

2002-03

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 116

TUESDAY, 9 SEPTEMBER 2003

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 being asked—

Papers

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

Copy of letter from Mr Andrew Wilkie to Mr John Howard, Prime Minister, 9 July 2003.

Spook misspoke—Copy of article by Mr Andrew Bolt, *Herald Sun*, 23 June 2003.

Questions without notice continuing—

Paper

Mr Latham, by leave, presented the following paper:

One Nation's registration challenge—Copy of Deed signed by Mr Tony Abbott to Mr Terry Sharples, 11 July 1998.

Questions without notice continuing—

Paper

Mr Emerson, by leave, presented the following paper:

One Nation's registration challenge—Note of meeting between Mr Edward Charles Briggs and Mr Terry Patrick Sharples with Mr Tony Abbott, 7 July 1998.

Questions without notice continued.

3 PAPERS

Mr Costello (Treasurer) added to an answer to a question without notice and presented the following papers:

ACCC confirms findings of milk monitoring report—Media release from Australian Competition and Consumer Commission, 27 July 2001.

Big gains to consumers from dairy deregulation—Source: Australian Bureau of Agriculture and Resource Economics and ACCC, 9 April 2001.

Publication of the COAG working group's response to the National Competition Policy Review of Pharmacy—Paper from website of Prime Minister of Australia, News Room, 9 September 2003.

4 PAPER

Mr I. E. Macfarlane (Minister for Industry, Tourism and Resources) added to an answer to a question without notice and presented the following paper:

Gas policy 'wrong headed'—Copy of article by Mr Nigel Wilson, *The Australian*, 9 August 2003.

5 ADDITIONAL TELLERS—STATEMENT BY SPEAKER

The Speaker made a statement concerning additional tellers for divisions on a trial basis.

6 AUDITOR-GENERAL'S REPORTS

The Speaker presented the following papers:

Auditor-General—Audit reports of 2003–2004—Performance audits—

No. 3—Business support process audit—Management of risk and insurance.

No. 4—Performance audit—Management of the extension option review—Plasma fractionation agreement: Department of Health and Ageing.

Reports ordered to be printed.

7 PAPER

The Speaker presented the following paper:

Association of Former Members of the Parliament of Australia—Report for 2002.

8 PAPERS

The following papers were presented:

APEC—Australia's individual action plan 2003.

Communications, Transport and the Arts—House of Representatives Standing Committee—Report—Local voices: inquiry into regional radio—Government response, September 2003.

Defence Housing Authority—Statement of corporate intent for 2003-04.

Finance—Advance to the Finance Minister—Statement for June 2003.

Supporting application for issues from the Advance during June 2003.

National Health and Medical Research Council—Report for 2002.

Queensland Fisheries Joint Authority—Report for 2001-02.

Roads to recovery programme—Report for 2002-03.

Treaties—

Bilateral—

Text, together with national interest analysis—

Agreement between the European Community and Australia amending the Agreement between Australia and the European Community on trade in wine, and Protocol, of 1994.

Text, together with national interest analyses and regulation impact statements—

Agreement between the Government of Australia and the Government of the United Mexican States for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, and protocol, done at Mexico City on 9 September 2002.

Convention between the Government of Australia and the Government of the United Kingdom of Great Britain and Northern Ireland for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income and capital gains, done at Canberra on 21 August 2003, and an associated exchange of notes.

Treaty—Multilateral—Text, together with national interest analyses—

Agreement, done at Townsville on 24 July 2003, between Solomon Islands, Australia, New Zealand, Fiji, Papua New Guinea, Samoa, and Tonga concerning the operations and status of the Police and Armed Forces and other personnel deployed to Solomon Islands to assist in the restoration of law and order and security.

Amendments, done at Berlin, Germany on 19 June 2003, to the Schedule to the International Convention for the Regulation of Whaling, done at Washington on 2 December 1946.

International Labour Organization Convention No. 155: Occupational Safety and Health, 1981.

Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, done at Rotterdam on 10 September 1998.

Stockholm Convention on Persistent Organic Pollutants (POPs), done at Stockholm on 22 May 2001.

9 PAPERS—MOTION TO TAKE NOTE OF PAPERS

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

APEC—Australia's individual action plan 2003.

Multilateral—Text, together with national interest analyses—Agreement, done at Townsville on 24 July 2003, between Solomon Islands, Australia, New Zealand, Fiji, Papua New Guinea, Samoa, and Tonga concerning the operations and status of the Police and Armed Forces and other personnel deployed to Solomon Islands to assist in the restoration of law and order and security.

