

1993

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 26

MONDAY, 18 OCTOBER 1993

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

2 MINISTERIAL ARRANGEMENTS

Mr Keating (Prime Minister) informed the House that, during the respective absences of Mr Dawkins (Treasurer) and Mr Crean (Minister for Primary Industries and Energy), Mr Willis (Minister for Finance) would answer questions on behalf of Mr Dawkins and Mr Lee (Minister for Resources) would answer questions on behalf of Mr Crean.

3 QUESTIONS

Questions without notice being asked—

Papers: Mr Howard, in accordance with standing order 321, having called for a document quoted from by Mr Keating (Prime Minister)—

Mr Keating laid upon the Table the following papers:

Mabo and others v. Queensland [No. 2] (1992) 175 CLR—

Extracts (pp. 3, 196) from High Court judgement.

Notes relating to pastoral leases, recreational areas and proposed legislation.

Questions without notice continued.

4 PAPERS

The following papers were presented:

Australian Nuclear Science and Technology Organisation Act—Nuclear Safety Bureau—Report for period 1 January-31 March 1993.

National Road Trauma Advisory Council—Report for 1992.

Veterans' Entitlements Act—Veterans' Review Board—Report for 1992-93.

5 PAPERS—MOTION TO TAKE NOTE OF PAPERS

Mr Beazley (Leader of the House) moved—That the House take note of the following papers:

Australian Nuclear Science and Technology Organisation Act—Nuclear Safety Bureau—Report for period 1 January-31 March 1993.

National Road Trauma Advisory Council—Report for 1992.

Veterans' Entitlements Act—Veterans' Review Board—Report for 1992-93.

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

6 MESSAGES FROM THE SENATE

Messages from the Senate, dated 7 October 1993, were reported:

(a) returning the following Bills without amendment:

Message—

No. 78—Customs Tariff Amendment 1993.

No. 82—Sales Tax (In Situ Pools) (Deficit Reduction) 1993 (*without requests*).

No. 83—Sales Tax Assessment Amendment (Deficit Reduction) 1993.

(b) acquainting the House that Senator Minchin had been discharged from the Joint Committee on the National Crime Authority and that Senator Troeth had been appointed a member of the committee—Message No. 77.

7 MESSAGE FROM THE SENATE—SALES TAX (CUSTOMS) (DEFICIT REDUCTION) BILL 1993

The following message from the Senate was reported:

Message No. 79

Mr Speaker,

The Senate returns to the House of Representatives the bill for "*An Act relating to sales tax*", and requests the House to amend the bill as indicated by the annexed schedule.

KERRY SIBRAA
President

The Senate,
Canberra, 7 October 1993

Ordered—That the amendments requested by the Senate be taken into consideration, in committee of the whole House, at a later hour this day.

8 MESSAGE FROM THE SENATE—SALES TAX (EXCISE) (DEFICIT REDUCTION) BILL 1993

The following message from the Senate was reported:

Message No. 80

Mr Speaker,

The Senate returns to the House of Representatives the bill for "*An Act relating to sales tax*", and requests the House to amend the bill as indicated by the annexed schedule.

KERRY SIBRAA
President

The Senate,
Canberra, 7 October 1993

Ordered—That the amendments requested by the Senate be taken into consideration, in committee of the whole House, at a later hour this day.

9 MESSAGE FROM THE SENATE—SALES TAX (GENERAL) (DEFICIT REDUCTION) BILL 1993

The following message from the Senate was reported:

Message No. 81

Mr Speaker,

The Senate returns to the House of Representatives the bill for "*An Act relating to sales tax*", and requests the House to amend the bill as indicated by the annexed schedule.

KERRY SIBRAA
President

The Senate,
Canberra, 7 October 1993

Ordered—That the amendments requested by the Senate be taken into consideration, in committee of the whole House, at a later hour this day.

