

1998-1999-2000-2001

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 217

THURSDAY, 27 SEPTEMBER 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 the Leader of the Opposition moving a motion requiring the Government to immediately instruct the Secretary to the Department of the Treasury and the Secretary to the Department of Finance to publicly provide a report on the Commonwealth's economic and fiscal outlook, noting:

- (a) the significant full time job losses since the introduction of the GST;
- (b) the serious fiscal deterioration associated with backflips on the GST;
- (c) the Howard/Costello Government as the highest taxing government in our history;
- (d) the halving of Australia's growth rate as a result of the GST, and before the world economic downturn; and
- (e) the doubling of Australia's inflation rate in the year of the GST;

so that:

- (a) Australians are given an honest picture of the state of the Commonwealth's books ahead of the forthcoming federal election; and
- (b) all parties have the opportunity to responsibly detail their financial commitments before the calling of the election;

and the motion being debated forthwith.

Closure of Member

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

NOES, 62

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

* Tellers

Pairs

Mr Downer	Dr Lawrence
Mr Lieberman	Ms Hall
Mr Charles	Mr Griffin

And so it was resolved in the affirmative.

Mr Crean (Deputy Leader of the Opposition—seconder) addressing the House—

Closure of Member

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

NOES, 62

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

* Tellers

Pairs

Mr Downer	Dr Lawrence
Mr Lieberman	Ms Hall
Mr Charles	Mr Griffin

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

NOES, 73

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

* Tellers

Pairs

Mr Downer	Dr Lawrence
Mr Lieberman	Ms Hall
Mr Charles	Mr Griffin

And so it was negatived.

3 MIGRATION LEGISLATION AMENDMENT (PROCEDURAL FAIRNESS) BILL 2001

Mr Ruddock (Minister for Immigration and Multicultural Affairs), pursuant to notice, presented a Bill for an Act to amend the *Migration Act 1958*, and for related purposes.

Bill read a first time.

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

Paper

Mr Ruddock presented an explanatory memorandum to the Bill.

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

4 INTERNATIONAL TAX AGREEMENTS AMENDMENT BILL 2001

Mr McGauran (Minister for the Arts and the Centenary of Federation) presented a Bill for an Act to amend the *International Tax Agreements Act 1953*, and for related purposes.

Bill read a first time.

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

Paper

Mr McGauran presented an explanatory memorandum to the Bill.

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

5 CRIMINAL CODE AMENDMENT (ESPIONAGE AND RELATED OFFENCES) BILL 2001

Mr Williams (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Crimes Act 1914* and the *Criminal Code Act 1995*, 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 Kerr), and the resumption of the debate made an order of the day for the next sitting.

6 TELECOMMUNICATIONS INTERCEPTION LEGISLATION AMENDMENT BILL 2001

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

7 JURISDICTION OF COURTS LEGISLATION AMENDMENT BILL 2001

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

8 MARRIAGE AMENDMENT BILL 2001

Mr Williams (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Marriage Act 1961*, 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 Kerr), and the resumption of the debate made an order of the day for the next sitting.

9 DISABILITY DISCRIMINATION AMENDMENT BILL 2001

Mr Williams (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Disability Discrimination Act 1992*, 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 Kerr), and the resumption of the debate made an order of the day for the next sitting.

10 SEX DISCRIMINATION AMENDMENT BILL (NO. 2) 2001

Mr Williams (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Sex Discrimination Act 1984*, 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 L. D. T. Ferguson), and the resumption of the debate made an order of the day for the next sitting.

11 AUSTRALIAN OFFICIAL OBSERVER DELEGATION—REPORT—STATEMENTS BY MEMBERS

Mr Fischer, by leave, presented the following paper:

Australian Official Observer Delegation to the 2001 Constituent Assembly Election in East Timor, 28 August–1 September 2001—Report.

Mr Fischer and Mr Rudd, by leave, made statements in connection with the report.

12 MESSAGE FROM THE SENATE—STATES GRANTS (PRIMARY AND SECONDARY EDUCATION ASSISTANCE) AMENDMENT BILL (NO. 2) 2001

Message No. 726, 26 September 2001, from the Senate was reported returning the States Grants (Primary and Secondary Education Assistance) Amendment Bill (No. 2) 2001 with a request for an amendment.

