

2002-03

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 132

MONDAY, 3 NOVEMBER 2003

1 The House met, at 12.30 p.m., pursuant to adjournment. The Speaker (the Honourable Neil Andrew) took the Chair, and read Prayers.

**2 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENTS BY MEMBERS**

Mr Adams presented the following paper:

Australian Parliamentary Delegation to East Timor, 3 to 5 September 2003—Report, November 2003.

Mr Adams and Mr Lindsay made statements in connection with the report.

The time allotted for making statements on the report having expired—

Mr Adams moved—That the House take note of the report.

Mr Adams was granted leave to continue his speech when the debate is resumed.

In accordance with standing order 102B, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting.

**3 COMMONWEALTH LAND AT POINT NEPEAN, VICTORIA BILL 2003**

Mr K. J. Thomson, pursuant to notice, presented a Bill for an Act concerning Commonwealth owned land at Point Nepean, Victoria.

Mr K. J. Thomson made a statement in relation to the Bill.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting, in accordance with standing order 104A.

**4 RAAF CONTINGENT UBON**

Mr Baldwin, pursuant to notice, moved—That this House:

- (1) notes the efforts of the personnel of the RAAF Contingent Ubon who served in Thailand during the Vietnam War;
- (2) acknowledges that these personnel were assigned to provide support operations in Ubon post-June 1965 by the Joint Planning Committee Report 110/1964;
- (3) acknowledges this directly affected the Vietnam War in that they provided air and ground defence of the Royal Thai Air Force Base and all assets and installations the United States Air Force (USAF) collocated on the base whilst the USAF 8<sup>th</sup> Tactical Fighter Wing undertook combat operations into North Vietnam and Laos;
- (4) acknowledges that the RAAF 79(F) Squadron were on “Alert 5” status and provided CAP operations in Ubon;
- (5) acknowledges that whilst the RAAF servicemen were assigned to the command and control of the USAF 7<sup>th</sup> Air Force in Vietnam, they remained under Australian control; and
- (6) recognises the efforts of those who served in Ubon by the way of the award of the Vietnam Logistic and Support Medal (VLSM) to be worn by the amendment of the “Area of Operations” for the Vietnam War effort and by the amendment of the regulations governing the issue of the VLSM.

Debate ensued.

The time allotted for the debate having expired, the debate was interrupted, and the resumption of the debate made an order of the day for the next sitting.

## 5 HEPATITIS C

Ms George, pursuant to notice, moved—That this House:

- (1) acknowledges that hepatitis C is the most frequently reported notifiable disease in Australia with about 240,000 people infected and an additional 16,000 new infections each year;
- (2) recognises that hepatitis C poses a substantial threat to the health of Australians, due to the failure of the Government to fund the implementation of the National Hepatitis C Strategy; and
- (3) calls upon the Government to fund the implementation of the National Hepatitis C Strategy in order to:
  - (a) reduce the transmission of hepatitis C;
  - (b) improve access to hepatitis C treatments;
  - (c) support and resource programmes which maintain and promote the health, care and support of people with hepatitis C; and
  - (d) prevent discrimination and reduce the stigma and isolation of those infected with hepatitis C.

Debate ensued.

Mr Cadman, by leave, again addressed the House.

At 1.45 p.m., the time allotted for the debate having expired, the debate was interrupted in accordance with standing order 106A, and the resumption of the debate made an order of the day for the next sitting.

## 6 MEMBERS' STATEMENTS

Members' statements were made.

## 7 MINISTERIAL ARRANGEMENTS

Mr Howard (Prime Minister) informed the House that, during the absence abroad of Mr McGauran (Minister for Science), Dr Nelson (Minister for Education, Science and Training) would answer questions on his behalf.

## 8 QUESTIONS

Questions without notice being asked—

*Paper*

Mr Latham, by leave, presented the following paper:

Compliance dividend from GST—Letter from Oliver Winder, Acting Auditor-General, to Mark Latham, Shadow Treasurer, 4 September 2003.

Questions without notice continuing—

*Papers*

Dr Nelson (Minister for Education, Science and Training) presented the following papers:

Higher Education Financing and Student Access: A Review of the Literature—Report by Bruce Chapman and Chris Ryan, Economics Program, Research School of Social Sciences, Australian National University, October 2003.

HECS: Chapman and Ryan review confirms there is no evidence that HECS has had a significant impact on participation—Media release by the Australian Vice-Chancellors' Committee, 17 October 2003.

Questions without notice continued.

## 9 PAPERS

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

Media releases by the Australian Taxation Office—

Cash economy facing increased scrutiny, 18 August 2003.

Cash economy taskforce report, 23 September 2003.