10 SALES TAX BILLS—SENATE'S REQUESTS—LIMITATION OF DEBATE—ALLOTMENT OF TIME

Mr Beazley (Leader of the House), by leave, moved—That the time allotted in connection with consideration of the Senate's requested amendments to the Sales Tax (Customs) (Deficit Reduction) Bill 1993, the Sales Tax (Excise) (Deficit Reduction) Bill 1993 and the Sales Tax (General) (Deficit Reduction) Bill 1993 be as follows:

- (1) Sales Tax (Customs) (Deficit Reduction) Bill 1993—For the consideration of the Senate's requested amendments and for the remaining stages, until 9.30 p.m. this day.
- (2) Sales Tax (Excise) (Deficit Reduction) Bill 1993—For the consideration of the Senate's requested amendments and for the remaining stages, until 9.35 p.m. this day.
- (3) Sales Tax (General) (Deficit Reduction) Bill 1993—For the consideration of the Senate's requested amendments and for the remaining stages, until 9.40 p.m. this day.

Debate ensued.

Question—put.

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

AYES, 67

Mr Adams	Mrs Easson	Mr Humphreys	Mr Quick
Mr Baldwin	Mr Elliott	Mr Johns	Mr Sawford
Mr Beazley	Ms Fatin	Mrs Kelly	Mr Sciacca
Mr Beddall	Mr Ferguson	Mr Kerr	Mr L. J. Scott
Mr Bevis	Mr Fitzgibbon	Mr Knott	Mrs S. J. Smith
Mr Bilney	Mr Free	Mr Langmore	Mr S. F. Smith
Dr Blewett	Mr Gear	Mr Lavarch	Mr Snow
Mr Brereton	Mr Gibson	Mr Lindsay	Mr Snowdon
Mr Brown	Mr Gorman	Ms McHugh	Mr Staples
Mr Chynoweth	Mr Grace*	Mr McLeay*	Mr Swan
Mr Cleland	Mr Griffin	Mr Melham	Mr Tanner
Mrs Crosio	Mr Griffiths	Mr A. A. Morris	Dr Theophanous
Mr Cunningham	Mr Haviland	Mr P. F. Morris	Mr Tickner
Ms Deahm	Ms Henzell	Mr Newell	Mr Walker
Mr Dodd	Mr Hollis	Mr O'Connor	Mr Willis
Mr Duffy	Mr Horne	Mr O'Keefe	Mr Woods
Mr Duncan	Mr Howe	Mr Price	

NOES, 58

Mr Aldred	Mr Evans	Mr McGauran	Mr Ruddock
Mr Anderson	Mr Filing*	Mr Mack	Mr B. C. Scott
Mr J. N. Andrew	Mr Fischer	Mr MacKellar	Mr Sharp
Mr K. J. Andrews	Mr Forrest	Mr McLachlan	Mr Sinclair
Mr Atkinson	Mrs Gallus	Mr Miles	Mr Slipper
Mr Beale	Mr Hall	Mr Moore	Mr Somlyay
Mr Braithwaite	Mr Halverson	Mrs Moylan	Mr Taylor
Mr Cadman	Mr Hawker	Mr Nehl	Mr Truss
Mr Cameron	Mr Hicks*	Mr Neville	Mr Tuckey
Mr Carlton	Mr Howard	Mr Nugent	Mr Vaile
Mr Charles	Mr Jull	Mr Peacock	Mr Wakelin
Mr Cobb	Dr Kemp	Mr Prosser	Dr Wooldridge
Mr Connolly	Mr Lieberman	Mr Pyne	Ms Worth
Mr Costello	Mr Lloyd	Mr Reid	
Mr Downer	Mr McArthur	Mr Reith	

* Tellers

And so it was resolved in the affirmative.

