

1998-1999-2000-2001

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 167

WEDNESDAY, 28 FEBRUARY 2001



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 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:

- (1) notices Nos 1 and 2 on the Notice Paper in the name of the Leader of the Opposition, for the introduction of bills to provide relief for the 1 February excise rate increase for petroleum and the related customs rate increase, being called on forthwith; and
- (2) the bills being passed through all stages without delay.

Closure of Member

Mr Anthony (Minister for Community Services) moved—That the Member be not further heard.

Question—put.

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

AYES, 73

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

NOES, 61

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

* Tellers

Pairs

Mr Fahey	Ms O'Byrne
Mrs Moylan	Mr Rudd

And so it was resolved in the affirmative.

Mr McMullan (seconder) addressing the House—

Closure of Member

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

Question—put.

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

AYES, 73

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

NOES, 62

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

* Tellers

Pairs

Mr Fahey	Ms O'Byrne
Mrs Moylan	Mr Rudd

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, 62

Mr Adams	Mr L. D. T. Ferguson	Mr Latham	Mr Ripoll
Mr Albanese	Mr M. J. Ferguson	Dr Lawrence	Ms Roxon
Mr Beazley	Mr Fitzgibbon	Ms Livermore	Mr Sawford*
Mr Bevis	Ms Gerick	Mr McClelland	Mr Sciacca
Mr Brereton	Mr Gibbons	Ms J. S. McFarlane	Mr Sercombe*
Ms Burke	Ms Gillard	Mr McLeay	Mr Sidebottom
Mr Byrne	Mr Griffin	Mr McMullan	Mr Smith
Ms Corcoran	Ms Hall	Dr Martin	Mr Snowdon
Mr Cox	Mr Hatton	Mr Melham	Mr Swan
Mr Crean	Ms Hoare	Mr Morris	Mr Tanner
Mrs Crosio	Mr Hollis	Mr Mossfield	Dr Theophanous
Mr Danby	Mr Horne	Mr Murphy	Mr K. J. Thomson
Mr Edwards	Mrs Irwin	Mr O'Connor	Mr Wilkie
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Mr Barresi	Mrs Gash	Mrs May	Mr C. P. Thompson
Mr Bartlett	Mr Georgiou	Mr Nairn	Mr A. P. Thomson
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Mrs B. K. Bishop	Mr Hardgrave	Dr Nelson	Mr M. A. J. Vaile
Ms J. I. Bishop	Mr Hawker	Mr Neville	Mrs D. S. Vale
Mr Brough	Mr Hockey	Mr Nugent	Mr Wakelin
Mr Cadman	Mrs Hull	Mr Prosser	Dr Washer
Mr Cameron	Mr Jull	Mr Pyne	Mr Williams
Mr Causley	Mr Katter	Mr Reith	Dr Wooldridge
Mr Charles	Mrs D. M. Kelly	Mr Ronaldson	Ms Worth
Mr Costello	Jackie Kelly	Mr Ruddock	
Mr Downer	Dr Kemp	Mr St Clair	
Mr Draper	Mr Lawler	Mr Schultz	

* Tellers

Pairs

Mr Fahey	Ms O'Byrne
Mrs Moylan	Mr Rudd

And so it was negatived.

3 COPYRIGHT AMENDMENT (PARALLEL IMPORTATION) BILL 2001

Mr Williams (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Copyright Act 1968*, and for related purposes.

Bill read a first time.

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

Paper

Mr Williams 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 FAMILY AND COMMUNITY SERVICES LEGISLATION AMENDMENT (NEW ZEALAND CITIZENS) BILL 2001

Mr Anthony (Minister representing the Minister for Family and Community Services), pursuant to notice, presented a Bill for an Act to amend the social security law and certain other laws in relation to residence requirements, and for related purposes.

Bill read a first time.

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

Paper

Mr Anthony 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 CUSTOMS TARIFF PROPOSAL

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) moved Customs Tariff Proposal No. 1 (2001).

