

1998-99

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 77

MONDAY, 18 OCTOBER 1999



1 The House met, at 12.30 p.m., pursuant to adjournment. The Speaker (the Honourable Neil Andrew) took the Chair, and read Prayers.

2 **AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENT BY MEMBER**

Mr Nugent presented the following paper:

Australian Parliamentary Delegation to the third round Australia-China Bilateral Human Rights Dialogue—Report, 1999—

and made a statement in connection with the report.

3 **DEFENCE (RE-ESTABLISHMENT) AMENDMENT BILL 1999**

Mr Beazley (Leader of the Opposition), pursuant to notice, presented a Bill for an Act to amend the *Defence (Re-establishment) Act 1965* in relation to protection of the civil employment of members of the Reserve Forces.

Mr Beazley made a statement in relation to the Bill.

Paper

Mr Beazley, by leave, presented an explanatory memorandum to the Bill.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting, in accordance with standing order 104A.

4 **WORK FOR THE DOLE PROGRAM**

Mrs Elson, pursuant to notice, moved—That the House:

- (1) recognises the widespread community support for the Government's "Work for the dole" program;
- (2) acknowledges the vital role played by the hundreds of community groups and local organisations throughout the nation that conduct local work for the dole projects;
- (3) recognises the social value and community contribution of the work carried out by participants; and

- (4) welcomes the Government's commitment to expanding Work for the dole, as outlined in the 1999-2000 Budget initiative to double the number of Work for the dole places to 50 000 next year—providing hope, experience and opportunity for more young Australian jobseekers.

Debate ensued.

The time allotted for the debate having expired, the debate was interrupted, and the resumption of the debate made an order of the day for the next sitting.

5 YOUNG PEOPLE

Mr Mossfield, pursuant to notice, moved—That this House:

- (1) recognises that there needs to be a greater recognition by all adults of the needs of younger people;
- (2) recognises that there needs to be a nation-wide recognition that young people can gather together without being regarded as potential law-breakers;
- (3) recognises that security personnel need to be far better trained to deal with young people in shopping centres and other public places and that such training enable the security personnel to better determine the correct method of handling young people in public places and shopping centres;
- (4) recognises that adults need to be more publicly exposed to young people and listen uncritically to the views they express and respect young people for the views they hold even if they are not agreed with;
- (5) recognises that Parliament supports the provision of an increase in technical high schools where young people can expand their practical talents where they are not necessarily academically inclined;
- (6) recognises that Parliament recognises the need for increasing dramatically the number of careers advisers available to young people for assistance prior to their leaving school and seeking full time employment; and
- (7) conduct a Parliamentary inquiry into the foregoing in order that proper national policies can be recommended to Government that will assist the advancement of young people of the future.

Debate ensued.

At 1.45 p.m., the time allotted for the debate having expired, the debate was interrupted in accordance with standing order 106A, Mr Cameron was granted leave to continue his speech when the debate is resumed, and the resumption of the debate was made an order of the day for the next sitting.

6 MEMBERS' STATEMENTS

Members' statements were made.

7 MINISTERIAL ARRANGEMENTS

Mr Howard (Prime Minister) informed the House that, during the absence abroad of Mr Downer (Minister for Foreign Affairs), Mr M. A. J. Vaile (Minister for Trade) would be acting Minister for Foreign Affairs.

8 QUESTIONS

Questions without notice being asked—

Mr Lee asking a question—

Speaker's ruling

The Speaker ruled that the question was out of order under standing order 144, as it contained arguments, inferences and imputations.

Dissent from ruling moved

Mr Beazley (Leader of the Opposition) moved—That the ruling be dissented from.

Debate ensued.

Member ordered to withdraw

At 3.33 p.m. the Member for Werriwa (Mr Latham) was ordered, under standing order 304A, to withdraw from the House for one hour for unparliamentary behaviour, and he accordingly withdrew from the Chamber.

Debate continued.

Question—That the ruling be dissented from—put.

The House divided (the Speaker, Mr J. N. Andrew, in the Chair)—

AYES, 60

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

NOES, 73

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

* Tellers

Pairs

| | |
|------------|----------------|
| Mr Barresi | Mrs Crosio |
| Mr Downer | Mr McLeay |
| Mrs Gallus | Mr M. J. Evans |
| Mr Prosser | Ms Burke |
| Mr Somlyay | Ms Kernot |

And so it was negatived.

Questions without notice concluded.

9 MAGNETIC RESONANCE IMAGING EQUIPMENT—MINISTERIAL STATEMENT

Dr Wooldridge (Minister for Health and Aged Care), by leave, made a ministerial statement on magnetic resonance imaging equipment and presented the following papers:

Magnetic resonance imaging—

Applications for approval of MRI equipment—Minute from Jeff Harmer, Managing Director, Health Insurance Commission to Dr Wooldridge, 15 October 1999.

Letter from Dr B. R. Catchlove, Chairman, Health Insurance Commission to Dr Wooldridge, 15 October 1999.

Ms Macklin, by leave, also made a statement with reference to the matter.

10 SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED

Mr Beazley (Leader of the Opposition) moved—That so much of the standing and sessional orders be suspended as would prevent the Leader of the Opposition moving that this House censures the Minister for Health and Aged Care for his failure, either intentionally or through gross negligence, to properly investigate serious allegations of ministerial misconduct, conflict of interest and impropriety and illegality which have been raised in the House in relation to the 1998 MRI Budget decision; for his misleading and evasive answers to questions asked in the House on this matter over an eight month period; and for his attempts to prevent proper investigation of this matter.

Closure of Member

Mr Scott (Minister for Veterans' Affairs) moved—That the Member be not further heard.

Question—put.

