

1998-1999-2000-2001

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 189

THURSDAY, 7 JUNE 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 HIGHER EDUCATION FUNDING AMENDMENT BILL 2001**

Dr Kemp (Minister for Education, Training and Youth Affairs), pursuant to notice, presented a Bill for an Act to amend legislation relating to higher education, and for related purposes.

Bill read a first time.

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

*Paper*

Dr Kemp presented an explanatory memorandum to the Bill.

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

**3 VOCATIONAL EDUCATION AND TRAINING FUNDING AMENDMENT BILL 2001**

Dr Kemp (Minister for Education, Training and Youth Affairs), pursuant to notice, presented a Bill for an Act to amend the *Australian National Training Authority Act 1992* and the *Vocational Education and Training Funding Act 1992*, and for related purposes.

Bill read a first time.

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

*Paper*

Dr Kemp presented an explanatory memorandum to the Bill.

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

**4 STATES GRANTS (PRIMARY AND SECONDARY EDUCATION ASSISTANCE) AMENDMENT BILL 2001**

Dr Kemp (Minister for Education, Training and Youth Affairs), pursuant to notice, presented a Bill for an Act to amend the *States Grants (Primary and Secondary Education Assistance) Act 2000*, and for related purposes.

Bill read a first time.

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

*Paper*

Dr Kemp presented an explanatory memorandum to the Bill.

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

**5 INDIGENOUS EDUCATION (TARGETED ASSISTANCE) AMENDMENT BILL 2001**

Dr Kemp (Minister for Education, Training and Youth Affairs), pursuant to notice, presented a Bill for an Act to amend the *Indigenous Education (Targeted Assistance) Act 2000*, and for related purposes.

Bill read a first time.

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

*Paper*

Dr Kemp presented an explanatory memorandum to the Bill.

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

**6 BANKRUPTCY LEGISLATION AMENDMENT BILL 2001**

Mr Williams (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the law relating to bankruptcy, 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 Swan), and the resumption of the debate made an order of the day for the next sitting.

**7 BANKRUPTCY (ESTATE CHARGES) AMENDMENT BILL 2001**

Mr Williams (Attorney-General) presented a Bill for an Act to amend the *Bankruptcy (Estate Charges) Act 1997*, 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 Swan), and the resumption of the debate made an order of the day for the next sitting.

**8 MESSAGE FROM THE GOVERNOR-GENERAL—APPROPRIATION (HIH ASSISTANCE) BILL 2001**

Message No. 312, 5 June 2001, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

Mr Hockey (Minister for Financial Services and Regulation), pursuant to notice, presented a Bill for an Act to appropriate money to provide financial assistance to HIH eligible persons, and for related purposes.

Bill read a first time.

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

*Paper*

Mr Hockey presented an explanatory memorandum to the Bill.

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

**9 FINANCIAL SERVICES REFORM (CONSEQUENTIAL PROVISIONS) BILL 2001**

Mr Hockey (Minister for Financial Services and Regulation), pursuant to notice, presented a Bill for an Act to repeal or amend certain Acts as a consequence of the enactment of the *Financial Services Reform Act 2001*, and for other purposes.

Bill read a first time.

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

*Paper*

Mr Hockey presented an explanatory memorandum to the Bill.

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

**10 CORPORATIONS (FEES) AMENDMENT BILL 2001**

Mr Hockey (Minister for Financial Services and Regulation) presented a Bill for an Act to amend the *Corporations (Fees) Act 2001*.

Bill read a first time.

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

*Paper*

Mr Hockey presented an explanatory memorandum to the Bill.

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

**11 CORPORATIONS (NATIONAL GUARANTEE FUND LEVIES) AMENDMENT BILL 2001**

Mr Hockey (Minister for Financial Services and Regulation) presented a Bill for an Act to amend the *Corporations (National Guarantee Fund Levies) Act 2001*.

Bill read a first time.

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

*Paper*

Mr Hockey presented an explanatory memorandum to the Bill.

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

## 12 CORPORATIONS (COMPENSATION ARRANGEMENTS LEVIES) BILL 2001

Mr Hockey (Minister for Financial Services and Regulation) presented a Bill for an Act to impose levies in respect of compensation arrangements for financial services markets, and for related purposes.

Bill read a first time.

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

*Paper*

Mr Hockey presented an explanatory memorandum to the Bill.

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

## 13 TAXATION LAWS AMENDMENT BILL (NO. 2) 2001

Mr Truss (Minister for Agriculture, Fisheries and Forestry) presented a Bill for an Act to amend the law relating to taxation, and for related purposes.

Bill read a first time.

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

*Paper*

Mr Truss presented an explanatory memorandum to the Bill.

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

## 14 EXCISE TARIFF AMENDMENT BILL (NO. 2) 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—

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.

## 15 QUESTIONS

Questions without notice being asked—

*Member ordered to withdraw*

At 2.14 p.m. the Member for Prospect (Mrs Crosio) 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 she accordingly withdrew from the Chamber.

Questions without notice continuing—

*Paper*

Mr Swan, by leave, presented the following paper:

Youth allowance—Copy of question and answer to Senate question No. 3503—  
Senator Evans to Senator Vanstone.

