

2002-03

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 76

THURSDAY, 13 FEBRUARY 2003



1 The House met, at 9 a.m., pursuant to adjournment. The Speaker (the Honourable Neil Andrew) took the Chair, and read Prayers.

**2 WORKPLACE RELATIONS AMENDMENT (COMPLIANCE WITH COURT AND TRIBUNAL ORDERS) BILL 2003**

Mr Abbott (Minister for Employment and Workplace Relations), pursuant to notice, presented a Bill for an Act to amend the *Workplace Relations Act 1996*, and for related purposes.

Bill read a first time.

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

*Paper*

Mr Abbott presented an explanatory memorandum to the Bill.

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

**3 WORKPLACE RELATIONS AMENDMENT (PROTECTING THE LOW PAID) BILL 2003**

Mr Abbott (Minister for Employment and Workplace Relations), pursuant to notice, presented a Bill for an Act to amend the *Workplace Relations Act 1996*, and for related purposes.

Bill read a first time.

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

*Paper*

Mr Abbott presented an explanatory memorandum to the Bill.

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

**4 ENERGY GRANTS (CREDITS) SCHEME BILL 2003**

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, presented a Bill for an Act to provide grants for the use of certain fuels, 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 following Bills:

Energy Grants (Credits) Scheme 2003; and

Energy Grants (Credits) Scheme (Consequential Amendments) 2003.

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

**5 ENERGY GRANTS (CREDITS) SCHEME (CONSEQUENTIAL AMENDMENTS) BILL 2003**

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, presented a Bill for an Act to amend or repeal certain Acts as a consequence of the enactment of the *Energy Grants (Credits) Scheme Act 2003*, and for related purposes.

Bill read a first time.

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

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

**6 TAXATION LAWS AMENDMENT BILL (NO. 4) 2003**

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) presented a Bill for an Act to amend the law relating to taxation, 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 Rudd), and the resumption of the debate made an order of the day for the next sitting.

**7 MIGRATION LEGISLATION AMENDMENT (CONTRIBUTORY PARENTS MIGRATION SCHEME) 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—*And on the amendment moved thereto by Ms Gillard, 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) notes that:
  - (a) the Howard Government slashed the number of visas available for parents seeking to migrate to Australia to join their families to 500 in 1998;
  - (b) through this savage cut in visa numbers, the Howard Government has deliberately created a queue of over 20,000 parents seeking to migrate;
  - (c) the deliberate creation of this queue has caused stress and suffering for the families involved;
  - (d) having created this crisis, the Howard Government’s only answer is a new visa class which requires the payment of a \$25,000 fee which will be beyond the means of many; and
  - (e) while Labor has historically supported sponsoring families making a contribution to the health and welfare costs associated with the migration of parents, the system needs to be equitable and not cause undue hardship; and therefore
- (2) calls on the Government immediately to introduce a fair system of parent visas, which will stop families in the current queue suffering additional stress and hardship and will meet Australia’s needs into the future”—

Debate resumed.

Amendment negatived.

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

*Message from the Governor-General*

Message No. 104, 3 December 2002, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

*Consideration in detail*

Bill, by leave, taken as a whole.

Mr Andren moved an amendment.

Debate continued.

Amendment negatived.

Bill agreed to.

Consideration in detail concluded.

On the motion of Mr Ruddock (Minister for Immigration and Multicultural and Indigenous Affairs), by leave, the Bill was read a third time.

#### 8 **MIGRATION (VISA APPLICATION) CHARGE 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—

Question—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 and Indigenous Affairs), the Bill was read a third time.

#### 9 **BROADCASTING LEGISLATION AMENDMENT BILL (NO. 3) 2002**

The order of the day having been read for the second reading—Mr M. A. J. Vaile (Minister for Trade) moved—That the Bill be now read a second time.

*Paper*

Mr M. A. J. Vaile presented an explanatory memorandum to the Bill.

Debate ensued.

Mr Tanner 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) further fiddling with its disintegrating digital television regime without addressing the overall problems inherent in the regime;
- (2) refusing to acknowledge that its digital television regime is failing, particularly with respect to the very poor consumer take up of digital receivers and the lack of consumer interest in high definition television;
- (3) creating confusion in the broadcasting sector by constantly changing its position on multi channelling;
- (4) maintaining a failed datacasting strategy which has been completely rejected by the media sector;
- (5) mandating high definition television against worldwide trends, but then tinkering with the high definition quota to make it easier for broadcasters to meet this requirement; and
- (6) encouraging consumers to purchase high definition television but then reducing the broadcaster’s obligation to provide regular high definition content”.

