

1998-1999-2000

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 113

WEDNESDAY, 31 MAY 2000



1 The House met, at 9.30 a.m., pursuant to adjournment. The Speaker (the Honourable Neil Andrew) took the Chair, and read Prayers.

2 HEALTH LEGISLATION AMENDMENT BILL (NO. 3) 2000

Dr Wooldridge (Minister for Health and Aged Care), pursuant to notice, presented a Bill for an Act to amend legislation relating to health, and for related purposes.

Bill read a first time.

Dr Wooldridge moved—That the Bill be now read a second time.

Paper

Dr Wooldridge presented an explanatory memorandum to the Bill.

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

3 TOBACCO ADVERTISING PROHIBITION AMENDMENT BILL 2000

Dr Wooldridge (Minister for Health and Aged Care), pursuant to notice, presented a Bill for an Act to amend the *Tobacco Advertising Prohibition Act 1992*.

Bill read a first time.

Dr Wooldridge moved—That the Bill be now read a second time.

Paper

Dr Wooldridge presented an explanatory memorandum to the Bill.

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

4 NATIONAL HEALTH AMENDMENT BILL (NO. 1) 2000

Dr Wooldridge (Minister for Health and Aged Care), pursuant to notice, presented a Bill for an Act to amend the *National Health Act 1953*, and for related purposes.

Bill read a first time.

Dr Wooldridge moved—That the Bill be now read a second time.

Paper

Dr Wooldridge presented an explanatory memorandum to the Bill.

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

5 NEW BUSINESS TAX SYSTEM (ALIENATION OF PERSONAL SERVICES INCOME) BILL 2000

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 Crean (Deputy Leader of the Opposition) 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 condemns the Treasurer for his continued soft treatment of tax avoiders, specifically by failing to:

- (1) fully implement the announced policies which he publicly committed to introduce; and
- (2) reach the revenue projections promised in his announcements, thus breaching his commitment to revenue neutrality for the business tax package”.

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

NOES, 59

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

* Tellers

Pairs

Mr Howard	Mr Beazley
Ms J. I. Bishop	Ms Kernot
Mr Schultz	Mr Wilton

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.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the Bill was read a third time.

6 NEW BUSINESS TAX SYSTEM (ALIENATED PERSONAL SERVICES INCOME) TAX IMPOSITION BILL (NO. 1) 2000

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 Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the Bill was read a third time.

7 NEW BUSINESS TAX SYSTEM (ALIENATED PERSONAL SERVICES INCOME) TAX IMPOSITION BILL (NO. 2) 2000

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 Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the Bill was read a third time.

8 SALES TAX (CUSTOMS) (INDUSTRIAL SAFETY EQUIPMENT) BILL 2000

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 K. J. Thomson 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) condemns the Government for its mis-management of the sales tax regime; and
- (2) notes that instead of simplifying the tax system the Government has made it more complicated”.

It being 2 p.m., the debate was interrupted in accordance with standing order 101A, and the resumption of the debate made an order of the day for a later hour this day.

9 QUESTIONS

Questions without notice being asked—

Paper

Mr Albanese, by leave, presented the following paper:

Tweed Parks Review, May 2000.

Questions without notice continued.

10 YIRRKALA BARK PETITIONS—STATEMENT BY SPEAKER

The Speaker made a statement in response to a question from Mr Snowdon on 13 April 2000 concerning the Yirrkala bark petitions.

11 TREATIES—JOINT STANDING COMMITTEE—STATEMENT BY SPEAKER

The Speaker made a statement in response to a question from Mr Price yesterday concerning the responsibilities of the Joint Standing Committee on Treaties.

12 AUDITOR-GENERAL'S REPORT

The Speaker presented the following paper:

Auditor-General—Audit report No. 45 of 1999-2000—Performance audit—Commonwealth foreign exchange risk management practices.

Ordered to be printed.

13 COMMITTEES—MEMBERSHIP

The House was informed that the Government Whip had nominated Members to be members of certain committees.

Mr Reith (Leader of the House), by leave, moved—That:

- (1) Mrs Elson be discharged from the Standing Committee on Family and Community Affairs and that, in her place, Mrs Gash be appointed a member of the committee; and

- (2) Mrs Gash be discharged from the Standing Committee on Employment, Education and Workplace Relations and that, in her place, Mrs Elson be appointed a member of the committee.

Question—put and passed.

14 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—MINISTERIAL RESPONSIBILITY

The House was informed that Ms Macklin had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The need for the Minister for Health and Aged Care to fully comply with the Prime Minister’s Guide to Key Elements of Ministerial Responsibility in responding to the Auditor-General’s report on magnetic resonance imaging”.

The proposed discussion having received the necessary support—

Ms Macklin addressed the House.

Discussion ensued.

Discussion concluded.

15 PETROLEUM EXCISE AMENDMENT (MEASURES TO ADDRESS EVASION) BILL 2000—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the Main Committee had returned the Bill for further consideration (*see item No. 3, Minutes of Proceedings of the Main Committee*), and presented a certified copy of the Bill.

Debate resumed on the question—That the words proposed to be omitted stand part of the question.

Question—put.

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

AYES, 74

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

NOES, 61

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

* Tellers

Pairs

Mr Howard	Mr Beazley
Ms J. I. Bishop	Ms Kernot
Mr Schultz	Mr Wilton

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.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the Bill was read a third time.

