

1998-1999-2000-2001

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 206

MONDAY, 27 AUGUST 2001



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 SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED

Mr Crean (Deputy Leader of the Opposition) moving a motion to suspend standing and sessional orders—

Mr Speaker indicated that the Member's time had expired and the motion lapsed.

Mr McMullan moved—That so much of the standing and sessional orders be suspended as would prevent the Deputy Leader of the Opposition from moving forthwith—That given the discrepancies and inconsistencies in the matter of the Queensland Liberal Party's compliance with the GST law which have arisen since the House rose on Thursday, 23 August, the Minister for Small Business be required to come into the House immediately to fully account for the various discrepancies and inconsistencies which have emerged in his account of this matter, and to fully and truthfully explain to the House his knowledge of, and involvement in, this GST scam.

Closure of Member

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

NOES, 63

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

* Tellers

And so it was resolved in the affirmative.

Mr Crean (seconder) addressing the House—

Closure of Member

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

Question—put.

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

AYES, 71

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

NOES, 64

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

* Tellers

And so it was resolved in the affirmative.

And the question—That the motion for the suspension of standing and sessional orders be agreed to—being put and a division being called for—

In accordance with standing order 193, the division was deferred until after grievance debate had concluded.

**3 NATIONAL CRIME AUTHORITY—PARLIAMENTARY JOINT COMMITTEE—
REPORT—STATEMENT BY MEMBER—MOTION TO TAKE NOTE OF PAPER**

Mr Baird (Chair) presented the following papers:

National Crime Authority—Parliamentary Joint Committee—The law enforcement implications of new technology—

Report, August 2001.

Evidence received by the committee.

Ordered—That the report be printed.

Mr Baird made a statement in connection with the report.

The time allotted for making statements on the report having expired—

Mr Baird moved—That the House take note of the report.

Mr Baird was granted leave to continue his speech when the debate is resumed.

In accordance with standing order 102B, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting.

4 PROCEDURE—STANDING COMMITTEE—REPORT—STATEMENT BY MEMBER

Mr Nairn (Chair), by leave, presented the following papers:

Procedure—Standing Committee—Balancing tradition and progress:
Procedures for the opening of Parliament—

Report, August 2001.

Evidence received by the committee.

Minutes of proceedings.

Tabling statement.

**5 EMPLOYMENT, EDUCATION AND WORKPLACE RELATIONS—STANDING
COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE
NOTE OF PAPER**

Mrs Elson (Chair) presented the following paper:

Employment, Education and Workplace Relations—Standing Committee—New Zealand Committee exchange—Report, August 2001.

Ordered to be printed.

Mrs Elson and Mr Sawford made statements in connection with the report.

The time allotted for making statements on the report having expired—

Mrs Elson moved—That the House take note of the report.

Mrs Elson was granted leave to continue her speech when the debate is resumed.

In accordance with standing order 102B, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting.

6 BALTIC DEPORTEES

Dr Southcott, pursuant to notice, moved—That this House notes:

- (1) 14 June 2001 marked the sixtieth anniversary of the start of the Soviet Union's mass deportations of Estonians, Latvians and Lithuanians from their homes, to Siberia and other foreign destinations;
- (2) during the night of 13 to 14 June 1941, thousands of Baltic residents of all ages were arrested by armed men, taken to railway stations, loaded into cattle-wagons and deported, and these mass deportations continued, on and off, until 1953;
- (3) precise numbers of the Baltic deportees are difficult to determine, with conservative evidence showing that all together, over half a million local residents of all ethnic origins were deported from the three Baltic States by 1953;
- (4) these innocent people had committed no offences, were arrested and imprisoned as "political prisoners" and as "enemies of the people" and less than half survived deportation;
- (5) Baltic immigrants to Australia have contributed significantly to our country, its culture and its diversity; and
- (6) the sad events that are solemnly commemorated on 14 June by Baltic people across Australia, and across the world, stand in stark contrast to the robust democracy that all Australians enjoy and that we commemorate in this, our Centenary of Federation Year.

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

7 MEMBERS' STATEMENTS

Members' statements were made.

8 QUESTIONS

Questions without notice being asked—

Papers

Mr I. E. Macfarlane (Minister for Small Business) presented the following papers:

Groom Federal Electorate Council—

Supplementary Statement—Media release by the Hon. Ian Macfarlane, MP, Minister for Small Business, Member for Groom, 24 August 2001.

Copy of Minutes of Groom FEC executive meeting, 21 November 2000.

Statutory Declarations from—

Mr Athol Zerbst, 25 August 2001.

Sandra Sharman, 25 August 2001.

Robert Redden, 25 August 2001.