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

6 APPROPRIATION BILL (NO. 3) 2000-2001

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 condemns this Government for its:

- (1) failure to address the significant investment needs in the areas of education and health and the provision of social and employment services since coming to Government;
- (2) blowout in the cost of the Pharmaceutical Benefits Scheme and the threat this presents to the sustainability of Australia’s subsidised medicines scheme;
- (3) belated and inadequate attempts to remedy the chronic underfunding of research and innovation;

- (4) mismanagement of the Defence Budget;
- (5) refusal to remove the effects of the sale of the rest of Telstra from the Budget aggregates consistent with the resolution of the Senate of 16 March 2000, the findings of the Besley report and the wishes of the Leader of the National Party;
- (6) mishandling of the move to accrual accounting by providing complex, confusing and uninformative budget documents;
- (7) wasteful and profligate spending on poor quality programs to buy Democrat support for its unfair GST;
- (8) failure to identify in the Budget papers the full cost of GST collection and implementation;
- (9) failure to put in place arrangements that deliver its guarantee that no Australian will be worse off as a result of the GST package; and
- (10) bungling of the Business Activity Statement which has sent many small businesses to the wall”—

Debate resumed.

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.

7 QUESTIONS

Questions without notice being asked—

Paper

Dr Wooldridge (Minister for Health and Aged Care) presented the following paper:

Pharmaceutical Benefits Scheme—Copy of letter from Ms Macklin to Dr Wooldridge, 2 July 1998.

Questions without notice continuing—

Member ordered to withdraw

At 2.56 p.m. the Member for Chifley (Mr Price) was ordered, under standing order 304A, to withdraw from the House for one hour for continuing to interject after a warning had been given from the Chair, and he accordingly withdrew from the Chamber.

Questions without notice continuing—

Members ordered to withdraw

At 3.26 p.m. the Member for Fisher (Mr Slipper—Parliamentary Secretary to the Minister for Finance and Administration) and the Member for Hindmarsh (Mrs Gallus—Parliamentary Secretary to the Minister for Reconciliation and Aboriginal and Torres Strait Islander Affairs) were ordered, under standing order 304A, to withdraw from the House for one hour for continuing to interject after a warning had been given from the Chair, and they accordingly withdrew from the Chamber.

Questions without notice continued.

8 PAPER

Mr Anderson (Deputy Prime Minister), by indulgence, added to an answer given during question time and presented the following paper:

Voting advice—Peter Beattie and Labor—Putting Queensland First, Australian Labor Party.

9 AUDITOR-GENERAL'S REPORT

The Speaker presented the following paper:

Auditor-General—Audit report No. 29 of 2000-2001—Performance Audit—Review of Veterans' Appeals Against Disability Compensation Entitlement Decisions: Department of Veterans' Affairs Veterans' Review Board.

Ordered to be printed.

10 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—FUEL TAX WINDFALL

The House was informed that Mr Crean (Deputy Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The continuing cost to Australian motorists, at over \$1 million a day, of the Government's dithering on giving back the fuel tax windfall".

The proposed discussion having received the necessary support—

Mr Crean addressed the House.

Discussion ensued.

Discussion concluded.

11 POSTPONEMENT OF ORDERS OF THE DAY

Ordered—That orders of the day Nos 2 and 3, government business, be postponed until a later hour this day.

12 PARLIAMENTARY ZONE—PLANTING OF INTERNATIONAL TREE OF PEACE—APPROVAL OF PROPOSAL

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) on behalf of Mr Anderson (Minister representing the Minister for Regional Services, Territories and Local Government), pursuant to notice, moved—That, in accordance with section 5 of the *Parliament Act 1974*, the House approves the following proposal for work in the Parliamentary Zone which was presented to the House on 26 February 2001, namely: Planting of International Tree of Peace.

Question—put and passed.

13 PARLIAMENTARY ZONE—CONSTRUCTION OF A PERMANENT CROWD SAFETY RAIL TO REPLACE EXISTING TEMPORARY ARRANGEMENTS—APPROVAL OF PROPOSAL

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, moved—That, in accordance with section 5 of the *Parliament Act 1974*, the House approves the following proposal for work in the Parliamentary Zone which was presented to the House on 6

February 2001, namely: Construction of a permanent crowd safety rail to replace existing temporary arrangements.

Question—put and passed.

