

1998-99

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 35

TUESDAY, 11 MAY 1999

1 The House met, at 2 p.m., pursuant to adjournment. The Speaker (the Honourable Neil Andrew) took the Chair, and read Prayers.

**2 QUESTIONS**

Questions without notice were asked.

**3 AUDITOR-GENERAL'S REPORTS**

The Speaker presented the following papers:

Auditor-General—Audit reports of 1998-99—

No. 35—Performance audit—The service pension: Department of Veterans' Affairs.

No. 36—Performance audit—Pay-As-You-Earn taxation—Administration of employer responsibilities: Australian Taxation Office.

No. 37—Performance audit—Management of tax file numbers: Australian Taxation Office.

No. 38—Preliminary study—Management of Commonwealth budgetary process.

No. 39—Performance audit—National Aboriginal Health Strategy—Delivery of housing and infrastructure to Aboriginal and Torres Strait Islander Communities: Aboriginal and Torres Strait Islander Commission.

Severally ordered to be printed.

**4 PAPERS**

The following papers were presented:

Council of Financial Regulators—Report for 1998.

Department of Communications, Information Technology and the Arts—Year 2000—

Agency-based public disclosure—Report, April 1999.

Public disclosure by portfolio—Report, March 1999.

Environment, Recreation and the Arts—House of Representatives Standing Committee—

Environmental Management of Commonwealth Land: A review of Audit Report No. 31 of 1995-96, March 1997—Government response, April 1999.

Regulatory arrangements for trading in greenhouse gas emissions, Interim report, August 1998—Government response (interim), May 1999.

Human Rights and Equal Opportunity Commission—Report—Territorial limits: Norfolk Island's Immigration Act and human rights, March 1999.

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

Natural Heritage Trust—Report for 1997-98.

Treaties—Text of—

*Bilateral with national interest analysis—*

Agreement between the Government of Australia and the Government of Fiji on Trade and Economic Relations, done at Canberra on 11 March 1999.

Agreement between the Government of Australia and the Government of the Republic of India on the Promotion and Protection of Investments, done at New Delhi on 26 February 1999.

Agreement between the Government of Australia and the Government of the Republic of Lithuania on the Promotion and Protection of Investments, done at Vilnius on 24 November 1998.

Text, together with national interest analysis and regulation impact statement—Agreement on Mutual Recognition in relation to Conformity Assessment, Certificates and Markings between Australia and the Republic of Iceland, the Principality of Liechtenstein and the Kingdom of Norway, done at Brussels on 29 April 1999.

*Multilateral with national interest analysis—*Amendments, done at Geneva in May 1998, to Articles 24 and 25 of the Constitution of the World Health Organization (WHO) of 22 July 1946.

## 5 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT

The Speaker presented the following paper:

Australian Parliamentary Delegation to the 44th Commonwealth Parliamentary Conference, Wellington, New Zealand and official visits to Samoa and Fiji, October 1998—Report.

## 6 MESSAGES FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS

Messages from His Excellency the Governor-General were announced informing the House that His Excellency, in the name of Her Majesty, had assented to the following Bills:

31 March 1999—Message No. 55—

Agriculture, Fisheries and Forestry Legislation Amendment (No. 2) 1998.

Australian Sports Drug Agency Amendment 1999.

General Interest Charge (Imposition) 1999.

Judiciary Amendment 1999.

Motor Vehicle Standards Amendment 1999.  
 National Measurement Amendment (Utility Meters) 1999.  
 Rural Adjustment Amendment 1999.  
 Taxation Laws Amendment (No. 3) 1999.

8 April 1999—Message No. 56—Wildlife Protection (Regulation of Exports and Imports) Amendment 1999.

9 April 1999—Message No. 57—  
 Assistance for Carers Legislation Amendment 1999.  
 Bounty (Ships) Amendment 1999.  
 Industry Research and Development Amendment 1999.  
 Taxation Laws Amendment (No. 1) 1999.

19 April 1999—Message No. 58—  
 A New Tax System (Fringe Benefits Reporting) 1999.  
 A New Tax System (Medicare Levy Surcharge—Fringe Benefits) 1999.  
 Airports Amendment 1999.  
 Financial Management Legislation Amendment 1999.  
 Health Legislation Amendment (No. 2) 1999.  
 Referendum Legislation Amendment 1999.

