

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

## HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 21

WEDNESDAY, 10 OCTOBER 1990

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- 1 The House met, at 10 a.m., pursuant to adjournment. Mr Speaker (the Honourable Leo McLeay) took the Chair, and read Prayers.
  - 2 **MESSAGES FROM THE SENATE:** Messages from the Senate were reported returning the following Bills without amendment:  
9 October 1990—Message—  
No. 56—Dried Fruits Levy Amendment 1990 (*without requests*).  
No. 58—Extradition Amendment 1990.  
No. 59—Defence Legislation Amendment 1990.
  - 3 **TAXATION LAWS AMENDMENT (RATES AND PROVISIONAL TAX) BILL 1990:**  
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 Rocher 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 deplores the Government’s failure to develop an effective total taxation policy”.  
Debate continued.  
Mr Tuckey addressing the House—  
It being 12.45 p.m., the debate was interrupted in accordance with sessional order 101A, and the resumption of the debate made an order of the day for a later hour this day.
  - 4 **QUESTIONS:** Questions without notice were asked.
  - 5 **PAPER:** Mr Hawke (Prime Minister) presented the following paper:  
An international city for Homebush Bay?—Copy of circular from Dr R. L. Woods, MP.
  - 6 **PAPERS:** The following papers were presented:  
Advance to the Minister for Finance—  
Statement for September 1990.  
Supporting applications of issues from the Advance during September 1990.  
Audit Act—Australian Capital Territory Forestry Trust Account—Report and financial statements, including the Auditor-General’s Report, for the period 1 July 1988 to 10 May 1989.  
Local Government (Financial Assistance) Act—Recommendations by State and Northern Territory Local Government Grants Commissions for 1990-91.
  - 7 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ECONOMIC POLICY:**  
The House was informed that Mr Reith (Deputy Leader of the Opposition) had proposed that a definite matter of public importance be submitted to

the House for discussion, namely, "The need for the Government to change its economic policy to allow a sustained reduction in interest rates and thereby avert further serious damage to the Australian economy".

The proposed discussion having received the necessary support—  
Mr Reith addressed the House.

Discussion ensued.

Discussion concluded.

- 8 **POSTPONEMENT OF BUSINESS:** Ordered—That orders of the day Nos. 2 to 5 and notice No. 1, government business, be postponed until a later hour this day.
- 9 **OVERSEAS STUDENTS CHARGE AMENDMENT BILL 1990:** Mr Dawkins (Minister for Employment, Education and Training) presented a Bill for an Act to amend the *Overseas Students Charge Act 1979*.  
Bill read a first time.  
Mr Dawkins moved—That the Bill be now read a second time.  
*Paper:* Mr Dawkins presented an explanatory memorandum to the Bill.  
Debate adjourned (Mr Ruddock), and the resumption of the debate made an order of the day for the next sitting.
- 10 **STATES GRANTS (TAFE ASSISTANCE) AMENDMENT BILL 1990:** Mr Dawkins (Minister for Employment, Education and Training), pursuant to notice, presented a Bill for an Act to amend the *States Grants (TAFE Assistance) Act 1989*.  
Bill read a first time.  
Mr Dawkins moved—That the Bill be now read a second time.  
*Paper:* Mr Dawkins presented an explanatory memorandum to the Bill.  
Debate adjourned (Dr Kemp), and the resumption of the debate made an order of the day for the next sitting.
- 11 **CATTLE TRANSACTION LEVY BILL 1990:** Mr Kerin (Minister for Primary Industries and Energy) presented a Bill for an Act to impose a levy on certain transactions and other dealings involving cattle.  
Bill read a first time.  
Mr Kerin moved—That the Bill be now read a second time.  
*Paper:* Mr Kerin presented an explanatory memorandum to the Bill.  
Debate adjourned (Mr Howard), and the resumption of the debate made an order of the day for the next sitting.
- 12 **BEEF PRODUCTION LEVY BILL 1990:** Mr Kerin (Minister for Primary Industries and Energy) presented a Bill for an Act to impose a levy on the production of beef.  
Bill read a first time.  
Mr Kerin moved—That the Bill be now read a second time.  
*Paper:* Mr Kerin presented an explanatory memorandum to the Bill.  
Debate adjourned (Mr Howard), and the resumption of the debate made an order of the day for the next sitting.
- 13 **CATTLE EXPORT CHARGE BILL 1990:** Mr Kerin (Minister for Primary Industries and Energy) presented a Bill for an Act to impose a charge on the export of cattle.  
Bill read a first time.  
Mr Kerin moved—That the Bill be now read a second time.  
*Paper:* Mr Kerin presented an explanatory memorandum to the Bill.  
Debate adjourned (Mr Howard), and the resumption of the debate made an order of the day for the next sitting.
- 14 **CATTLE AND BEEF LEVY COLLECTION BILL 1990:** Mr Kerin (Minister for Primary Industries and Energy) presented a Bill for an Act to make

