

1998-99

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 37

THURSDAY, 13 MAY 1999

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

2 ACIS ADMINISTRATION BILL 1999

Mr Moore (Minister representing the Minister for Industry, Science and Resources) presented a Bill for an Act to promote competitiveness, and encourage investment, in the automotive industry, and for related purposes.

Bill read a first time.

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

Paper

Mr Moore presented an explanatory memorandum to the following Bills:

ACIS Administration 1999; and

ACIS (Unearned Credit Liability) 1999.

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

3 ACIS (UNEARNED CREDIT LIABILITY) BILL 1999

Mr Moore (Minister representing the Minister for Industry, Science and Resources) presented a Bill for an Act to impose an unearned credit liability in respect of unearned duty credit accrued under ACIS.

Bill read a first time.

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

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

4 CUSTOMS TARIFF AMENDMENT (ACIS IMPLEMENTATION) BILL 1999

Mr Moore (Minister representing the Minister for Industry, Science and Resources) presented a Bill for an Act to amend the *Customs Tariff Act 1995*, and for related purposes.

Bill read a first time.

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

Paper

Mr Moore presented an explanatory memorandum to the Bill.

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

5 A NEW TAX SYSTEM (CLOSELY HELD TRUSTS) BILL 1999

Mr Hockey (Minister for Financial Services and Regulation) presented a Bill for an Act to implement A New Tax System by amending the income tax law in respect of certain closely held trusts, and for related purposes.

Bill read a first time.

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

Paper

Mr Hockey presented an explanatory memorandum to the following Bills:

A New Tax System (Closely Held Trusts) 1999;

A New Tax System (Ultimate Beneficiary Non-disclosure Tax) (No. 1) 1999;
and

A New Tax System (Ultimate Beneficiary Non-disclosure Tax) (No. 2) 1999.

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

6 A NEW TAX SYSTEM (ULTIMATE BENEFICIARY NON-DISCLOSURE TAX) BILL (NO. 1) 1999

Mr Hockey (Minister for Financial Services and Regulation) presented a Bill for an Act to implement A New Tax System by imposing ultimate beneficiary non-disclosure tax, and for related purposes.

Bill read a first time.

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

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

7 A NEW TAX SYSTEM (ULTIMATE BENEFICIARY NON-DISCLOSURE TAX) BILL (NO. 2) 1999

Mr Hockey (Minister for Financial Services and Regulation) presented a Bill for an Act to implement A New Tax System by imposing ultimate beneficiary non-disclosure tax, and for related purposes.

Bill read a first time.

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

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

8 TAXATION LAWS AMENDMENT BILL (NO. 7) 1999

Mr Hockey (Minister for Financial Services and Regulation) presented a Bill for an Act to amend the law relating to taxation.

Bill read a first time.

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

Paper

Mr Hockey 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.

9 MESSAGE FROM THE SENATE

Message No. 86, 12 May 1999, from the Senate was reported transmitting a resolution agreed to by the Senate extending the time for the presentation of the report of the Joint Select Committee on the Retailing Sector on the degree of industry concentration within the retailing sector in Australia to 30 August 1999.

10 SUSPENSION OF STANDING AND SESSIONAL ORDERS—COMMITTEE AND DELEGATION REPORTS

Mr McGauran (Minister for the Arts and the Centenary of Federation), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent order of the day No. 10, committee and delegation reports, being called on forthwith.

Question—put and passed.

11 CORPORATIONS AND SECURITIES—PARLIAMENTARY JOINT COMMITTEE—REPORT ON CORPORATE LAW ECONOMIC REFORM PROGRAM BILL 1998—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 Sercombe—That the House take note of the paper (*presented on 12 May 1999*), viz.:

Corporations and Securities—Parliamentary Joint Committee—Corporate Law Economic Reform Program Bill 1998—Report, incorporating dissenting reports, May 1999—

Debate resumed.

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

12 A NEW TAX SYSTEM (FAMILY ASSISTANCE) BILL 1999

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 Swan 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 condemns the Government for:

- (1) seeking to introduce a GST which shifts more of the tax burden on to low and middle income earners, the aged and families whilst providing compensation that is manifestly inadequate and will leave low income families and individuals worse off;

- (2) claiming to have provided sufficient compensation for the GST when the compensation for both pensioners and families will erode to nil over time;
- (3) seeking to introduce a regressive GST, income tax cuts for high income earners and family-related payment asset and income test concessions that will provide the greatest benefits to the most privileged members of the community in preference to a properly targeted regime of tax reform, such as one involving a system of tax credits targeted at low and middle income families; and
- (4) failing to abide by their commitment to provide compensation to families adversely affected by the youth allowance in the tax package, for only providing less than half of the amount required to compensate fully these families in the 1999-2000 Budget, for delaying its implementation until 2000-2001 and linking this inadequate compensation to the passage of the GST”.