14 MESSAGES FROM THE SENATE

Messages from the Senate were reported:

- (a) transmitting the following resolutions agreed to by the Senate approving, in accordance with section 5 of the *Parliament Act 1974*, proposals for works within the Parliament Zone:
 - (i) the planting of the International Tree of Peace in Peace Park—27 February 2001—Message No. 551;
 - (ii) construction of a permanent crowd safety rail at Parliament Drive, in front of Parliament House—28 February 2001—Message No. 552; and
- (b) returning the Sydney Harbour Federation Trust Bill 2000 and acquainting the House that the Senate does not insist upon its amendments Nos 22 to 24, 26, 27 and 31 to amendments Nos 13, 16 and 17 made by the House; and has agreed to the amendments made by the House in place of Senate amendments Nos 27 and 31—28 February 2001—Message No. 553.

15 CUSTOMS TARIFF AMENDMENT BILL (NO. 4) 2000—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the Bill had been fully considered by the Main Committee and agreed to without amendment, and presented a certified copy of the Bill.

Bill agreed to.

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

16 SUPERANNUATION LEGISLATION AMENDMENT (POST-RETIREMENT COMMUTATIONS) BILL 2000—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the Bill had been fully considered by the Main Committee, a Governor-General's message recommending an appropriation had been reported, and the Bill had been agreed to without amendment, and presented a certified copy of the Bill.

Bill agreed to.

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

17 TREASURY LEGISLATION AMENDMENT (APPLICATION OF CRIMINAL CODE) BILL 2000—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the Bill had been fully considered by the Main Committee and agreed to with an amendment (*see item No. 5, Minutes of Proceedings of the Main Committee*), and presented a certified copy of the Bill together with a schedule of the amendment.

Amendment made by the Main Committee agreed to.

Bill, as amended, agreed to.

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

18 APPROPRIATION BILL (NO. 3) 2000-2001

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, (see item No. 6, page 2113)—*

Debate resumed.

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

19 ADJOURNMENT

Ms Worth (Parliamentary Secretary to the Minister for Education, Training and Youth Affairs) moved—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 28 February 2001:

Acts Interpretation Act—Statements relating to delay in furnishing report within specified period—National Residue Survey Annual Report for 1999-2000—Explanatory Statement by the Department of Agriculture, Fisheries and Forestry.

Response by Senator the Hon Judith Troeth, Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Fahey*, Mr Lee, Mrs Moylan, Ms O'Byrne*, Ms Plibersek* and Mr Rudd.

* On leave

I. C. HARRIS
Clerk of the House of Representatives

1998-1999-2000-2001

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 167

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

WEDNESDAY, 28 FEBRUARY 2001

1 Due to divisions having been called in the House, the Main Committee met at 9.55 a.m.

2 **MEMBERS' STATEMENTS**

Members' statements were made.

3 **CUSTOMS TARIFF AMENDMENT BILL (NO. 4) 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.

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

Leave granted for the question on the report to be put forthwith.

Question—That the Bill be reported to the House without amendment—put and passed.

4 **SUPERANNUATION LEGISLATION AMENDMENT (POST-RETIREMENT COMMUTATIONS) 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 condemns the Government for putting in place an inequitable tax in the form of the superannuation surcharge and for its neglect of the retirement income needs of Australians through the lack of planning and series of poor decisions on superannuation”.

Debate continued.

Amendment negatived.

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. 282, 1 December 2000, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

Leave granted for the question on the report to be put forthwith.

Question—That the Bill be reported to the House without amendment—put and passed.

5 TREASURY LEGISLATION AMENDMENT (APPLICATION OF CRIMINAL CODE) 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.

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

Consideration in detail

Bill, by leave, taken as a whole.

On the motion of Mr Emerson, the Opposition amendment was made.

Bill, as amended, agreed to.

Consideration in detail concluded.

Question—That the Bill be reported to the House with an amendment—put and passed.

6 DEFENCE 2000—PAPER AND MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER

The order of the day having been read for the resumption of the debate on the motion of Ms Worth (Parliamentary Secretary to the Minister for Education, Training and Youth Affairs)—That the House take note of the paper (*presented on 6 December 2000*), viz.:

Defence 2000—Paper and Ministerial Statement—

Debate resumed.

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

7 ADJOURNMENT

On the motion of Mr Causley, 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