provision for the collection of levies and charges imposed under the *Beef Production Levy Act 1990*, the *Cattle Export Charge Act 1990* and the *Cattle Transaction Levy Act 1990*, and for related purposes.

Bill read a first time.

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

*Paper:* Mr Kerin presented an explanatory memorandum to the Bill.

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

- 15 LIVE-STOCK SLAUGHTER LEVY AMENDMENT BILL 1990:** Mr Kerin (Minister for Primary Industries and Energy) presented a Bill for an Act to amend the *Live-stock Slaughter Levy Act 1964*.

Bill read a first time.

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

*Paper:* Mr Kerin presented an explanatory memorandum to the Bill.

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

- 16 LIVE-STOCK EXPORT CHARGE AMENDMENT BILL 1990:** Mr Kerin (Minister for Primary Industries and Energy) presented a Bill for an Act to amend the *Live-stock Export Charge Act 1977*.

Bill read a first time.

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

*Paper:* Mr Kerin presented an explanatory memorandum to the Bill.

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

- 17 CATTLE INDUSTRY LEGISLATION (CONSEQUENTIAL PROVISIONS) BILL 1990:** Mr Kerin (Minister for Primary Industries and Energy) presented a Bill for an Act to amend certain Acts because of the enactment of the *Beef Production Levy Act 1990*, the *Cattle and Beef Levy Collection Act 1990*, the *Cattle Export Charge Act 1990* and the *Cattle Transaction Levy Act 1990*, and for related purposes.

Bill read a first time.

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

*Paper:* Mr Kerin presented an explanatory memorandum to the Bill.

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

- 18 EXCISE TARIFF AMENDMENT BILL 1990:** Mr Beddall (Minister for Small Business and Customs) presented a Bill for an Act to amend the *Excise Tariff Act 1921*, and for related purposes.

Bill read a first time.

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

*Paper:* Mr Beddall presented an explanatory memorandum to the Bill.

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

- 19 PATENTS BILL 1990:** The order of the day having been read for the second reading—Mr Crean (Minister representing the Minister for Industry, Technology and Commerce) moved—That the Bill be now read a second time.

*Paper:* Mr Crean presented an explanatory memorandum to the Bill.

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

- 20 MESSAGE FROM THE SENATE—COMMONWEALTH SERUM LABORATORIES (CONVERSION INTO PUBLIC COMPANY) BILL 1990: The following message from the Senate was reported:

Message No. 57

Mr Speaker,

The Senate returns to the House of Representatives the bill for "*An Act to amend the Commonwealth Serum Laboratories Act 1961 to convert the Commonwealth Serum Laboratories Commission into a public company, and for related purposes*", and acquaints the House that the Senate has agreed to the bill with the amendments indicated by the annexed schedule, in which amendments the Senate requests the concurrence of the House of Representatives.

