

1998-99

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 83

WEDNESDAY, 24 NOVEMBER 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 FARM HOUSEHOLD SUPPORT AMENDMENT BILL 1999**

Mr Truss (Minister for Agriculture, Fisheries and Forestry), pursuant to notice, presented a Bill for an Act to amend the *Farm Household Support Act 1992*, and for related purposes.

Bill read a first time.

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

*Paper*

Mr Truss presented an explanatory memorandum to the Bill.

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

**3 CRIMINAL CODE AMENDMENT (THEFT, FRAUD, BRIBERY AND RELATED OFFENCES) BILL 1999**

Mr Williams (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Criminal Code Act 1995*, and for other purposes.

Bill read a first time.

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

*Paper*

Mr Williams presented an explanatory memorandum to the Bill.

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

**4 CRIMINAL CODE AMENDMENT (APPLICATION) BILL 1999**

Mr Williams (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Criminal Code Act 1995*.

Bill read a first time.

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

*Paper*

Mr Williams presented an explanatory memorandum to the Bill.

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

**5 NATIONAL CRIME AUTHORITY AMENDMENT BILL 1999**

Mr Williams (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *National Crime Authority Act 1984*, and for related purposes.

Bill read a first time.

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

*Paper*

Mr Williams presented an explanatory memorandum to the Bill.

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

**6 CUSTOMS LEGISLATION AMENDMENT (CRIMINAL SANCTIONS AND OTHER MEASURES) BILL 1999**

Mr Williams (Minister representing the Minister for Justice and Customs), pursuant to notice, presented a Bill for an Act to amend Customs legislation to provide for special criminal sanctions in respect of the import or export of certain goods, and for other purposes.

Bill read a first time.

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

*Paper*

Mr Williams presented an explanatory memorandum to the Bill.

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

**7 GLADSTONE POWER STATION AGREEMENT (REPEAL) BILL 1999**

Mr Entsch (Parliamentary Secretary to the Minister for Industry, Science and Resources), pursuant to notice, presented a Bill for an Act to repeal the *Gladstone Power Station Agreement Act 1970*.

Bill read a first time.

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

*Paper*

Mr Entsch presented an explanatory memorandum to the Bill.

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

**8 ALBURY-WODONGA DEVELOPMENT AMENDMENT BILL 1999**

Mr Anthony (Minister for Community Services), pursuant to notice, presented a Bill for an Act to amend the *Albury-Wodonga Development Act 1973*, and for other purposes.

Bill read a first time.

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

*Paper*

Mr Anthony presented an explanatory memorandum to the Bill.

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

#### 9 **TARIFF PROPOSALS**

Mr Anthony (Minister for Community Services) moved—

Excise Tariff Proposal No. 3 (1999); and

Customs Tariff Proposal No. 8 (1999).

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

#### 10 **NEW BUSINESS TAX SYSTEM (INCOME TAX RATES) 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—

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.

#### 11 **DEATH OF FORMER MEMBER (MR HENRY ARTHUR HEWSON)**

The Speaker informed the House of the death, on 20 November 1999, of Mr Henry Arthur Hewson, a Member of this House for the Division of McMillan from 1972 to 1975.

As a mark of respect to the memory of the deceased all Members present stood, in silence.

#### 12 **QUESTIONS**

Questions without notice being asked—

*Member ordered to withdraw*

At 2.51 p.m. the Member for Charlton (Ms Hoare) 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 she accordingly withdrew from the Chamber.

Questions without notice continued.

#### 13 **PAPERS**

The following papers were presented:

Agriculture and Resource Management Council of Australia and New Zealand—Record and resolutions—16th meeting, Sydney, 6 August 1999.

Australian Research Council—Report, incorporating reports for the National Board of Employment, Education and Training and the Higher Education Council, for 1998-99.

Bankruptcy Act—Report for 1998-99.

Central Land Council—Report for 1998-99.

Christmas Island Casino Surveillance Authority and Casino Controller—Report for 1998-99.

Civil Aviation Safety Authority—Report for 1998-99.

Department of Veterans' Affairs—Data-matching program—Report for 1998-99.

Family Law Council—Report for 1998-99.

**14 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—AUSTRALIA'S FUTURE AS A KNOWLEDGE NATION**

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 Australia's future as a Knowledge Nation by Government cuts and damaging taxes on education, science and research".

The proposed discussion having received the necessary support—

Mr Lee addressed the House.

Discussion ensued.

Discussion concluded.

**15 NATIONAL RESIDUE SURVEY LEVIES REGULATIONS (VALIDATION AND COMMENCEMENT OF AMENDMENTS) BILL 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 Mr Hockey (Minister for Financial Services and Regulation), by leave, the Bill was read a third time.

**16 PRIVILEGES COMMITTEE**

The House was informed that the Chief Opposition Whip had nominated Mr McLeay to be a member of the Committee of Privileges in place of Mr Kerr.

Mr Hockey (Minister for Financial Services and Regulation), by leave, moved—That Mr Kerr be discharged from the Committee of Privileges and that, in his place, Mr McLeay be appointed a member of the committee.

