

2002

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 49

THURSDAY, 26 SEPTEMBER 2002

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 FAMILY AND COMMUNITY SERVICES LEGISLATION AMENDMENT (SPECIAL BENEFIT ACTIVITY TEST) BILL 2002**

Mr Anthony (Minister representing the Minister for Family and Community Services), pursuant to notice, presented a Bill for an Act to provide for activity testing of holders of certain visas claiming special benefit under social security law comparable with the activity testing of Australian residents of workforce age, and for other purposes.

Bill read a first time.

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

*Paper*

Mr Anthony presented an explanatory memorandum to the Bill.

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

**3 FAMILY AND COMMUNITY SERVICES LEGISLATION AMENDMENT (BUDGET INITIATIVES AND OTHER MEASURES) BILL 2002**

Mr Anthony (Minister representing the Minister for Family and Community Services), pursuant to notice, presented a Bill for an Act to amend the social security law and the family assistance law, and for related purposes.

Bill read a first time.

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

*Paper*

Mr Anthony presented an explanatory memorandum to the Bill.

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

**4 TRADE PRACTICES AMENDMENT (SMALL BUSINESS PROTECTION) BILL 2002 [NO. 2]**

Mr Hockey (Minister for Small Business and Tourism), pursuant to notice, presented a Bill for an Act to amend the *Trade Practices Act 1974*, 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 Zahra), and the resumption of the debate made an order of the day for the next sitting.

**5 TELECOMMUNICATIONS COMPETITION BILL 2002**

Mr McGauran (Minister representing the Minister for Communications, Information Technology and the Arts), pursuant to notice, presented a Bill for an Act to amend the law relating to telecommunications, and for other 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 Zahra), and the resumption of the debate made an order of the day for the next sitting.

**6 AUSTRALIAN CRIME COMMISSION ESTABLISHMENT BILL 2002**

Mr Williams (Minister representing the Minister for Justice and Customs), pursuant to notice, presented a Bill for an Act to establish the Australian Crime Commission, 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 Melham), and the resumption of the debate made an order of the day for the next sitting.

**7 SUSPENSION OF STANDING AND SESSIONAL ORDERS—BILL—REFERENCE TO COMMITTEE**

Mr Williams (Attorney-General), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent the Attorney-General moving a motion to refer the Australian Crime Commission Establishment Bill 2002 to the Parliamentary Joint Committee on the National Crime Authority for consideration and an advisory report by 6 November 2002.

Question—put and passed.

**8 BILL—REFERENCE TO COMMITTEE**

Mr Williams (Attorney-General) moved—

(1) That:

- (a) the Australian Crime Commission Establishment Bill 2002 be referred to the Parliamentary Joint Committee on the National Crime Authority for consideration and an advisory report by 6 November 2002; and
- (b) the terms of this resolution, so far as they are inconsistent with the standing and sessional orders, have effect notwithstanding anything contained in the standing and sessional orders.

(2) That a message be sent to the Senate acquainting it of this reference to the committee.

Question—put and passed.

**9 TRADE PRACTICES AMENDMENT BILL (NO. 1) 2002**

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, presented a Bill for an Act to amend the *Trade Practices Act 1974*, and for related purposes.

Bill read a first time.

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

*Paper*

Mr Slipper presented an explanatory memorandum to the Bill.

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

**10 EXCISE LAWS AMENDMENT BILL (NO. 1) 2002**

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, presented a Bill for an Act to amend various excise laws, and for other purposes.

Bill read a first time.

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

*Paper*

Mr Slipper presented an explanatory memorandum to the Bill and to the Excise Tariff Amendment Bill (No. 2) 2002.

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

**11 EXCISE TARIFF AMENDMENT BILL (NO. 2) 2002**

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) presented a Bill for an Act to amend the *Excise Tariff Act 1921*, and for related purposes.

Bill read a first time.

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

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

**12 NEW BUSINESS TAX SYSTEM (CONSOLIDATION AND OTHER MEASURES) BILL (NO. 1) 2002**

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) presented a Bill for an Act to implement a New Business Tax System, and for related purposes.

Bill read a first time.

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

*Paper*

Mr Slipper presented an explanatory memorandum to the Bill and to the New Business Tax System (Franking Deficit Tax) Amendment Bill 2002.