KERRY SIBRAA  
President

The Senate,  
Canberra, 9 October 1990

Ordered—That the amendments be taken into consideration, in committee of the whole House, at the next sitting.

- 21 TAXATION LAWS AMENDMENT (RATES AND PROVISIONAL TAX) BILL 1990:

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 Rocher, 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 deplores the Government's failure to develop an effective total taxation policy"—*

Debate resumed.

Amendment negatived.

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

The House resolved itself into a committee of the whole.

*In the committee*

Clauses 1 to 6, by leave, taken together, and agreed to.

Clause 7 debated and agreed to.

Clause 8—

On the motion of Mr Crean (Minister Assisting the Treasurer), the following amendment was made, after debate: Page 3, after proposed subparagraph 221YAB (1) (a) (i) insert the following subparagraph:

"(ia) amounts credited under section 159GDA in payment of the tax payable by the taxpayer in respect of income of the preceding year of income;"

Clause, as amended, agreed to.

Clauses 9 to 14 agreed to.

*Proposed new clause—*

Mr Rocher moved—That the following new clause be added to the Bill:

**Provisional tax for 1990-91 year**

"15. (1) For the purposes of the application of subsection 221YC (1) of the *Income Tax Assessment Act 1936* (in this section called the '**Assessment Act**') in ascertaining the amount of provisional tax payable by a taxpayer in respect of the year of income that commenced on 1 July 1990 (in this section called the '**current year of income**'), being a taxpayer who would apart from this section and subsection 221YBA (5) of the *Assessment Act*, be liable to pay provisional tax calculated in accordance with subsection

221YC(1) or (1A) of the Assessment Act in respect of the current year of income:

- (a) if paragraph 221YC(1)(a) of the Assessment Act applies to the taxpayer—the amount of provisional tax payable by the taxpayer in respect of the current year of income by virtue of that paragraph is the amount calculated using the formula:

**Adjusted preceding year's tax — Qualifying reductions**

where:

'Adjusted preceding year's tax' means the amount of income tax that would have been assessed in respect of the amount that would have been the taxable income of the taxpayer of the year of income (in this section called the 'preceding year of income') if:

- (i) the taxable income of the taxpayer of the preceding year of income had (except for the purpose of determining the notional income for the purpose of section 59AB or 86 of the Assessment Act) been increased by 10% for the current year of income; and
- (ii) the *Income Tax Rates Act 1986* (other than Division 4 of Part II), as that Act applies to assessments in respect of the current year of income, had been in force and applied to assessments in respect of the preceding year of income; and
- (iii) the *Medicare Levy Act 1986*, as that Act applies to assessments in respect of the current year of income, had been in force and applied to assessments in respect of the preceding year of income; and
- (iv) where:
  - (A) for the purposes of Division 6AA of Part III of the Assessment Act, the taxpayer's eligible taxable income of the preceding year of income exceeded \$416; and
  - (B) Subdivision C of Division 3 of Part II of the *Income Tax Rates Act 1986* applied to the taxpayer for the preceding year of income;
 that eligible taxable income had been increased by 10%; and
- (v) where:
  - (A) for the purposes of Division 6AA of Part III of the Assessment Act, the taxpayer had an eligible taxable income of the preceding year of income; and
  - (B) Subdivision D of Division 3 of Part II of the *Income Tax Rates Act 1986* applied to the taxpayer for the preceding year of income;
 that eligible taxable income had been increased by 10%; and
- (vi) for the purposes of Division 16A of Part III of the Assessment Act (other than the purpose of calculating the average eligible taxable income of the taxpayer of the current year of income), the eligible taxable income of the taxpayer of the preceding year of income had been increased by 10%; and
- (vii) for the purposes of section 156 of the Assessment Act, the deemed taxable income from primary production of the taxpayer of the preceding year of income had been increased by 10%; and
- (viii) where Division 16 of Part III of the Assessment Act applied in the taxpayer's assessment in respect of the preceding year of income—that Division had applied as if the conditions set out in subparagraphs (i) to (vii) (inclusive) were applicable for the purposes of making that assessment (other than for the purpose of determining the average income of the taxpayer for the purposes of the application of that Division); and
- (ix) the taxpayer had not been entitled to any rebate (other than a rebate under section 156 of the Assessment Act applicable in

relation to the taxpayer in accordance with subparagraph (viii)) in the taxpayer's assessment; and

