

1998-99

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES**VOTES AND PROCEEDINGS**

No. 54

TUESDAY, 10 AUGUST 1999

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

2 QUESTIONS

Questions without notice being asked—

Paper

Mr Downer (Minister for Foreign Affairs) presented the following paper:

East Timor—Media reports that the United States plans to send US troops to East Timor—United States Embassy statement, 10 August 1999.

Questions without notice continued.

3 PAPER

The Speaker presented the following paper:

Commonwealth Parliamentary Association travel by Members and Senators—1 July to 31 December 1998.

4 AUDITOR-GENERAL'S REPORTS

The Speaker presented the following papers:

Auditor-General—Audit reports of 1999-2000—

No. 1—Performance audit—Implementing purchaser/provider arrangements between the Department of Health and Aged Care and Centrelink.

No. 2—Financial control and administration audit—Use of financial information in management reports.

No. 3—Performance audit—Electronic Travel Authority: Department of Immigration and Multicultural Affairs.

No. 4—Performance audit—Fraud control arrangements in Employment, Education, Training and Youth Affairs.

No. 5—Performance audit—IP Australia: Productivity and client service.

No. 6—Audit activity report—January to June 1999: Summary of outcomes.

Severally ordered to be printed.

5 PAPERS

The following papers were presented:

Crimes Amendment (Fine Enforcement) Bill 1999—Replacement explanatory memorandum.

Department of Communications, Information Technology and the Arts—Year 2000—Agency-based readiness and Government business entity—Second report, June 1999.

Department of Finance and Administration—Parliamentarians' travel paid by the department for the period July to December 1998—Report, August 1999.

Tax expenditures statement 1997-98—Report of the Department of the Treasury, July 1999.

Western Australian Fisheries Joint Authority Report, 1 July 1997 to 30 June 1998.

6 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—DEFENCE PORTFOLIO

The House was informed that Mr Martin had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The administration of the Defence portfolio by the Minister for Defence”.

The proposed discussion having received the necessary support—

Mr Martin addressed the House.

Discussion ensued.

Suspension of standing and sessional orders moved

Mr Snowdon moved—That so much of the standing and sessional orders be suspended as would prevent the sitting being suspended until the Minister for Defence is in attendance so that he may respond to the serious matters concerning his administration which have been raised during this discussion.

Closure of Member

Mr Williams (Attorney-General) moved—That the Member be not further heard.

Question—put.

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

AYES, 75

Mr Abbott	Mrs Elson	Mr Lawler	Mr St Clair
Mr Anderson	Mr Entsch	Mr Lieberman	Mr Schultz
Mr K. J. Andrews	Mr Fahey	Mr Lloyd	Mr Scott
Mr Anthony	Mr Fischer	Mr McArthur*	Mr Secker
Fran Bailey	Mr Forrest*	Mr I. E. Macfarlane	Mr Slipper
Mr Baird	Mrs Gallus	Mr McGauran	Mr Somlyay
Mr Barresi	Ms Gambaro	Mrs May	Dr Southcott
Mr Bartlett	Mrs Gash	Mr Moore	Dr Stone
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 Prosser	Mr Wakelin
Mr Charles	Mr Katter	Mr Pyne	Dr Washer
Mr Costello	Mrs D. M. Kelly	Mr Reith	Mr Williams
Mr Downer	Jackie Kelly	Mr Ronaldson	Ms Worth
Mr Draper	Dr Kemp	Mr Ruddock	

NOES, 61

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

* Tellers

Pairs

Mr Howard	Mr Beazley
Mr Lindsay	Mr G. J. Evans

And so it was resolved in the affirmative.

Mr Martin (seconder) addressing the House—

Closure of Member

Mr Williams moved—That the Member be not further heard.

Question—put.

