitment to the consideration or to implementation of any findings of the inquiry;
- (4) notes that the Snowy River is a national icon, and issues falling for consideration for the water inquiry include rehabilitation for the Snowy, water distribution with regard to electricity, irrigation and environmental considerations, management responsibility, and, compensation, if any, for costs incurred by water users; and

- (5) is of the view that the Commonwealth's role should not be relinquished pending satisfaction as to the adequacy, conduct, outcome and implementation of the results of the water inquiry".

Debate continued.

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

3 SNOWY HYDRO CORPORATISATION (CONSEQUENTIAL AMENDMENTS) 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—

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

4 FAMILY AND COMMUNITY AFFAIRS—STANDING COMMITTEE—REPORT ON THE SEMINAR INTO ASPECTS OF YOUTH SUICIDE—MOTION TO TAKE NOTE OF PAPER

The order of the day having been read for the resumption of the debate on the motion of Mr Slipper—That the House take note of the paper (*presented on 2 June 1997*), viz.:

Family and Community Affairs—Standing Committee—Report—Aspects of youth suicide—Summary of a seminar, May 1997—

Debate resumed.

Suspension of sitting

At 11.35 a.m., a division having been called in the House, the proceedings were suspended.

Resumption of sitting

At 11.45 a.m., the proceedings were resumed.

Debate continued.

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

5 ADJOURNMENT

On the motion of Mr E. H. Cameron, the Main Committee adjourned at 1.07 p.m.

The Deputy Speaker fixed Wednesday, 29 October 1997, at 10 a.m. for the next meeting of the Main Committee.

B. C. WRIGHT
Clerk of the Main Committee