Darryl Low, 25 August 2001.

Dellys Kelly, 25 August 2001.

Questions without notice continuing—

Minister for Small Business—Motion of censure

Mr Crean (Deputy Leader of the Opposition), by leave, moved—That this House censures the Minister for Small Business for:

- (1) misleading the House generally on Thursday 23 August with inaccurate and deceptive answers regarding his knowledge of, and involvement in, the Queensland Liberal Party GST scam;
- (2) misleading the House, in particular on Thursday 23 August, with regard to when he first became aware of this GST scam and what he did about it;
- (3) not correcting the record at the first available opportunity as required by the minimum standards contained even in the Prime Minister's discredited Ministerial Code of Conduct;
- (4) not acting in accordance with his duties and responsibilities as a Member of Parliament and a Minister when first advised of this scam in December last year—and instead participating in the cover-up of this GST scam; and
- (5) not imposing on the tax affairs of the Queensland Liberal Party the same rigorous scrutiny which he and his government are demanding of Australia's small businesses, which he is charged to represent in the government.

Debate ensued.

Paper

Mr I. E. Macfarlane presented the following paper:

Groom Federal Electorate Council—Copy of memo from Margaret Watts, Hon. Treasurer, Groom FEC, 13 December 2000.

Debate continued.

Question—put.

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

AYES, 65

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

NOES, 75

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

* Tellers

Pairs

Mr Fischer Mr Swan

And so it was negatived.

Questions without notice concluded.

9 PETITIONS

Petitions lodged for presentation were announced.

10 SOCIAL SECURITY COMPENSATION PRECLUSION PERIOD

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

- (1) notes that 24 311 Social Security recipients have their compensation preclusion period spanning the introduction of the GST;
- (2) notes that the average length of preclusion periods is 291 weeks;
- (3) notes that the income cut-out rate has increased by \$115.23 per week to compensate for price rises caused by the GST;
- (4) notes that if the post GST cut-out rate of \$543.63 was applied to the post GST portion of the preclusion period it would result in a significant reduction in the preclusion period; and
- (5) condemns the Government's failure to introduce legislation to extend GST compensation to people whose compensation preclusion period spans the introduction of the GST.

Paper

Mr Mossfield, by leave, presented the following paper:

Compensation preclusion table—Finish dates from 29 January 2001 to 12 December 2005.

Debate ensued.

The time allotted for the debate having expired, the debate was interrupted, the resumption of the debate made an order of the day for the next sitting, and Mr St Clair was granted leave to continue his speech when the debate is resumed.

11 WHALE SANCTUARY

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

- (1) commends the Australian Government on its moves to establish a whale sanctuary at the most recent meeting of the International Whaling Commission in London;
- (2) records its regret that the motion was defeated after failing to receive the required 75 per cent backing from member states; and
- (3) calls on those states who abstained or voted against the motion to review their positions in order to allow this important initiative to proceed.

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.

12 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.

13 DEFERRED DIVISION

The following question, on which a division had been called for and deferred earlier this day, was put, viz.:

Question—That the motion for the suspension of standing and sessional orders be agreed to (*motion moved by Mr McMullan—see item No. 2, p. 2549*)

Mr Brereton, having indicated that the Opposition did not wish to proceed with the division—

Division not proceeded with.

14 INTELLIGENCE SERVICES—JOINT SELECT COMMITTEE—REPORT—STATEMENTS BY MEMBERS

Mr Jull (Chair) presented the following papers:

Intelligence Services—Joint Select Committee—Intelligence Services Bill 2001, the Intelligence Services (Consequential Provisions) Bill 2001 and certain parts of the Cybercrime Bill 2001—

Advisory Report, August 2001.

Evidence received by the committee.

Minutes of proceedings.

Ordered—That the report be printed.

Mr Jull, Mr Brereton, Mr McArthur, Mr McLeay and Mr Melham, by leave, made statements in connection with the report.

15 PROCEDURE—STANDING COMMITTEE—REPORT—BALANCING TRADITION AND PROGRESS: PROCEDURES FOR THE OPENING OF PARLIAMENT—MOTION TO TAKE NOTE OF PAPER

Mr Nairn (Chair), by leave, moved—That the report of the Standing Committee on Procedure entitled “Balancing tradition and progress: Procedures for the opening of Parliament”, presented earlier today (*see item No. 4, page 2550*), be printed.

Question—Put and passed.

Mr Nairn, by leave, moved—That the House take note of the report.

Debate ensued.

Mr Price 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.

16 WORKPLACE RELATIONS (REGISTERED ORGANISATIONS) BILL 2001

The order of the day having been read for the consideration in detail of the Bill—

Consideration in detail

Bill, by leave, taken as a whole.