#### **7 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—INDUSTRIAL RELATIONS AND DEFENCE POLICIES**

The House was informed that Mr L. D. T. Ferguson had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The disastrous impact on the Defence Reserves of the Coalition’s industrial relations and defence policies”.

The proposed discussion having received the necessary support—

Mr L. D. T. Ferguson addressed the House.

Discussion ensued.

Discussion concluded.

#### **8 MESSAGES FROM THE SENATE**

Messages from the Senate were reported:

- (a) transmitting resolutions agreed to by the Senate extending the time for the presentation of the report of the Parliamentary Joint Committee on Corporations and Securities on the provisions of the Corporate Law Economic Reform Program Bill 1998 to:
  - (i) 29 April 1999—Message No. 72, 21 April 1999; and
  - (ii) 11 May 1999—Message No. 83, 29 April 1999; and
- (b) returning the following Bills without amendment:
  - 19 April 1999—
  - No. 69—Appropriation (Parliamentary Departments) (No. 2) 1998-99;
  - No. 70—Appropriation (No. 3) 1998-99 (*without requests*);
  - No. 71—Appropriation (No. 4) 1998-99;

22 April 1999—

No. 74—Primary Industries (Excise) Levies 1999 (*without requests*);

No. 75—Primary Industries (Customs) Charges 1999 (*without requests*);

No. 76—Primary Industries Levies and Charges (Consequential Amendments) 1998;

No. 77—National Residue Survey (Excise) Levy Amendment 1999;

No. 78—National Residue Survey (Customs) Levy Amendment 1999;

No. 80—Customs (Anti-dumping Amendments) 1998;

No. 81—Customs Tariff (Anti-Dumping) Amendment (No. 2) 1998 (*without requests*); and

No. 82—Sales Tax Legislation Amendment (No. 1) 1998.

**9 MESSAGE FROM THE SENATE—TAXATION LAWS AMENDMENT (SOFTWARE DEPRECIATION) BILL 1999**

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

22 April 1999—Message No. 73—Taxation Laws Amendment (Software Depreciation) 1999.

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

**10 MESSAGE FROM THE SENATE—NATIONAL HEALTH AMENDMENT BILL (NO. 1) 1999**

Message No. 79, 22 April 1999, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend the *National Health Act 1953*, and for related purposes.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting.

**11 MAIN COMMITTEE—DAY OF NEXT MEETING**

The Deputy Speaker reported that Wednesday, 12 May 1999, at 9.40 a.m., had been fixed for the next meeting of the Main Committee.

**12 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:

Law and Justice Legislation Amendment 1998;

Customs Amendment (No. 2) 1999;

Import Processing Charges Amendment 1999;

National Health Amendment (No. 1) 1999; and

Tradesmen's Rights Regulation Repeal 1999.

Question—put and passed.

**13 SELECTION COMMITTEE—REPORT**

Mr Nehl (Chair) presented the following paper:

Selection Committee—Report relating to the consideration of committee and delegation reports and private Members' business on Monday, 31 May 1999.

**14 MESSAGE FROM THE SENATE—MIGRATION LEGISLATION AMENDMENT (TEMPORARY SAFE HAVEN VISAS) BILL 1999**

Message No. 84, 30 April 1999, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend the *Migration Act 1958*, and for related purposes.

Bill read a first time.

Mr Ruddock (Minister for Immigration and Multicultural Affairs) moved—That the Bill be now read a second time.

*Paper*

Mr Ruddock presented an explanatory memorandum to the Bill.

Debate, by leave, ensued.

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Ruddock, the Bill was read a third time.

**15 HIGHER EDUCATION 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 Lee, viz.*—That all words after “That” be omitted with a view to substituting the following words: “the Bill be withdrawn and redrafted to provide for removal of the items which seek to impose voluntary student unionism, which will damage the interests of students, communities and the nation as a whole by:

- (1) undermining the independence of universities by imposing political conditions on Commonwealth grants;
- (2) reducing student representation in an attempt to silence opposition to higher education funding cuts;
- (3) slashing services available to students, such as child care, legal and employment advice, cafeterias and sporting facilities;
- (4) placing a further financial burden on universities; and
- (5) putting at risk community services, facilities and employment, particularly in regional areas”—

Debate resumed.

