

2002-03

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 89

WEDNESDAY, 14 MAY 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 **HEALTH CARE (APPROPRIATION) AMENDMENT BILL 2003**

Ms Worth (Parliamentary Secretary to the Minister for Health and Ageing), pursuant to notice, presented a Bill for an Act to amend the *Health Care (Appropriation) Act 1998*, and for related purposes.

Bill read a first time.

Ms Worth moved—That the Bill be now read a second time.

Paper

Ms Worth presented an explanatory memorandum to the Bill.

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

3 **MIGRATION LEGISLATION AMENDMENT (FURTHER BORDER PROTECTION MEASURES) 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.

Question—put.

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

AYES, 72

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

NOES, 60

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

* Tellers

And so it was resolved in the affirmative—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.

4 PAPER AND STATEMENT

Ms Worth (Parliamentary Secretary to the Minister for Health and Ageing) presented a supplementary explanatory memorandum to the Therapeutic Goods Amendment Bill (No. 2) 2002 and, by leave, made a statement in connection with the memorandum.

5 THERAPEUTIC GOODS 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 by Mr Griffin 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 condemns the Government for its track record of weakening the regulation of complementary and over-the-counter medicines and notes that we are now dealing with the logical result of its negligence”.

Debate continued.

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.

6 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.

7 QUESTIONS

Questions without notice were asked.

8 PAPERS

The following papers were presented:

Crimes Act 1914—Report—Independent review of Part 1D: Forensic Procedures, March 2003.

Finance—Advance to the Finance Minister—

Statement for February 2003.

Supporting applications for issues from the Advance during February 2003.

Health and Ageing—Report of the expert advisory group on Hepatitis C and Plasma in 1990, May 2003.

Treaties—

Bilateral—Text, together with national interest analysis—

Agreement between the Government of Australia and the Government of the Democratic Republic of Timor-Leste relating to the unitisation of the Sunrise and Troubadour Fields, done at Dili on 6 March 2003.

Agreement between the Government of Australia and the Government of the Democratic Socialist Republic of Sri Lanka for the promotion and protection of investments, done at Canberra on 12 November 2002.

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

Agreement on social security between Australia and the Kingdom of Belgium, done at Canberra on 20 November 2002.

Agreement on social security between the Government of Australia and the Government of the Republic of Chile, done at Canberra on 25 March 2003.

Agreement on social security between the Government of Australia and the Government of the Republic of Slovenia, done at Vienna on 19 December 2002.

Multilateral—Text, together with national interest analysis—

International Labour Organization Conventions—

No. 83: Labour standards (non-metropolitan territories) Convention, 1947.

No. 85: Labour Inspectorates (non-metropolitan territories) Convention, 1947.

No. 86: Contracts of employment (Indigenous workers) Convention, 1947.

*Text, together with national interest analysis and regulation impact statement—*Amendments to the annex to the International Convention for the Safety of Life at Sea, 1974, including consideration and adoption of the International Ship and Port Facility Security (ISPS) Code, done at London on 12 December 2002.

9 PAPERS—MOTION TO TAKE NOTE OF PAPERS

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

Finance—Advance to the Finance Minister—

Statement for February 2003.

Supporting applications for issues from the Advance during February 2003.

Health and Ageing—Report of the expert advisory group on Hepatitis C and Plasma in 1990, May 2003.

Treaties—

Multilateral—Text, together with national interest analysis—

International Labour Organization Conventions—

No. 83: Labour standards (non-metropolitan territories) Convention, 1947.

No. 85: Labour Inspectorates (non-metropolitan territories) Convention, 1947.

No. 86: Contracts of employment (Indigenous workers) Convention, 1947.

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

10 PAPER—MOTION TO TAKE NOTE OF PAPER

Mr Abbott (Leader of the House), by leave, moved—That the House take note of the following paper presented yesterday:

Higher Education—Report for the 2003 to 2005 triennium.

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

11 POSTPONEMENT OF ORDERS OF THE DAY

Ordered—That orders of the day Nos 3 and 4, government business, be postponed until a later hour this day.

12 SUSPENSION OF STANDING ORDER 48A

Mr Abbott (Leader of the House), pursuant to notice, moved—That standing order 48A (adjournment and next meeting) be suspended for Thursday, 15 May 2003.

Question—put and passed.

13 IRAQ—MINISTERIAL STATEMENT

Mr Howard (Prime Minister), by leave, made a ministerial statement on Iraq and presented the following paper:

Iraq—Ministerial Statement, 14 May 2003.