Mr Katter moved an amendment.

Debate ensued.

Question—That the amendment be agreed to—put and negatived—Mr Katter dissenting.

On the motion of Mr Bevis, by leave, Opposition amendments (1) to (14) were made together, after debate.

On the motion of Mr Abbott (Minister for Employment, Workplace Relations and Small Business), by leave, Government amendments (1) to (12) and (14) were made together, after debate.

Paper

Mr Abbott presented a supplementary explanatory memorandum to the Bill.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Mr Abbott, by leave, the Bill was read a third time.

17 WORKPLACE RELATIONS (REGISTERED ORGANISATIONS) (CONSEQUENTIAL PROVISIONS) BILL 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—

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

Consideration in detail

Bill, by leave, taken as a whole.

On the motion of Mr Abbott (Minister for Employment, Workplace Relations and Small Business), by leave, Government amendments (1) to (4) were made together, after debate.

Paper

Mr Abbott presented a supplementary explanatory memorandum to the Bill.

On the motion of Mr Abbott, a further Government amendment was made.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Mr Abbott, by leave, the Bill was read a third time.

18 MESSAGES FROM THE SENATE

Messages from the Senate, 23 August 2001, were reported:

(a) returning the following Bills without amendment or requests:

No. 680—Corporations (Compensation Arrangements Levies) 2001 (*without requests*);

No. 681—Corporations (National Guarantee Fund Levies) Amendment 2001 (*without requests*);

No. 682—Corporations (Fees) Amendment 2001 (*without requests*);

No. 686—States Grants (Primary and Secondary Education Assistance) Amendment 2001;

No. 688—Finance and Administration Legislation Amendment (Application of Criminal Code) 2001;

No. 689—Financial Sector (Collection of Data) 2001; and

- (b) acquainting the House that the Senate has agreed to the Alcohol Education and Rehabilitation Account Bill 2001 as amended by the House at the request of the Senate—Message No. 687

19 MESSAGE FROM THE SENATE—LITERACY

Message No. 685, 23 August 2001, from the Senate was reported acquainting the House that the Senate had agreed to a resolution concerning literacy.

Ordered—That the message be considered at the next sitting.

20 MESSAGE FROM THE SENATE—FINANCIAL SERVICES REFORM BILL 2001

Message No. 684, 23 August 2001, from the Senate was reported returning the Financial Services Reform Bill 2001 with amendments.

Ordered—That the amendments be considered forthwith.

Mr Hockey (Minister for Financial Services and Regulation) moved—That the amendments be agreed to.

21 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 27 August 2001:

Airports Act—Regulations—Statutory Rules 2001 No. 222.

Broadcasting Services Act—Determination under Clause 6 of Schedule 4—2001 No. 3.

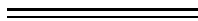
Civil Aviation Act—Civil Aviation Regulations—

Airworthiness Directives—

Part 39-105—2001 26 July, 16 August.

Part 39-106—2001 13, 15 August.

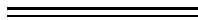
Civil Aviation Amendment Order—2001 No. 14.
 Defence Act—
 Defence Force Remuneration Tribunal—Determination—2001 No. 13.
 Determination under section 58B—2001 No. 23.
 Excise Act, Distillation Act, Spirits Act and Coal Excise Act—Regulations—
 Statutory Rules 2001 No. 223.
 Health Insurance Act—Regulations—Statutory Rules 2001 No. 220.
 Higher Education Funding Act—Guidelines—2001 Special Capital Projects.
 National Health Act—
 Determination under Schedule 1, paragraph (bj)—2001 No. PHI 23.
 Determination under Section 5D—2001 No. PHI 12.
 Rules under Subsection 99AAA(8)—2001 No. PB 10.
 National Residue Survey (Excise) Levy Act—Regulations—Statutory Rules
 2001 No. 218.
 Native Title Act—Recognition of representative Aboriginal/Torres Strait
 Islander body—2001 No 3.
 Payment Systems and Netting Act—Regulations—Statutory Rules 2001 No.
 224.
 Primary Industries (Customs) Charges Act—Regulations—Statutory Rules
 2001 No. 216.
 Primary Industries (Excise) Levies Act—Regulations—Statutory Rules 2001
 No. 217.
 Renewable Energy (Electricity) Act—Regulations—Statutory Rules 2001 No.
 219.
 Trans-Tasman Mutual Recognition Act—Regulations—Statutory Rules 2001
 No. 221.



ATTENDANCE

All Members attended (at some time during the sitting) except Mrs Gallus and
 Mr Swan*.

* On leave



I. C. HARRIS

Clerk of the House of Representatives