Ordered—That the amendment requested by the Senate be considered forthwith.
 Dr Kemp (Minister for Education, Training and Youth Affairs) moved—That the requested amendment be not made.

Debate ensued.

Mr Lee addressing the House—

Closure

Dr Kemp moved—That the question be now put.

Question—That the question be now put—put and passed.

And the question—That the requested amendment be not made—being accordingly put—

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

AYES, 71

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

NOES, 61

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

* Tellers

Pairs

Mr Howard	Mr Beazley
Mr Downer	Dr Lawrence
Mr Lieberman	Ms Hall
Mr Charles	Mr Griffin

And so it was resolved in the affirmative.

13 MIGRATION LEGISLATION AMENDMENT (JUDICIAL REVIEW) 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—

Debate resumed by Mr Sciacca 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) expresses its concern that amendments passed by the Senate that have attempted to exclude the original jurisdiction of the High Court in migration matters may be found to be unconstitutional or ineffectual;
- (2) observes that the Government is yet to table its legal advice which confirms the constitutionality or efficacy of these measures;
- (3) expresses its concern that the amendments may actually increase the number of migration decisions challenged in the High Court which will further delay the processing of migration cases and result in a further drain on our legal system;
- (4) expresses its concern that the Government has not addressed the issue of vexatious or unwarranted proceedings being commenced as a tactical delay to the implementation of migration decisions;

- (5) notes that the Opposition provided to the Minister for Immigration and Multicultural Affairs an alternative proposal to provide a fair but speedy form of judicial review in the form of a ‘one stop shop’ at the Federal Magistrates level; and
- (6) expresses its disappointment that the Government has not provided a more constructive response to that proposal”.

Debate continued.

Closure

Mr Brough (Minister for Employment Services) moved—That the question be now put.

Question—That the question be now put—put.

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

AYES, 71

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

NOES, 61

Mr Adams	Mr Fitzgibbon	Ms J. S. McFarlane	Ms Roxon
Mr Albanese	Ms Gerick	Ms Macklin	Mr Rudd
Mr Andren	Mr Gibbons	Mr McLeay	Mr Sawford*
Mr Bevis	Ms Gillard	Mr McMullan	Mr Sciacca
Mr Brereton	Mr Hatton	Dr Martin	Mr Sercombe*
Ms Burke	Ms Hoare	Mr Melham	Ms Short
Mr Byrne	Mr Hollis	Mr Morris	Mr Sidebottom
Ms Corcoran	Mr Horne	Mr Mossfield	Mr Smith
Mr Cox	Mrs Irwin	Mr Murphy	Mr Snowdon
Mrs Crosio	Mr Jenkins	Ms O'Byrne	Mr Tanner
Mr Edwards	Ms Kernot	Mr O'Connor	Mr K. J. Thomson
Ms Ellis	Mr Kerr	Mr O'Keefe	Mr Wilkie
Mr Emerson	Mr Latham	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
Mr Downer	Dr Lawrence
Mr Lieberman	Ms Hall
Mr Charles	Mr Griffin

And so it was resolved in the affirmative.

And the question—That the words proposed to be omitted stand part of the question—was put accordingly, and passed.

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 Ruddock (Minister for Immigration and Multicultural Affairs), the Bill was read a third time.

14 FAMILY ASSISTANCE ESTIMATE TOLERANCE (TRANSITION) BILL 2001

The order of the day having been read for the second reading—Mr Anthony (Minister for Community Services) moved—That the Bill be now read a second time.

Paper

Mr Anthony presented an explanatory memorandum to the Bill.

Debate ensued.

Paper

Mr Albanese, by leave, presented the following paper:

FAO Reconciliation Impact Assessment—Background paper, 21 May 2001.

Debate continued.

Closure

Mr Anthony moved—That the question be now put.

Question—That the question be now put—put and passed.

And the question—That the Bill be now read a second time—was put accordingly, and passed—Bill read a second time.

Mr Anthony asked leave to move—That the Bill be now read a third time.

Objection being raised, leave not granted.