The House divided (the Speaker, Mr J. N. Andrew, in the Chair)—

AYES, 72

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

NOES, 59

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

* Tellers

Pairs

| | |
|------------|----------------|
| Mr Barresi | Mrs Crosio |
| Mr Downer | Mr McLeay |
| Mrs Gallus | Mr M. J. Evans |
| Mr Prosser | Ms Burke |
| Mr Somlyay | Mr Crean |

And so it was resolved in the affirmative.

Ms Macklin (seconder) addressing the House—

Closure of Member

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

Question—put.

The House divided (the Speaker, Mr J. N. Andrew, in the Chair)—

AYES, 72

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

NOES, 59

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

* Tellers

Pairs

| | |
|------------|----------------|
| Mr Barresi | Mrs Crosio |
| Mr Downer | Mr McLeay |
| Mrs Gallus | Mr M. J. Evans |
| Mr Prosser | Ms Burke |
| Mr Somlyay | Mr Crean |

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 Speaker, Mr J. N. Andrew, in the Chair)—

AYES, 59

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

NOES, 72

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

* Tellers

Pairs

| | |
|------------|----------------|
| Mr Barresi | Mrs Crosio |
| Mr Downer | Mr McLeay |
| Mrs Gallus | Mr M. J. Evans |
| Mr Prosser | Ms Burke |
| Mr Somlyay | Mr Crean |

And so it was negatived.

11 PETITIONS

Petitions lodged for presentation were announced.

12 PREGNANCY IN THE WORKPLACE

Mrs Elson, pursuant to notice, moved—That the House:

- (1) notes the recent report of the Human Rights and Equal Opportunities Commission, “Pregnant and Productive: It’s a Right not a Privilege to Work while Pregnant”;
- (2) recognises that a significant level of discrimination against pregnant women still exists in many workplaces;
- (3) acknowledges the vital importance of families in Australian society; and
- (4) calls on all employers in Australia to be aware of, and sensitive to, their responsibility to their female employees to ensure they do not suffer discrimination on the grounds of pregnancy.

Debate ensued.

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

13 AUSAID

Mr Hollis, pursuant to notice, moved—That the House:

- (1) expresses its sympathy at the loss of life of three Australian AusAID workers in the recent air crash in Fiji;
- (2) commends AusAID for the work it is performing throughout the South Pacific, especially relating to population and development issues; and
- (3) calls on the Australian Government to at least maintain current funding, but also consider increased aid for development work in the South Pacific.

Debate ensued.

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

14 GRIEVANCE DEBATE

Pursuant to the provisions of standing order 106, the order of the day having been read—

Question proposed—That grievances be noted.

Debate ensued.

Question—That grievances be noted—put and passed.

15 MESSAGES FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS

Messages from His Excellency the Governor-General were announced informing the House that His Excellency, in the name of Her Majesty, had assented to the following Bills:

13 October 1999—Message—

No. 133—

Broadcasting Services Amendment (No. 2) 1999.

Crimes Amendment (Fine Enforcement) 1999.

Customs Tariff Amendment (No. 2) 1999.

Law and Justice Legislation Amendment 1999.

States Grants (General Purposes) Amendment 1999.

Superannuation (Unclaimed Money and Lost Members) 1999.

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

Television Licence Fees Amendment 1999.

National Health Amendment (Lifetime Health Cover) 1999.

No. 134—

Superannuation Contributions and Termination Payments Taxes Legislation Amendment 1999.

Aged Care Amendment (Omnibus) 1999.

Human Rights Legislation Amendment (No. 1) 1999.

Electoral and Referendum Amendment (No. 1) 1999.

16 MESSAGE FROM THE SENATE—CUSTOMS LEGISLATION AMENDMENT BILL (NO. 1) 1999

Message No. 228, 14 October 1999, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend legislation relating to Customs, and for related purposes.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting.

17 TREATIES—JOINT STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER

Mr A. P. Thomson (Chair) presented the following papers:

Treaties—Joint Standing Committee—26th report—An agreement to extend the period of operation of the Joint Defence Facility at Pine Gap—

Report, incorporating a dissenting report, October 1999.

Evidence received by the committee.

Minutes of proceedings.

Ordered—That the report be printed.

Mr A. P. Thomson, Mr Adams, Mr Hardgrave and Mr Wilkie, by leave, made statements in connection with the report.

Mr A. P. Thomson, by leave, moved—That the House take note of the report.

Mr A. P. Thomson 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.

18 FEDERAL MAGISTRATES 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 McClelland 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) believes that the Federal Magistrates Service proposed in the Bill is unlikely to reduce the delays currently being experienced in the Family Court unless significant additional resources are provided;
- (2) calls upon the Government to work with the Family Court of Australia to address the problems identified in the discussion paper entitled *Review of the Federal Civil Justice System* released by the Australian Law Reform Commission; and
- (3) calls for an inquiry by the House of Representatives Legal and Constitutional Affairs Committee into the need to establish standard procedures and case management techniques for Court administration, relying on best practice models”.

Debate continued.

19 ADJOURNMENT

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

Debate ensued.

The House continuing to sit until 11 p.m.—The Speaker adjourned the House until tomorrow at 2 p.m.

PAPERS

The following papers were deemed to have been presented on 18 October 1999:

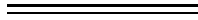
Currency Act—Determination 1999 No. 5.

Financial Management and Accountability Act—Financial Management and Accountability Orders Amendment 1999 No. 4.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Andren, Mr Barresi, Ms Burke*, Mrs Crosio, Mr Downer, Mr M. J. Evans, Mrs Gallus, Mr McLeay, Mr Prosser* and Mr Somlyay.

* On leave



I. C. HARRIS

Clerk of the House of Representatives