- (x) the assessable income of the taxpayer of the preceding year of income had not included any net capital gain within the meaning of Part IIIA of the Assessment Act;

'Qualifying reductions' means the sum of:

- (xi) the rebates (other than a rebate under section 23AB, 79A, 79B, 156, 159J, 159K, 159L, 160AQU, 160AQX, 160AQY or 160AQZ of the Assessment Act) and credits (other than a credit under section 160AF of the Assessment Act) to which the taxpayer was entitled in the taxpayer's assessment in respect of income of the preceding year of income; and
  - (xii) where the taxpayer was entitled to a particular rebate (in this subparagraph called the '**location rebate**') under section 23AB, 79A or 79B of the Assessment Act in the taxpayer's assessment in respect of income of the preceding year of income:
    - (A) if the location rebate was calculated by reference to one or more rebates (in this sub-subparagraph called the '**concessional rebates**') of a particular kind to which the taxpayer was entitled in respect of the preceding year of income under section 159J, 159K or 159L of the Assessment Act—the sum of the location rebate and 20% of the increase (if any) in the amount of each concessional rebate of that kind arising out of the operation of section 159HA of the Assessment Act in relation to the current year of income; or
    - (B) in any other case—the amount of the location rebate; and
  - (xiii) where the taxpayer was entitled to a rebate of a particular kind under section 159J, 159K or 159L of the Assessment Act in the taxpayer's assessment in respect of income of the preceding year of income—the amount that would have been the amount of that rebate if increases in the amounts of rebates arising out of the operation of section 159HA of the Assessment Act in relation to the current year of income had been in force and had applied to assessments in respect of the preceding year of income; and
  - (xiv) where the taxpayer was entitled to a credit under section 160AF of the Assessment Act in the taxpayer's assessment in respect of income of the preceding year of income—the amount of that credit increased by 10%; and
  - (xv) where the taxpayer was entitled to a rebate under section 160AQU, 160AQX, 160AQY or 160AQZ of the Assessment Act in the taxpayer's assessment in respect of income of the preceding year of income—the amount of that rebate increased by 10%; and
- (b) if paragraph 221YC(1)(b) of the Assessment Act applies to the taxpayer—the amount of provisional tax payable by the taxpayer in respect of the current year of income by virtue of that paragraph is:
- (i) in a case where:
    - (A) paragraph 221YC(1)(a) of the Assessment Act would apply to the taxpayer in relation to the current year of income but for subsection 221YA(5) of the Assessment Act; and
    - (B) the taxpayer is a taxpayer to whom paragraph 221YA(5)(a) of the Assessment Act applies, but paragraph 221YA(5)(b) of the Assessment Act does not apply, in relation to the current year of income;
- the amount that would be payable by the taxpayer under paragraph 221YC(1)(a) of the Assessment Act (as affected by paragraph (a) of this subsection) if subsection 221YA(5) of the

Assessment Act were not included in this Act and Division 16C of Part III of the Assessment Act were not applicable in relation to the preceding year of income; and

(ii) in a case where:

- (A) paragraph 221YC (1) (a) of the Assessment Act would apply to the taxpayer in relation to the current year of income but for subsection 221YA (5) of the Assessment Act; and
- (B) the taxpayer is a taxpayer to whom paragraph 221YA (5) (b) of the Assessment Act applies, but paragraph 221YA (5) (a) of the Assessment Act does not apply, in relation to the current year of income;

the amount that would be payable by the taxpayer under paragraph 221YC (1) (a) of the Assessment Act (as affected by paragraph (a) of this subsection) if subsection 221YA (5) of the Assessment Act were not included in the Assessment Act and the taxable income of the taxpayer of the preceding year of income had been increased by the sum of the deductions allowed or allowable to the taxpayer under sections 77F, 124ZAF and 124ZAFA of the Assessment Act in the taxpayer's assessment in respect of the preceding year of income; and