Mr Anthony, pursuant to contingent notice, moved—That so much of the standing orders be suspended as would prevent the motion for the third reading being moved without delay.

Question—put.

The House divided (the Deputy Speaker, Mrs D. M. Kelly, in the Chair)—

AYES, 69

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

NOES, 62

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

* Tellers

Pairs

Mr Howard	Mr Beazley
Mr Downer	Dr Lawrence
Mr Lieberman	Ms Hall
Mr Charles	Mr Griffin

And so it was resolved in the affirmative.

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

15 LEAVE OF ABSENCE TO ALL MEMBERS

Mr Reith (Leader of the House) moved—That leave of absence be given to every Member of the House of Representatives from the determination of this sitting of the House to the date of its next sitting.

Question—put and passed.

16 SPECIAL ADJOURNMENT

Mr Reith (Leader of the House) moved—That the House, at its rising, adjourn until Monday, 22 October 2001, at 12.30 p.m., unless the Speaker fixes an alternative day or hour of meeting.

Debate ensued.

The debate was interrupted, and the resumption of the debate made an order of the day for a later hour this day.

17 QUESTIONS

Questions without notice being asked—

Paper

Mr Costello (Treasurer) presented the following paper:

Election—See-through Beazley needs flesh strategy—Copy of article from p. 10, *The Australian*, 26 September 2001.

Questions without notice continuing—

Member ordered to withdraw

At 3.32 p.m. the Member for Hotham (Mr Crean—Deputy Leader of the Opposition) 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.

18 PAPER

Mr Edwards, by leave, after putting a question to the Speaker, presented the following paper:

School visits—Copy of urgent fax from Don Green, Warwick Senior High School, Western Australia to Mr Edwards, 27 September 2001.

19 PAPERS

The following papers were presented:

Economics, Finance and Public Administration—House of Representatives Standing Committee—Report—International financial markets—Friends or foes?—Government response.

Employment Advocate—Report for 2000-01.

20 PAPER—MOTION TO TAKE NOTE OF PAPER

Mr Reith (Leader of the House) moved—That the House take note of the following paper:

Employment Advocate—Report for 2000-01.

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

21 PAPER

Mr Reith (Leader of the House) presented the following paper:

Petition not in accord with standing and sessional orders of the House—

Support for choice in education and funding for all children from both government and non-government schools (Mr Hatton, 271 petitioners).

22 PAPER

The Speaker presented the following paper:

Department of the House of Representatives—Report for 2000-01.

23 AUSTRALIAN NATIONAL AUDIT OFFICE—REPORT—PUBLICATION OF PAPER

The Speaker presented the following paper:

Auditor-General—Australian National Audit Office—Report for 2000-01.

Mr Reith (Leader of the House), by leave, moved—That the report be printed.

Question—put and passed.

24 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—SECURITY FOR ALL AUSTRALIANS

The House was informed that Mr Beazley (Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The need for the Government to adequately provide a secure future for all Australians, both security abroad and security at home in terms of jobs, health and education”.

The proposed discussion having received the necessary support—

Mr Beazley addressed the House.

Discussion ensued.

Discussion concluded.

25 SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED

Mr L. D. T. Ferguson moved—That so much of the standing and sessional orders be suspended as would prevent the honourable Member for Reid from moving forthwith—That this House:

- (1) notes that yesterday the Government withdrew its notice of motion given in the Senate to exempt the Regional Forest Agreements Bill 2001 from the Senate cut-off order which was required for the passage of the Bill in the current session of the Parliament;
- (2) notes that the Government has not included the Bill in its priority legislation to be debated in the Senate on this final day of sitting;
- (3) notes that there is no present likelihood of further sittings of the Senate before an election;
- (4) condemns the Government for failing to introduce the RFA Bill until 28 August and its failure to bring it on for debate in the House until 26 September, despite long term and continuing commitments by the Opposition to support the passage of the legislation; and
- (5) condemns the Minister for Forestry and Conservation and the Government for failing to ensure that this legislation was brought on and debated in the current session in sufficient time to secure its passage with the support of the Opposition.

Closure of Member

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) moved—That the Member be not further heard.

Question—put and passed.

Mr Zahra (seconder) addressing the House—

Closure of Member

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

Question—put and passed.

