

2002

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 51

TUESDAY, 15 OCTOBER 2002

1 The House met, at 2 p.m., pursuant to adjournment. The Speaker (the Honourable Neil Andrew) took the Chair, and read Prayers.

2 MINISTERIAL ARRANGEMENTS

Mr Howard (Prime Minister) informed the House that, during the absence abroad of Mr Downer (Minister for Foreign Affairs), Mr M. A. J. Vaile (Minister for Trade) would answer questions on his behalf.

3 QUESTIONS

Questions without notice were asked.

4 AUDITOR-GENERAL'S REPORTS

The Speaker presented the following papers:

Auditor-General—Audit reports of 2002-2003—Performance audits—

No. 9—Centrelink's balanced scorecard.

No. 10—Management of international financial commitments: Department of the Treasury.

No. 11—Medicare customer service delivery: Health Insurance Commission.

Severally ordered to be printed.

5 PAPERS

The following papers were presented:

Aboriginals Benefit Account—Report for 2001-02.

Australian Bureau of Statistics—Report for 2001-02.

Australian National Residue Survey—Report for 2001-02.

Australian Securities and Investments Commission—Report for 2001-02.

Comcare—Report for 2001-02.

Crimes Act—

Controlled operations—Report for 2001-02.

Report on authorisations for the acquisition and use of assumed identities under Part 1AC by the Australian Customs Service.

Customs Act—Report on conduct of Customs officers under subsection 233(3A).

Department of Communications, Information Technology and the Arts—Report for 2001-02.

Medibank Private—Report for 2001-02.

New Business Tax System (Consolidations and Other Measures) Bill (No. 1) 2002 and New Business Tax System (Franking Deficit Tax) Amendment Bill 2002—Corrections to the explanatory memorandum.

Public Lending Right Committee—Report for 2001-02.

Roads to recovery programme—Report for 2001-02.

Safety, Rehabilitation and Compensation Commission—Report for 2001-02.

Torres Strait Regional Authority—Report for 2001-02.

Treaties—

Bilateral—Text, together with national interest analysis—

Exchange of Letters between Australia and the Republic of Ireland constituting an Agreement to amend the 1997 Agreement on medical treatment for temporary visitors, done at Canberra on 30 July 2002.

Text, together with national interest analysis and regulation impact statement—

Exchange of letters, done at Hanoi on 1 November 2000 and Canberra on 5 August 2002, constituting an Agreement to amend the Agreement between the Government of Australia and the Government of the Socialist Republic of Vietnam for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, done at Hanoi on 13 April 1992, as amended by an Exchange of Notes done at Hanoi on 13 April 1992, as amended by an Exchange of Notes done at Canberra on 22 November 1996.

Multilateral—Text, together with national interest analysis—

Third Agreement to extend the 1987 Regional Co-operative Agreement for research, development and training related to nuclear science and technology, done at Vienna on 1 October 2001.

Witness Protection Act 1994—Report for 2001-02.

6 PAPERS—MOTION TO TAKE NOTE OF PAPERS

Mr Abbott (Leader of the House) moved—That the House take note of the following papers:

Aboriginals Benefit Account—Report for 2001-02.

Australian Bureau of Statistics—Report for 2001-02.

Australian Securities and Investments Commission—Report for 2001-02.

Comcare—Report for 2001-02.

Crimes Act—

Controlled operations—Report for 2001-02.

Report on authorisations for the acquisition and use of assumed identities under Part 1AC by the Australian Customs Service.

Customs Act—Report on conduct of Customs officers under subsection 233(3A).

Medibank Private—Report for 2001-02.

Public Lending Right Committee—Report for 2001-02.

Safety, Rehabilitation and Compensation Commission—Report for 2001-02.

Torres Strait Regional Authority—Report for 2001-02.

Treaties—

Bilateral—Text, together with national interest analysis—

Exchange of Letters between Australia and the Republic of Ireland constituting an Agreement to amend the 1997 Agreement on medical treatment for temporary visitors, done at Canberra on 30 July 2002.

