

1998-99

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 30

WEDNESDAY, 24 MARCH 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 DAMAGE BY AIRCRAFT BILL 1999**

Mr M. A. J. Vaile (Minister for Agriculture, Fisheries and Forestry), for Mr Anderson (Minister for Transport and Regional Services), pursuant to notice, presented a Bill for an Act relating to liability for certain injury, loss, damage or destruction by aircraft, and for related purposes.

Bill read a first time.

Mr M. A. J. Vaile moved—That the Bill be now read a second time.

*Paper*

Mr M. A. J. Vaile presented an explanatory memorandum to the Bill.

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

**3 CUSTOMS (ANTI-DUMPING AMENDMENTS) 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 third reading to be moved forthwith.

On the motion of Mr Williams (Attorney-General), the Bill was read a third time.

**4 CUSTOMS TARIFF (ANTI-DUMPING) AMENDMENT BILL (NO. 2) 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—

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Williams (Attorney-General), the Bill was read a third time.

**5 A NEW TAX SYSTEM (COMMONWEALTH-STATE FINANCIAL ARRANGEMENTS) BILL 1999**

Mr Costello (Treasurer), pursuant to notice, presented a Bill for an Act to provide financial assistance to the States, the Australian Capital Territory and the Northern Territory, and for related purposes.

Bill read a first time.

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

*Paper*

Mr Costello presented an explanatory memorandum to the Bill.

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

**6 A NEW TAX SYSTEM (COMMONWEALTH-STATE FINANCIAL ARRANGEMENTS—CONSEQUENTIAL PROVISIONS) BILL 1999**

Mr Costello (Treasurer), pursuant to notice, presented a Bill for an Act to amend and to repeal the *Local Government (Financial Assistance) Act 1995*, to repeal the *States Grants (General Purposes) Act 1994*, and for related purposes.

Bill read a first time.

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

*Paper*

Mr Costello 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.

**7 A NEW TAX SYSTEM (WINE EQUALISATION TAX) BILL 1999**

Mr Costello (Treasurer) presented a Bill for an Act about a tax, relating to certain alcoholic beverages, to implement A New Tax System, and for related purposes.

Bill read a first time.

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

*Paper*

Mr Costello 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.

**8 A NEW TAX SYSTEM (WINE EQUALISATION TAX IMPOSITION—GENERAL) BILL 1999**

Mr Costello (Treasurer) presented a Bill for an Act to implement A New Tax System by imposing the tax payable under the wine tax law, so far as that tax is neither a duty of customs nor a duty of excise.

Bill read a first time.

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

*Paper*

Mr Costello 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 A NEW TAX SYSTEM (WINE EQUALISATION TAX IMPOSITION—CUSTOMS) BILL 1999**

Mr Costello (Treasurer) presented a Bill for an Act to implement A New Tax System by imposing the tax payable under the wine tax law, so far as that tax is a duty of customs.

Bill read a first time.

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

*Paper*

Mr Costello 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.

**10 A NEW TAX SYSTEM (WINE EQUALISATION TAX IMPOSITION—EXCISE) BILL 1999**

Mr Costello (Treasurer) presented a Bill for an Act to implement A New Tax System by imposing the tax payable under the wine tax law, so far as that tax is a duty of excise.

Bill read a first time.

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

*Paper*

Mr Costello 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.

**11 A NEW TAX SYSTEM (LUXURY CAR TAX) BILL 1999**

Mr Costello (Treasurer) presented a Bill for an Act about a luxury car tax to implement A New Tax System, and for related purposes.

Bill read a first time.

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

*Paper*

Mr Costello 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.

**12 A NEW TAX SYSTEM (LUXURY CAR TAX IMPOSITION—GENERAL) BILL 1999**

Mr Costello (Treasurer) presented a Bill for an Act to implement A New Tax System by imposing a luxury car tax, so far as that tax is neither a duty of customs nor a duty of excise.

Bill read a first time.

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

*Paper*

Mr Costello 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.

**13 A NEW TAX SYSTEM (LUXURY CAR TAX IMPOSITION—CUSTOMS) BILL 1999**

Mr Costello (Treasurer) presented a Bill for an Act to implement A New Tax System by imposing a luxury car tax, so far as that tax is a duty of customs.

Bill read a first time.

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

*Paper*

Mr Costello 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.

**14 A NEW TAX SYSTEM (LUXURY CAR TAX IMPOSITION—EXCISE) BILL 1999**

Mr Costello (Treasurer) presented a Bill for an Act to implement A New Tax System by imposing a luxury car tax, so far as that tax is a duty of excise.

