

1998-1999-2000

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 107

THURSDAY, 13 APRIL 2000

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 FINANCIAL SECTOR LEGISLATION AMENDMENT BILL (NO. 1) 2000

Mr Hockey (Minister for Financial Services and Regulation), pursuant to notice, presented a Bill for an Act to amend laws in connection with the reform of the financial sector, 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 Bill.

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

3 FAMILY LAW LEGISLATION AMENDMENT (SUPERANNUATION) BILL 2000

Mr Williams (Attorney-General), pursuant to notice, presented a Bill for an Act to amend legislation relating to family law, 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 Smith), and the resumption of the debate made an order of the day for the next sitting.

4 MEDICARE LEVY AMENDMENT (CPI INDEXATION) 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 third reading to be moved forthwith.

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the Bill was read a third time.

5 PROPOSED ABC SYDNEY ACCOMMODATION PROJECT, ULTIMO, NSW—APPROVAL OF WORK

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: ABC Sydney Accommodation Project, Ultimo, NSW.

Question—put and passed.

6 TAXATION LAWS AMENDMENT BILL (NO. 11) 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 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 expresses its concern with:

- (1) the delay in the Government bringing this legislation before the Parliament;
- (2) problems which have come to light recently in relation to the administration of the Australian Taxation Office;
- (3) the Government’s misleading claims for its taxation proposals;
- (4) the problems that exist in the implementation of the various new taxation arrangements;
- (5) the reluctance of the Government to effectively tackle tax avoidance in Australia;
- (6) the Australian Taxation Office’s role in the implementation of the new taxation arrangements; and
- (7) the underlying unfairness and complexity of the new taxation arrangements”.

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.

7 QUESTIONS

Questions without notice being asked—

Paper

Mr Lee, by leave, presented the following paper:

Goods and services tax and tax-exempt scholarships—Copy of letter from Mr Howard (Prime Minister) to Mr Lee, 12 April 2000.

Questions without notice continued.

8 PAPER

Mr Abbott (Minister for Employment Services), by indulgence, added to an answer given during question time and presented the following paper:

Small business—Information for your business—Copy of paper prepared by Bob Horne, MP.

9 PAPER

Mr Scott (Minister for Veterans' Affairs), by indulgence, added to an answer given during question time and presented the following paper:

Veteran's Affairs Minister—Expressions of no confidence—Copy of letter from Alf Garland, National President, Australian Federation of Totally and Permanently Incapacitated Ex-Servicemen and Women Limited to Mr Howard (Prime Minister), 16 December 1999.

10 PAPER

Mr Scott (Minister for Veterans' Affairs), during a personal explanation, presented the following paper:

Korean War—Catering for function at Australian War Memorial—Copy of letter from Ian Crawford, Australian National Korean War Memorial Committee, 13 January 2000.

11 MEMBER ORDERED TO WITHDRAW

At 3.44 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.

12 PRIVILEGE—STATEMENT BY SPEAKER

The Speaker referred to the complaint of breach of privilege raised on 12 April 2000 by Ms J. S. McFarlane regarding an approach her office had received from an officer of the Australian Taxation Office concerning questions she had placed on notice.

The Speaker stated that he had had some discussions with the Member on her complaint and that the information available to him to this point was not such as to establish that priority should be given to a motion to refer the matter to the Committee of Privileges.

The Speaker concluded by stating that, with the Member's concurrence, he would seek more information from the Australian Taxation Office through the Treasurer.

13 AUDITOR-GENERAL'S REPORT

The Speaker presented the following paper:

Auditor-General—Audit report No. 39 of 1999-2000—Performance audit—Coordination of export development and promotion activities across Commonwealth agencies.

Ordered to be printed.

14 PAPERS—MOTION TO TAKE NOTE OF PAPERS

The following papers were presented:

Industry, Science and Resources—House of Representatives Standing Committee—Report—The Effect of Certain Public Policy Changes on Australia's R&D, August 1999—Government response, April 2000.

Productivity Commission—Report No. 6—Progress in Rail Reform, 5 August 1999.

Road and Rail—Reports—Communications, Transport and Microeconomic Reform—House of Representatives Standing Committee—Planning not Patching, and Tracking Australia; Rail Projects Taskforce—Revitalising Rail; Productivity Commission—Progress in Rail Reform—Government response, April 2000.

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

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

15 PAPER

Mr Reith (Leader of the House) presented the following paper:

Petition not in accord with standing and sessional orders of the House—Calls for the Federal Government to relocate Impulse Airlines to Melbourne Airport, relocate facilities from Essendon airport within 5 years and refuse permits for passenger aircraft to fly out of Essendon airport (Mr K. J. Thomson, 462 petitioners).

