Peace Trust Fund Bill 1989
(Private Senator's Bill)

Date Introduced: 15 June 1989
House: Senate
Presented by: Senator Josephine Vallentine

Digest of Bill

Purpose
To allow certain conscientious objector's to have 10% of the tax payable on their taxable income paid into a Peace Trust Fund (PTF) and to establish a Board of Trustee to administer the PTF.

Background
The organised Australian peace movement began in 1885 with protests about the dispatch of an Australian contingent to the Sudan. Traditionally, support for the movement has come from left-wing unions. More recently however, as evidenced by anti-nuclear rallies, the movement's support base appears to have broadened to one encompassing a cross-section of Australian society.

An issue neglected until recently by the peace movement has been discussion of viable alternatives to the current defence posture of Australia. This has led critics of the peace movement to characterise the movement's position on defence as one solely based on total unilateral or multilateral disarmament.

The Bill, which has had counterparts in the United Kingdom and Canada, is an expression of the modern populist Australian peace movement's aims regarding contributions to defence spending. It also expresses Senator Vallentine's personal Quaker religious beliefs on conscientious objection to the support and preparation for war.

Main Provisions
Clauses 5 provides that a person who objects to paying taxes that are, or may be, used for military purposes may, in the prescribed manner, apply to the Commissioner for Taxation (the Commissioner) to be registered as a conscientious objector.

The Commissioner is to keep a register of conscientious objector's and register applicants. The Commissioner is to remove the name of a person from the register where a person has requested their name be removed; they have a mental or physical incapacity which makes them unable to make a judgement in relation to conscientious objection; or where they have died (clauses 6 and 7).
Clause 8 provides that a registered conscientious objector may request that 10% of the tax payable on their taxable income be paid into the PTF.

Where a request has been made under clause 8 (see above) and the taxpayer has paid the tax due, there is to be paid into the PTF, out of the Consolidated Revenue Fund, an amount equal to 10% of the tax payable on the registered conscientious objectors taxable income.

Clause 10 and 11 provide for the establishment of the PTF; that it will be subject to the Audit Act 1901; and that it will be exempt from Commonwealth, State, and Territory taxes other than sales tax.

Money held by the PTF is to be used only in the performance and exercise of its functions and powers, for remuneration and allowances of members of the Board of Trustees of the PTF (the Board), and payment of managerial expenses of the Board for investing PTF moneys (clause 14).

The Board is not, except with Ministerial approval, to enter into a contract worth more than $500 000 or a lease of land that exceeds 10 years (clause 15).

The Minister is to establish the Board which will be a corporation (clause 17).

The functions and powers of the Board are contained in clauses 18 and 19 and include to enhance the independence and security of Australia by non-violent and non-military means; support research into the non-violent resolution of conflict; support peace education in Australian educational institutions; support research and development involving the conversion of industrial production from military to non-military uses; and to assist nations in the Australian region to develop technologies appropriate to their national development. As well, the regulations may prescribe other function on the Board.

The Board is to consist of nine part-time members appointed by the Minister after consultation with peace groups. The Minister may terminate the appointment of a member because of misbehaviour, physical or mental incapacity, or for absence without leave from three consecutive meetings of the Board (clauses 20 and 25).

The Board is to prepare four yearly strategic plans setting out the way its functions will be performed and an annual operation plan setting out the programs the Board proposes to carry out and the resources it proposes to allocate to each program to give effect to the strategic plan (clauses 28 and 30).

The Governor-General may make regulations, including regulations prescribing penalties not exceeding $500 for offences against the regulations (clause 32).
References


For further information, if required, contact the Law and Government Group.

27 July 1989

Bills Digest Service
Legislative Research Service

This Digest does not have any official legal status. Other sources should be consulted to determine the subsequent official status of the Bill.

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