Bill read a first time.

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

*Paper*

Mr Costello 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.

**15 A NEW TAX SYSTEM (INDIRECT TAX ADMINISTRATION) BILL 1999**

Mr Costello (Treasurer) presented a Bill for an Act to implement A New Tax System by providing for the administration of indirect taxes, and for related purposes.

Bill read a first time.

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

*Paper*

Mr Costello 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.

**16 A NEW TAX SYSTEM (WINE EQUALISATION TAX AND LUXURY CAR TAX TRANSITION) BILL 1999**

Mr Costello (Treasurer) presented a Bill for an Act to implement A New Tax System by making transitional provisions for the start of the wine equalisation tax and the luxury car tax, and for related purposes.

Bill read a first time.

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

*Paper*

Mr Costello 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.

#### 17 TAXATION LAWS AMENDMENT BILL (NO. 4) 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 by Mr K. J. Thomson 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 notes that:

- (1) the Government has not addressed the real issue of tax reform facing Australia namely the continuing threat to the fairness of the tax system arising from widespread income tax avoidance;
- (2) senior Australian Taxation Office officials have expressed concern that aggressive tax planning is growing and that the real power now resides in the corporate sector not with the revenue authorities; and
- (3) the overwhelming evidence from both overseas experience with the GST and the evidence before the Senate GST inquiry is that the Government’s tax package is unfair, will cause significant job losses across the Australian economy, and will have other adverse economic and social consequences”.

Debate continued.

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), by leave, moved Government amendments (1) to (47) together.

*Paper*

Mr Hockey presented a supplementary explanatory memorandum to the Bill.

Amendments agreed to.

Bill, as amended, agreed to.

Consideration in detail concluded.

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

**18 EXPORT MARKET DEVELOPMENT GRANTS LEGISLATION AMENDMENT 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 Brereton 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 is of the opinion that:

- (1) in view of Australia’s record current account deficit in original terms of \$28.6 billion for calendar year 1998, an increase of 67% over the deficit for 1997, there is an urgent need to increase exports;
- (2) the imposition of an annual funding limit at the same time as the introduction of more red tape for small exporters initially had the effect of reducing funding for export incentives available under the Export Market Development Grants scheme by \$47.6 million;
- (3) the Asian economic crisis has increased ongoing costs for small exporters in maintaining a crucial foothold in Asia, while imposing new costs as they search for other markets to replace lost sales;
- (4) the Government should remove the \$150 million annual funding limit applying to the Export Market Development Grants scheme; and
- (5) the Government should publish annually the publicly available details of recipients of grants under the scheme”.

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.

**19 QUESTIONS**

Questions without notice were asked.

**20 PAPER**

The following paper was presented:

Australia-India Council—Report for 1997-98.

**21 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—PREAMBLE TO AUSTRALIAN CONSTITUTION**

The House was informed that Mr Beazley (Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The critical community reaction to the Prime Minister’s proposed Preamble to the Australian Constitution”.

The proposed discussion having received the necessary support—

Mr Beazley addressed the House.

Discussion ensued.

Discussion concluded.

**22 ASSISTANCE FOR CARERS LEGISLATION AMENDMENT BILL 1999—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 Fahey (Minister for Finance and Administration), by leave, the Bill was read a third time.

**23 APPROPRIATION BILL (NO. 3) 1998-99—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 Fahey (Minister for Finance and Administration), by leave, the Bill was read a third time.

**24 APPROPRIATION BILL (NO. 4) 1998-99—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 Fahey (Minister for Finance and Administration), by leave, the Bill was read a third time.

**25 APPROPRIATION (PARLIAMENTARY DEPARTMENTS) BILL (NO. 2) 1998-99—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 Fahey (Minister for Finance and Administration), by leave, the Bill was read a third time.

**26 BILLS REFERRED TO MAIN COMMITTEE**

Mr Ronaldson (Chief Government Whip), by leave, moved—That the following Bills be referred to the Main Committee for further consideration:

Therapeutic Goods Legislation Amendment 1999;

Radiocommunications Legislation Amendment 1999;

Radiocommunications (Receiver Licence Tax) Amendment 1999; and

Radiocommunications (Transmitter Licence Tax) Amendment 1999.

Question—put and passed.

27 **EXPORT MARKET DEVELOPMENT GRANTS LEGISLATION AMENDMENT 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 Brereton, (see item No. 18, page 430)—*

Debate resumed.