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

**13 NEW BUSINESS TAX SYSTEM (FRANKING DEFICIT TAX) AMENDMENT BILL 2002**

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) presented a Bill for an Act to amend the *New Business Tax System (Franking Deficit Tax) Act 2002*.

Bill read a first time.

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

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

**14 TAXATION LAWS AMENDMENT BILL (NO. 3) 2002**

The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—

Debate resumed.

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

*Message from the Governor-General*

Message No. 60, 17 June 2002, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of amendments to the Bill.

*Consideration in detail*

Bill, by leave, taken as a whole.

*Paper*

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) presented a supplementary explanatory memorandum and correction to the explanatory memorandum to the Bill.

On the motion of Mr Slipper, by leave, Government amendments (1) to (17) were made together.

Bill, as amended, agreed to.

Consideration in detail concluded.

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

**15 BROADCASTING SERVICES AMENDMENT (MEDIA OWNERSHIP) BILL 2002**

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.

**16 QUESTIONS**

Questions without notice being asked—

*Paper*

Dr Nelson (Minister for Education, Science and Training) presented the following paper:

New apprenticeships: numbers in training 1985 to 2002—National Centre for Vocational Education Research.

Questions without notice continuing—

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*Suspension of standing and sessional orders moved*

Mr Crean (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 forthwith—That this House censures the Minister for Small Business and Tourism for his inappropriate allegation of treason against a former member of the Australian Defence Force, Brigadier Jim Wallace, for making the following statement: “I’d be concerned that if we were to deploy any of our mechanised units, that they would be in quite a dangerous situation because of the nature of the equipment”.

*Member ordered to withdraw*

At 2.49 p.m. the Member for Parramatta (Mr Cameron) 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.

*Closure of Member*

Mr Abbott (Leader of the House) moved—That the Leader of the Opposition be not further heard.

Question—put.

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

## AYES, 70

Mr Abbott	Mr Dutton	Jackie Kelly	Mr Schultz
Mr Anderson	Mrs Elson	Dr Kemp	Mr Secker
Mr Anthony	Mr Entsch	Mr P. E. King	Mr Slipper
Fran Bailey	Mr Farmer	Mrs Ley	Mr A. D. H. Smith
Mr Baird	Mr Forrest*	Mr Lindsay	Mr Somlyay
Mr Baldwin	Mrs Gallus	Mr Lloyd	Dr Southcott
Mr Barresi	Mrs Gash	Mr McArthur*	Dr Stone
Mr Bartlett	Mr Georgiou	Mr I. E. Macfarlane	Mr C. P. Thompson
Mr Billson	Mr Haase	Mr McGauran	Mr Ticehurst
Ms J. I. Bishop	Mr Hardgrave	Mrs Moylan	Mr Tollner
Mr Brough	Mr Hartsuyker	Dr Nelson	Mr Truss
Mr Cadman	Mr Hawker	Mr Neville	Mr M. A. J. Vaile
Mr Causley	Mr Hockey	Ms Panopoulos	Mrs D. S. Vale
Mr Charles	Mrs Hull	Mr Pearce	Mr Wakelin
Mr Ciobo	Mr Hunt	Mr Prosser	Dr Washer
Mr Cobb	Mr Johnson	Mr Pyne	Mr Williams
Mr Downer	Mr Jull	Mr Randall	
Mrs Draper	Mrs D. M. Kelly	Mr Ruddock	

## NOES, 61

Mr Adams	Mr M. J. Ferguson	Dr Lawrence	Mr Rudd
Mr Albanese	Mr Fitzgibbon	Mr McClelland	Mr Sawford
Mr Andren	Ms George	Ms J. S. McFarlane	Mr Sercombe
Mr Beazley	Mr Gibbons	Ms Macklin	Mr Sidebottom
Mr Bevis	Ms Gillard	Mr McLeay	Mr S. F. Smith
Ms Burke	Ms Grierson	Mr McMullan	Mr Snowden
Mr Byrne	Mr Griffin	Mr Melham	Mr Swan
Ms Corcoran	Ms Hall	Mr Mossfield	Mr Tanner
Mr Cox	Mr Hatton	Mr Murphy	Mr K. J. Thomson
Mr Crean	Ms Hoare	Mr B. P. O'Connor	Ms Vamvakinou
Mrs Crosio	Mrs Irwin	Mr G. M. O'Connor	Mr Wilkie
Mr Danby*	Ms Jackson	Ms Plibersek	Mr Windsor
Mr Edwards	Mr Jenkins	Mr Price	Mr Zahra
Ms Ellis	Mr Kerr	Mr Quick*	
Mr Emerson	Ms C. F. King	Mr Ripoll	
Mr Evans	Mr Latham	Ms Roxon	

\* Tellers

And so it was resolved in the affirmative.