(iii) in a case where:

- (A) paragraph 221YC (1) (a) of the Assessment Act would apply to the taxpayer in relation to the current year of income but for subsection 221YA (5) of the Assessment Act; and
- (B) the taxpayer is a taxpayer to whom paragraphs 221YA (5) (a) and (b) of the Assessment Act apply in relation to the current year of income;

the amount that would be payable by the taxpayer under paragraph 221YC (1) (a) of the Assessment Act (as affected by paragraph (a) of this subsection) if:

- (C) subsection 221YA (5) of the Assessment Act were not included in this Act; and
- (D) Division 16C of Part III of the Assessment Act were not applicable in relation to the preceding year of income; and
- (E) the amount that, but for this sub-subparagraph, would have been the taxable income of the taxpayer of the preceding year of income had been increased by the sum of the deductions allowed or allowable to the taxpayer under sections 77F, 124ZAF and 124ZAFA of the Assessment Act in the taxpayer's assessment in respect of the preceding year of income; and

(iv) in any other case—the amount that would be payable by the taxpayer under paragraph (a) of this subsection if the provisions of that paragraph applied to the taxpayer in relation to the taxpayer's income of the current year of income; and

- (A) the taxable income of the taxpayer of the preceding year of income had been equal to the amount that the Commissioner estimates would have been the provisional income of the taxpayer if Division 16C of Part III of the Assessment Act were not applicable in relation to the preceding year of income increased by the sum of the deductions (if any) allowed or allowable to the taxpayer under sections 77F, 124ZAF and 124ZAFA of the Assessment Act in the taxpayer's assessment in respect of the preceding year of income; and
- (B) for the purposes of Division 16 of Part III of the Assessment Act, the deemed taxable income from primary production of

- the taxpayer of the preceding year of income were such amount (if any) as the Commissioner determines; and
- (C) for the purposes of Division 6AA of Part III of the Assessment Act, the amount of the eligible taxable income of the taxpayer of the preceding year of income were such amount (if any) as the Commissioner determines; and
- (D) for the purposes of Division 16A of Part III of the Assessment Act, the amount of the eligible taxable income of the taxpayer of the preceding year of income were such amount (if any) as the Commissioner determines.

“(2) A reference in this section to the amount of provisional tax payable by a taxpayer includes a reference to the amount that, but for subsection 221YBA(5) of the Assessment Act, would be the provisional tax payable by the taxpayer.”.

Debate ensued.

Question—put.

The committee divided (the Deputy Chairman, Mr Nehl, in the Chair)—

#### AYES, 57

Mr Aldred	Mr Costello	Dr Kemp	Mr Ruddock
Mr Anderson	Mr Cowan	Mr Lloyd	Mr B. C. Scott
Mr Andrew*	Mr Dobie	Mr McArthur	Mr Shack
Mr Atkinson	Mr Downer	Mr McGauran	Mr Sharp
Mrs Bailey	Dr H. R. Edwards	Mr Mack	Mr Smith
Mr Beale	Mr Filing	Mr MacKellar	Mr Somlyay
Mr Bradford	Mr T. A. Fischer	Mr McLachlan	Mr Taylor
Mr Braithwaite	Mr Ford	Mr Moore	Mr Truss
Mr Broadbent	Mrs Gallus	Mr Nugent	Mr Tuckey
Mr N. A. Brown	Mr Hall	Mr Prosser	Mr Wilson
Mr Cadman	Mr Halverson	Mr Reid	Dr R. L. Woods
Mr Carlton	Mr Hawker	Mr Reith	Dr Wooldridge
Mr Chaney	Mr Hicks*	Mr Riggall	
Mr Charles	Mr Howard	Mr Rocher	
Mr Cobb	Mr Jull	Mr Ronaldson	