Questions without notice continuing—

*Member ordered to withdraw*

At 2.57 p.m. the Member for Brisbane (Mr Bevis) 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 continued.

#### 16 PAPER

Mr Brough (Minister for Employment Services), by indulgence, added to an answer given during question time yesterday and presented the following paper:

Dinner briefing—Copy of special invitation from Sarina Russo to attend a dinner briefing with Mr Beazley and Ms Kernot.

#### 17 AUDITOR-GENERAL'S REPORTS

The Speaker presented the following papers:

Auditor-General—Audit reports of 2000-2001—Performance audits—

No. 47—Managing for quarantine effectiveness: Department of Agriculture, Fisheries and Forestry—Australia.

No. 48—Air traffic data collection: Airservices Australia.

Severally ordered to be printed.

#### 18 PAPER

The following paper was presented:

Airservices Australia—Sydney Airport—Maximum movement limit compliance statement for the period January to March 2001.

#### 19 SPECIAL ADJOURNMENT

Mr Reith (Leader of the House) moved—That the House, at its rising, adjourn until Monday, 18 June 2001, at 12.30 p.m., unless the Speaker fixes an alternative day or hour of meeting.

Question—put and passed.

#### 20 ILLEGAL FISHING IN THE SOUTHERN OCEAN—GOVERNMENT RESPONSES—MINISTERIAL STATEMENT

Mr Tuckey (Minister for Forestry and Conservation), by leave, made a ministerial statement on recent Government responses to illegal fishing in the Southern Ocean.

Mr O'Connor, by leave, also made a statement on the matter.

**21 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—SOCIAL AND ECONOMIC POLICY**

The House was informed that Ms Kernot had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The adverse consequences of Government social and economic policy on employment”.

The proposed discussion having received the necessary support—

Ms Kernot addressed the House.

Discussion ensued.

Discussion concluded.

**22 MESSAGE FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS**

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

5 June 2001—Message No. 313—

Sydney Airport Demand Management Amendment 2001.

Communications and the Arts Legislation Amendment 2001.

**23 GREAT BARRIER REEF MARINE PARK AMENDMENT BILL 2001—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 Dr Stone (Parliamentary Secretary to the Minister for the Environment and Heritage), by leave, the Bill was read a third time.

**24 PRIME MINISTER AND CABINET LEGISLATION AMENDMENT (APPLICATION OF CRIMINAL CODE) BILL 2001—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the Main Committee had returned the Bill for further consideration (*see item No. 4, Minutes of Proceedings of the Main Committee*), and presented a certified copy of the Bill.

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) resumed his speech.

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Slipper, the Bill was read a third time.

**25 PRIVILEGES COMMITTEE—REPORTS—STATEMENT BY MEMBER**

Mr Somlyay (Chair) presented the following papers:

Privileges Committee—

Alleged threats or intimidation against a witness before the Defence Subcommittee of the Joint Standing Committee on Foreign Affairs, Defence and Trade—Report, May 2001.

Possible unauthorised disclosure of in camera evidence to the Defence Subcommittee of the Joint Standing Committee on Foreign Affairs, Defence and Trade—Report, June 2001.

Minutes of proceedings (2).

Ordered—That the reports be printed.

Mr Somlyay, by leave, made a statement in connection with the reports.

## 26 EXCISE TARIFF AMENDMENT BILL (NO. 2) 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—

Debate resumed.

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## 27 ADJOURNMENT

It being 5.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 6 p.m.—The Speaker adjourned the House until Monday, 18 June 2001, at 12.30 p.m., in accordance with the resolution agreed to this sitting.

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## PAPERS

The following papers were deemed to have been presented on 7 June 2001:

A New Tax System (Goods and Services Tax) Act—Regulations—Statutory Rules 2001 No. 126.

Administrative Appeals Tribunal Act—Regulations—Statutory Rules 2001 No. 116.

Air Navigation Act—Regulations—Statutory Rules 2001 No. 125.

Australian Prudential Regulation Authority Act—Determination—2001 Australian Prudential Regulation Authority (Commonwealth Costs).

Authorised Deposit-taking Institutions Supervisory Levy Imposition Act—Determination—2001 Authorised Deposit-taking Institutions Supervisory Levy Imposition.

Authorised Non-operating Holding Companies Supervisory Levy Imposition Act—Determination—2001 Authorised Non-operating Holding Companies Supervisory Levy Imposition.

Civil Aviation Act—Civil Aviation Regulations—Airworthiness Directives—Part 39-105—2001 28, 29 (4) May.

Part 39-107—2001 28 May.

Customs Act—

Instruments of approval—2001 Nos 3, 4.

Regulations—Statutory Rules 2001 No. 119.

Family Law Act—Regulations—Statutory Rules 2001 No. 117.

Federal Court of Australia Act—Rules of Court—Statutory Rules 2001 No. 127.

Fuel Sales Grants Act—Regulations—Statutory Rules 2001 No. 121.

General Insurance Supervisory Levy Imposition Act—Determination—2001 General Insurance Supervisory Levy Imposition.