16 SPECIAL ADJOURNMENT

Mr Reith (Leader of the House) moved—That the House, at its rising, adjourn until Tuesday, 9 May 2000, at 2 p.m., unless the Speaker or, in the event of the Speaker being unavailable, the Deputy Speaker, fixes an alternative day or hour of meeting.

Debate ensued.

Question—put and passed.

17 LEAVE OF ABSENCE TO ALL MEMBERS

Mr Reith (Leader of the House) moved—That leave of absence be given to every Member of the House of Representatives from the determination of this sitting of the House to the date of its next sitting.

Question—put and passed.

18 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—SUSTAINABLE ECONOMIC GROWTH

The House was informed that Mr Crean (Deputy Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The failure of the Government to maintain a fiscal and monetary stance that will ensure sustainable economic growth and the equitable distribution of benefits from that growth”.

The proposed discussion having received the necessary support—

Mr Crean addressed the House.

Discussion ensued.

Discussion concluded.

19 NEW BUSINESS TAX SYSTEM (ALIENATION OF PERSONAL SERVICES INCOME) BILL 2000

Mr Costello (Treasurer) presented a Bill for an Act to amend the law about taxation to implement the New Business Tax System in relation to personal services income, 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 following Bills: New Business Tax System (Alienation of Personal Services Income) 2000; New Business Tax System (Alienated Personal Services Income) Tax Imposition (No. 1) 2000; and New Business Tax System (Alienated Personal Services Income) Tax Imposition (No. 2) 2000.

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

20 NEW BUSINESS TAX SYSTEM (ALIENATED PERSONAL SERVICES INCOME) TAX IMPOSITION BILL (NO. 1) 2000

Mr Costello (Treasurer) presented a Bill for an Act to implement the New Business Tax System by imposing tax on certain alienated personal services income, and for related purposes.

Bill read a first time.

Mr Costello 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.

21 NEW BUSINESS TAX SYSTEM (ALIENATED PERSONAL SERVICES INCOME) TAX IMPOSITION BILL (NO. 2) 2000

Mr Costello (Treasurer) presented a Bill for an Act to implement the New Business Tax System by imposing tax on certain alienated personal services payments, and for related purposes.

Bill read a first time.

Mr Costello 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.

22 NEW BUSINESS TAX SYSTEM (INTEGRITY MEASURES) BILL 2000

Mr Costello (Treasurer) presented a Bill for an Act to amend the law about taxation to implement the New Business 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.

23 NEW BUSINESS TAX SYSTEM (MISCELLANEOUS) BILL (NO. 2) 2000

Mr Costello (Treasurer) presented a Bill for an Act to amend the law about taxation to implement the New Business 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.

24 MESSAGES FROM THE SENATE

Messages from the Senate, 13 April 2000, were reported returning the following Bills without amendment:

No. 361—Appropriation (No. 3) 1999-2000 (*without requests*).

No. 362—Appropriation (No. 4) 1999-2000.

No. 363—Radiocommunications Legislation Amendment 1999.

No. 364—Radiocommunications (Receiver Licence Tax) Amendment 1999.

No. 365—Radiocommunications (Transmitter Licence Tax) Amendment 1999.

No. 366—Appropriation (Dr Carmen Lawrence's Legal Costs) 1999-2000.

25 PUBLICATIONS COMMITTEE—14TH REPORT

Mr Lieberman (Chair) presented the following paper:

PUBLICATIONS COMMITTEE 14TH 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 15 March 2000, recommends that the following be printed:

Australian Accounting Standards Board—Report for 1998-99.

Commonwealth Grants Commission—General revenue grant relativities—Report—2000 update.

Human Rights and Equal Opportunity Commission—Aboriginal and Torres Strait Islander Social Justice Commissioner—

Native title report—1998-99.

Social justice report—1998-99.

Productivity Commission—Report No. 11—Broadcasting.

Telecommunications (Interception) Act—Report for 1998-99.

LOU LIEBERMAN

Chair

13 April 2000

On the motion of Mr Lieberman, by leave, the report was agreed to.

26 MEMBERS' INTERESTS COMMITTEE—PAPER

Mr Somlyay (Chair) presented the following paper:

Committee of Members' Interests—Register of Members' Interests for the 39th Parliament—Notifications of alterations of interests and a statement of registrable interests received during the period 9 December 1999 to 12 April 2000.