#### NOES, 65

Mr Baldwin	Mr Duncan	Mr Jenkins	Mr Scholes
Mr Beazley	Mr R. F. Edwards	Mr Johns	Mr Sciacca
Mr Beddall	Mr Elliott	Mrs Kelly	Mr J. L. Scott
Mr Bevis	Ms Fatin	Mr Kerin	Mr L. J. Scott
Mr Bilney	Mr Ferguson	Mr Langmore	Mr Snow
Dr Blewett	Mr Free	Mr Lavarch	Mr Snowden
Mr Brereton	Mr Gayler	Mr Lindsay	Mr Staples
Mr R. J. Brown	Mr Gear*	Mr Martin	Dr Theophanous
Mr Campbell	Mr Gibson	Mr Melham	Mr Tickner
Dr Catley	Mr Grace*	Mr A. A. Morris	Mr Walker
Mr Courtice	Mr Griffiths	Mr P. F. Morris	Mr West
Mr Crean	Mr Hand	Mr Newell	Mr Willis
Mrs Crosio	Mr Hollis	Mr O'Keefe	Mr H. F. Woods
Mrs Darling	Mr Howe	Mr O'Neil	Mr Wright
Mr Dawkins	Mr Hulls	Mr Price	
Mr Dubois	Mr Humphreys	Mr Punch	
Mr Duffy	Mrs Jakobsen	Mr Sawford	

\* Tellers

And so it was negatived.

Schedules 1 and 2, by leave, taken together and agreed to.

Schedule 3 debated and agreed to.

Title agreed to.

Bill to be reported with an amendment.

The House resumed; Mr Nehl reported accordingly.

On the motion of Mr Crean, by leave, the House adopted the report, and, by leave, the Bill was read a third time.



- 22 **MEDICARE LEVY AMENDMENT BILL 1990:** 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 Crean (Minister Assisting the Treasurer), the Bill was read a third time.
- 23 **INCOME TAX AMENDMENT BILL 1990:** 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 Crean (Minister Assisting the Treasurer), the Bill was read a third time.
- 24 **SALES TAX LAWS AMENDMENT BILL (NO. 2) 1990:** 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 Crean (Minister Assisting the Treasurer), the Bill was read a third time.
- 25 **SALES TAX (EXEMPTIONS AND CLASSIFICATIONS) AMENDMENT BILL 1990:** 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 Crean (Minister Assisting the Treasurer), the Bill was read a third time.
- 26 **MESSAGE FROM THE SENATE—ADMINISTRATIVE SERVICES LEGISLATION AMENDMENT BILL 1990:** The following message from the Senate was reported:

Message No. 60

Mr Speaker,

The Senate returns to the House of Representatives the bill for "*An Act to repeal and amend various Acts relating to matters dealt with by the Department of Administrative Services, and for related purposes*", and acquaints the House that the Senate has agreed to the bill with the amendment indicated by the annexed schedule, in which amendment the Senate requests the concurrence of the House of Representatives.

KERRY SIBRAA  
 President

The Senate,  
 Canberra, 9 October 1990

Ordered—That the amendment be taken into consideration, in committee of the whole House, at the next sitting.

- 27 **FINANCE AND PUBLIC ADMINISTRATION—STANDING COMMITTEE:** The House was informed that the Opposition Whip had nominated Mr Downer to be a member of the Standing Committee on Finance and Public Administration in place of Mr Beale.
- 28 **POSTPONEMENT OF ORDERS OF THE DAY:** Ordered—That orders of the day Nos. 7 to 10, government business, be postponed until a later hour this day.

**29 ARTS, ENVIRONMENT, TOURISM AND TERRITORIES LEGISLATION AMENDMENT BILL 1990:** 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.