Mr Rudd (seconder) addressing the House—

*Closure of Member*

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

Question—put.

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

## AYES, 70

Mr Abbott	Mr Dutton	Jackie Kelly	Mr Schultz
Mr Anderson	Mrs Elson	Dr Kemp	Mr Secker
Mr Anthony	Mr Entsch	Mr P. E. King	Mr Slipper
Fran Bailey	Mr Farmer	Mrs Ley	Mr A. D. H. Smith
Mr Baird	Mr Forrest*	Mr Lindsay	Mr Somlyay
Mr Baldwin	Mrs Gallus	Mr Lloyd	Dr Southcott
Mr Barresi	Mrs Gash	Mr McArthur*	Dr Stone
Mr Bartlett	Mr Georgiou	Mr I. E. Macfarlane	Mr C. P. Thompson
Mr Billson	Mr Haase	Mr McGauran	Mr Ticehurst
Ms J. I. Bishop	Mr Hardgrave	Mrs Moylan	Mr Tollner
Mr Brough	Mr Hartsuyker	Dr Nelson	Mr Truss
Mr Cadman	Mr Hawker	Mr Neville	Mr M. A. J. Vaile
Mr Causley	Mr Hockey	Ms Panopoulos	Mrs D. S. Vale
Mr Charles	Mrs Hull	Mr Pearce	Mr Wakelin
Mr Ciobo	Mr Hunt	Mr Prosser	Dr Washer
Mr Cobb	Mr Johnson	Mr Pyne	Mr Williams
Mr Downer	Mr Jull	Mr Randall	
Mrs Draper	Mrs D. M. Kelly	Mr Ruddock	

## NOES, 61

Mr Adams	Mr M. J. Ferguson	Dr Lawrence	Mr Rudd
Mr Albanese	Mr Fitzgibbon	Mr McClelland	Mr Sawford
Mr Andren	Ms George	Ms J. S. McFarlane	Mr Sercombe
Mr Beazley	Mr Gibbons	Ms Macklin	Mr Sidebottom
Mr Bevis	Ms Gillard	Mr McLeay	Mr S. F. Smith
Ms Burke	Ms Grierson	Mr McMullan	Mr Snowden
Mr Byrne	Mr Griffin	Mr Melham	Mr Swan
Ms Corcoran	Ms Hall	Mr Mossfield	Mr Tanner
Mr Cox	Mr Hatton	Mr Murphy	Mr K. J. Thomson
Mr Crean	Ms Hoare	Mr B. P. O'Connor	Ms Vamvakinou
Mrs Crosio	Mrs Irwin	Mr G. M. O'Connor	Mr Wilkie
Mr Danby*	Ms Jackson	Ms Plibersek	Mr Windsor
Mr Edwards	Mr Jenkins	Mr Price	Mr Zahra
Ms Ellis	Mr Kerr	Mr Quick*	
Mr Emerson	Ms C. F. King	Mr Ripoll	
Mr Evans	Mr Latham	Ms Roxon	

\* Tellers

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, 59

Mr Adams	Mr M. J. Ferguson	Mr Latham	Mr Ripoll
Mr Albanese	Mr Fitzgibbon	Dr Lawrence	Ms Roxon
Mr Beazley	Ms George	Mr McClelland	Mr Rudd
Mr Bevis	Mr Gibbons	Ms J. S. McFarlane	Mr Sawford
Ms Burke	Ms Gillard	Ms Macklin	Mr Sercombe
Mr Byrne	Ms Grierson	Mr McLeay	Mr Sidebottom
Ms Corcoran	Mr Griffin	Mr McMullan	Mr S. F. Smith
Mr Cox	Ms Hall	Mr Melham	Mr Snowdon
Mr Crean	Mr Hatton	Mr Mossfield	Mr Swan
Mrs Crosio	Ms Hoare	Mr Murphy	Mr Tanner
Mr Danby*	Mrs Irwin	Mr B. P. O'Connor	Mr K. J. Thomson
Mr Edwards	Ms Jackson	Mr G. M. O'Connor	Ms Vamvakinou
Ms Ellis	Mr Jenkins	Ms Plibersek	Mr Wilkie
Mr Emerson	Mr Kerr	Mr Price	Mr Zahra
Mr Evans	Ms C. F. King	Mr Quick*	