Text, together with national interest analysis and regulation impact statement—

Exchange of letters, done at Hanoi on 1 November 2000 and Canberra on 5 August 2002, constituting an Agreement to amend the Agreement between the Government of Australia and the Government of the Socialist Republic of Vietnam for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, done at Hanoi on 13 April 1992, as amended by an Exchange of Notes done at Hanoi on 13 April 1992, as amended by an Exchange of Notes done at Canberra on 22 November 1996.

Multilateral—Text, together with national interest analysis—

Third Agreement to extend the 1987 Regional Co-operative Agreement for research, development and training related to nuclear science and technology, done at Vienna on 1 October 2001.

Witness Protection Act 1994—Report for 2001-02.

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

7 TERRORIST ATTACKS IN BALI—MOTION TO TAKE NOTE OF PAPER

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

Copy of motion by the Prime Minister relating to the terrorist attacks in Bali—

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

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

8 MATTER REFERRED TO MAIN COMMITTEE

Mr Abbott (Leader of the House), by leave, moved—That the following order of the day be referred to the Main Committee for debate:

Copy of motion by the Prime Minister relating to the terrorist attacks in Bali—Motion to take note of paper: Resumption of debate.

Question—put and passed.

9 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—TERRORISM

The House was informed that Mr Rudd had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The central importance of a unified national response to the needs of those affected by the terrorist attack in Bali, to bring to justice those responsible and to eliminate terrorism from our region”.

The proposed discussion having received the necessary support—

Mr Rudd addressed the House.

Discussion ensued.

Discussion concluded.

10 MESSAGES FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS

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

8 October 2002—Message—

No. 61—Health Legislation Amendment (Private Health Industry Measures) 2002.

No. 62—

Marriage Amendment 2002.

Higher Education Legislation Amendment (No. 2) 2002.

Import Processing Charges (Amendment and Repeal) 2002.

Plant Health Australia (Plant Industries) Funding 2002.

10 October 2002—Message No. 63—

Commonwealth Electoral Amendment (No. 1) 2002.

Customs Legislation Amendment (No. 1) 2002.

ACIS Administration Amendment 2002.

Dairy Industry Legislation Amendment 2002.

11 October 2002—Message No. 64—

Proceeds of Crime 2002.

Proceeds of Crime (Consequential Amendments and Transitional Provisions) 2002.

11 SELECTION COMMITTEE—REPORT

Mr Causley (Chair) presented the following paper:

Selection Committee—Report relating to the consideration of committee and delegation reports and private Members’ business on Monday, 21 October 2002.

12 FAMILY AND COMMUNITY AFFAIRS—STANDING COMMITTEE

The House was informed that the Chief Opposition Whip had nominated Mr Quick to be a member of the Standing Committee on Family and Community Affairs.

Mr Williams (Attorney-General), by leave, moved—That Mr Quick be appointed a member of the Standing Committee on Family and Community Affairs.

Question—put and passed.

13 BILLS REFERRED TO MAIN COMMITTEE

Mr Lloyd (Chief Government Whip), by leave, moved—That the following Bills be referred to the Main Committee for further consideration:

Excise Laws Amendment (No. 1) 2002;

Excise Tariff Amendment (No. 2) 2002;

Aboriginal Land Rights (Northern Territory) Amendment 2002;

New Business Tax System (Consolidation and Other Measures) (No. 1) 2002;

New Business Tax System (Franking Deficit Tax) Amendment 2002;

Australian Animal Health Council (Live-stock Industries) Funding Amendment 2002;

Health Care (Appropriation) Amendment 2002; and

Insurance and Aviation Liability Legislation Amendment 2002.

Question—put and passed.

14 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.

Question—put.

