

2002-03-04

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 145

WEDNESDAY, 11 FEBRUARY 2004

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

2 MESSAGE FROM THE GOVERNOR-GENERAL, PROPOSED ADDITIONAL EXPENDITURE AND APPROPRIATION FOR YEAR 2003-2004—APPROPRIATION BILL (NO. 3) 2003-2004

Message No. 209, 10 February 2004, from His Excellency the Governor-General was announced recommending, in accordance with the requirements of section 56 of the Constitution, an appropriation for the purposes of a Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for the ordinary annual services of the Government, and for related purposes.

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) presented a Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for the ordinary annual services of the Government, 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 the following paper:

Statement of savings expected in annual appropriations—Department of Finance and Administration information paper, 2003-2004.

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

3 MESSAGE FROM THE GOVERNOR-GENERAL, CERTAIN PROPOSED ADDITIONAL EXPENDITURE FOR YEAR 2003-2004—APPROPRIATION BILL (NO. 4) 2003-2004

Message No. 210, 10 February 2004, from His Excellency the Governor-General was announced recommending, in accordance with the requirements of section 56 of the Constitution, an appropriation for the purposes of a Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for certain expenditure, and for related purposes.

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) presented a Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for certain expenditure, 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.

4 MESSAGE FROM THE GOVERNOR-GENERAL, PROPOSED ADDITIONAL EXPENDITURE IN RELATION TO THE PARLIAMENTARY DEPARTMENTS FOR YEAR 2003-2004—APPROPRIATION (PARLIAMENTARY DEPARTMENTS) BILL (NO. 2) 2003-2004

Message No. 211, 10 February 2004, from His Excellency the Governor-General was announced recommending, in accordance with the requirements of section 56 of the Constitution, an appropriation for

the purposes of a Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for expenditure in relation to the Parliamentary Departments, and for related purposes.

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) presented a Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for expenditure in relation to the Parliamentary Departments, 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.

5 AGRICULTURAL AND VETERINARY CHEMICALS (ADMINISTRATION) AMENDMENT BILL 2004

Ms Worth (Parliamentary Secretary to the Minister for Health and Ageing), pursuant to notice, presented a Bill for an Act to amend the *Agricultural and Veterinary Chemicals (Administration) Act 1992*, 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 Rudd), and the resumption of the debate made an order of the day for the next sitting.

6 INDUSTRIAL CHEMICALS (NOTIFICATION AND ASSESSMENT) AMENDMENT (ROTTERDAM CONVENTION) BILL 2004

Ms Worth (Parliamentary Secretary to the Minister for Health and Ageing), pursuant to notice, presented a Bill for an Act to amend the *Industrial Chemicals (Notification and Assessment) Act 1989*, 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 Rudd), and the resumption of the debate made an order of the day for the next sitting.

7 WORKPLACE RELATIONS AMENDMENT (TERMINATION OF EMPLOYMENT) 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 Emerson, viz.*—That all words after “That” be omitted with a view to substituting the following words: “the House declines to give the Bill a second reading and condemns the Government for:

- (1) seeking to weaken and remove, wherever possible, protection for working Australians against unfair dismissal;
- (2) taking a confrontationist approach to workplace relations, aimed at provoking rather than averting industrial disputes; and
- (3) tearing away at the safety net that has been erected over a century to protect vulnerable working Australians”—

Debate resumed.

Amendment negatived.

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

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

AYES, 78

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

NOES, 61

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

* 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 K. J. Andrews (Minister for Employment and Workplace Relations), the Bill was read a third time.

8 WORKPLACE RELATIONS AMENDMENT (CHOICE IN AWARD COVERAGE) 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.

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

AYES, 75

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

NOES, 60

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

* Tellers

And so it was resolved in the affirmative—Bill read a second time.

Consideration in detail

Bill, by leave, taken as a whole.

Paper

Mr K. J. Andrews (Minister for Employment and Workplace Relations) presented a supplementary explanatory memorandum to the Bill.

On the motion of Mr K. J. Andrews, by leave, Government amendments (1) and (2) were made together.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Mr K. J. Andrews, by leave, the Bill was read a third time.

9 HEALTH LEGISLATION AMENDMENT (PRIVATE HEALTH INSURANCE REFORM) 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 Ms Gillard 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:

- (1) repeatedly claiming during the last federal election that there would be ‘downward pressure’ on premiums and that private health insurance would be ‘more affordable and attractive’ to consumers;
- (2) saying that the Howard Government’s policies would ‘lead to reduced premiums’;
- (3) allowing private health insurance funds to increase their premiums by the CPI without the need to seek Government approval; and
- (4) allowing such increases to be instituted without legislative scrutiny”.