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

AYES, 75

Mr Abbott	Mrs Elson	Mr Lawler	Mr St Clair
Mr Anderson	Mr Entsch	Mr Lieberman	Mr Schultz
Mr K. J. Andrews	Mr Fahey	Mr Lloyd	Mr Scott
Mr Anthony	Mr Fischer	Mr McArthur*	Mr Secker
Fran Bailey	Mr Forrest*	Mr I. E. Macfarlane	Mr Slipper
Mr Baird	Mrs Gallus	Mr McGauran	Mr Somlyay
Mr Barresi	Ms Gambaro	Mrs May	Dr Southcott
Mr Bartlett	Mrs Gash	Mr Moore	Dr Stone
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 Prosser	Mr Wakelin
Mr Charles	Mr Katter	Mr Pyne	Dr Washer
Mr Costello	Mrs D. M. Kelly	Mr Reith	Mr Williams
Mr Downer	Jackie Kelly	Mr Ronaldson	Ms Worth
Mrs Draper	Dr Kemp	Mr Ruddock	

NOES, 62

Mr Adams	Ms Gillard	Ms Macklin	Mr Rudd
Mr Albanese	Mr Griffin	Mr McLeay	Mr Sawford*
Mr Bevis	Ms Hall	Mr McMullan	Mr Sciacca
Mr Breton	Mr Hatton	Mr Martin	Mr Sercombe*
Ms Burke	Ms Hoare	Mr Melham	Mr Sidebottom
Mr Cox	Mr Hollis	Mr Morris	Mr Smith
Mr Crean	Mr Horne	Mr Mossfield	Mr Snowdon
Mr Danby	Mrs Irwin	Mr Murphy	Mr Swan
Mr Edwards	Ms Kernot	Ms O'Byrne	Mr Tanner
Ms Ellis	Mr Kerr	Mr O'Connor	Dr Theophanous
Dr Emerson	Mr Latham	Mr O'Keefe	Mr K. J. Thomson
Mr M. J. Evans	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	
Mr Gibbons	Ms J. S. McFarlane	Ms Roxon	

* Tellers

Pairs

Mr Howard Mr Beazley
 Mr Lindsay Mr G. J. Evans

And so it was resolved in the affirmative.

Question—That the motion for the suspension of standing and sessional orders be agreed to—put.

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

AYES, 61

Mr Adams	Mr Griffin	Mr McLeay	Mr Sawford*
Mr Albanese	Ms Hall	Mr McMullan	Mr Sciacca
Mr Bevis	Mr Hatton	Mr Martin	Mr Sercombe*
Ms Burke	Ms Hoare	Mr Melham	Mr Sidebottom
Mr Cox	Mr Hollis	Mr Morris	Mr Smith
Mr Crean	Mr Horne	Mr Mossfield	Mr Snowdon
Mr Danby	Mrs Irwin	Mr Murphy	Mr Swan
Mr Edwards	Ms Kernot	Ms O'Byrne	Mr Tanner
Ms Ellis	Mr Kerr	Mr O'Connor	Dr Theophanous
Dr Emerson	Mr Latham	Mr O'Keefe	Mr K. J. Thomson
Mr M. J. Evans	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	
Mr Gibbons	Ms J. S. McFarlane	Ms Roxon	
Ms Gillard	Ms Macklin	Mr Rudd	

NOES, 75

Mr Abbott	Mrs Elson	Mr Lawler	Mr St Clair
Mr Anderson	Mr Entsch	Mr Lieberman	Mr Schultz
Mr K. J. Andrews	Mr Fahey	Mr Lloyd	Mr Scott
Mr Anthony	Mr Fischer	Mr McArthur*	Mr Secker
Fran Bailey	Mr Forrest*	Mr I. E. Macfarlane	Mr Slipper
Mr Baird	Mrs Gallus	Mr McGauran	Mr Somlyay
Mr Barresi	Ms Gambaro	Mrs May	Dr Southcott
Mr Bartlett	Mrs Gash	Mr Moore	Dr Stone
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 Prosser	Mr Wakelin
Mr Charles	Mr Katter	Mr Pyne	Dr Washer
Mr Costello	Mrs D. M. Kelly	Mr Reith	Mr Williams
Mr Downer	Jackie Kelly	Mr Ronaldson	Ms Worth
Mrs Draper	Dr Kemp	Mr Ruddock	

* Tellers

Pairs

Mr Howard Mr Beazley
 Mr Lindsay Mr G. J. Evans

And so it was negatived.

Discussion continued.

Mr Ronaldson moved—That the business of the day be called on.

Question—put and passed.