## NOES, 72

Mr Abbott	Mrs Draper	Mrs D. M. Kelly	Mr Ruddock
Mr Anderson	Mr Dutton	Jackie Kelly	Mr Schultz
Mr Andren	Mrs Elson	Dr Kemp	Mr Secker
Mr Anthony	Mr Entsch	Mr P. E. King	Mr Slipper
Fran Bailey	Mr Farmer	Mrs Ley	Mr A. D. H. Smith
Mr Baird	Mr Forrest*	Mr Lindsay	Mr Somlyay
Mr Baldwin	Mrs Gallus	Mr Lloyd	Dr Southcott
Mr Barresi	Mrs Gash	Mr McArthur*	Dr Stone
Mr Bartlett	Mr Georgiou	Mr I. E. Macfarlane	Mr C. P. Thompson
Mr Billson	Mr Haase	Mr McGauran	Mr Ticehurst
Ms J. I. Bishop	Mr Hardgrave	Mrs Moylan	Mr Tollner
Mr Brough	Mr Hartsuyker	Dr Nelson	Mr Truss
Mr Cadman	Mr Hawker	Mr Neville	Mr M. A. J. Vaile
Mr Causley	Mr Hockey	Ms Panopoulos	Mrs D. S. Vale
Mr Charles	Mrs Hull	Mr Pearce	Mr Wakelin
Mr Ciobo	Mr Hunt	Mr Prosser	Dr Washer
Mr Cobb	Mr Johnson	Mr Pyne	Mr Williams
Mr Downer	Mr Jull	Mr Randall	Mr Windsor

\* Tellers

And so it was negatived.

Questions without notice continued.

#### 17 SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED

Mr Crean (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 forthwith—That this House censures the Minister for Small Business and Tourism for his inappropriate allegation of treason against a former member of the Australian Defence Force, Brigadier Jim Wallace, for making the following statement: “I’d be concerned that if we were to deploy any of our mechanised units, that they would be in quite a dangerous situation because of the nature of the equipment” and further censures the Minister for Small Business for his personal explanation by which he accused the Labor Party of treason.

*Closure of Member*

Mr Abbott (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, 70

Mr Abbott	Mr Dutton	Jackie Kelly	Mr Schultz
Mr Anderson	Mrs Elson	Dr Kemp	Mr Secker
Mr Anthony	Mr Entsch	Mr P. E. King	Mr Slipper
Fran Bailey	Mr Farmer	Mrs Ley	Mr A. D. H. Smith
Mr Baird	Mr Forrest*	Mr Lindsay	Mr Somlyay
Mr Baldwin	Mrs Gallus	Mr Lloyd	Dr Southcott
Mr Barresi	Mrs Gash	Mr McArthur*	Dr Stone
Mr Bartlett	Mr Georgiou	Mr I. E. Macfarlane	Mr C. P. Thompson
Mr Billson	Mr Haase	Mr McGauran	Mr Ticehurst
Ms J. I. Bishop	Mr Hardgrave	Mrs Moylan	Mr Tollner
Mr Brough	Mr Hartsuyker	Dr Nelson	Mr Truss
Mr Cadman	Mr Hawker	Mr Neville	Mr M. A. J. Vaile
Mr Causley	Mr Hockey	Ms Panopoulos	Mrs D. S. Vale
Mr Charles	Mrs Hull	Mr Pearce	Mr Wakelin
Mr Ciobo	Mr Hunt	Mr Prosser	Dr Washer
Mr Cobb	Mr Johnson	Mr Pyne	Mr Williams
Mr Downer	Mr Jull	Mr Randall	
Mrs Draper	Mrs D. M. Kelly	Mr Ruddock	