Question—That the motion for the suspension of standing and sessional orders be agreed to—put.

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

AYES, 60

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

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

* Tellers

Pairs

Mr Lieberman	Dr Lawrence
Mr Charles	Mr O'Connor
Mr Downer	Mr Smith

And so it was negatived.

26 INTERACTIVE GAMBLING 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 Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), by leave, the Bill was read a third time.

27 FAMILY AND COMMUNITY SERVICES LEGISLATION AMENDMENT (APPLICATION OF CRIMINAL CODE) 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 Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), by leave, the Bill was read a third time.

28 INDUSTRY, SCIENCE AND RESOURCES LEGISLATION AMENDMENT (APPLICATION OF CRIMINAL CODE) 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 Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), by leave, the Bill was read a third time.

29 SYDNEY AIRPORT—ENHANCED QUARANTINE INTERVENTION WORKS—APPROVAL OF WORK

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, and by reason of the urgent nature of the works, it is expedient that the following proposed work be carried out without having been referred to the Parliamentary Standing Committee on Public Works: Sydney Airport—Enhanced quarantine intervention works.

Question—put and passed.

30 DEFENCE INTELLIGENCE TRAINING CENTRE AT CANUNGRA, QLD—APPROVAL OF WORK

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Defence intelligence training centre at Canungra, Qld.

Question—put and passed.

31 REDEVELOPMENT OF RESIDENTIAL AREAS AT ROYAL MILITARY COLLEGE DUNTRON, ACT—APPROVAL OF WORK

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Redevelopment of residential areas at Royal Military College Duntroon, ACT.

Question—put and passed.

32 PROPOSED FREIGHT AND PASSENGER FACILITIES AT RUMAH BARU, WEST ISLAND, COCOS (KEELING) ISLANDS—APPROVAL OF WORK

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Proposed freight and passenger facilities at Rumah Baru, West Island, Cocos (Keeling) Islands.

Question—put and passed.

33 REDEVELOPMENT OF RESIDENTIAL AREAS AT ENOGGERA, BRISBANE—APPROVAL OF WORK

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Redevelopment of residential areas at Enoggera, Brisbane.

Question—put and passed.

34 PARLIAMENTARY ZONE—DESIGN AND CONTENT OF SLIVERS FOR RECONCILIATION PLACE—APPROVAL OF PROPOSAL

Mrs Gallus (Parliamentary Secretary to the Minister for Reconciliation and Aboriginal and Torres Strait Islander Affairs), for 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 24 September 2001, namely: Design and content of slivers for Reconciliation Place.

Debate ensued.

Question—put and passed.

35 MEMBERS' INTERESTS COMMITTEE—PAPER

Mr Somlyay (Chair) presented the following paper:

Committee of Members' Interests—Register of Members' Interests for the 39th Parliament—Notifications of alterations of interests received during the period 5 July 2001 to 26 September 2001.

36 MESSAGE FROM THE SENATE—TAXATION LAWS AMENDMENT BILL (NO. 6) 2001

Message No. 731, 27 September 2001, from the Senate was reported returning the Taxation Laws Amendment Bill (No. 6) 2001 with amendments.

Ordered—That the amendments be considered forthwith.

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the amendments were disagreed to, after debate.

Mr Slipper presented reasons, which were circulated, and are as follows:

Reasons of the House of Representatives for disagreeing to the amendments of the Senate

Senate Amendment No. 1

The proposed amendment would make sanitary products GST-free. It would require thousands of businesses to change their computer and accounting systems and the Tax Office would need to make rulings on definitions as what has been proposed differs from the former WST exemption.

The House of Representatives does not accept this measure.

Senate Amendment No. 2

The proposed amendment would make lactation aids GST-free. This would require thousands of businesses to change their systems to define what is GST-free or taxable under the proposed amendment. The proposed amendment also does not attempt to define exactly what a lactation aid might be, thus requiring Tax Office rulings.

The House of Representatives does not accept this measure.

Senate Amendment No. 3

The proposed amendment makes funeral services GST-free. This amendment is poorly defined and will create definitional problems, complexity, and uncertainty not only for the funeral industry but for thousands of other businesses. For example, venues would be taxable if provided for weddings, but

GST-free if provided for funerals. Flowers would be taxable if provided for weddings, but GST-free if provided for funerals.