11 SUSPENSION OF STANDING AND SESSIONAL ORDERS—BILLS—LIMITATION OF DEBATE

Mr Beazley (Leader of the House), pursuant to notice, moved—That, in relation to the proceedings on the following Bills, so much of the standing and sessional orders be suspended as would prevent the Leader of the House making one declaration of urgency and moving one motion for the allotment of time in respect of all the Bills:

Telecommunications (Interception) Amendment Bill 1993;

Defence Legislation Amendment Bill 1993;

Social Security (Budget and Other Measures) Legislation Amendment Bill 1993;

Education Services for Overseas Students (Registration of Providers and Financial Regulation) Amendment Bill 1993;

Overseas Students Tuition Assurance Levy Bill 1993;

Higher Education Funding Legislation Amendment Bill 1993;

Aboriginal Education (Supplementary Assistance) Amendment Bill 1993;

Social Security Amendment Bill (No. 2) 1993;

Childcare Rebate Bill 1993;

Australian National Training Authority Amendment Bill (No. 2) 1993;

States Grants (Primary and Secondary Education Assistance) Amendment Bill 1993;

Vocational Education and Training Funding Laws Amendment Bill 1993;

Veterans' Affairs Legislation Amendment Bill (No. 2) 1993;

Health Legislation (Professional Services Review) Amendment Bill 1993;

National Health Amendment Bill (No. 3) 1993;

Nursing Home Charge (Imposition) Bill 1993;

Customs Tariff Amendment Bill (No. 2) 1993;

Customs and Excise Legislation Amendment Bill 1993;

Diesel Fuel (Excise Duty Rebate) Administration Charge Bill 1993;
 Diesel Fuel (Customs Duty Rebate) Administration Charge Bill 1993; and
 Excise Tariff Amendment Bill (No. 2) 1993.

Debate ensued.

Question—put.

The House divided (the Deputy Speaker, Mr L. J. Scott, in the Chair)—

AYES, 67

Mr Adams	Mr Elliott	Mr Jenkins	Mr Price
Mr Baldwin	Ms Fatin	Mr Johns	Mr Quick
Mr Beazley	Mr Ferguson	Mrs Kelly	Mr Sawford
Mr Beddall	Mr Fitzgibbon	Mr Kerr	Mr Sciacca
Mr Bevis	Mr Free	Mr Knott	Mrs S. J. Smith
Mr Bilney	Mr Gear	Mr Langmore	Mr S. F. Smith
Dr Blewett	Mr Gibson	Mr Lavarch	Mr Snow
Mr Brereton	Mr Gorman	Mr Lee	Mr Snowdon
Mr Brown	Mr Grace*	Mr Lindsay	Mr Staples
Mr Chynoweth	Mr Griffin	Ms McHugh	Mr Swan
Mr Cleeland	Mr Griffiths	Mr McLeay*	Mr Tanner
Mrs Crosio	Mr Haviland	Mr Melham	Dr Theophanous
Mr Cunningham	Ms Henzell	Mr A. A. Morris	Mr Tickner
Ms Deahm	Mr Hollis	Mr P. F. Morris	Mr Walker
Mr Duffy	Mr Horne	Mr Newell	Mr Willis
Mr Duncan	Mr Howe	Mr O'Connor	Mr Woods
Mrs Easson	Mr Humphreys	Mr O'Keefe	

NOES, 57

Mr Aldred	Mr Evans	Mr Mack	Mr B. C. Scott
Mr Anderson	Mr Filing*	Mr MacKellar	Mr Sharp
Mr J. N. Andrew	Mr Fischer	Mr McLachlan	Mr Sinclair
Mr K. J. Andrews	Mr Forrest	Mr Miles	Mr Slipper
Mr Atkinson	Mrs Gallus	Mr Moore	Mr Somlyay
Mr Beale	Mr Hall	Mrs Moylan	Mr Taylor
Mr Braithwaite	Mr Halverson	Mr Nehl*	Mr Truss
Mr Cadman	Mr Hawker	Mr Neville	Mr Tuckey
Mr Cameron	Mr Howard	Mr Nugent	Mr Vaile
Mr Carlton	Mr Jull	Mr Peacock	Mr Wakelin
Mr Charles	Dr Kemp	Mr Prosser	Mr Williams
Mr Cobb	Mr Lieberman	Mr Pyne	Ms Worth
Mr Connolly	Mr Lloyd	Mr Reid	
Mr Costello	Mr McArthur	Mr Reith	
Mr Downer	Mr McGauran	Mr Ruddock	

* Tellers

And so it was resolved in the affirmative.