NOES, 58

Mr Adams	Mr Evans	Mr Latham	Ms Roxon
Mr Albanese	Mr Fitzgibbon	Dr Lawrence	Mr Rudd
Mr Andren	Ms George	Mr McClelland	Mr Sawford
Mr Beazley	Mr Gibbons	Ms J. S. McFarlane	Mr Sercombe
Mr Bevis	Ms Gillard	Ms Macklin	Mr S. F. Smith
Ms Burke	Ms Grierson	Mr McLeay	Mr Snowdon
Mr Byrne	Mr Griffin	Mr McMullan	Mr Swan
Ms Corcoran	Ms Hall	Mr Melham	Mr Tanner
Mr Cox	Mr Hatton	Mr Mossfield	Mr K. J. Thomson
Mr Crean	Ms Hoare	Mr Murphy	Ms Vamvakinou
Mrs Crosio	Mrs Irwin	Mr B. P. O'Connor	Mr Wilkie
Mr Danby*	Ms Jackson	Ms Plibersek	Mr Windsor
Mr Edwards	Mr Jenkins	Mr Price	Mr Zahra
Ms Ellis	Mr Kerr	Mr Quick*	
Mr Emerson	Ms C. F. King	Mr Ripoll	

\* Tellers

And so it was resolved in the affirmative.

Mr Swan (seconder) addressing the House—

*Closure of Member*

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

Question—put.

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



## AYES, 70

Mr Abbott	Mr Dutton	Jackie Kelly	Mr Schultz
Mr Anderson	Mrs Elson	Dr Kemp	Mr Secker
Mr Anthony	Mr Entsch	Mr P. E. King	Mr Slipper
Fran Bailey	Mr Farmer	Mrs Ley	Mr A. D. H. Smith
Mr Baird	Mr Forrest*	Mr Lindsay	Mr Somlyay
Mr Baldwin	Mrs Gallus	Mr Lloyd	Dr Southcott
Mr Barresi	Mrs Gash	Mr McArthur*	Dr Stone
Mr Bartlett	Mr Georgiou	Mr I. E. Macfarlane	Mr C. P. Thompson
Mr Billson	Mr Haase	Mr McGauran	Mr Ticehurst
Ms J. I. Bishop	Mr Hardgrave	Mrs Moylan	Mr Tollner
Mr Brough	Mr Hartsuyker	Dr Nelson	Mr Truss
Mr Cadman	Mr Hawker	Mr Neville	Mr M. A. J. Vaile
Mr Causley	Mr Hockey	Ms Panopoulos	Mrs D. S. Vale
Mr Charles	Mrs Hull	Mr Pearce	Mr Wakelin
Mr Ciobo	Mr Hunt	Mr Prosser	Dr Washer
Mr Cobb	Mr Johnson	Mr Pyne	Mr Williams
Mr Downer	Mr Jull	Mr Randall	
Mrs Draper	Mrs D. M. Kelly	Mr Ruddock	

## NOES, 58

Mr Adams	Mr Evans	Mr Latham	Ms Roxon
Mr Albanese	Mr Fitzgibbon	Dr Lawrence	Mr Rudd
Mr Andren	Ms George	Mr McClelland	Mr Sawford
Mr Beazley	Mr Gibbons	Ms J. S. McFarlane	Mr Sercombe
Mr Bevis	Ms Gillard	Ms Macklin	Mr S. F. Smith
Ms Burke	Ms Grierson	Mr McLeay	Mr Snowdon
Mr Byrne	Mr Griffin	Mr McMullan	Mr Swan
Ms Corcoran	Ms Hall	Mr Melham	Mr Tanner
Mr Cox	Mr Hatton	Mr Mossfield	Mr K. J. Thomson
Mr Crean	Ms Hoare	Mr Murphy	Ms Vamvakinou
Mrs Crosio	Mrs Irwin	Mr B. P. O'Connor	Mr Wilkie
Mr Danby*	Ms Jackson	Ms Plibersek	Mr Windsor
Mr Edwards	Mr Jenkins	Mr Price	Mr Zahra
Ms Ellis	Mr Kerr	Mr Quick*	
Mr Emerson	Ms C. F. King	Mr Ripoll	