The House of Representatives does not accept this measure.

Senate Amendment No. 4

The proposed amendment would make long term accommodation in a caravan park GST-free. Under the GST, caravan park owners have the choice of charging a concessional 5.5% GST on their long term accommodation and claiming full input tax credits or not applying the GST to rents, which means that they cannot claim input tax credits. This ensures that long term residents of caravan parks are treated fairly compared to those who rent a house or flat. The proposed amendment would provide residents of caravan parks with GST treatment which is more favorable compared to that available to others in rental accommodation.

The House of Representatives does not accept this measure.

On the motion of Mr Slipper, the reasons were adopted.

37 MESSAGE FROM THE GOVERNOR-GENERAL—TAXATION LAWS AMENDMENT (RESEARCH AND DEVELOPMENT) BILL 2001

Message No. 366, 27 September 2001, from His Excellency the Governor-General was announced recommending an appropriation for the purpose of amendments to a Bill for an Act to amend the law relating to taxation incentives for research and development, and for related purposes.

38 MESSAGE FROM THE SENATE—TAXATION LAWS AMENDMENT (RESEARCH AND DEVELOPMENT) BILL 2001

Message No. 732, 27 September 2001, from the Senate was reported returning the Taxation Laws Amendment (Research and Development) Bill 2001 with amendments.

Ordered—That the amendments be considered forthwith.

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the amendments were disagreed to and amendments made in place thereof.

39 MESSAGE FROM THE SENATE—NEW BUSINESS TAX SYSTEM (THIN CAPITALISATION) BILL 2001

Message No. 728, 27 September 2001, from the Senate was reported returning the New Business Tax System (Thin Capitalisation) Bill 2001 with amendments.

Senate amendments to be moved as requests—Statement by Speaker

The Speaker made the following statement:

My attention has been drawn to the fact that the Office of Parliamentary Counsel (OPC) has provided a statement of reasons as to why some of the Senate amendments to this Bill should be moved as requests. Copies of relevant papers are available from the Clerk.

As I understand OPC took this view because the amendments in question had the effect of reducing the availability of deductions to certain taxpayers, and therefore increasing the burden of taxation on those taxpayers, contrary to the third paragraph of section 53 of the Constitution.

The Senate has, however, made the alterations as amendments and not as requests.

For its part, the House has taken the view that the restrictions of the third paragraph of section 53 apply to Bills relating to taxation, as well as those relating to expenditure. Consistent with this view, the House has objected to actions of the Senate in proceeding to make as amendments some alterations to bills dealing with taxation.

It is ultimately a matter for the House itself whether to object to such actions.

In this case Members may take the view that, despite the section 53 issue, the circumstances in which the House finds itself and the wider interest in having the bill settled without delay would not make it inappropriate for the House to proceed to consider the amendments as amendments and not take objection on constitutional grounds.

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) moved—That:

- (1) the House endorses the statement of the Speaker in relation to the constitutional questions raised by the Senate message in respect of this Bill;
- (2) the House, having regard to the public interest in the early enactment of the Bill, refrains from the determination of its constitutional rights in respect of the matter; and
- (3) the amendments be considered forthwith.

Question—put and passed.

On the motion of Mr Slipper, the amendments were agreed to.

40 ADJOURNMENT NEGATIVED

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

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) requiring the question to be put forthwith without debate—

Question—put and negatived.

41 MESSAGE FROM THE SENATE—NEW BUSINESS TAX SYSTEM (DEBT AND EQUITY) BILL 2001

Message No. 729, 27 September 2001, from the Senate was reported returning the New Business Tax System (Debt and Equity) Bill 2001 with amendments.

Ordered—That the amendments be considered forthwith.

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the amendments were agreed to.

42 MESSAGE FROM THE SENATE—JURISDICTION OF THE FEDERAL MAGISTRATES SERVICE LEGISLATION AMENDMENT BILL 2001

Message No. 730, 27 September 2001, from the Senate was reported returning the Jurisdiction of the Federal Magistrates Service Legislation Amendment Bill 2001 with amendments.