The House resolved itself into a committee of the whole.

*In the committee*

Bill, by leave, taken as a whole.

On the motion of Mr Baldwin (Minister for Higher Education and Employment Services), by leave, the following amendments were made together:

*New clause—*

Page 3, after clause 10 insert the following new clause:

**Application of Division 3 of Part XI of Audit Act**

“10A. Section 40 of the Principal Act is amended by adding at the end the following subsection:

“(2) The Gallery must, in each report prepared under section 63M of the *Audit Act 1901* (as that section applies by virtue of subsection (1) of this section), include particulars of any disposals of works of art under section 9 during the financial year to which the report relates.’.”

*Amendments—*

Clause 19—

Page 5, lines 21 and 22, omit proposed subparagraph 14 (3) (a) (ii), substitute the following subparagraph:

“(ii) any other person or body (including a government); and”.

Page 5, definition of “exhibition co-ordinator” in proposed subsection 14 (4), lines 30 and 31, omit “the collections of foreign collecting institutions”, substitute “collections outside Australia”.

Page 5, paragraph (a) of the definition of “exhibition co-ordinator” in proposed subsection 14 (4), lines 33 and 34, omit “the government of a foreign country or with a foreign collecting institution”, substitute “a person or body (including a government)”.

Page 5, paragraph (b) of the definition of “exhibition co-ordinator” in proposed subsection 14 (4), line 38, omit “government or institution”, substitute “person or body”.

Page 6, proposed subsection 14 (4), lines 1 to 6, omit the definition of “foreign collecting institution”.

Bill, as amended, agreed to.

Bill to be reported with amendments.

The House resumed; Mr Dubois reported accordingly.

On the motion of Mr Baldwin, by leave, the House adopted the report and, by leave, the Bill was read a third time.

**30 COMMUNITY SERVICES AND HEALTH LEGISLATION AMENDMENT BILL 1990:** 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 Dr R. L. Woods 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:

- (1) calls on the Government to allow patients to insure against the ‘gap’ which is the difference between the scheduled medical fee and the Medicare benefit;

- (2) condemns the Government for providing automatic CPI increases to the maximum patient contribution which will remove the opportunity for public and parliamentary scrutiny and debate of these increases;
- (3) calls on the Government to formulate and implement an education program on its minimum pricing policy and on the use of generic drugs;
- (4) condemns the Government for abolishing Medicare cover for Australians travelling overseas for medical expenses;
- (5) condemns the Government for its attempt to usurp free market forces by establishing the Pharmaceutical Restructuring Authority to make recommendations on applications for new pharmacies, and on the amalgamation and closure of other pharmacies; and
- (6) expresses its concern that data relating to the sale of drugs which will identify individual manufacturers will be published and will be accessible to the manufacturer's competitors".

Debate continued.

Amendment negatived.

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

The House resolved itself into a committee of the whole.

*In the committee*

Bill, by leave, taken as a whole.

Mr Braithwaite, by leave, moved the following amendments together:

Clause 5—

Page 3, proposed new subparagraph 4B (1) (a) (i), line 17, omit:

"(A) a body corporate that is carried on for the purpose of profit or gain; or

(B)".

Page 3, proposed new subparagraph 4B (1) (a) (vi), line 28, omit: "(other than an unincorporated body that is carried on for the purpose of profit or gain)".

Page 3, proposed new paragraph 4B (1) (b), lines 32 and 33, omit the paragraph.

Page 3, proposed new section 4C, lines 37 to 40, and page 4, lines 1 to 3, omit the section.

Debate continued.

Question—That the amendments be agreed to—put.