Debate adjourned (Mr Ruddock—Minister for Immigration and Multicultural Affairs), and the resumption of the debate made an order of the day for the next sitting.

**16 PUBLIC ACCOUNTS AND AUDIT—JOINT COMMITTEE—REPORT—STATEMENT BY MEMBER—MOTION TO TAKE NOTE OF PAPER**

Mr Charles (Chairman) presented the following paper:

Public Accounts and Audit—Joint Committee—Draft budget estimates for the Australian National Audit Office for 1999-2000—Report, May 1999.

Ordered to be printed.

Mr Charles, by leave, made a statement in connection with the report.

Mr Charles, by leave, moved—That the House take note of the paper.

Mr Charles 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.

**17 MESSAGE FROM THE GOVERNOR-GENERAL, PROPOSED EXPENDITURE AND APPROPRIATION FOR YEAR 1999-2000—APPROPRIATION BILL (NO. 1) 1999-2000—BUDGET SPEECH**

Message No. 59, 10 May 1999, from His Excellency the Governor-General was announced:

- (a) transmitting to the House of Representatives particulars of proposed expenditure from the Consolidated Revenue Fund for the service of the year ending on 30 June 2000; and
- (b) in accordance with the requirements of section 56 of the Constitution, recommending to the House of Representatives that an appropriation be made for the purposes of a Bill for an Act to appropriate money out of the Consolidated Revenue Fund for the service of the year ending on 30 June 2000, and for related purposes.

Mr Costello (Treasurer) presented a Bill for an Act to appropriate money out of the Consolidated Revenue Fund for the service of the year ending on 30 June 2000, and for related purposes.

Bill read a first time.

Mr Costello moved—That the Bill be now read a second time, and delivered the budget speech.

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

**18 PAPERS**

Mr Costello (Treasurer) presented the following papers:

Budget strategy and outlook 1999-2000 (Budget paper No. 1).

Budget measures 1999-2000 (Budget paper No. 2).

Federal financial relations 1999-2000 (Budget paper No. 3).

Agency resourcing 1999-2000 (Budget paper No. 4).

Severally ordered to be printed.

19 **MINISTERIAL STATEMENTS**

Mr Costello (Treasurer) presented the following ministerial statements:

Promises kept for a stronger Australia, 11 May 1999.

Australia's overseas aid program 1999-2000, 11 May 1999.

A better future for indigenous Australians, 11 May 1999.

Regional Australia: Meeting the challenges, 11 May 1999.

Investing in our natural and cultural heritage: The Commonwealth's environment expenditure 1999-2000, 11 May 1999.

Strengthening and supporting Australian families, 11 May 1999.

Delivering on our commitments for women, 11 May 1999.

Our commitment to Australia's seniors: 1999 International Year of Older Persons, 11 May 1999.

Choice and equity: Funding arrangements for non-government schools 2001-2004, 11 May 1999.

20 **MESSAGE FROM THE GOVERNOR-GENERAL, CERTAIN PROPOSED EXPENDITURE AND APPROPRIATION FOR YEAR 1999-2000—APPROPRIATION BILL (NO. 2) 1999-2000**

Message No. 60, 10 May 1999, from His Excellency the Governor-General was announced:

- (a) transmitting to the House of Representatives particulars of certain proposed expenditure from the Consolidated Revenue Fund in respect of the year ending on 30 June 2000; and
- (b) in accordance with the requirements of section 56 of the Constitution, recommending to the House of Representatives that an appropriation be made for the purposes of a Bill for an Act to appropriate money out of the Consolidated Revenue Fund for certain expenditure in respect of the year ending on 30 June 2000, and for related purposes.

Mr Fahey (Minister for Finance and Administration) presented a Bill for an Act to appropriate money out of the Consolidated Revenue Fund for certain expenditure in respect of the year ending on 30 June 2000, and for related purposes.

Bill read a first time.