Debate continued.

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.

13 QUESTIONS

Questions without notice being asked—

Paper

Mrs B. K. Bishop (Minister for Aged Care) presented the following paper:

Nursing home funding—Capital funding available for nursing homes, 1985-86 to 2005-06—Chart.

Questions without notice continuing—

Member ordered to withdraw

At 3 pm. the Member for Batman (Mr M. J. Ferguson) was ordered, under standing order 304A, to withdraw from the House for one hour for continuing to interject after a general warning had been given by the Chair, and he accordingly withdrew from the Chamber.

Questions without notice continuing—

Paper

Dr Wooldridge (Minister for Health and Aged Care) presented the following paper:

Medicare benefits schedule arrangements for psychiatric consultations—Copy of letter from Louise Morauta, First Assistant Secretary, Health Access and Financing Division, Department of Health and Aged Care to Dr Wooldridge, 13 May 1999.

Questions without notice continued.

14 PAPERS

The following papers were presented:

Centrelink—Social Security compliance activity in Centrelink, 1998-99 half yearly report, July-December 1998.

Finance—

Advance to the Minister for Finance and Administration—
Statements for March 1999.

Supporting applications of issues from the Advance during March 1999.

Budget 1999-2000—Science and Technology Budget Statement 1999-2000.

15 PAPERS—MOTION TO TAKE NOTE OF PAPERS

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

Finance—Advance to the Minister for Finance and Administration—
Statements for March 1999.

Supporting applications of issues from the Advance during March 1999.

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

16 SPECIAL ADJOURNMENT

Mr Reith (Leader of the House) moved—That the House, at its rising, adjourn until Monday, 31 May 1999, at 12.30 p.m., unless the Speaker fixes an alternative day or hour of meeting.

Question—put and passed.

17 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—EDUCATION AND RESEARCH POLICIES

The House was informed that Mr Lee had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The damage being done to the future of Australia by the policies of the Howard Government on education and research”.

The proposed discussion having received the necessary support—

Mr Lee addressed the House.

Discussion ensued.

Discussion concluded.

18 OZONE PROTECTION AMENDMENT BILL 1998—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 Jackie Kelly (Minister for Sport and Tourism), by leave, the Bill was read a third time.

19 NATIONAL HEALTH AMENDMENT BILL (NO. 1) 1999—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 Jackie Kelly (Minister for Sport and Tourism), by leave, the Bill was read a third time.

20 MESSAGES FROM THE SENATE

Messages from the Senate, 13 May 1999, were reported returning the following Bills without amendment:

Message—

No. 87—Migration (Visa Application) Charge Amendment 1998.

No. 88—Superannuation Legislation Amendment 1998.

21 SYDNEY HAILSTORM OF 14 APRIL 1999—PAPERS—MOTION TO TAKE NOTE OF PAPERS

Jackie Kelly (Minister for Sport and Tourism) presented the following papers:

Sydney hailstorm of 14 April 1999—

Ministerial statement by the Minister for the Environment and Heritage, 13 May 1999.

Bureau of Meteorology—Report on the Bureau of Meteorology's forecasting and warning performance, 7 May 1999—

and moved—That the House take note of the papers.

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

22 PUBLICATIONS COMMITTEE—5TH REPORT

Mr Lieberman (Chair) presented the following paper:

PUBLICATIONS COMMITTEE 5TH REPORT

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

The Committee, having considered documents presented to Parliament since 30 March 1999, recommends that the following be printed:

Aboriginal Land Commissioner—Reports and recommendations to the Minister for Aboriginal and Torres Strait Islander Affairs and to the Administrator of the Northern Territory—No. 52—Elsley land claim No. 132.

Australian Maritime College—Report for 1998.

Australian National University—Report for 1998.

Housing Assistance Act—Report—Operation of Commonwealth-State Housing Agreement, 1996-97.