12 DECLARATION OF BILLS AS URGENT BILLS—LIMITATION OF DEBATE

Mr Beazley (Leader of the House) declared that the Telecommunications (Interception) Amendment Bill 1993, Defence Legislation Amendment Bill 1993, Social Security (Budget and Other Measures) Legislation Amendment Bill 1993, Education Services for Overseas Students (Registration of Providers and Financial Regulation) Amendment Bill 1993, Overseas Students Tuition Assurance Levy Bill 1993, Higher Education Funding Legislation Amendment Bill 1993, Aboriginal Education (Supplementary Assistance) Amendment Bill 1993, Social Security Amendment Bill (No. 2) 1993, Childcare Rebate Bill 1993, Australian National Training Authority Amendment Bill (No. 2) 1993,

States Grants (Primary and Secondary Education Assistance) Amendment Bill 1993, Vocational Education and Training Funding Laws Amendment Bill 1993, Veterans' Affairs Legislation Amendment Bill (No. 2) 1993, Health Legislation (Professional Services Review) Amendment Bill 1993, National Health Amendment Bill (No. 3) 1993, Nursing Home Charge (Imposition) Bill 1993, Customs Tariff Amendment Bill (No. 2) 1993, Customs and Excise Legislation Amendment Bill 1993, Diesel Fuel (Excise Duty Rebate) Administration Charge Bill 1993, Diesel Fuel (Customs Duty Rebate) Administration Charge Bill 1993 and Excise Tariff Amendment Bill (No. 2) 1993 were urgent Bills.

Question—That the Bills be considered urgent Bills—put and passed.

Allotment of time: Mr Beazley then moved—

- (1) That the time allotted in connection with the Bills be as follows:
 - (a) Telecommunications (Interception) Amendment 1993—For the remaining stages, until 10.40 p.m. this day.
 - (b) Defence Legislation Amendment 1993—For the remaining stages, until 11.30 p.m. this day.
- (2) The times for consideration of the remaining Bills be allotted in a subsequent motion or motions.

Question—put and passed.

13 AUSTRALIAN CITIZENSHIP AMENDMENT BILL 1993

The order of the day having been read for the second reading—Mr O'Keefe (Parliamentary Secretary to the Minister for Transport and Communications) moved—That the Bill be now read a second time.

Paper: Mr O'Keefe 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.

14 DEVELOPMENT ALLOWANCE AUTHORITY AMENDMENT BILL 1993

The order of the day having been read for the second reading—Mr Gear (Assistant Treasurer) moved—That the Bill be now read a second time.

Paper: Mr Gear presented an explanatory memorandum to the Bill.

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

15 HEALTH AND COMMUNITY SERVICES LEGISLATION AMENDMENT BILL 1993

The order of the day having been read for the second reading—Dr Theophanous (Parliamentary Secretary to the Minister for Health) moved—That the Bill be now read a second time.

Paper: Dr Theophanous presented an explanatory memorandum to the Bill.

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

16 MESSAGE FROM THE SENATE—COMMONWEALTH BANKS AMENDMENT
BILL 1993

The following message from the Senate was reported:

Message No. 84

Mr Speaker,

The Senate returns to the House of Representatives the bill for “*An Act to amend the ‘Commonwealth Banks Act 1959’, 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, 7 October 1993

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

In the committee

SCHEDULE OF THE AMENDMENT MADE BY THE SENATE

At end of bill, page 4, add the following Part:

**“PART 6—AMENDMENTS RELATING TO SHARES IN THE
COMMONWEALTH BANK HELD BY DEPOSITARIES UNDER
AMERICAN DEPOSITARY RECEIPTS SCHEMES**

Object of Part

“13. The object of this Part is to allow shares in the Commonwealth Bank to be held by a banking entity that is a depositary under an American Depositary Receipts scheme.

