

2002

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 55

TUESDAY, 22 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 QUESTIONS

Questions without notice were asked.

3 PAPERS

Mr Downer (Minister for Foreign Affairs) presented the following papers:
 Canadian Travel Reports for Indonesia, 10 September 2001–15 October 2002.
 UK Travel Advice for Indonesia, 5 September 2001–15 October 2002.

4 PAPERS

The Speaker presented the following papers:
 Condolence Messages—
 Ambassador of Spain.
 Ambassador of the Hashemite Kingdom of Jordan.
 House of Representatives of Indonesia.
 House of Representatives of Spain.
 Mr Greg Orth, a citizen of the United States.

5 AUDITOR-GENERAL'S REPORT

The Speaker presented the following paper:
 Auditor-General—Audit report No. 12 of 2002-2003—Performance audit—Management of the Innovation Investment Fund Program: Department of Industry, Tourism and Resources—Industry Research and Development Board.
 Ordered to be printed.

6 PAPERS

The following papers were presented:
 Australia Council—Report for 2001-02.
 Australia Post—Statement of corporate intent—2002/03-2004/05.
 Australian Electoral Commission—Report for 2001-02.
 Australian Film Commission—Report for 2001-02.
 Australian Film Television and Radio School—Report for 2001-02.
 Australian Fisheries Management Authority—Report for 2001-02.
 Australian Greenhouse Office—Report for 2001-02.
 Australian Industrial Relations Commission and the Australian Industrial Registry—Reports for 2001-02.
 Australian Radiation Protection and Nuclear Safety Agency—Report for 2001-02.
 Australian Safeguards and Non-Proliferation Office—Report for 2001-02.

Australian Sports Commission—Report for 2001-02.
 Australian Strategic Policy Institute—Report for 2001-02.
 Australian Trade Commission (AUSTRADE)—Report for 2001-02.
 Australian Transaction Reports and Analysis Centre (AUSTRAC)—Report for 2001-02.
 Australian Wine and Brandy Corporation—Report for 2001-02.
 Bundanon Trust—Report for 2001-02.
 Centrelink—Report for 2001-02.
 CrimTrac Agency—Report for 2001-02.
 Dairy Adjustment Authority—Report for 2001-02.
 Dairy Research and Development Corporation—Report for 2001-02.
 Defence Housing Authority—Report for 2001-02.
 Department of the Prime Minister and Cabinet—Report for 2001-02.
 Export Finance and Insurance Corporation—Report for 2001-02.
 Film Australia Limited—Report for 2001-02.
 Fisheries Research and Development Corporation—Report for 2001-02.
 Grains Research and Development Corporation—Report for 2001-02.
 Grape and Wine Research and Development Corporation—Report for 2001-02.
 Human Rights and Equal Opportunity Commission—Report—Visits to immigration detention facilities by the Human Rights Commissioner 2001, August 2002.
 Indigenous Land Corporation—
 Changes to the Indigenous Land Corporation National Indigenous Land Strategy, 18 September 2002.
 Report for 2001-02.
 Land and Water Australia—Report for 2001-02.
 National Archives of Australia and National Archives of Australia Advisory Council—Reports for 2001-02.
 National Gallery of Australia—Report for 2001-02.
 National Library of Australia—Report for 2001-02.
 National Registration Authority for Agricultural and Veterinary Chemicals—Report for 2001-02.
 Rural Industries Research & Development Corporation—Report for 2001-02.
 Sugar Research and Development Corporation—Report for 2001-02.

7 PAPERS—MOTION TO TAKE NOTE OF PAPERS

Mr Abbott (Leader of the House) moved—That the House take note of the following papers:
 Australian Fisheries Management Authority—Report for 2001-02.
 Australian Greenhouse Office—Report for 2001-02.
 Australian Industrial Relations Commission and the Australian Industrial Registry—Reports for 2001-02.
 Australian Safeguards and Non-Proliferation Office—Report for 2001-02.
 Australian Strategic Policy Institute—Report for 2001-02.
 Australian Trade Commission (AUSTRADE)—Report for 2001-02.
 Australian Transaction Reports and Analysis Centre (AUSTRAC)—Report for 2001-02.
 Centrelink—Report for 2001-02.
 CrimTrac Agency—Report for 2001-02.
 Defence Housing Authority—Report for 2001-02.
 Export Finance and Insurance Corporation—Report for 2001-02.
 Human Rights and Equal Opportunity Commission—Report—Visits to immigration detention facilities by the Human Rights Commissioner 2001, August 2002.
 Land and Water Australia—Report for 2001-02.

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

8 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—COMMUNITY CARERS

The House was informed that Ms Ellis had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The valuable contribution that Australia’s 2.3 million carers make to the community by looking after those with a disability, mental illness, chronic condition or the frail and aged”.

The proposed discussion having received the necessary support—

Ms Ellis addressed the House.

Discussion ensued.

Discussion concluded.

9 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, 11 November 2002.

10 MATTERS REFERRED TO MAIN COMMITTEE

Mr Lloyd (Chief Government Whip), by leave, moved—That:

- (1) the Torres Strait Fisheries Amendment Bill 2002 be referred to the Main Committee for further consideration; and
- (2) the following order of the day, committee and delegation reports, be referred to the Main Committee for debate:

Education and Training—Standing Committee—Report on education of boys—Motion to take note of paper: Resumption of debate.