27 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REPORT—STATEMENT BY MEMBER

Mrs Moylan (Chair) presented the following paper:

Public Works—Parliamentary Standing Committee—Report relating to HMAS *Albatross* Stage 2 Redevelopment, Nowra, NSW (3rd report of 2000).

Ordered to be printed.

Mrs Moylan, by leave, made a statement in connection with the report.

28 MESSAGES FROM THE SENATE

Messages from the Senate, 13 April 2000, were reported:

- (a) requesting the House to consider immediately the Human Rights (Mandatory Sentencing of Juvenile Offenders) Bill 1999—Message No. 359; and

- (b) returning the A New Tax System (Family Assistance and Related Measures) Bill 2000 and acquainting the House that the Senate does not insist upon its amendments Nos 2, 3 and 4 disagreed to by the House of Representatives—Message No. 360.

29 THERAPEUTIC GOODS AMENDMENT BILL (NO. 2) 2000—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 Slipper (Parliamentary Secretary to the Minister for Finance and Administration), by leave, the Bill was read a third time.

30 TAXATION LAWS AMENDMENT BILL (NO. 10) 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 Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the Bill was read a third time.

31 TAXATION LAWS AMENDMENT BILL (NO. 11) 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 (see item No. 6, page 1412)*—

Debate resumed.

Adjournment negatived

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

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) requiring the question to be put forthwith without debate—

Question—put and negatived.

Debate continued.

Mr Martin 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.

32 FAMILY AND COMMUNITY AFFAIRS—STANDING COMMITTEE

The House was informed that the Chief Government Whip and the Chief Opposition Whip had nominated Members to be supplementary members of the Standing Committee on Family and Community Affairs for the purpose of the committee's inquiry into drugs.

Mr Brough (Parliamentary Secretary to the Minister for Employment, Workplace Relations and Small Business), by leave, moved—That Ms J. I. Bishop and Mrs Irwin be appointed supplementary members of the Standing Committee on Family and Community Affairs for the purpose of the committee's inquiry into drugs.

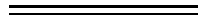
Question—put and passed.

33 ADJOURNMENT

Mr Brough (Parliamentary Secretary to the Minister for Employment, Workplace Relations and Small Business) moved—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 6 p.m.—The Speaker adjourned the House until Tuesday, 9 May 2000, at 2 p.m., in accordance with the resolution agreed to this sitting.



PAPERS

The following papers were deemed to have been presented on 13 April 2000:

Lands Acquisition Act—

Statements under sub-section 40(3)—2000 April.

Statements under section 125—2000 April.

Parliament Act—Parliamentary Zone—Proposals—

Old Parliament House refurbishment of south-west wing.

Temporary works associated with the running of the National Capital 100 V8 Supercar race carnival—Additional information.

Taxation Administration Act—Rulings—2000 Nos GSTR 6, GSTR 7, PR 40, PR 41, TD 12, TD 13, TD 14, TD 15, TD 16.



ATTENDANCE

All Members attended (at some time during the sitting) except Mr Billson, Ms Ellis, Mr Hardgrave, Ms Livermore, Mr Swan and Mr Wilton.



I. C. HARRIS

Clerk of the House of Representatives

1998-1999-2000

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 107

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 13 APRIL 2000

1 The Main Committee met at 9.40 a.m.

2 **MEMBERS' STATEMENTS**

Members' statements were made.

3 **THERAPEUTIC GOODS AMENDMENT BILL (NO. 2) 2000**

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 **TAXATION LAWS AMENDMENT BILL (NO. 10) 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 expresses its concern with:

- (1) recent revelations about the administration of the Australian Taxation Office;
- (2) the misleading claims of the Government concerning its taxation proposals;
- (3) the flawed implementation process of the various new taxation arrangements;
- (4) the role of the Tax Office in the transition to the new taxation arrangements; and

(5) the fundamental unfairness and complexity of so much of the new tax arrangements”—

Debate resumed.

Amendment negatived.

Question—That the Bill be now read a second time—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 STANDING COMMITTEE ON INDUSTRY, SCIENCE AND RESOURCES—
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 Prosser—That the House take note of the paper (*presented on 10 April 2000*), viz.:

Standing Committee on Industry, Science and Resources—Report on adding value to Australian raw materials—Final report, March 2000—

Debate resumed.

Mr Zahra addressing the Main Committee—

6 ADJOURNMENT

It being 12.30 p.m.—The question was proposed—That the Main Committee do now adjourn.

Debate ensued.

At 1 p.m. the Deputy Speaker adjourned the Main Committee.



B. C. WRIGHT
Clerk of the Main Committee