**10 INCIDENTS DURING ADDRESSES BY PRESIDENT GEORGE W. BUSH AND PRESIDENT HU JINTAO—STATEMENT BY SPEAKER—PAPERS**

The Speaker made a statement concerning incidents during addresses by President George W. Bush and President Hu Jintao, and presented the following papers:

Security directive—Friday 24 October 2003—Letter from Presiding Officers to Serjeant-at-Arms and Usher of the Black Rod, 23 October 2003.

Suspension of Senators Brown and Nettle—Letter from the Hon. Neil Andrew, Speaker of the House of Representatives to Senator Paul Calvert, President of the Senate, 23 October 2003.

**11 PETITIONS**

Petitions lodged for presentation were announced.

**12 TRANSPORT AND URBAN DEVELOPMENT**

Mr Price, pursuant to notice, moved—That this House:

- (1) understands that Australians want decisions made on the basis of good policy and what is best for communities, not what suits the electoral pendulum;
- (2) affirms the need for an integrated approach to transport and urban development policy to tackle issues associated with the growth of our major cities;
- (3) recognises that cities need integrated transport and urban development policies involving all tiers of government and the community in the decision making process;
- (4) accepts that Labor has lead the way on these important issues with the announcement of an integrated transport plan for Sydney; and
- (5) recognises that:
  - (a) Labor will not build an airport at Badgery's Creek, nor will Labor sell the Sydney Basin airports in a cash grab that ignores community and aviation industry views;
  - (b) Labor understands that the growth ambitions of Sydney Airport are not acceptable and that a second Sydney airport is required; and
  - (c) Badgery's Creek remains the Coalition's preferred site choice for a second Sydney airport.

Debate ensued.

The time allotted for the debate having expired, the debate was interrupted, and the resumption of the debate made an order of the day for the next sitting.

**13 WEST PAPUAN REFUGEES**

Ms C. F. King, pursuant to notice, moved—That this House:

- (1) notes the Report of the January 2003 Joint Mission of the Australian Section of the International Commission of Jurists and the Australian Council for Refugees to Papua New Guinea, *Seeking Refuge: the Status of West Papuans in Papua New Guinea*; and
- (2) calls on the Australian Government to endorse the Report's recommendations and, in consequence:
  - (a) negotiate an agreement with Papua New Guinea for the recognition of travel documents based on certificates of identity for the purpose of enabling students to enter Australia to pursue educational courses;
  - (b) provide humanitarian relief through AusAID or other appropriate agencies for those West Papuans in Transmitter Camp found to have refugee status;
  - (c) express its willingness to assist the government of Papua New Guinea to implement a long term solution for the West Papuans in Western Province;
  - (d) express its willingness to contribute to support and to provide aid funding to enable Papua New Guinea to put a plan in place to act as an incentive to those West Papuans to move from border camps; and
  - (e) provide places for West Papuans found to be refugees in Australia's resettlement programs.

Debate ensued.

The time allotted for private Members' business having expired, the debate was interrupted, the resumption of the debate made an order of the day for the next sitting, and Mr Causley was granted leave to continue his speech when the debate is resumed.

#### 14 GRIEVANCE DEBATE

Pursuant to the provisions of standing order 106, the order of the day having been read—

Question proposed—That grievances be noted.

Debate ensued.

Question—That grievances be noted—put and passed.

#### 15 FAMILY ASSISTANCE LEGISLATION AMENDMENT (EXTENSION OF TIME LIMITS) BILL 2003—SENATE'S REQUESTS

The order of the day having been read for the consideration of the amendments requested by the Senate—

Mr Anthony (Minister for Children and Youth Affairs) moved—That the requested amendments be not made.

Debate ensued.

Question—put.

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

AYES, 74

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

## NOES, 60

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

\* Tellers

And so it was resolved in the affirmative.

**16 PARLIAMENTARY ZONE—FORECOURT SCORIA RESTORATION, PARLIAMENT HOUSE—APPROVAL OF PROPOSAL**

Mrs D. M. Kelly (Parliamentary Secretary to the Minister for Trade), pursuant to notice, moved—That, in accordance with section 5 of the *Parliament Act 1974*, the House approves the following proposal for work in the Parliamentary Zone which was presented to the House on 15 October 2003, namely: Forecourt scoria restoration, Parliament House.

Question—put and passed.

**17 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:

14 October 2003—Message—

No. 178—

ACIS Administration Amendment 2003.

Customs Tariff Amendment (ACIS) 2003.

Australian National Training Authority Amendment 2003.

Migration Legislation Amendment (Sponsorship Measures) 2003.

Vocational Education and Training Funding Amendment 2003.

No. 179—

National Residue Survey (Customs) Levy Amendment 2003.

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

National Residue Survey (Excise) Levy Amendment 2003.