Human Rights and Equal Opportunity Commission—

Aboriginal and Torres Strait Islander Social Justice Commissioner—
Native title report, 1997-98.

Social justice report, 1997-98.

Human Rights and Equal Opportunity Commission—

Report—Territorial limits: Norfolk Island's Immigration Act and human rights,
March 1999.

Industry Commission—Reports—

No. 60—A full repairing lease: Inquiry into ecologically sustainable land
management, 27 January 1998.

No. 61—Telecommunications equipment, systems and services, 9 April 1998.

Judge Advocate General—Report for 1997.

Natural Heritage Trust—Report for 1997-98.

Productivity Commission—Report No. 4—Nursing home subsidies, 13 January
1999.

LOU LIEBERMAN

Chair

13 May 1999

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

Question—put and passed.

**23 AUSTRALIAN SECURITY INTELLIGENCE ORGANIZATION—
PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENTS BY
MEMBERS—MOTION TO TAKE NOTE OF PAPER**

Mr Jull (Presiding Member) presented the following papers:

Australian Security Intelligence Organization—Parliamentary Joint
Committee—Australian Security Intelligence Organisation Legislation
Amendment Bill 1999—

Advisory report, 6 May 1999.

Evidence received by the committee.

Minutes of proceedings.

Ordered—That the report be printed.

Mr Jull and Mr McLeay, by leave, made statements in connection with the
report.

Mr Jull, by leave, moved—That the House take note of the report.

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

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

24 A NEW TAX SYSTEM (FAMILY ASSISTANCE) BILL 1999

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 Swan (see item No. 12, page 517)—*

Debate resumed.

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, 73

Mr Abbott	Mr Fahey	Mr I. E. Macfarlane	Mr Slipper
Mr Anderson	Mr Forrest*	Mr McGauran	Mr Somlyay
Mr K. J. Andrews	Mrs Gallus	Mrs May	Dr Southcott
Mr Anthony	Ms Gambaro	Mr Moore	Mrs Stone
Mr Baird	Mrs Gash	Mrs Moylan	Mrs Sullivan
Mr Barresi	Mr Georgiou	Mr Nairn	Mr C. P. Thompson
Mr Bartlett	Mr Haase	Mr Nehl	Mr A. P. Thomson
Mr Billson	Mr Hardgrave	Dr Nelson	Mr Truss
Mrs B. K. Bishop	Mr Hawker	Mr Neville	Mr Tuckey
Ms J. I. Bishop	Mr Hockey	Mr Nugent	Mr M. A. J. Vaile
Mr Brough	Mr Jull	Mr Prosser	Mrs D. S. Vale
Mr Cadman	Mr Katter	Mr Pyne	Mr Wakelin
Mr Cameron	Mrs D. M. Kelly	Mr Reith	Dr Washer
Mr Causley	Jackie Kelly	Mr Ronaldson	Mr Williams
Mr Charles	Dr Kemp	Mr Ruddock	Dr Wooldridge
Mr Costello	Mr Lawler	Mr St Clair	Ms Worth
Mr Downer	Mr Lieberman	Mr Schultz	
Mrs Elson	Mr Lindsay	Mr Scott	
Mr Entsch	Mr McArthur*	Mr Secker	

NOES, 59

Mr Adams	Mr Fitzgibbon	Ms Livermore	Ms Roxon
Mr Albanese	Ms Gerick	Mr McClelland	Mr Rudd
Mr Bevis	Mr Gibbons	Ms J. S. McFarlane	Mr Sawford*
Mr Brereton	Ms Gillard	Mr McLeay	Mr Sciacca
Ms Burke	Mr Griffin	Mr Martin	Mr Sercombe*
Mr Cox	Ms Hall	Mr Melham	Mr Sidebottom
Mr Crean	Mr Hatton	Mr Morris	Mr Smith
Mrs Crosio	Ms Hoare	Mr Mossfield	Mr Snowdon
Mr Danby	Mr Hollis	Mr Murphy	Mr Swan
Mr Edwards	Mr Horne	Ms O'Byrne	Dr Theophanous
Ms Ellis	Mrs Irwin	Mr O'Keefe	Mr K. J. Thomson
Dr Emerson	Ms Kernot	Ms Plibersek	Mr Wilkie
Mr G. J. Evans	Mr Kerr	Mr Price	Mr Wilton
Mr M. J. Evans	Dr Lawrence	Mr Quick	Mr Zahra
Mr L. D. T. Ferguson	Mr Lee	Mr Ripoll	

* Tellers

Pairs

Mr Howard	Mr Beazley
Ms Bailey	Mr McMullan

And so it was resolved in the affirmative.