Suspension of standing and sessional orders—Time for speech

Mr Abbott (Leader of the House), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent Mr Crean (Leader of the Opposition) speaking for a period not exceeding 37 minutes.

Question—put and passed.

Mr Crean addressed the House.

14 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—BUDGET

The House was informed that Mr McMullan had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The unfair impact of the Budget on working families”.

The proposed discussion having received the necessary support—

Mr McMullan addressed the House.

Discussion ensued.

Discussion concluded.

15 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, 26 May 2003.

16 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:

Migration Legislation Amendment (Protected Information) 2002; and

Murray-Darling Basin Amendment 2002.

Question—put and passed.

17 SUPERANNUATION LEGISLATION AMENDMENT (FAMILY LAW) BILL 2002—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the Bill had been fully considered by the Main Committee, a Governor-General’s message recommending an appropriation had been reported, and the Bill had been agreed to without amendment, and presented a certified copy of the Bill.

Bill agreed to.

On the motion of Mrs D. S. Vale (Minister for Veterans’ Affairs), by leave, the Bill was read a third time.

18 CRIMES LEGISLATION ENHANCEMENT BILL 2003—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 Mrs D. S. Vale (Minister for Veterans’ Affairs), by leave, the Bill was read a third time.

19 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REPORT—STATEMENT BY MEMBER

Mrs Moylan (Chair) presented the following paper:

Public Works—Parliamentary Standing Committee—Report relating to the proposed development of off-base housing for Defence at Adamstown, Newcastle, NSW.

Ordered to be printed.

Mrs Moylan, by leave, made a statement in connection with the report.

20 THERAPEUTIC GOODS 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—*And on the amendment moved thereto by Mr Griffin (see item No. 5, page 872)*—

Debate continued.

Amendment negatived.

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.

On the motion of Ms Worth (Parliamentary Secretary to the Minister for Health and Ageing), by leave, Government amendments (1) to (4) were made together, after debate.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Ms Worth, by leave, the Bill was read a third time.

21 SUPERANNUATION INDUSTRY (SUPERVISION) 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 Cox 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) notes ongoing community concern on the safety of superannuation and the devastating effect of recent cases of theft and fraud on individual fund members;
- (2) condemns the Government for its mean-spirited failure to provide 100 per cent compensation, as permitted under legislation, in recent cases of theft and fraud;
- (3) demands that the Government immediately amend the *Superannuation Industry (Supervision) Act 1993* (the SIS Act) to ensure 100 per cent compensation is paid where superannuation savings are lost through theft and fraud; and
- (4) calls on the Government to give urgent consideration to further amendments to the SIS Act to expand the definition of an “eligible loss” beyond theft and fraud to include losses resulting from other serious breaches of the Act and extend compensation provisions to certain post-retirement investments”.

Debate continued.

Mr Zahra addressing the House—

22 ADJOURNMENT

It being 7.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

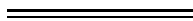
The House continuing to sit until approximately 8 p.m.—The Deputy Speaker adjourned the House until tomorrow at 9 a.m.

PAPERS

The following papers were deemed to have been presented on 14 May 2003:

Christmas Island Act—Utilities and Services Ordinance—Determination—2003 Marine traffic and harbour facilities No. 1.

Parliamentary Entitlements Act—Advice under paragraph 18(a), 13 May 2003.

**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Downer, Mrs Elson, Dr Lawrence, Mr McLeay and Mr Swan.

**I. C. HARRIS**

Clerk of the House of Representatives

2002-03

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 89

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

WEDNESDAY, 14 MAY 2003

1 The Main Committee met at 9.41 a.m.

2 MEMBERS' STATEMENTS

Members' statements were made.

3 PROCEDURES IN MAIN COMMITTEE—STATEMENT BY DEPUTY SPEAKER

The Deputy Speaker made a statement concerning procedures for making interventions in the Main Committee.

4 SUPERANNUATION LEGISLATION AMENDMENT (FAMILY LAW) 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.

Message from the Governor-General

Message No. 119, 9 December 2002, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

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 CRIMES LEGISLATION ENHANCEMENT BILL 2003

The order of the day having been read for the second reading—Mr Williams (Attorney-General) moved—That the Bill be now read a second time.

Paper

Mr Williams presented an explanatory memorandum to the Bill.

Debate ensued.

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

On the motion of Mr Williams (Attorney-General), the Main Committee adjourned at 10.39 a.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