Limitation of shareholdings in Commonwealth Bank

“14. Section 10A of the *Banks (Shareholdings) Act 1972* is amended:

(a) by inserting after subsection (2) the following subsection:

‘(2A) Subject to the regulations, the reference in subsection (1) to an interest in a voting share does not include a reference to an interest that a banking entity has only because the banking entity is a depositary under a scheme known as an American Depositary Receipts scheme.’;

(b) by adding at the end of paragraph (3)(b) ‘or (2A)’.”.

On the motion of Mr Gear (Assistant Treasurer), the amendment was agreed to, after debate.

Resolution to be reported.

The House resumed; Mr Jenkins reported accordingly.

On the motion of Mr Gear, the House adopted the report.

17 SALES TAX (CUSTOMS) (DEFICIT REDUCTION) BILL 1993—SENATE'S REQUESTS

The House, according to order, resolved itself into a committee of the whole to consider the amendments requested by the Senate.

In the committee

SCHEDULE OF THE REQUESTS BY THE SENATE FOR AMENDMENTS

No. 1—Clause 2, page 1, lines 6 to 9, omit the clause, substitute the following clause:

Commencement

“2. This Act is taken to have commenced on 18 August 1993.”

No. 2—Part 3, page 2, lines 18 to 26, omit the Part.

No. 3—Schedule 1, page 3, paragraphs 4(b) and (c), omit the paragraphs.

No. 4—Schedule 1, pages 3 and 4, paragraphs 7(c) and (e), omit the paragraphs.

No. 5—Schedule 2, page 5, omit the Schedule.

Mr Gear (Assistant Treasurer) moved—That the requested amendments Nos. 1, 2 and 5 be not made and that the requested amendments Nos. 3 and 4 be made.

Debate ensued.

Mr Downer moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “the requested amendments be made”.

Debate continued.

Limitation of debate: At 9.30 p.m., the Chairman having called the attention of the committee to the fact that the time allotted for the consideration of the Senate's requested amendments and the remaining stages of the Bill had expired—

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

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

AYES, 69

Mr Adams	Mrs Easson	Mr Johns	Mr Sawford
Mr Baldwin	Mr Elliott	Mrs Kelly	Mr Sciacca
Mr Beazley	Ms Fatin	Mr Kerr	Mr L. J. Scott
Mr Beddall	Mr Ferguson	Mr Knott	Mrs S. J. Smith
Mr Bevis	Mr Fitzgibbon	Mr Langmore	Mr S. F. Smith
Mr Bilney	Mr Free	Mr Lavarch	Mr Snow
Dr Blewett	Mr Gear	Mr Lee	Mr Snowdon
Mr Brereton	Mr Gibson	Mr Lindsay	Mr Staples
Mr Brown	Mr Gorman	Ms McHugh	Mr Swan
Mr Campbell	Mr Grace*	Mr McLeay*	Mr Tanner
Mr Chynoweth	Mr Griffin	Mr Melham	Dr Theophanus
Mr Cleeland	Mr Griffiths	Mr A. A. Morris	Mr Tickner
Mrs Crosio	Mr Haviland	Mr P. F. Morris	Mr Walker
Mr Cunningham	Ms Henzell	Mr Newell	Mr Willis
Ms Deahm	Mr Hollis	Mr O'Connor	Mr Woods
Mr Dodd	Mr Horne	Mr O'Keefe	
Mr Duffy	Mr Howe	Mr Price	
Mr Duncan	Mr Humphreys	Mr Quick	