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

Consideration in detail

Bill, by leave, taken as a whole.

Mr Truss (Minister for Community Services), by leave, moved Government amendments (1) to (12) together.

Paper

Mr Truss presented a 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 Truss, by leave, the Bill was read a third time.

25 A NEW TAX SYSTEM (FAMILY ASSISTANCE) (CONSEQUENTIAL AND RELATED MEASURES) BILL (NO. 1) 1999

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. 62, 8 April 1999, 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 Hockey (Minister for Financial Services and Regulation), the Bill was read a third time.

26 SUPERANNUATION LEGISLATION AMENDMENT BILL (NO. 3) 1999

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 K. J. Thomson, 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 condemns the Government for the financial uncertainty and hardship it has caused *Do It Yourself* superannuation fund trustees and fund members, many of which are operated by small businesses, in taking nearly 12 months since it announced its changes to introduce and debate this legislation”—

Debate resumed.

Amendment negatived.

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

Consideration in detail

Bill, by leave, taken as a whole.

Mr Hockey (Minister for Financial Services and Regulation) moved the Government amendment.

Paper

Mr Hockey presented a supplementary explanatory memorandum to the Bill.

Debate continued.

Amendment agreed to.

Bill, as amended, agreed to.

Consideration in detail concluded.

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

27 POSTPONEMENT OF ORDERS OF THE DAY

Ordered—That orders of the day Nos. 4 to 23, government business, be postponed until a later hour this day.

28 APPROPRIATION BILL (NO. 1) 1999-2000—BUDGET DEBATE

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

Debate resumed.

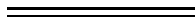
Debate adjourned (Mr Reith—Leader of the House), and the resumption of the debate made an order of the day for the next sitting.

29 ADJOURNMENT

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

Question—put and passed.

And then the House, at 8.01 p.m., adjourned until Monday, 31 May 1999, at 12.30 p.m., in accordance with the resolution agreed to this sitting.

**PAPERS**

The following papers were deemed to have been presented on 13 May 1999:

Aged Care Act—Principles under section 96-1, 1999—

Allocation Amendment (No. 2).

Extra Service Amendment (No. 2).

Residential Care Grant Amendment (No. 2).

Home and Community Care Act—Home and Community Care Agreement with South Australia, 6 May 1999.

Sydney Airport Curfew Act—Dispensations 1999 No. 7.

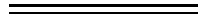
Taxation Administration Act—Rulings 1999 Nos. PR 20, PR 21, PR 22, PR 23, PR 24, TD 8, TD 9, TD 10, TD 11, TD 12, TD 13, TD 14, TD 15, TD 16, TD 17, TD 18, TD 19, TD 20, TD 21, TD 22, TD 23, TD 24, TD 25, TD 26.

Workplace Relations Act—Rules of the Commission—Statutory Rules 1999
No. 71.



ATTENDANCE

All Members attended (at some time during the sitting) except Ms Bailey, Mr Fischer, Mr Latham and Ms Macklin.



I. C. HARRIS

Clerk of the House of Representatives

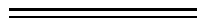
1998-99

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 37

MAIN COMMITTEE**MINUTES OF PROCEEDINGS**

THURSDAY, 13 MAY 1999



1 The Main Committee met at 9.40 a.m.

2 MEMBERS' STATEMENTS

Members' statements were made.

3 OZONE PROTECTION AMENDMENT BILL 1998

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 NATIONAL HEALTH AMENDMENT BILL (NO. 1) 1999

The order of the day having been read for the second reading—Mrs B. K. Bishop (Minister for Aged Care) moved—That the Bill be now read a second time.

Paper

Mrs B. K. Bishop presented an explanatory memorandum to the Bill.

Debate ensued.

Mrs B. K. Bishop, by leave, again addressed the Main Committee without closing the debate.

Debate continued.

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

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

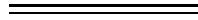
Question—That the Bill be reported to the House without amendment—put and passed.

5 ADJOURNMENT

Dr Wooldridge (Minister for Health and Aged Care) moved—That the Committee do now adjourn.

Debate ensued.

At 12.06 p.m. the Deputy Speaker adjourned the Main Committee.



B. C. WRIGHT

Clerk of the Main Committee