7 MAIN COMMITTEE—DAY OF NEXT MEETING

The Deputy Speaker reported that Wednesday, 11 August 1999, at 9.40 a.m., had been fixed for the next meeting of the Main Committee.

8 MATTERS REFERRED TO MAIN COMMITTEE

Mr Ronaldson (Chief Government Whip), by leave, moved—That:

- (1) the following Bills be referred to the Main Committee for further consideration:

Copyright Amendment (Computer Programs) 1999;

Criminal Code Amendment (Slavery and Sexual Servitude) 1999;

Superannuation (Unclaimed Money and Lost Members) 1999;

Superannuation (Unclaimed Money and Lost Members) Consequential and Transitional 1999;

Ministers of State Amendment 1999; and

Australian Tourist Commission Amendment 1999; and

- (2) the following order of the day, committee and delegation reports, be referred to the Main Committee for debate:

Republic Referendum—Joint Select Committee—Advisory report on the Constitution Alteration (Establishment of Republic) 1999 and Presidential Nominations Committee Bill 1999—Motion to take note of paper:
 Resumption of debate.

Question—put and passed.

9 SELECTION COMMITTEE—REPORT

Mr Nehl (Chair) presented the following paper:

Selection Committee—Report relating to the consideration of committee and delegation reports and private Members' business on Monday, 23 August 1999.

10 EMPLOYMENT, EDUCATION AND TRAINING AMENDMENT 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 by Mr Lee 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) is of the opinion that education and training are of fundamental importance to Australia's social and economic well-being;
- (2) notes that many of the emerging issues in employment, education and training are cross-sectoral in nature;
- (3) expresses great concern that the body charged with providing independent, cross-sectoral advice to Government on these significant issues has been dismantled by the Government;
- (4) calls on the Government to establish immediately an independent review of the impact of its changes to the Higher Education Contribution Scheme, one of the roles previously undertaken by the Higher Education Council; and
- (5) notes the commitment of the Australian Labor Party, when returned to government, to re-establish a structure to provide independent, cross-sectoral advice on education and training".

Debate continued.

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

The House divided (the Deputy Speaker, Mrs Gash, in the Chair)—

AYES, 73

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

NOES, 63

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

* Tellers

Pairs

Mr Howard	Mr Beazley
Mr Lindsay	Mr G. J. Evans

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.

Message from the Governor-General

Message No. 100, 31 March 1999, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

Ms Worth (Parliamentary Secretary to the Minister for Education, Training and Youth Affairs) moved—That the Bill be now read a third time.

Debate ensued.

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

11 MESSAGES FROM THE SENATE

Messages from the Senate, 9 August 1999, were reported acquainting the House that:

- (a) Senator Gibbs had been appointed a member of the Joint Standing Committee on Foreign Affairs, Defence and Trade—Message No. 168;
- (b) Senator McLucas had been appointed a member of the Parliamentary Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Fund—Message No. 169; and
- (c) Senator Ludwig had been appointed a member of the Joint Standing Committee on Treaties—Message No. 170.

12 DEFENCE LEGISLATION AMENDMENT 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.

13 ADJOURNMENT

It being 10.30 p.m.—The question was proposed—That the House do now adjourn.

Paper

Mr Andren, by leave, presented the following paper:

Members of Parliament—Entitlements and facilities: election period—Copy of letter from Oliver Winder, General Manager, Department of Finance and Administration, to all Senators and Members, 31 August 1998.

Debate ensued.

Question—put and passed

And then the House, at 10.58 p.m., adjourned until 9.30 a.m. tomorrow.

PAPERS

The following papers were deemed to have been presented on 10 August 1999:

Civil Aviation Act—Civil Aviation Regulations—Exemptions—1999—No. CASA 25.

Corporations Act—Accounting standards Amendment AASB 1037.

Income Tax Assessment Act 1936—Guidelines 1999 Income Tax Assessment (Determination of Offshore Banking Units).

Lands Acquisition Act—

Statement under section 40.

Statement under section 125.

Migration Act—Statement under section 33 10 June 1999.

Telstra Corporation Act—Regulations—Statutory Rules 1999 Nos. 160, 161.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr G. J. Evans, Ms Gerick, Mr Lindsay and Mrs Sullivan.

I. C. HARRIS

Clerk of the House of Representatives