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

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

AYES, 73

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



## NOES, 64

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

\* Tellers

*Pairs*

Mr Howard                      Mr Beazley

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 Brereton, by leave, moved Opposition amendments (1) and (2) together.

Debate continued.

Amendments negatived.

Bill agreed to.

Consideration in detail concluded.

On the motion of Mr Anthony (Parliamentary Secretary—Trade), by leave, the Bill was read a third time.

**28 PRIVILEGE—COMPLAINT OF BREACH**

Mr Hawker (Chair—Standing Committee on Economics, Finance and Public Administration) referred to the matter of privilege raised by Mr Martin on 22 March 1999 relating to the premature publication on the *AM* radio program and other media of the contents of the report of the Standing Committee on Economics, Finance and Public Administration on regional banking services.

Mr Hawker informed the House that the committee had considered the matter and despite inquiries with staff and Members, had been unable to identify the source of the disclosure. He stated that the committee had also considered

whether the disclosure constituted a substantial interference to its work, the committee system or with the functioning of the House. Mr Hawker indicated that the committee had resolved that the disclosure did not constitute a substantial interference to its work but that it did constitute a substantial interference with the committee system.

Mr Hawker further informed the House that the committee recommended that the Speaker refer the matter to the Committee of Privileges for further investigation.

The Deputy Speaker stated that he would bring the matter to the attention of the Speaker.

## 29 **QUARANTINE 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 third reading to be moved forthwith.

On the motion of Mr M. A. J. Vaile (Minister for Agriculture, Fisheries and Forestry), the Bill was read a third time.

## 30 **ADJOURNMENT**

Mr M. A. J. Vaile (Minister for Agriculture, Fisheries and Forestry) moved—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 7.58 p.m., adjourned until tomorrow at 9.30 a.m.



## **PAPERS**

The following papers were deemed to have been presented on 24 March 1999:

Aboriginal and Torres Strait Islander Commission Act—Statement under subsection 122A (3) 23 March 1999.

Australian Postal Corporation Act—Regulations—Statutory Rules 1999 No. 41.

Christmas Island Act—Ordinances 1999 Nos. 1, 2.

Civil Aviation Act—Civil Aviation Regulations—Instrument 1999 No. CASA 72.

Cocos (Keeling) Islands Act—Ordinances 1999 Nos. 1, 2.

Commonwealth Authorities and Companies Act—Regulations—Statutory Rules 1999 No. 46.

Corporations Act—Regulations—Statutory Rules 1999 No. 47.

Disability Discrimination Act—Regulations—Statutory Rules 1999 No. 40.

Family Law Act—Regulations—Statutory Rules 1999 No. 39.

Financial Management and Accountability Act—Regulations—Statutory Rules 1999 Nos. 44, 45.

Health Insurance Act—Regulations—Statutory Rules 1999 No. 48.

Mutual Assistance in Criminal Matters Act—Regulations—Statutory Rules 1999 No. 50.

Petroleum Retail Marketing Sites Act—Regulations—Statutory Rules 1999 No. 49.

Public Service Act—Determinations—Department of Veterans' Affairs 1999 No. 1.

Social Security Act—Social Security (Threshold Rates) Determination 1999.

Sydney Airport Curfew Act—Dispensations 1999 Nos. 2, 3.

Workplace Relations Act—Regulations—Statutory Rules 1999 Nos. 42, 43.



**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Haase.



**I. C. HARRIS**

Clerk of the House of Representatives

1998-99

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

No. 30

**MAIN COMMITTEE****MINUTES OF PROCEEDINGS**

WEDNESDAY, 24 MARCH 1999



1 The Main Committee met at 10 a.m.

**2 ASSISTANCE FOR CARERS LEGISLATION AMENDMENT 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.

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

*Message from the Governor-General*

Message No. 43, 13 February 1999, 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 APPROPRIATION BILL (NO. 3) 1998-99**

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 APPROPRIATION BILL (NO. 4) 1998-99**

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.

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 APPROPRIATION (PARLIAMENTARY DEPARTMENTS) BILL (NO. 2) 1998-99**

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.

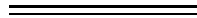
Leave granted for the question on the report to be put forthwith.

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

**6 ADJOURNMENT**

On the motion of Mr Fahey (Minister for Finance and Administration), the Main Committee adjourned at 1.26 p.m.

The Deputy Speaker fixed tomorrow at 9.40 a.m. for the next meeting of the Main Committee.



**B. C. WRIGHT**  
Clerk of the Main Committee