The House divided (the Deputy Speaker, Ms Gambaro, in the Chair)—

AYES, 74

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

NOES, 60

Mr Adams	Mr L. D. T. Ferguson	Mr Latham	Mr Quick*
Mr Albanese	Mr M. J. Ferguson	Dr Lawrence	Mr Ripoll
Mr Andren	Mr Fitzgibbon	Ms Livermore	Ms Roxon
Mr Beazley	Ms George	Mr McClelland	Mr Sawford
Mr Bevis	Mr Gibbons	Ms J. S. McFarlane	Mr Sercombe
Ms Burke	Ms Gillard	Ms Macklin	Mr Sidebottom
Mr Byrne	Ms Grierson	Mr McLeay	Mr S. F. Smith
Ms Corcoran	Mr Griffin	Mr McMullan	Mr Snowdon
Mr Cox	Mr Hatton	Mr Melham	Mr Swan
Mrs Crosio	Mrs Irwin	Mr Mossfield	Mr Tanner
Mr Danby*	Ms Jackson	Mr Murphy	Mr K. J. Thomson
Mr Edwards	Mr Jenkins	Mr B. P. O'Connor	Ms Vamvakinou
Ms Ellis	Mr Katter	Mr G. M. O'Connor	Mr Wilkie
Mr Emerson	Mr Kerr	Ms Plibersek	Mr Windsor
Mr Evans	Ms C. F. King	Mr Price	Mr Zahra

* Tellers

And so it was resolved in the affirmative—Bill read a second time.

Consideration in detail

Bill, by leave, taken as a whole.

Paper

Mr McGauran (Minister for Science) presented a supplementary explanatory memorandum to the Bill.

On the motion of Mr McGauran, by leave, Government amendments (1) to (9) were made together.

Bill, as amended, agreed to.

Consideration in detail concluded.

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

15 MAIN COMMITTEE—DAY OF NEXT MEETING

The Deputy Speaker reported that Wednesday, 16 October 2002, at 9.40 a.m., had been fixed for the next meeting of the Main Committee.

16 MESSAGES FROM THE SENATE

Messages from the Senate, 15 October 2002, were reported returning the following Bills without amendment:

Message—

No. 118—Criminal Code Amendment (Espionage and Related Matters) 2002.

No. 119—States Grants (Primary and Secondary Education Assistance) Amendment (No. 2) 2002.

17 VOCATIONAL EDUCATION AND TRAINING FUNDING 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 by Mr Albanese who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words:

“whilst not seeking to deny the Bill a second reading, the House condemns the Government for:

- (1) failing to develop comprehensive transition strategies to assist young people, thereby abandoning at least 205,300 15 to 19 year olds, placing them at risk of not making a successful transition from school to work;
- (2) failing to keep its election promise to young people to provide a comprehensive response in the 2002 budget to the Youth Pathways Report;
- (3) failing to address youth unemployment, which is on the rise;

- (4) refusing to acknowledge the substantial adverse impact that the Government's Welfare Reform initiatives are having on TAFE;
- (5) failing to take a holistic approach to the needs of indigenous Australians resulting in a decline in participation in courses leading to a qualification; and
- (6) the Minister's double standards in espousing concern for the welfare of young Australians but failing to take any meaningful action to invest in their training needs; and

the House further notes that State and Territory Labor Governments have made significant achievements in the implementation of VET in schools while the Commonwealth has refused to provide growth funding, making the Labor States and Territories the leaders in this field".

Debate continued.

18 ADJOURNMENT

It being approximately 10.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 10.59 p.m., adjourned until tomorrow at 9.30 a.m.

PAPERS

The following papers were deemed to have been presented on 15 October 2002:

Civil Aviation Act—Civil Aviation Regulations—Airworthiness Directives—

Part 39-105—2002 26, 30 September, 2(4), 9, 11 October.

Part 39-106—2002 26(2) September, 10 October.

Part 39-107—2002 10(2) October.

Defence Act—

Defence Force Regulations—Declaration of defence practice areas, 3 October 2002.

Defence Force Remuneration Tribunal—Determinations—2002 Nos 16, 17.

Diplomatic Privileges and Immunities Regulations—Certificates, 3 October (2) 2002.

Family Law Act—Rules of Court—Statutory Rules 2002 No. 241.

Sydney Airport Curfew Act—Dispensation—2002 No. 9.

Taxation Administration Act—

Determination—2002 No. GSTD 4.

Rulings—2002 Nos CR 76, GSTR 4.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Brereton*, Mr Downer, Ms Hoare, Mrs May*, Ms O'Byrne*, Mr Sciacca, Mr Scott* and Ms Worth*.

* On leave

I. C. HARRIS

Clerk of the House of Representatives