Ordered—That the amendments be considered forthwith.

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the amendments were agreed to.

43 MESSAGE FROM THE SENATE—ROYAL COMMISSIONS AND OTHER LEGISLATION AMENDMENT BILL 2001

Message No. 733, 27 September 2001, from the Senate was reported returning the Royal Commissions and Other Legislation Amendment Bill 2001 with amendments.

Ordered—That the amendments be considered forthwith.

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the amendments were agreed to.

44 MESSAGE FROM THE SENATE—TAXATION LAWS AMENDMENT BILL (NO. 2) 2001

Message No. 734, 27 September 2001, from the Senate was reported returning the Taxation Laws Amendment Bill (No. 2) 2001 and acquainting the House that the Senate has considered message No. 788 of the House relating to the Bill. The Senate does not insist on its amendment disagreed to by the House and has made amendments in its place.

Ordered—That the amendments be considered forthwith.

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the amendments were agreed to.

45 MESSAGE FROM THE SENATE

Message No. 727, 27 September 2001, from the Senate was reported acquainting the House of the following resolution agreed to by the Senate:

That, in accordance with section 5 of the *Parliament Act 1974*, the Senate approves the proposal by the National Capital Authority for capital works within the Parliamentary Zone, being artworks and finishes to Speakers Square at Commonwealth Place in the Parliamentary Zone.

46 MESSAGES FROM THE SENATE

Messages from the Senate, 27 September 2001, were reported returning the following Bills without amendment:

No. 735—Air Passenger Ticket Levy (Collection) 2001.

No. 736—Air Passenger Ticket Levy (Imposition) 2001 (*without requests*).

No. 737—Fuel Legislation Amendment (Grant and Rebate Schemes) 2001.

No. 738—Taxation Laws Amendment (No. 5) 2001.

47 MESSAGES FROM THE SENATE

Messages from the Senate, 27 September 2001, were reported returning the following Bills without amendment:

No. 739—Employment, Workplace Relations and Small Business Legislation Amendment (Application of Criminal Code) 2001.

No. 740—Defence Legislation Amendment (Application of Criminal Code) 2001.

No. 741—Transport and Regional Services Legislation Amendment (Application of Criminal Code) 2001.

No. 742—Indigenous Education (Targeted Assistance) Amendment 2001.

No. 743—Olympic Insignia Protection Amendment 2001.

No. 744—Customs Tariff Amendment (No. 4) 2001.

No. 745—Excise Tariff Amendment (Crude Oil) 2001.

No. 746—Abolition of Compulsory Age Retirement (Statutory Officeholders) 2001.

No. 748—Intelligence Services 2001.

No. 749—Intelligence Services (Consequential Provisions) 2001.

48 PUBLICATIONS COMMITTEE—30TH REPORT

Ms J. S. McFarlane presented the following paper:

PUBLICATIONS COMMITTEE 30TH REPORT

The Publications Committee reports that it has met in conference with the Publications Committee of the Senate.

The Committee, having considered documents presented to Parliament since 30 August 2001, recommends that the following be printed:

Aboriginal Land Commissioner—Report for 2000-01.

Aboriginals Benefit Account—Report for 2000-01.

Australian Bureau of Statistics—Report for 2000-01.

Commonwealth Grants Commission—

Indigenous funding—Report for 2001.
Report for 2000-01.

National Industrial Chemicals Notification and Assessment Scheme—Report for 2000-01.

Northern Territory Fisheries Joint Authority—Report for 1999-2000.

Public Lending Right Committee—Report for 2000-01.

War Crimes Act—Report for 2000-01.

JANN McFARLANE

Acting Chair

27 September 2001

On the motion of Ms J. S. McFarlane, by leave, the report was agreed to.

49 NATIVE TITLE AND THE ABORIGINAL AND TORRES STRAIT ISLANDER LAND FUND—PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENT BY MEMBER

Mr Snowdon presented the following paper:

Native Title and the Aboriginal and Torres Strait Islander Land Fund—Parliamentary Joint Committee—19th report—Second interim report for the s.206(d) inquiry—Indigenous land use agreements.

Ordered to be printed.

Mr Snowdon, by leave, made a statement in connection with the report.