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

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

21 **MESSAGE FROM THE GOVERNOR-GENERAL, CERTAIN PROPOSED EXPENDITURE AND APPROPRIATION IN RELATION TO THE PARLIAMENTARY DEPARTMENTS FOR YEAR 1999-2000—APPROPRIATION (PARLIAMENTARY DEPARTMENTS) BILL 1999-2000**

Message No. 61, 10 May 1999, from His Excellency the Governor-General was announced:

- (a) transmitting to the House of Representatives particulars of proposed expenditure from the Consolidated Revenue Fund in relation to the Parliamentary Departments in respect of the year ending on 30 June 2000; and
- (b) in accordance with the requirements of section 56 of the Constitution, recommending to the House of Representatives that an appropriation be made for the purposes of a Bill for an Act to appropriate money out of the Consolidated Revenue Fund for certain expenditure in relation to the Parliamentary Departments in respect of the year ending on 30 June 2000, and for related purposes.

Mr Fahey (Minister for Finance and Administration) presented a Bill for an Act to appropriate money out of the Consolidated Revenue Fund for certain expenditure in relation to the Parliamentary Departments in respect of the year ending on 30 June 2000, and for related purposes.

Bill read a first time.

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

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

## 22 **TARIFF PROPOSALS**

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) moved—

Excise Tariff Proposal No. 1 (1999); and

Customs Tariff Proposal No. 2 (1999).

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

## 23 **ADJOURNMENT**

Mr Entsch (Parliamentary Secretary to the Minister for Industry, Science and Resources) moved—That the House do now adjourn.

Question—put and passed.

And then the House, at 8.10 p.m., adjourned until tomorrow at 9.30 a.m.

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## **PAPERS**

The following papers were deemed to have been presented on 11 May 1999:

Aboriginal and Torres Strait Islander Commission Act—Statement under section 122A.

Aged Care Act—

Determination under section 52—1999 No. 1.

Principles under section 96-1—1999—

Allocation Amendment (No. 1).

Community Care Grant Amendment (No. 1).



- Extra Service Amendment (No. 1).  
Residential Care Grant Amendment (No. 1).  
Airports Act—Regulations—Statutory Rules 1999 No. 52.  
Australian Communications Authority Act—Determinations 1999 23 (3) April.  
Australian Horticultural Corporation Act—Regulations—Statutory Rules 1999 No. 54.  
Child Support Legislation Amendment Act—Regulations—Statutory Rules 1999 No 57.  
Civil Aviation Act—  
Civil Aviation Regulations—  
Exemptions—1999 Nos. CASA 13, CASA 14, CASA 15, CASA 17.  
Instruments—1999 Nos. CASA 74, CASA 95, CASA 106.  
Civil Aviation Orders—  
Instruments—1999 28 (2) April.  
Part 105—Amendments 1999 17, 18 (2), 19, 23 and 25 February, 1 (12), 4, 5, 8 (6), 10 (6), 11 (4), 12 (13), 16 (2), 19 (2), 24, 25 (6), 26 and 31 March, 1, 6 (13), and 9 (5) April.  
Part 106—Amendments 1999 17 February, 8 March, 6 (2) and 9 April.  
Part 107—Amendments 1999 15 February and 10, 11 and 12 March.  
Corporations Act—Accounting standards No. AASB 1001.  
Customs Act—Instruments of approval 1999 Nos. TMRO 1, TMRO 2, TMRO 3, TMRO 4.  
Customs Act and Excise Act—Instruments of approval 1999 Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10.  
Defence Act—  
Defence Force Regulations—Notice 10 May 1999.  
Determinations 1999—  
Defence Force Remuneration Tribunal Nos. 1, 2, 3.  
Under section 58B 1999 Nos. 7, 8, 9, 10.  
Regulations—Statutory Rules 1999 No. 56.  
Endangered Species Protection Act—Declarations under section 18, 23 March 1999(2).  
Family Law Act—Rules of Court—Statutory Rules 1999 No. 61.  
Federal Court of Australia Act—Rules of Court—Statutory Rules 1999 No. 70.  
Fisheries Management Act—  
Northern Prawn Fishery Management Plan 1995 Direction No. NPFD 28.  
Regulations—Statutory Rules 1999 No. 55.  
Fishing Levy Act and Fisheries Management Act—Regulations—Statutory Rules 1999 No. 59.  
Higher Education Funding Act—Determinations—  
1998—Nos. T26, T27, T28, T29, T30.  
1999—No. T8.