The committee divided (the Deputy Chairman, Mr Nehl, in the Chair)—

AYES, 51

Mr Aldred	Mr Cobb	Mr Howard	Mr Ronaldson
Mr Anderson	Mr Costello	Mr Jull	Mr Ruddock
Mr Andrew*	Mr Cowan	Dr Kemp	Mr B. C. Scott
Mr Atkinson	Mr Dobie	Mr McArthur	Mr Shack
Mrs Bailey	Mr Downer	Mr McGauran	Mr Sharp
Mr Beale	Dr H. R. Edwards	Mr MacKellar	Mr Smith
Mr Bradford	Mr Filing	Mr McLachlan	Mr Somlyay
Mr Braithwaite	Mr T. A. Fischer	Mr Nugent	Mr Taylor
Mr Broadbent	Mr Ford	Mr Prosser	Mr Truss
Mr N. A. Brown	Mrs Gallus	Mr Reid	Mr Wilson
Mr Carlton	Mr Hall	Mr Reith	Dr R. L. Woods
Mr Chaney	Mr Hawker	Mr Riggall	Dr Wooldridge
Mr Charles	Mr Hicks*	Mr Rocher	

## NOES, 63

Mr Baldwin	Mr Duffy	Mr Jenkins	Mr Sawford
Mr Beazley	Mr Duncan	Mr Johns	Mr Scholes
Mr Beddall	Mr R. F. Edwards	Mrs Kelly	Mr Sciacca
Mr Bevis	Mr Elliott	Mr Kerin	Mr J. L. Scott
Mr Bilney	Ms Fatin	Mr Langmore	Mr L. J. Scott
Dr Blewett	Mr Ferguson	Mr Lavarch	Mr Snow
Mr Brereton	Mr Free	Mr Lindsay	Mr Snowdon
Mr R. J. Brown	Mr Gayler	Mr Mack	Mr Staples
Mr Campbell	Mr Gear*	Mr Martin	Dr Theophanous
Dr Catley	Mr Gibson	Mr Melham	Mr Tickner
Mr Courtice	Mr Grace*	Mr A. A. Morris	Mr Walker
Mr Crean	Mr Griffiths	Mr P. F. Morris	Mr West
Mrs Crosio	Mr Hand	Mr Newell	Mr Willis
Mrs Darling	Mr Howe	Mr O'Keefe	Mr H. F. Woods
Mr Dawkins	Mr Hulls	Mr Price	Mr Wright
Mr Dubois	Mr Humphreys	Mr Punch	

\* Tellers

And so it was negatived.

It being past 10.30 p.m.—Progress to be reported.

The House resumed; Mr Nehl reported accordingly.

*Adjournment negatived:* The question was accordingly proposed—That the House do now adjourn.

Mr Staples (Minister for Aged, Family and Health Services) requiring the question to be put forthwith without debate—

Question—put and negatived.

The House again resolved itself into a committee of the whole.

*In the committee*

Bill agreed to.

Bill to be reported without amendment.

The House resumed; Mr Nehl reported accordingly.

On the motion of Mr Staples, the House adopted the report, and, by leave, the Bill was read a third time.

31 **ADJOURNMENT:** Mr Staples (Minister for Aged, Family and Health Services) moved—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 11 p.m.—The Deputy Speaker adjourned the House until tomorrow at 10 a.m.

**PAPERS:** The following papers were deemed to have been presented on 10 October 1990:

Aged or Disabled Persons Homes Act—Determination pursuant to paragraphs 10D (1) (a), (b), (c) and (d), dated 28 September 1990.

Defence Act—Determination under section 52—1990—No.2—Defence Force (Superannuation Interim Arrangement) Amendment.

National Health Act—Determination—1990—No. BPT8.

**ATTENDANCE:** All Members attended (at some time during the sitting) except Mr Burr, Mr Cameron, Dr Charlesworth, Mr Connolly, Ms Crawford, Mr Fitzgibbon, Mr Gorman, Mr Holding, Mr Kerr, Mr Lee, Ms McHugh, Mr Miles, Mr Sinclair, Mrs Sullivan and Mr Webster.

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**A. R. BROWNING**  
Clerk of the House of Representatives