50 ENVIRONMENT AND HERITAGE—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS

Mr Causley (Chair) presented the following paper:

Environment and Heritage—Standing Committee—Public good conservation: Our challenge for the 21st century—

Interim report, September 2001.

Evidence received by the committee.

Minutes of proceedings

Ordered—That the report be printed.

Mr Causley, Mr Byrne and Mr Billson, by leave, made statements in connection with the report.

51 PUBLIC ACCOUNTS AND AUDIT—JOINT COMMITTEE—REPORTS—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPERS

Mr Georgiou, by leave, presented the following papers:

Public Accounts and Audit—Joint Committee—

Report 386—Review of the *Auditor-General Act 1997*, August 2001.

Report 387—Annual report 2000-01.

Severally ordered to be printed.

Mr Georgiou and Mr Cox, by leave, made statements in connection with the reports.

Mr Georgiou, by leave, presented the following papers:

Public Accounts and Audit—Joint Committee—Executive minutes on—

Report 370—Review of Auditor-General's reports 1997-98, fourth quarter.

Report 372—Corporate governance and accountability arrangements for Commonwealth Government business enterprises, December 1999.

Report 373—Review of Auditor-General's reports 1998-99, second half.

Report 376—Review of Auditor-General's reports 1999-2000, first quarter.

Report 378—Review of Auditor-General's reports 1999-2000, second quarter, October 2000.

Report 379—Contract Management in the Australian Public Service, October 2000.

Report 380—Review of Auditor-General's reports 1999-2000, third quarter.

52 TREATIES—JOINT STANDING COMMITTEE—REPORT—STATEMENT BY MEMBER

Mr Bartlett (Chair) presented the following papers:

Treaties—Joint Standing Committee—Report 43—Thirteen treaties tabled in August 2001—

Report, September 2001.

Evidence received by the committee.

Minutes of proceedings.

Ordered—That the report be printed.

53 SPECIAL ADJOURNMENT

Debate resumed on the motion of Mr Reith (Leader of the House)—That the House, at its rising, adjourn until Monday, 22 October 2001, at 12.30 p.m., unless the Speaker fixes an alternative day or hour of meeting.

Debate ensued.

Debate adjourned (Mr Lawler), and the resumption of the debate made an order of the day for a later hour this day.

54 MESSAGE FROM THE SENATE—CYBERCRIME BILL 2001

Message No. 750, 27 September 2001, from the Senate was reported returning the Cybercrime Bill 2001 with amendments.

Ordered—That the amendments be considered forthwith.

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the amendments were agreed to.

55 MESSAGE FROM THE SENATE—PATENTS AMENDMENT BILL 2001

Message No. 747, 27 September 2001, from the Senate was reported returning the Patents Amendment Bill 2001 with amendments.

Ordered—That the amendments be considered forthwith.

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the amendments were agreed to.

56 MESSAGE FROM THE SENATE—STATES GRANTS (PRIMARY AND SECONDARY EDUCATION ASSISTANCE) AMENDMENT BILL (NO. 2) 2001

Message No. 751, 27 September 2001, from the Senate was reported returning the States Grants (Primary and Secondary Education Assistance) Amendment Bill (No. 2) 2001 and acquainting the House that the Senate has considered message No. 849 of the House relating to the bill. The Senate has resolved to

press its request for an amendment and again requests the House to make the amendment.

Ordered—That consideration of the message be made an order of the day for the next sitting.

57 MESSAGE FROM THE SENATE

A message from the Senate was reported returning the following Bill without amendment:

27 September 2001—Message No. 752—Motor Vehicle Standards Amendment 2001.

58 SPECIAL ADJOURNMENT

Debate resumed on the motion of Mr Reith (Leader of the House)—That the House, at its rising, adjourn until Monday, 22 October 2001, at 12.30 p.m., unless the Speaker fixes an alternative day or hour of meeting.

Debate ensued.

Question—put and passed.

59 SUSPENSION OF STANDING ORDERS

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), by leave, moved—That so much of standing and sessional orders be suspended as would prevent the Member for Farrer (Mr Fischer) from moving forthwith—That the House do now adjourn.

Question—put and passed.

60 ADJOURNMENT

Mr Fischer moved—That the House do now adjourn.