16 SALES TAX (CUSTOMS) (INDUSTRIAL SAFETY EQUIPMENT) BILL 2000

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 K. J. Thomson, 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:

- (1) condemns the Government for its mis-management of the sales tax regime; and
- (2) notes that instead of simplifying the tax system the Government has made it more complicated”—

Debate resumed.

Amendment negatived.

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

Leave granted for third reading to be moved forthwith.

Mr McGauran (Minister for the Arts and the Centenary of Federation) moved—
That the Bill be now read a third time.

Debate ensued.

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

17 SALES TAX (EXCISE) (INDUSTRIAL SAFETY EQUIPMENT) BILL 2000

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 Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the Bill was read a third time.

18 SALES TAX (GENERAL) (INDUSTRIAL SAFETY EQUIPMENT) BILL 2000

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 Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the Bill was read a third time.

19 SALES TAX (INDUSTRIAL SAFETY EQUIPMENT) (TRANSITIONAL PROVISIONS) BILL 2000

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 Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the Bill was read a third time.

20 WORKPLACE RELATIONS AMENDMENT BILL 2000

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.

Mr Bevis moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words:

“the House:

(1) condemns the Government for introducing a bill which:

(a) further entrenches unfairness and bias in the existing industrial relations system;

- (b) is particularly biased in its application to unions only while allowing employers including the Commonwealth Government to foster and use pattern bargaining;
 - (c) directs the Australian Industrial Commission to have particular regard to the views of an employer when determining what constitutes pattern bargaining;
 - (d) reduces the opportunity for Australian workers to protect and enhance their wages and conditions of employment;
 - (e) further restricts the independence of the Commission;
 - (f) emphasises the punishment and prevention of industrial action rather than its resolution;
 - (g) fails to ensure that Australia's labour standards meet our international obligations;
 - (h) has been introduced without providing the Parliament or the public with a proper period for consideration and consultation;
 - (i) reveals the Government's partiality in failing to consult any further than employer groups on the bill; and
- (2) calls on the Government to introduce a new bill which:
- (a) delivers fair and equitable outcomes for Australian workers; and
 - (b) provides for an independent commission with the appropriate power to conciliate and arbitrate fairly and settle disputes".

Debate continued.

Mr McArthur addressing the House—

21 ADJOURNMENT

It being 7.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 8 p.m.—The Speaker adjourned the House until tomorrow at 9.30 a.m.

PAPERS

The following papers were deemed to have been presented on 31 May 2000:

National Health Act—Determinations—2000 No. PIB 7.

Radiocommunications Act—Determinations—2000 Radiocommunications Licence Conditions (Fixed Licence) Amendment (No. 1).

Telecommunications Act 1997—

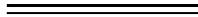
Determinations—2000 Telecommunications (Annual Numbering Charge—Late Payment Penalty).

Instruments—2000 Telecommunications Numbering Plan Amendment (No. 1).
Telecommunications (Numbering Charges) Act—Determinations—2000
Telecommunications (Exemption from Annual Charge).
Veterans' Entitlements Act—Instruments—2000 No. 9.



ATTENDANCE

All Members attended (at some time during the sitting) except Ms J. I. Bishop, Mr Fitzgibbon, Mrs Gallus, Ms Kernot, Mr Schultz, Dr Theophanous and Mr Wilton.



I. C. HARRIS

Clerk of the House of Representatives

1998-1999-2000

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 113

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

WEDNESDAY, 31 MAY 2000

1 The Main Committee met at 9.40 a.m.

2 MEMBERS' STATEMENTS

Members' statements were made.

3 PETROLEUM EXCISE AMENDMENT (MEASURES TO ADDRESS EVASION) BILL 2000

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 K. J. Thomson, 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:

- (1) condemns the Government for its inaction on the dangerous practice of fuel substitution and in particular, for allowing the Australian Taxation Office to cease random testing of fuel;
- (2) notes that fuel substitution is a dangerous practice that reduces engine performance, leads to total breakdown of engines, defrauds the Commonwealth of millions of dollars in revenue and harms the environment;
- (3) notes that the Commonwealth Parliament has a responsibility for ensuring that fuel substitution does not occur, including the testing of retail fuel; and
- (4) calls on the Government to ensure that the activity of fuel substitution is really brought to an end”—

Debate resumed.

Mr Hawker moved—That further proceedings on the Bill be conducted in the House.

Question—put and passed.

4 LOCAL GOVERNMENT (FINANCIAL ASSISTANCE) AMENDMENT BILL 2000

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 Tanner, 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 expressed its concern that the Government:

- (1) has cut Financial Assistance Grants (FAGs) to local government in real terms since coming to office;
- (2) attempted to terminate the 25 year Commonwealth local government funding partnership by trying to transfer responsibility for local government FAGs funding to the states;
- (3) promised to exempt local government services from the GST before the 1998 election only to renege on this commitment within months of regaining office;
- (4) through the GST, has imposed a regressive and unfair tax on essential services provided by local government to communities in regional Australia; and
- (5) has hit councils with major GST compliance costs with inadequate compensation or assistance”—

Debate resumed.

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

5 ADJOURNMENT

On the motion of Mr Wakelin, the Main Committee adjourned at 1 p.m.

The Deputy Speaker fixed tomorrow at 9.40 a.m. for the next meeting of the Main Committee.

B. C. WRIGHT
Clerk of the Main Committee