\* Tellers

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, 57

Mr Adams	Mr Evans	Mr Latham	Ms Roxon
Mr Albanese	Mr Fitzgibbon	Dr Lawrence	Mr Rudd
Mr Andren	Ms George	Mr McClelland	Mr Sawford
Mr Beazley	Mr Gibbons	Ms J. S. McFarlane	Mr Sercombe
Mr Bevis	Ms Gillard	Ms Macklin	Mr S. F. Smith
Ms Burke	Ms Grierson	Mr McLeay	Mr Snowdon
Mr Byrne	Mr Griffin	Mr McMullan	Mr Swan
Ms Corcoran	Ms Hall	Mr Melham	Mr K. J. Thomson
Mr Cox	Mr Hatton	Mr Mossfield	Ms Vamvakinou
Mr Crean	Ms Hoare	Mr Murphy	Mr Wilkie
Mrs Crosio	Mrs Irwin	Mr B. P. O'Connor	Mr Windsor
Mr Danby*	Ms Jackson	Ms Plibersek	Mr Zahra
Mr Edwards	Mr Jenkins	Mr Price	
Ms Ellis	Mr Kerr	Mr Quick*	
Mr Emerson	Ms C. F. King	Mr Ripoll	

## NOES, 70

Mr Abbott	Mr Dutton	Jackie Kelly	Mr Schultz
Mr Anderson	Mrs Elson	Dr Kemp	Mr Secker
Mr Anthony	Mr Entsch	Mr P. E. King	Mr Slipper
Fran Bailey	Mr Farmer	Mrs Ley	Mr A. D. H. Smith
Mr Baird	Mr Forrest*	Mr Lindsay	Mr Somlyay
Mr Baldwin	Mrs Gallus	Mr Lloyd	Dr Southcott
Mr Barresi	Mrs Gash	Mr McArthur*	Dr Stone
Mr Bartlett	Mr Georgiou	Mr I. E. Macfarlane	Mr C. P. Thompson
Mr Billson	Mr Haase	Mr McGauran	Mr Ticehurst
Ms J. I. Bishop	Mr Hardgrave	Mrs Moylan	Mr Tollner
Mr Brough	Mr Hartsuyker	Dr Nelson	Mr Truss
Mr Cadman	Mr Hawker	Mr Neville	Mr M. A. J. Vaile
Mr Causley	Mr Hockey	Ms Panopoulos	Mrs D. S. Vale
Mr Charles	Mrs Hull	Mr Pearce	Mr Wakelin
Mr Ciobo	Mr Hunt	Mr Prosser	Dr Washer
Mr Cobb	Mr Johnson	Mr Pyne	Mr Williams
Mr Downer	Mr Jull	Mr Randall	
Mrs Draper	Mrs D. M. Kelly	Mr Ruddock	

\* Tellers

And so it was negatived.

## 18 SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED

Mr Crean (Leader of the Opposition) moved—That so much of the standing and sessional orders be suspended as would prevent the Minister for Small Business and Tourism from providing a full explanation of his interjection during Question Time and in particular:

- (a) whether he used the word treason;
- (b) if so, about whom; and
- (c) with what justification;

and the Member for Griffith having equal time to respond.

*Closure of Member*

Mr Abbott (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, 70

Mr Abbott	Mrs Draper	Mrs D. M. Kelly	Mr Schultz
Mr Anderson	Mr Dutton	Jackie Kelly	Mr Secker
Mr Anthony	Mrs Elson	Dr Kemp	Mr Slipper
Fran Bailey	Mr Entsch	Mr P. E. King	Mr A. D. H. Smith
Mr Baird	Mr Farmer	Mrs Ley	Mr Somlyay
Mr Baldwin	Mr Forrest*	Mr Lindsay	Dr Southcott
Mr Barresi	Mrs Gallus	Mr Lloyd	Dr Stone
Mr Bartlett	Mrs Gash	Mr McArthur*	Mr C. P. Thompson
Mr Billson	Mr Georgiou	Mr I. E. Macfarlane	Mr Ticehurst
Ms J. I. Bishop	Mr Haase	Mrs Moylan	Mr Tollner
Mr Brough	Mr Hardgrave	Dr Nelson	Mr Truss
Mr Cadman	Mr Hartsuyker	Mr Neville	Mr M. A. J. Vaile
Mr Cameron	Mr Hawker	Ms Panopoulos	Mrs D. S. Vale
Mr Causley	Mr Hockey	Mr Pearce	Mr Wakelin
Mr Charles	Mrs Hull	Mr Prosser	Dr Washer
Mr Ciobo	Mr Hunt	Mr Pyne	Mr Williams
Mr Cobb	Mr Johnson	Mr Randall	
Mr Downer	Mr Jull	Mr Ruddock	