NOES, 59

Mr Anderson	Mr Fischer	Mr Mack	Mr Ruddock
Mr J. N. Andrew	Mr Forrest	Mr MacKellar	Mr B. C. Scott
Mr K. J. Andrews	Mrs Gallus	Mr McLachlan	Mr Sharp
Mr Atkinson	Mr Hall	Mr Miles	Mr Sinclair
Mr Beale	Mr Halverson	Mr Moore	Mr Slipper
Mr Bradford	Mr Hawker	Mr Nehl	Mr Somlyay
Mr Cadman	Mr Hicks*	Mr Neville	Mr Taylor
Mr Carlton	Mr Howard	Mr Nugent	Mr Truss
Mr Charles	Mr Jull	Mr Peacock	Mr Tuckey
Mr Cobb	Mr Katter	Mr Prosser	Mr Vaile
Mr Connolly	Dr Kemp	Mr Pyne	Mr Wakelin
Mr Costello	Mr Lieberman	Mr Reid	Mr Williams
Mr Downer	Mr Lloyd	Mr Reith	Dr Wooldridge
Mr Evans	Mr McArthur	Mr Rocher	Ms Worth
Mr Filing*	Mr McGauran	Mr Ronaldson	

* Tellers

And so it was resolved in the affirmative.

Question—That the requested amendments Nos. 1, 2 and 5 be not made and that the requested amendments Nos. 3 and 4 be made—put and passed.

Resolution to be reported.

The House resumed; Mr Jenkins reported accordingly.

On the motion of Mr Gear, the House adopted the report.

18 SALES TAX (EXCISE) (DEFICIT REDUCTION) BILL 1993—SENATE'S REQUESTS

The House, according to order, resolved itself into a committee of the whole to consider the amendments requested by the Senate.

In the committee

SCHEDULE OF THE REQUESTS BY THE SENATE FOR AMENDMENTS

No. 1—Clause 2, page 1, lines 6 to 9, omit the clause, substitute the following clause:

Commencement

“2. This Act is taken to have commenced on 18 August 1993.”.

No. 2—Part 3, page 2, lines 18 to 26, omit the Part.

No. 3—Schedule 1, page 3, paragraphs 4(b) and (c), omit the paragraphs.

No. 4—Schedule 1, pages 3 and 4, paragraphs 7(c) and (e), omit the paragraphs.

No. 5—Schedule 2, page 5, omit the Schedule.

Limitation of debate: The time allotted for the consideration of the Senate's requested amendments and the remaining stages of the Bill having expired—

Question—That the motion as circulated by the Government, namely, that the requested amendments Nos. 1, 2 and 5 be not made and that the requested amendments Nos. 3 and 4 be made, be agreed to, and that the Chairman report a resolution—put and passed.

The House resumed; Mr Jenkins reported accordingly.

On the motion of Mr Gear (Assistant Treasurer), the House adopted the report.

19 SALES TAX (GENERAL) (DEFICIT REDUCTION) BILL 1993—SENATE'S REQUESTS

The House, according to order, resolved itself into a committee of the whole to consider the amendments requested by the Senate.

In the committee

SCHEDULE OF THE REQUESTS BY THE SENATE FOR AMENDMENTS

No. 1—Clause 2, page 1, lines 6 to 9, omit the clause, substitute the following clause:

Commencement

“2. This Act is taken to have commenced on 18 August 1993.”.

No. 2—Part 3, page 2, lines 18 to 26, omit the Part.

No. 3—Schedule 1, page 3, paragraphs 4(b) and (c), omit the paragraphs.

No. 4—Schedule 1, pages 3 and 4, paragraphs 7(c) and (e), omit the paragraphs.

No. 5—Schedule 2, page 5, omit the Schedule.

Limitation of debate: The time allotted for the consideration of the Senate's requested amendments and the remaining stages of the Bill having expired—

Question—That the motion as circulated by the Government namely, that the requested amendments Nos. 1, 2 and 5 be not made and that the requested amendments Nos. 3 and 4 be made, be agreed to, and that the Chairman report a resolution—put and passed.

The House resumed; Mr Jenkins reported accordingly.

On the motion of Mr Gear (Assistant Treasurer), the House adopted the report.

20 SALES TAX (CUSTOMS) (WINE—DEFICIT REDUCTION) BILL 1993

Mr Gear (Assistant Treasurer) presented a Bill for an Act relating to sales tax.

Bill read a first time.

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

Paper: Mr Gear presented an explanatory memorandum to the following Bills:

Sales Tax (Customs) (Wine—Deficit Reduction) 1993.

Sales Tax (Excise) (Wine—Deficit Reduction) 1993.