Home and Community Care Act—Home and Community Care Agreement with ACT Government, 29 March 1999.

Horticultural Levy Act, Horticultural Export Charge Act and Primary Industries Levies and Charges Collection Act—Regulations—Statutory Rules 1999 No. 53.

Interstate Road Transport Act—Determinations 1999 RTR 1.

Life Insurance Act—Prudential Rules—  
Nos. 33, 35.

Variation to No. 35.

Migration Act—  
Certificates (3) under section 502.  
Notice under section 96.

Regulations—Statutory Rules 1999 Nos. 58, 64, 68, 69.

Military Superannuation and Benefits Act—Declaration—Statutory Rules 1999 No. 65.

National Health Act—  
Declarations 1999 Nos. PB 4, 5, 6.  
Determinations 1999 No. IHS 4.

Native Title Act—  
Determinations 1999—  
Native Title (Right to Negotiate—Alternative Provisions)—  
(Northern Territory Lands Acquisition Laws).  
(Northern Territory Mining Laws).  
(Northern Territory Petroleum Laws).

Navigation Act—Marine Orders 1999 Nos. 9, 10, 11.

Occupational Health and Safety (Commonwealth Employment) Act—  
Regulations—Statutory Rules 1999 No. 66.

Parliamentary Entitlements Act—Advice of decision under paragraph 18(a).

Public Service Act—Determinations 1999—  
Nos. LES 8, LES 9, SESROB 21, SESROB 22, SESROB 23, SESROB 24,  
SESROB 25, SESROB 26, SESROB 27, SESROB 28.

Australian Agency for International Development No. 2.

Department of the Prime Minister and Cabinet No. 1.

Quarantine Act—Determinations 1999 No. 2.

Radiocommunications (Receiver Licence Tax) Act—Determinations—  
Radiocommunications (Receiver Licence Tax) 1996 No.1 Amendments 1999  
(No. 1).

Radiocommunications (Transmitter Licence Tax) Act—Determinations—  
Radiocommunications (Transmitter Licence Tax) No. 1 of 1996 Amendment  
1999 (No. 1).

Safety, Rehabilitation and Compensation Act—Notices 1999 Nos. 1, 2, 3.

Social Security Act—Determinations 1999—Adult Disability Assessment.

*Superannuation Act 1976*—Regulations—Statutory Rules 1999 No. 63.

Sydney Airport Curfew Act—Dispensations 1999 Nos. 3(2), 6.

Taxation Administration Act—

Rulings 1999 Nos. PR 99/11, PR 99/12, PR 99/13, PR 99/14, PR 99/15, PR 99/16, PR 99/17, PR 99/18, PR 99/19, TR 92/7 (Addendum), TR 94/14 (Addendum), TR 95/5 (Addendum), TR 95/17 (Addendum), TR 99/4.

Determinations 1999 Nos. TD 92/119 (Addendum), TD 92/143 (Addendum), TD 97/14 (Addendum), TD 98/22 (Addendum), TD 99/2, TD 99/3, TD 99/4, TD 99/5, TD 99/6, TD 99/7.

*Telecommunications Act 1997*—Instruments—1999—Telecommunications Numbering Plan Amendment (No. 1).

Therapeutic Goods Act—Regulations—Statutory Rules 1999 No. 62.

Torres Strait Fisheries Act—Regulations—Statutory Rules 1999 Nos. 51.

Trade Practices Act—Statement under section 65C.

Trans-Tasman Mutual Recognition Act—Regulations—Statutory Rules 1999 No. 60.

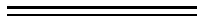
Veterans' Entitlements Act—Instruments 1999 Nos. 33, 34, 35, 36, 37, 38, 39, 40, 41.

Workplace Relations Act—Regulations—Statutory Rules 1998 No. 67.



#### **ATTENDANCE**

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



**I. C. HARRIS**

Clerk of the House of Representatives