Question—put and passed.

**17 PRIVILEGES COMMITTEE—REPORT—STATEMENT BY MEMBER**

Mr Somlyay (Chair) presented the following paper:

Committee of Privileges—Proposed release of the In Camera Evidence to the Bankstown Observer Inquiry, including minutes of proceedings, November 1999.

Ordered to be printed.

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

**18 MESSAGE FROM THE SENATE—FEDERAL MAGISTRATES BILL 1999**

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

23 November 1999—Message No. 244—Federal Magistrates 1999.

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

**19 MESSAGE FROM THE SENATE—FEDERAL MAGISTRATES (CONSEQUENTIAL AMENDMENTS) BILL 1999**

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

23 November 1999—Message No. 245—Federal Magistrates (Consequential Amendments) 1999.

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

**20 NEW BUSINESS TAX SYSTEM (INCOME TAX RATES) 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—

Debate resumed by Mr Cox 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 the following points need to be noted in relation to the Government’s claim that measures in the legislation currently before the House pay for themselves:

- (1) there is serious doubt about the revenue estimates for the capital gains tax changes;
- (2) there is a need for strong anti-avoidance legislation, and extra Taxation Office resources, to address potential tax avoidance resulting from the Government’s capital gains tax proposals;
- (3) in addition to the measures currently before the House there are billions of dollars of business tax revenue already counted in the forward estimates from the A New Tax System (ANTS) package, such as the taxing of trusts, which have still not been legislated; and
- (4) the Government’s announcement on stage 2 goes some way to meeting the revenue gap. However, there is insufficient detail to enable a conclusion that revenue neutrality has been met.”

Debate continued.

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, 76

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

## NOES, 62

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

## \* Tellers

*Pairs*

Mr Howard	Mr Beazley
Mr Prosser	Ms Kernot

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

**21 NEW BUSINESS TAX SYSTEM (CAPITAL ALLOWANCES) 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—

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

*Consideration in detail*

Bill, by leave, taken as a whole.

On the motion of Mr Hockey (Minister for Financial Services and Regulation), by leave, Government amendments (1) to (12) were made together, after debate.

*Paper*

Mr Hockey presented a supplementary explanatory memorandum to the Bill.

Bill, as amended, agreed to.

Consideration in detail concluded.

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

**22 NEW BUSINESS TAX SYSTEM (INTEGRITY AND OTHER MEASURES) 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—

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

*Consideration in detail*

Bill, by leave, taken as a whole.

Mr Crean (Deputy Leader of the Opposition) moved the Opposition amendment.

Debate continued.

Amendment negatived.

Bill agreed to.

Consideration in detail concluded.

On the motion of Mr Hockey (Minister for Financial Services and Regulation), by leave, the Bill was read a third time.

**23 NEW BUSINESS TAX SYSTEM (FORMER SUBSIDIARY TAX IMPOSITION) 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—

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

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.

**24 A NEW TAX SYSTEM (INDIRECT TAX AND CONSEQUENTIAL AMENDMENTS) BILL (NO. 2) 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.

**25 ADJOURNMENT**

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

Debate ensued.

The House continuing to sit until 8 p.m.—The Speaker adjourned the House until tomorrow at 9.30 a.m.



**PAPERS**

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

Australian Capital Territory (Planning and Land Management) Act—National Capital Plan Amendment No. 36.

Australian Meat and Live-stock Industry Act—Orders—1999—Australian Meat and Live-stock Industry (Sheepmeat and Goatmeat Export to the European Union).

Child Care Act—Childcare Assistance Immunisation Requirements—Amendment Direction 1999 No. 1.

Civil Aviation Act—Civil Aviation Regulations—Civil Aviation Orders—Instrument 1999 No. CASA 1059.

Fisheries Management Act—Northern Prawn Fishery Amendment Management Plan 1999 No. NPF 02.

Lands Acquisition Act—Statements under section—  
40(3), November 1999.  
125, November 1999.

Parliamentary Entitlements Act—Advice of decisions under paragraph 18(a) 7, 14 November 1999.

Public Service Act—Determinations 1999 Nos LES 22, LES 25, LES 26, LES 27, LES 28, LES 29, LES 30.

Social Security Act—Determination 1999 Social Security (Declaration of Visas as Approved Visas) No. 1.

Workplace Relations Act—Rules of the Commission—Statutory Rules 1999 No. 276.





**ATTENDANCE**

All Members attended (at some time during the sitting) except Ms Kernot and Mr Prosser\*.

\* On leave

---

---

**I. C. HARRIS**

Clerk of the House of Representatives

1998-99

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

No. 83

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

WEDNESDAY, 24 NOVEMBER 1999

---

---

1 The Main Committee met at 9.40 a.m.

**2 MEMBERS' STATEMENTS**

Members' statements were made.

**3 NATIONAL RESIDUE SURVEY LEVIES REGULATIONS (VALIDATION AND COMMENCEMENT OF AMENDMENTS) 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.

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 ADJOURNMENT**

On the motion of Mr Truss (Minister for Agriculture, Fisheries and Forestry), the Main Committee adjourned at 10.11 a.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