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 third reading to be moved forthwith.

On the motion of Mr McGauran (Minister for Science), the Bill was read a third time.

#### 10 **WORKPLACE RELATIONS AMENDMENT (SECRET BALLOTS FOR PROTECTED ACTION) 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—

Debate resumed.

Debate adjourned (Fran Bailey—Parliamentary Secretary to the Minister for Defence), and the resumption of the debate made an order of the day for a later hour this day.

#### 11 **PUBLICATIONS COMMITTEE—REPORT**

Mr Randall (Chair) presented the following paper:

##### PUBLICATIONS COMMITTEE REPORT

The Publications Committee reports that it has met and considered documents presented to the House of Representatives since 12 December 2002. The Committee recommends that the following be printed:

Central Land Council—Report for 2001-02.

Commonwealth Ombudsman—Report on activities in monitoring controlled operations conducted by the National Crime Authority and the Australian Federal Police, December 2002.

Dairy Adjustment Authority—Report—Review of the Dairy Adjustment Levy, November 2002.

Defence Force Retirement and Death Benefits Authority—Report for 2001-02—Corrigendum.

Department of Employment and Workplace Relations—Report for 2001-02—Corrigendum.

Foreign Investment Review Board—Report for 2001-02.

Industry Research and Development Board—Report for 2001-02.

Migration Agents Registration Authority—Report for 2001-02.

Native Title Act—Native title representative bodies—

Goldfields Land and Sea Council—Report for 2001-02.

Queensland South Representative Body Aboriginal Corporation—Report for 2001-02.

Pooled Development Funds Registration Board—Report for 2001-02.

Productivity Commission—Reports—  
2001-02.

No. 23—Review of Section 2D of the *Trade Practices Act 1974* Local Government Exemptions, 14 August 2002.

No. 25—Review of automotive assistance, 30 August 2002.

DON RANDALL

Chair

13 February 2002

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

**12 AGRICULTURE, FISHERIES AND FORESTRY LEGISLATION AMENDMENT BILL (NO. 2) 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 Fran Bailey (Parliamentary Secretary to the Minister for Defence), by leave, the Bill was read a third time.

**13 COMMONWEALTH ELECTORAL AMENDMENT (MEMBERS OF LOCAL GOVERNMENT BODIES) BILL 2002—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the Bill had been considered by the Main Committee and was returned with an unresolved question (*see item No. 4, Minutes of Proceedings of the Main Committee*), and presented a certified copy of the Bill together with a schedule of the unresolved question. The Deputy Speaker did not propose to put the unresolved question as it was now superseded.

Ordered—That further proceedings on the Bill be made an order of the day for the next sitting.

**14 IRAQ—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the Main Committee had returned, with an unresolved question, the order of the day relating to the motion to take note of the Ministerial statement on Iraq and proposed amendments, and presented a certified copy of the statement together with a schedule of the question which the Committee was unable to resolve (*see item No. 6, Minutes of Proceedings of the Main Committee, 12 February 2003*).

Unresolved question—That the question be now put.

Question—That the question be now put—put.

The House divided and only Mr Andren, Mr Organ, and Mr Windsor voting “Aye”, the Deputy Speaker (Ms Corcoran) declared the question resolved in the negative.

Debate ensued on the question that the words proposed to be omitted from the amendment moved by the Member for Calare stand part of the question.

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.

## 15 QUESTIONS

Questions without notice being asked—

### *Papers*

Mr Crean (Leader of the Opposition), by leave, presented the following papers:

Iraq—

Coalition of the willing—Secretary Rumsfeld interview with Fox News Sunday, 19 January 2003.

Pentagon Briefing—Secretary of Defense Donald Rumsfeld and the British Secretary of State for Defense Geoffrey Hoon conduct the Pentagon briefing, 13 February 2003.

Questions without notice continuing—

### *Paper*

Mrs D. S. Vale (Minister for Veterans' Affairs) presented the following paper:

Gulf War Veterans Health Study Chronology.

Questions without notice continued.