Question—put and passed.

And then the House, at 7.28 p.m., adjourned until Monday, 22 October 2001, in accordance with the resolution agreed to this sitting.



PAPERS

The following papers were deemed to have been presented on 27 September 2001:

Broadcasting Services Act—Broadcasting Services (Events) Notice No. 1 of 1994—Amendment—2001 No. 2.

Health Insurance Act—
Determination—2001 HS/04/01.
Guidelines—2001 Section 19AB.

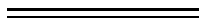
Migration Act—Statement under section 91L—2001 14 September.

Parliament Act—Parliamentary Zone—Proposal, together with supporting documentation for—John Gorton Building, Communications Centre refurbishment.

Parliamentary Entitlements Act—Advice under paragraph 18(b)—24 September 2001.

Sydney Airport Curfew Act—Dispensations—2001 Nos 15, 16, 17.

Therapeutic Goods Act—Therapeutic Goods Orders—Nos 64A, 69.



ATTENDANCE

All Members attended (at some time during the sitting) except Mr Charles, Mr Danby, Mr Downer, Mr Katter, Dr Lawrence and Mr Lieberman*.

* On leave



I. C. HARRIS

Clerk of the House of Representatives

1998-1999-2000-2001

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 217

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 27 SEPTEMBER 2001

1 Due to divisions having been called in the House, the Main Committee met at 9.51 a.m.

2 **MEMBERS' STATEMENTS**

Members' statements were made.

3 **INTERACTIVE GAMBLING AMENDMENT 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 Smith 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:

- (a) condemns the Government for its unworkable, hypocritical and inconsistent approach to interactive gambling which will not reduce the social harm arising from interactive gambling and;
- (b) calls on the Government to show national leadership on this issue by putting in place a comprehensive, effective and strong regulatory regime in co-operation with the States and Territories and the international community as proposed by Labor”.

Debate continued.

Suspension of sitting

At 10.59 a.m., a division having been called in the House, the proceedings were suspended.

Resumption of sitting

At 11.10 a.m., the proceedings were resumed.

Debate continued.

Amendment negatived.

Question—That the Bill be now read a second time—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 FAMILY AND COMMUNITY SERVICES LEGISLATION AMENDMENT (APPLICATION OF CRIMINAL CODE) BILL 2001

The order of the day having been read for the second reading—Mr Entsch (Parliamentary Secretary to the Minister for Industry, Science and Resources) moved—That the Bill be now read a second time—

Paper

Mr Entsch presented an explanatory memorandum to the Bill.

Debate ensued.

Suspension of sitting

At 11.32 a.m., a division having been called in the House, the proceedings were suspended.

Resumption of sitting

At 11.42 a.m., the proceedings were resumed.

Debate continued.

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.

5 INDUSTRY, SCIENCE AND RESOURCES LEGISLATION AMENDMENT (APPLICATION OF CRIMINAL CODE) BILL 2001

The order of the day having been read for the second reading—Mr Entsch (Parliamentary Secretary to the Minister for Industry, Science and Resources) moved—That the Bill be now read a second time—

Paper

Mr Entsch presented an explanatory memorandum to the Bill.

Debate ensued.

Suspension of sitting

At 12.18 p.m., a division having been called in the House, the proceedings were suspended.

Resumption of sitting

At 12.30 p.m., the proceedings were resumed.

Debate continued.

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.

6 ADJOURNMENT NEGATIVED

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

Mr Neville requiring the question to be put forthwith without debate—

Question—put and negatived.

7 STANDING COMMITTEE ON COMMUNICATIONS, TRANSPORT AND THE ARTS—MOTION TO TAKE NOTE OF PAPER

The order of the day having been read for the resumption of the debate on the motion of Mr Neville—That the House take note of the paper (*presented on 24 September 2001*), viz.:

Communications, Transport and the Arts—Standing Committee—Report—Local voices: An inquiry into regional radio—September 2001—

Debate resumed.

Mr Mossfield 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.

8 ADJOURNMENT

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

Debate ensued.

At 1.12 p.m. the Deputy Speaker adjourned the Main Committee.

B. C. WRIGHT
Clerk of the Main Committee