## NOES, 56

Mr Adams	Mr Fitzgibbon	Mr Latham	Mr Ripoll
Mr Albanese	Ms George	Dr Lawrence	Ms Roxon
Mr Bevis	Mr Gibbons	Mr McClelland	Mr Rudd
Ms Burke	Ms Gillard	Ms J. S. McFarlane	Mr Sawford
Mr Byrne	Ms Grierson	Ms Macklin	Mr Sercombe
Ms Corcoran	Mr Griffin	Mr McLeay	Mr S. F. Smith
Mr Cox	Ms Hall	Mr McMullan	Mr Snowden
Mr Crean	Mr Hatton	Mr Melham	Mr Swan
Mrs Crosio	Ms Hoare	Mr Mossfield	Mr Tanner
Mr Danby*	Mrs Irwin	Mr Murphy	Mr K. J. Thomson
Mr Edwards	Ms Jackson	Mr B. P. O'Connor	Ms Vamvakinou
Ms Ellis	Mr Jenkins	Ms Plibersek	Mr Wilkie
Mr Emerson	Mr Kerr	Mr Price	Mr Windsor
Mr Evans	Ms C. F. King	Mr Quick*	Mr Zahra

\* Tellers

And so it was resolved in the affirmative.

Mr Swan (seconded) addressing the House—

*Closure of Member*

Mr Abbott 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 and negatived.

## 19 AUSTRALIAN NATIONAL AUDIT OFFICE—REPORT

The Speaker presented the following paper:

Australian National Audit Office—Report for 2001-2002.

Mr Abbott (Leader of the House) moved—That the report be printed.

Question—put and passed.

## 20 PAPERS—MOTION TO TAKE NOTE OF PAPERS

Mr Abbott (Leader of the House) presented the following papers:

Council for Aboriginal Reconciliation—Reconciliation: Australia’s challenge—Final report of the Council for Aboriginal Reconciliation to the Prime Minister and the Commonwealth Parliament—Commonwealth Government response, September 2002.

Executive summary of the Commonwealth Government response, September 2002.

Primary Industries and Regional Services—Standing Committee—Report—Bioprospecting: Discoveries changing the future—Government response.

and moved—That the House take note of the papers.

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

## 21 PAPER

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

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

## 22 LEAVE OF ABSENCE TO MEMBER

Mr Abbott (Leader of the House) moved—That leave of absence from 26 September to 14 November 2002 be given to Mrs May on the ground of ill health.

Question—put and passed.

## 23 INTERIM TASKFORCE FOR THE BUILDING INDUSTRY—OPENING FOR BUSINESS—MINISTERIAL STATEMENT

Mr Abbott (Minister for Employment and Workplace Relations), by leave, made a ministerial statement on the establishment of an Interim Taskforce for the building industry.

Mr McClelland, by leave, also made a statement with reference to the matter.

## 24 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—DEFENCE PLANNING, PROCUREMENT AND PERSONNEL

The House was informed that Mr Edwards had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The failure of the Government to properly manage Australia’s defence planning, procurement and personnel at a time of international crisis”.

The proposed discussion having received the necessary support—

Mr Edwards addressed the House.

Discussion ensued.

Discussion concluded.

## 25 COMMITTEES—MEMBERSHIP

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

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

- (1) Mrs Elson be discharged from the Standing Committee on Education and Training and that, in her place, Mr Farmer be appointed a member of the committee; and
- (2) Mr Barresi be discharged from the Standing Committee on Employment and Workplace Relations and that, in his place, Mr Lloyd be appointed a member of the committee.

Question—put and passed.

## 26 MESSAGES FROM THE SENATE

Messages from the Senate, 26 September 2002, were reported:

- (a) returning the Higher Education Funding Amendment Bill 2002 and acquainting the House that the Senate does not insist on its amendments Nos 3 and 7 disagreed to by the House and has agreed to the amendments made by the House in place of amendments Nos 2, 6, 8, 13 and 16—Message No. 115; and
- (b) returning the following Bills without amendment:

No. 116—ACIS Administration Amendment 2002; and

No. 117—Dairy Industry Legislation Amendment 2002.