Question—put and passed.

11 MESSAGE FROM THE ADMINISTRATOR—ASSENT TO BILL

A message from His Excellency the Administrator was announced informing the House that His Excellency, in the name of Her Majesty, had assented to the following Bill:

21 October 2002—Message No. 70—Higher Education Funding Amendment 2002.

12 MESSAGE FROM THE SENATE

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

21 October 2002—Message No. 130—New Business Tax System (Consolidation, Value Shifting, Demergers and Other Measures) 2002.

13 MESSAGE FROM THE SENATE—MEMBERS OF PARLIAMENT (LIFE GOLD PASS) BILL 2002

Message No. 131, 21 October 2002, from the Senate was reported returning the Members of Parliament (Life Gold Pass) Bill 2002 and acquainting the House that the Senate has considered message No. 172 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.

14 WORKPLACE RELATIONS AMENDMENT (FAIR DISMISSAL) BILL 2002 [NO. 2]

The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—*And on the amendment moved thereto by Mr McClelland, viz.*—That all words after “That” be omitted with a view to substituting the following words: “whilst not declining to give the bill a second reading, the House:

- (1) confirms that the protection from being unfairly dismissed is a fundamental safety net issue for Australian workers and their families irrespective of the size of the business in which they are employed;

- (2) notes that the Australian Labor Party, in Opposition and as a future Government, is committed to working with small business, employees and peak bodies to make unfair dismissal laws more effective by addressing procedural complexities and costs; and
- (3) condemns the government for:
- (a) promoting socially divisive policies for its political purposes;
 - (b) using the issue of unfair dismissal to deflect criticism of the fact that its taxation policies have tied up small business in an unprecedented level of complexity and red tape;
 - (c) proposing legislation that would actually expose small business to other areas of more complex and costly litigation;
 - (d) undermining the security that unfair dismissal laws have given Australian workers and their families;
 - (e) failing to assist small business to develop effective human resource strategies in terms of the selection, ongoing training, supervision and management of employees; and
 - (f) failing to heed calls from the small business community for a more constructive approach to the issue of unfair dismissal that is likely to result in uniform national standards underpinned by the concept of a ‘fair go all round’ ”—

Debate resumed.

Question—That the words proposed to be omitted stand part of the question—put.

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

AYES, 75

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

NOES, 58

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

* Tellers

And so it was resolved in the affirmative.

Question—That the Bill be now read a second time—put and passed—Bill read a second time.

Consideration in detail

Bill, by leave, taken as a whole.

Mr McClelland, by leave, moved Opposition amendments (1) to (12) together.

Debate continued.

Amendments negatived.

Bill agreed to.

Consideration in detail concluded.

On the motion of Mr Abbott (Minister for Employment and Workplace Relations), by leave, the Bill was read a third time.

15 SUPERANNUATION (GOVERNMENT CO-CONTRIBUTION FOR LOW INCOME EARNERS) 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.

Debate adjourned (Mr K. J. Andrews—Minister for Ageing), and the resumption of the debate made an order of the day for a later hour this day.

16 CRIMES AMENDMENT BILL 2002

Mr Williams (Attorney-General), by leave, presented a Bill for an Act to amend the *Crimes Act 1914*.

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, by leave, continued.

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 Williams, the Bill was read a third time.

17 SUPERANNUATION (GOVERNMENT CO-CONTRIBUTION FOR LOW INCOME EARNERS) 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.

Mr Katter addressing the House—

18 ADJOURNMENT

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

Debate ensued.

Question—put and passed.

The House continuing to sit until 11 p.m.—The Speaker adjourned the House until tomorrow at 9.30 a.m.

PAPERS

The following papers were deemed to have been presented on 22 October 2002:

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposal—2002 No. 15.

Australian Meat and Live-stock Industry Act—Orders—2002—

Australian Meat and Live-stock Industry (Beef export to the United States of America—Quota Year 2003).

Australian Meat and Live-stock Industry (High quality beef export to the European Union) Amendment (No. 1).

Health Insurance Act—Determinations—2002 HS/07, HS/08.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Brereton*, Ms Burke, Mrs May*, Ms O'Byrne*, Mr Scott*, Mr M. A. J. Vaile and Ms Worth*.

* On leave

I. C. HARRIS

Clerk of the House of Representatives

2002

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

No. 55

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

TUESDAY, 22 OCTOBER 2002

1 The Main Committee met at 4 p.m.

2 TERRORIST ATTACKS IN BALI—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 Abbott (Leader of the House)—That the House take note of the paper (*presented on 15 October 2002*), viz.:

Terrorist attacks in Bali—

Debate resumed.

Suspension of sitting

At 5.04 p.m., a division having been called in the House, the proceedings were suspended.

Resumption of sitting

At 5.16 p.m., the proceedings were resumed.

Debate continued.

Suspension of sitting

At 6.30 p.m., the Deputy Speaker left the Chair.

Resumption of sitting

At 8 p.m., the Deputy Speaker resumed the Chair.

Debate continued.

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

3 ADJOURNMENT

On the motion of Mr Nairn, the Main Committee adjourned at 10.34 p.m.

The Deputy Speaker fixed tomorrow at 9.40 a.m. for the next meeting of the Main Committee.

B. C. WRIGHT
Clerk of the Main Committee