Sales Tax (General) (Wine—Deficit Reduction) 1993.

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

21 SALES TAX (EXCISE) (WINE—DEFICIT REDUCTION) BILL 1993

Mr Gear (Assistant Treasurer) presented a Bill for an Act relating to sales tax.

Bill read a first time.

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

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

22 SALES TAX (GENERAL) (WINE—DEFICIT REDUCTION) BILL 1993

Mr Gear (Assistant Treasurer) presented a Bill for an Act relating to sales tax.

Bill read a first time.

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

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

23 TELECOMMUNICATIONS (INTERCEPTION) AMENDMENT BILL 1993

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 Williams, by leave, the following amendments were made together, after debate:

Clause 10—

Page 7, at the end of proposed subsection (5) add the following word and paragraph:

“; and

(c) because of the urgency of the need for the act to be done, it is not reasonably practicable for an application for a Part VI warrant to be made.”.

Page 7, after proposed subsection (5) insert the following subsections:

“ (5A) As soon as practicable after the doing of an act in relation to a communication under the provisions of subsection (4) or (5), an officer of the agency which is concerned with the communication shall cause an application for a Part VI warrant to be made in relation to the matter.

“ (5B) Where after considering an application made in relation to a matter arising under subsections (4) or (5) and (5A) a judge does not issue a warrant in relation to the application, the chief officer of the agency concerned shall ensure that no further action is taken by the agency to intercept the communication or to cause it to be intercepted.’”.

Page 7, line 6, omit “Subsections (4) and (5)”, substitute “Subsections (4), (5), (5A) and (5B)”.

Bill, as amended, agreed to, after debate.

Bill to be reported with amendments.

The House resumed; Mr Jenkins reported accordingly.

On the motion of Mr Kerr (Minister for Justice), the House adopted the report, and the Bill was read a third time.

24 DEFENCE LEGISLATION AMENDMENT BILL 1993

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. 44, dated 6 September 1993, from His Excellency the Governor-General was announced recommending an appropriation of revenue for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Johns (Parliamentary Secretary to the Treasurer), the Bill was read a third time.

25 ADJOURNMENT

Mr Johns (Parliamentary Secretary to the Treasurer) moved—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 11.46 p.m., adjourned until tomorrow at 2 p.m.

PAPERS

The following papers were deemed to have been presented on 18 October 1993:

Air Navigation Act—Regulations—Statutory Rules 1993 No. 265.

Australian National University Act—Statutes Nos. 226, 227.

Banks (Shareholdings) Act—Regulations—Statutory Rules 1993 No. 259.

Child Care Act—Guidelines CCA/12A/93/1.

Currency Act—Determination—1993 No. 12.

Customs Act—Regulations—Statutory Rules 1993 Nos. 256, 257, 258.

Defence Act—Defence Force Remuneration Tribunal—Determinations —1993 Nos. 17, 18.

Family Law Act—Regulations—Statutory Rules 1993 No. 263.

Great Barrier Reef Marine Park Act—Regulations—Statutory Rules 1993 No. 266.

Immigration (Education) Charge Act—Regulations—Statutory Rules 1993 No. 254.

Lands Acquisition Act—Statement under section 125.

Migration Act—Regulations—Statutory Rules 1993 No. 253.

National Health Act—

Principles EXP 1/1993.

Regulations—Statutory Rules 1993 Nos. 260, 261.

Protection of the Sea (Shipping Levy) Act—Regulations—Statutory Rules 1993 No. 255.

States Grants (Primary and Secondary Education Assistance) Act—Regulations—Statutory Rules 1993 No. 264.

Superannuation Act 1976—Regulations—Statutory Rules 1993 No. 262.

ATTENDANCE

All Members attended (at some time during the sitting) except Ms Crawford, Mr Crean, Mr Dawkins, Mr Dobie, Mr Holding, Mr Jones, Mr Kerin, Mr Punch, Mr Simmons and Mrs Sullivan.

L. M. BARLIN

Clerk of the House of Representatives