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

10 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ECONOMIC PERFORMANCE

The House was informed that Mr Latham had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "Australia's declining economic performance, as reflected in the latest National Accounts figures".

The proposed discussion having received the necessary support—

Mr Latham addressed the House.

Discussion ensued.

Discussion concluded.

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, 15 September 2003.

12 MATTERS REFERRED TO MAIN COMMITTEE

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

(1) the following Bills be referred to the Main Committee for further consideration:

Health Legislation Amendment (No. 1) 2003;

National Residue Survey (Customs) Levy Amendment 2002;

National Residue Survey (Excise) Levy Amendment 2002;

National Residue Survey (Customs) Levy Amendment (No. 2) 2003; and

National Residue Survey (Excise) Levy Amendment (No. 2) 2003; and

(2) the following orders of the day, committee and delegation reports, be referred to the Main Committee for debate:

Family and Community Affairs—Standing Committee—Road to Recovery: Report on the inquiry into substance abuse in Australian communities—Motion to take note of paper: Resumption of debate.

Question—put and passed.

13 HIGHER EDUCATION LEGISLATION AMENDMENT BILL 2003—SENATE'S AMENDMENT

The order of the day having been read for the consideration of the amendment made by the Senate—

On the motion of Dr Nelson (Minister for Education, Science and Training), the amendment was agreed to, after debate.

14 MESSAGE FROM THE SENATE—SEX DISCRIMINATION AMENDMENT (PREGNANCY AND WORK) BILL 2002

A message from the Senate was reported returning the following Bill with amendments:

8 September 2003—Message No. 319—Sex Discrimination Amendment (Pregnancy and Work) 2002.

Ordered—That the amendments be considered at the next sitting.

15 MESSAGE FROM THE SENATE—MIGRATION AMENDMENT (DURATION OF DETENTION) BILL 2003

A message from the Senate was reported returning the following Bill with amendments:

8 September 2003—Message No. 320—Migration Amendment (Duration of Detention) 2003.

Ordered—That the amendments be considered at the next sitting.

16 AUSTRALIAN NATIONAL TRAINING AUTHORITY AMENDMENT BILL 2003

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. 161, 14 August 2003, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

On the motion of Dr Nelson (Minister for Education, Science and Training), the Bill was read a third time.

17 VOCATIONAL EDUCATION AND TRAINING FUNDING AMENDMENT BILL 2003

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 declining to give the Bill a second reading, the House:

- (1) condemns the Government for:
 - (a) its neglect of vocational education and training since it came to office in 1996; and
 - (b) making misleading statements about the future funding levels for the new Australian National Training Authority (ANTA) agreement; and
- (2) calls on the Government to amend the Bill to provide appropriate funding levels for the new ANTA agreement, and provide funds for 20,000 additional TAFE places”.

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

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

AYES, 73

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

NOES, 58

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

* 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.

Message from the Administrator

Message No. 162, 24 June 2003, from His Excellency the Administrator was announced recommending an appropriation for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

On the motion of Dr Nelson (Minister for Education, Science and Training), the Bill was read a third time.

18 MESSAGE FROM THE SENATE—COMMUNICATIONS LEGISLATION AMENDMENT BILL (NO. 1) 2002

A message from the Senate was reported returning the following Bill with amendments:

9 September 2003—Message No. 321—Communications Legislation Amendment (No. 1) 2002.

Ordered—That the amendments be considered at the next sitting.

19 TAXATION LAWS AMENDMENT BILL (NO. 8) 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 Fitzgibbon), and the resumption of the debate made an order of the day for the next sitting.

20 ADJOURNMENT

Mr Brough (Minister for Employment Services) moved—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 9.30 p.m.—The Speaker adjourned the House until tomorrow at 9 a.m.

PAPERS

The following papers were deemed to have been presented on 9 September 2003:

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposal—2003 No. 12.

Gene Technology Act—Principle—2003 Gene Technology (Recognition of designated areas).

ATTENDANCE

All Members attended (at some time during the sitting) except Fran Bailey, Mr Beazley, Mr Brereton, Mrs Gallus, Mr Kerr, Mr Snowdon, Mr Somlyay, Dr Southcott and Mr M. A. J. Vaile.

**I. C. HARRIS**

Clerk of the House of Representatives