## 16 PAPERS

Mr Baldwin, by leave, presented the following papers:

Building site activities—

Media Statement by Port Stephens Council general manager Peter Gesling, 13 February 2003.

Faxed letter from Robinson's Earthmoving to Mr Bob Baldwin MP, 13 February 2003.

## 17 PAPER

Mr Fitzgibbon, by leave, presented the following paper:

Clearing and Earthworks in Pillinda Court, Nelson Bay—Letter from Paul Douglass, Development and Building Manager, Port Stephens Council, to Nelson Bay Precinct, 5 June 2002.

## 18 PAPERS

The following papers were presented:

Australian Trade Commission (AUSTRADE)—Report for 2001-02—Erratum.

Native Title Act—Native title representative bodies—

Gurang Land Council (Aboriginal Corporation)—Report for 2001-02.

Kimberley Land Council—Report for 2001-02.

Ngaanyatjarra Council (Aboriginal Corporation)—Report for 2001-02.

South West Aboriginal Land and Sea Council—Report for 2001-02.

Yamatji Barna Baba Maaja Aboriginal Corporation—Report for 2001-02.

## 19 PAPERS—MOTION TO TAKE NOTE OF PAPERS

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

Native Title Act—Native title representative bodies—

Gurang Land Council (Aboriginal Corporation)—Report for 2001-02.

Kimberley Land Council—Report for 2001-02.

Ngaanyatjarra Council (Aboriginal Corporation)—Report for 2001-02.

South West Aboriginal Land and Sea Council—Report for 2001-02.

Yamatji Barna Baba Maaja Aboriginal Corporation—Report for 2001-02.

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

## 20 PAPERS—MOTION TO TAKE NOTE OF PAPERS

Mr Abbott (Leader of the House), by leave, moved—That the House take note of papers presented previously:

Productivity Commission—Report No. 25—Review of automotive assistance.

Takeovers Panel—Report for 2001-02.

Industry Research and Development Board—Report for 2001-02.

National Environment Protection Council—Report for 2001-02.

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

## 21 PAPERS

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

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

## 22 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—AUSTRALIA'S NATIONAL SECURITY INTERESTS

The House was informed that Mr Crean (Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The incompetent handling and mismanagement of Australia's national security interests by the Government at a time of international crisis".

The proposed discussion having received the necessary support—

Mr Crean addressed the House.

Discussion ensued.

Discussion concluded.

## 23 ADJOURNMENT

It being 4.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 5 p.m.—The Speaker adjourned the House until Monday, 3 March 2003.

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## PAPERS

The following papers were deemed to have been presented on 13 February 2003:

A New Tax System (Family Assistance) (Administration) Act—Determinations—2003—

Child Care Benefit (Allocation of child care places) Amendment (No. 1).

Child Care Benefit (Eligibility of child care services for approval and continued approval) Amendment (No. 1).

Higher Education Funding Act—Determination—2002 No. T29.

Social Security Act—Determination—2002 Social Security (Fares Allowance for Private Transport) (No. 2).

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## ATTENDANCE

All Members attended (at some time during the sitting) except Mr Howard and Ms Livermore\*.

\* On leave

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**I. C. HARRIS**  
Clerk of the House of Representatives

2002-03

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

No. 76

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

THURSDAY, 13 FEBRUARY 2003

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1 The Main Committee met at 9.40 a.m.

**2 MEMBERS' STATEMENTS**

Members' statements were made.

**3 AGRICULTURE, FISHERIES AND FORESTRY LEGISLATION AMENDMENT BILL (NO. 2) 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 COMMONWEALTH ELECTORAL AMENDMENT (MEMBERS OF LOCAL GOVERNMENT BODIES) 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 Fitzgibbon moved—That further proceedings be conducted in the House.

Question—put and not being resolved—Bill to be returned to the House.

**5 FAMILY AND COMMUNITY SERVICES LEGISLATION 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—

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*Suspension of sitting*

At 11.08 a.m., the Deputy Speaker left the Chair.

*Resumption of sitting*

At 11.16 a.m., the Deputy Speaker resumed the Chair.

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Debate resumed.

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

**6 ADJOURNMENT**

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

Debate ensued.

Question—put and passed.

At 1 p.m. the Deputy Speaker adjourned the Main Committee until a date and time to be fixed.



**B. C. WRIGHT**  
Clerk of the Main Committee