Health Insurance Act—Regulations—Statutory Rules 2001 No. 122.

International Monetary Agreements Act—Australian Government Loan to Papua New Guinea—23 March 2001—National Interest Statement.

Life Insurance Supervisory Levy Imposition Act—Determination—2001 Life Insurance Supervisory Levy Imposition.

Mutual Assistance in Criminal Matters Act—Regulations—Statutory Rules 2001 No. 120.

National Health Act—Regulations—Statutory Rules 2001 No. 123.

National Residue Survey (Customs) Levy Act, the National Residue Survey (Excise) Levy Act and the Primary Industries Levies and Charges Collection Act—Regulations—Statutory Rules 2001 No. 115.

Primary Industries (Customs) Charges Act—Regulations—Statutory Rules 2001 Nos 108, 112.

Primary Industries (Customs) Charges Act, Primary Industries (Excise) Levies Act and Primary Industries Levies and Charges Collection Act—Regulations—Statutory Rules 2001 No. 111.

Primary Industries (Excise) Levies Act—Regulations—Statutory Rules 2001 Nos 109, 113.

Primary Industries Levies and Charges Collection Act—Regulations—Statutory Rules 2001 Nos 110, 114.

Private Health Insurance Incentives Act—Regulations—Statutory Rules 2001 No. 124.

Retirement Savings Account Providers Supervisory Levy Imposition Act—Determination—2001 Retirement Savings Account Providers Supervisory Levy Imposition.

Sex Discrimination Act 1984—Regulations—Statutory Rules 2001 No. 118.

Superannuation Supervisory Levy Imposition Act—Determination—2001 Superannuation Supervisory Levy Imposition.

Textile, Clothing and Footwear Strategic Investment Program Act—Textile, Clothing and Footwear Strategic Investment Program Scheme—2001 Amendment (No. 2).





**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Adams, Mr Brereton, Mrs Draper, Ms Gerick\*, Mr Katter, Ms Livermore and Mr M. A. J. Vaile.

\* On leave



**I. C. HARRIS**

Clerk of the House of Representatives

**HOUSE OF REPRESENTATIVES**  
**SUPPLEMENT TO VOTES AND PROCEEDINGS**

No. 189

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

**THURSDAY, 7 JUNE 2001**

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1 The Main Committee met at 9.40 a.m.

**2 MEMBERS' STATEMENTS**

Members' statements were made.

**3 GREAT BARRIER REEF MARINE PARK AMENDMENT BILL 2001**

The order of the day having been read for the second reading—Dr Stone (Parliamentary Secretary to the Minister for the Environment and Heritage) moved—That the Bill be now read a second time.

*Paper*

Dr Stone presented a revised explanatory memorandum to the Bill.

Debate ensued.

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 PRIME MINISTER AND CABINET LEGISLATION AMENDMENT (APPLICATION OF CRIMINAL CODE) BILL 2001**

The order of the day having been read for the second reading—Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) moved—That the Bill be now read a second time.

*Paper*

Mr Slipper presented an explanatory memorandum to the Bill.

Debate ensued.

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

Question—put and not being resolved—Bill to be returned to the House for further consideration.

##### 5 APPROPRIATION BILL (NO. 1) 2001-2002—BUDGET DEBATE

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) reduction in the projected Budget cash surplus from \$14.6 billion when the 2001-02 Budget year first appeared in the 1998-99 Budget Papers to a surplus of \$1.5 billion and an accrual deficit of \$0.8 billion in this Budget;
- (2) failure to address the significant investment needs in the areas of education and health provision;
- (3) string of policy backflips and wasteful, panic driven spending across almost all program areas;
- (4) commitment to sell the rest of Telstra if re-elected;
- (5) failure to provide relief for Australian families under financial pressure;
- (6) failure to address the hardship, and red tape nightmare faced by small business arising from the introduction of the GST;
- (7) deception of self-funded retirees and pensioners through misleading taxation claims;
- (8) failure to provide a comprehensive retirement incomes policy which addresses the needs of the new century;
- (9) lax approach to corporate governance issues which has contributed to the recent spate of corporate failures;
- (10) lack of an ongoing commitment to the protection of employee entitlements;
- (11) misuse of taxpayers’ money on its politically partisan GST advertising campaign;
- (12) provision of complex, confusing and uninformative budget documents;
- (13) failure to identify in the Budget papers the true cost of GST collection and implementation; and
- (14) failure to deliver its guarantee that no Australian will be worse off as a result of the GST package”—

Debate resumed.

Mr Neville addressing the Main Committee—

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*Adjournment negatived*

It being 12.30 p.m.—The question was proposed—That the Main Committee do now adjourn.

Mrs Crosio requiring the question to be put forthwith without debate—  
Question—put and negatived.

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Debate continued.

Ms Moylan was granted leave to continue her speech when the debate is resumed.

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

## 6 ADJOURNMENT

Mr Neville moved—That the Main Committee do now adjourn.

Debate ensued.

At 1.30 p.m. the Deputy Speaker adjourned the Main Committee until Monday 18 June 2001, at 4 p.m.

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**B. C. WRIGHT**  
Clerk of the Main Committee