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

No. 180—Taxation Laws Amendment (No. 3) 2003.

15 October 2003—Message No. 181—

Crimes (Overseas) Amendment 2003.

Sex Discrimination Amendment (Pregnancy and Work) 2003.

16 October 2003—Message No. 182—Workplace Relations Amendment (Fair Termination) 2003.

21 October 2003—Message No. 183—

Civil Aviation Amendment 2003.

Statistics Legislation Amendment 2003.

Taxation Laws Amendment (No. 8) 2003.

24 October 2003—Message No. 184—Communications Legislation Amendment (No. 3) 2003.

#### 18 MESSAGES FROM THE SENATE

Messages from the Senate were reported:

- (a) returning the following Bills and acquainting the House that the Senate does not insist upon its amendments disagreed to by the House:
  - Superannuation (Surcharge Rate Reduction) Amendment 2003—No. 352—27 October 2003;
  - Superannuation (Government Co-contribution for Low Income Earners) 2003—No. 353—27 October 2003; and
  - Superannuation (Government Co-contribution for Low Income Earners) (Consequential Amendments) 2003—No. 354—27 October 2003; and
- (b) returning the Telecommunications Interception and Other Legislation Amendment Bill 2003 without amendment—No. 357—30 October 2003.

#### 19 AGE DISCRIMINATION 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 McClelland 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 failing to ensure that federal age discrimination legislation contains the best standards of protection of older Australians, a failure which is consistent with its neglect of the human rights of all Australians, as evidenced by its introduction of legislation to weaken the Human Rights and Equal Opportunity Commission and other actions to wind back protections for Australian citizens”.

Debate adjourned (Dr Stone—Parliamentary Secretary to the Minister for the Environment and Heritage), and the resumption of the debate made an order of the day for the next sitting.

#### 20 POSTPONEMENT OF ORDER OF THE DAY

Ordered—That order of the day No. 4, government business, be postponed until a later hour this day.

#### 21 OZONE PROTECTION AND SYNTHETIC GREENHOUSE GAS LEGISLATION 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.

Mr Evans addressing the House—

#### 22 ADJOURNMENT

It being 9 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 9.29 p.m., adjourned until tomorrow at 2 p.m.

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#### PAPERS

The following papers were deemed to have been presented on 3 November 2003:

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

Family Assistance (Exemption from immunisation requirements).

Family Assistance (Vaccination schedules).

Family Assistance (Meeting the immunisation requirements) Amendment No. 1.

Air Navigation Act—Regulations—Statutory Rules 2003 No. 269.

Australian Meat and Live-stock Industry Act—Orders—2003.  
 Australian Meat and Live-stock Industry (Beef export to the United States of America—Quota year 2004).  
 Australian Meat and Live-stock Industry (Sheepmeat and goatmeat export to the European Union—Quota year 2004).  
 Civil Aviation Act—Civil Aviation Regulations—Airworthiness Directives—  
 Part 39-105—2003 19, 25(3), 30 September, 9, 13(10), 14(14), 17(8) October.  
 Part 39-106—2003 13(2), 14(8) October.  
 Part 39-107—2003 13, 14, 17(2) October.  
 Crimes Act—Regulations—Statutory Rules 2003 No. 265.  
 Defence Act—  
 Defence Force Remuneration Tribunal—Determinations—2003 Nos 17, 19, 20, 21.  
 Determinations under section 58B—2003 Nos 26, 27.  
 Extradition Act—Regulations—Statutory Rules 2003 No. 266.  
 Federal Magistrates Act—Rules of Court—Statutory Rules 2003 Nos 272, 273.  
 Fisheries Management Act—Southern Bluefin Tuna Fishery Management Plan 1995—Determination—  
 2003 SBT Final TAC.  
 Health Insurance Act—Regulations—Statutory Rules 2003 No. 268.  
 International Air Services Commission Act—Regulations—Statutory Rules 2003 No. 270.  
 National Health Act—Determination under paragraph (bj) of Schedule 1—2003 Nos PHS 19, PHS 22,  
 PHS 23.  
 Nuclear Non-Proliferation (Safeguards) Act—Regulations—Statutory Rules 2003 No. 267.  
 Taxation Administration Act—  
 Determinations—2003 Nos TD 24, TD 25, TD 26, TD 27.  
 Rulings—  
 2002 No. PR 40 (Withdrawal).  
 2003 Nos CR 91, CR 92, CR 93, CR 94, CR 95, CR 96, CR 97, GSTR 13, PR 64, TR 13.

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**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Anderson, Ms Ellis, Jackie Kelly, Dr Lawrence, Mr McGauran, Mr Randall, Mr Snowdon\* and Ms Vamvakinou.

\* On leave

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