**27 PUBLICATIONS COMMITTEE—REPORT**

Mr Randall (Chair) presented the following paper:

**PUBLICATIONS COMMITTEE 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 29 August 2002, recommends that the following be printed:

Aboriginal Land Commissioner—Report for 2001-02.

*Aged Care Act 1997*—Report for 2001-02 on the operation of the Act.

Australian Land Transport Development Programme—Progress report for 2000-2001.

Commonwealth Grants Commission—Report for 2001-02.

Human Rights and Equal Opportunity Commission—Reports—Inquiries into complaints of discrimination in employment on the basis of criminal record—No. 19—Mr Mark Hall v NSW Thoroughbred Racing Board, and No. 20—Ms Renai Christensen v Adelaide Casino Pty Ltd.

Native Title Act—Native title representative bodies—Carpentaria Land Council Aboriginal Corporation—Report for 2000-01.

Productivity Commission—Reports—

No. 17—Review of the national access regime, 28 September 2001.

No. 21—Independent review of the job network, 3 June 2002.

*War Crimes Act 1945*—Report for 2001-02 on the operation of the Act.

DON RANDALL

Chair

26 September 2002

On the motion of Mr Randall, by leave, the report was agreed to.

**28 EDUCATION SERVICES FOR OVERSEAS STUDENTS AMENDMENT BILL 2002—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 STAGE 1 REDEVELOPMENT AND FACILITIES FOR THE AIRBORNE EARLY WARNING AND CONTROL AIRCRAFT, RAAF BASE WILLIAMTOWN, NEWCASTLE—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: Stage 1 Redevelopment and facilities for the Airborne Early Warning and Control Aircraft, RAAF Base Williamtown, Newcastle.

Debate ensued.

Question—put and passed.

**30 ADJOURNMENT**

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) moved—That the House do now adjourn.

Debate ensued.

*Paper*

Mr Causley, by leave, presented the following paper:

Radiation Oncology Services—Petition from certain citizens of the Northern Rivers area of New South Wales.

Debate continued.

The House continuing to sit until 6 p.m.—The Speaker adjourned the House until Monday, 14 October 2002, at 12.30 p.m.

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**PAPERS**

The following papers were deemed to have been presented on 26 September 2002:

Civil Aviation Act—Civil Aviation Regulations—  
Exemptions—2002 Nos CASA EX21, CASA EX24.  
Instruments—2002 Nos CASA 524, CASA 525.

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**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr K. J. Andrews, Mrs B. K. Bishop, Mr Brereton\*, Mr Costello, Ms Gambaro, Mr Howard, Ms Livermore, Mrs May\*, Mr Nairn, Ms O'Byrne\*, Mr Sciacca, Mr Scott\*, Mr Tuckey and Ms Worth\*.

\* On leave

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**B. C. WRIGHT**  
Acting Clerk of the House of Representatives

2002

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

No. 49

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

**THURSDAY, 26 SEPTEMBER 2002**

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1 The Main Committee met at 9.42 a.m.

**2 MEMBERS' STATEMENTS**

Members' statements were made.

**3 EDUCATION SERVICES FOR OVERSEAS STUDENTS AMENDMENT BILL 2002**

The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—

Debate resumed.

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

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

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

**4 DEFENCE FORCE PERSONNEL**

The order of the day having been read for the resumption of the debate on the motion of Mr Hawker—That this House:

- (1) recognises the significant contribution Australia's defence servicemen and women are making overseas in places including East Timor, the Persian Gulf and Afghanistan;
- (2) praises the skills, dedication and professionalism of these fine young Australians;
- (3) draws these matters to the attention of Parliament and all Australians; and
- (4) acknowledges the success of the Armed Forces Parliamentary Programme in giving Members of Parliament a greater understanding and better appreciation of the commitment of our defence force personnel—

Debate resumed.

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

**5 ADJOURNMENT**

Ms J. I. Bishop moved—That the Main Committee do now adjourn.

Debate ensued.

Question—put and passed.

At 1.29 p.m. the Deputy Speaker adjourned the Main Committee.

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**R. J. McCLELLAND**  
Clerk of the Main Committee