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.

10 QUESTIONS

Questions without notice were asked.

11 PAPERS

The following papers were presented:

Australasian Police Ministers’ Council—National Common Police Services—Report for 2002-03.

Finance—Advance to the Finance Minister—

Issues from the Advance as a final charge for the year ended 30 June 2003.

Statements for November 2003.

Supporting applications for issues from the Advance during November 2003.

National Environment Protection Council—Report for 2002-03.

United Nations—

Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment—Complaint—No. 153/2000—Decision.

International Convention on the Elimination of All Forms of Racial Discrimination—Committee on the Elimination of Racial Discrimination—Communication—No. 26/2002—Opinion.

International Covenant on Civil and Political Rights—Human Rights Committee—Communication—No. 984/2001—Decision.

12 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—TRADE DEAL WITH THE UNITED STATES

The House was informed that Mr Emerson had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The failure of the Government to protect Australia’s national interest in the trade deal with the United States”.

The proposed discussion having received the necessary support—

Mr Emerson addressed the House.

Discussion ensued.

Discussion concluded.

13 NATIONAL MEASUREMENT AMENDMENT 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.

14 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, 16 February 2004.

15 MESSAGE FROM THE SENATE—MIGRATION LEGISLATION AMENDMENT (IDENTIFICATION AND AUTHENTICATION) BILL 2003

Message No. 405, 10 February 2004, from the Senate was reported returning the Migration Legislation Amendment (Identification and Authentication) Bill 2003 with amendments.

Ordered—That the amendments be considered forthwith.

On the motion of Mr Hardgrave (Minister for Citizenship and Multicultural Affairs), the amendments were agreed to, after debate.

16 MESSAGE FROM THE SENATE—FISHERIES LEGISLATION AMENDMENT (COMPLIANCE AND DETERRENCE MEASURES AND OTHER MATTERS) BILL 2003

Message No. 406, 10 February 2004, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend legislation about fisheries, and for related purposes.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting.

17 MESSAGE FROM THE SENATE—TRADE PRACTICES AMENDMENT (PERSONAL INJURIES AND DEATH) BILL 2003

Message No. 407, 11 February 2004, from the Senate was reported returning the Trade Practices Amendment (Personal Injuries and Death) Bill 2003 and acquainting the House that the Senate insists upon its amendments disagreed to by the House of Representatives and desires the reconsideration of the Bill by the House in respect of the amendments.

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

18 HEALTH LEGISLATION AMENDMENT (PRIVATE HEALTH INSURANCE REFORM) 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—*And on the amendment moved thereto by Ms Gillard (see item No. 9, page 1416)*—

Debate resumed.

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 Ms Worth (Parliamentary Secretary to the Minister for Health and Ageing), the Bill was read a third time.

19 WORKPLACE RELATIONS AMENDMENT (SIMPLIFYING AGREEMENT-MAKING) 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 having been resumed by Mr Emerson—

20 ADJOURNMENT

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

Debate ensued.

Question—put and passed.

And then the House, at 8 p.m., adjourned until tomorrow at 9 a.m.

PAPERS

The following papers were deemed to have been presented on 11 February 2004:

A New Tax System (Goods and Services Tax) Act—Determination—2003 A New Tax System (Goods and Services Tax) (Exempt Taxes, Fees and Charges) (No. 2).

Commonwealth Authorities and Companies Act—Notice under section 45—Formation of a company by the Commonwealth—Australian Forestry Standard Limited.

Corporations Act—Determination under subsection 1445(1)—Australian Securities and Investments Commission, 13 November 2003.

Currency Act—Determination—2003 Currency (Perth Mint) (No. 3).

Social Security Act—Notice—2004 Social Security (Class of debts—Youth allowance).

Space Activities Act—Guidelines—2004 Space activities (approved scientific or educational organisations).

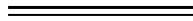
Superannuation Industry (Supervision) Act—Statements under subsection 230A(1)—Lifespan Superannuation Fund.

Nelson Superannuation Fund.



ATTENDANCE

All Members attended (at some time during the sitting).



I. C. HARRIS
Clerk of the House of Representatives

2002-03-04

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 145

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

WEDNESDAY, 11 FEBRUARY 2004

1 Due to a division having been called in the House, the Main Committee met at 9.47 a.m.

2 **MEMBERS' STATEMENTS**

Members' statements were made.

3 **NATIONAL MEASUREMENT 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.

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 **FAMILY AND COMMUNITY AFFAIRS—STANDING COMMITTEE—MOTION TO TAKE NOTE OF PAPER**

The order of the day having been read for the resumption of the debate on the motion of Mrs Hull—That the House take note of the paper (*presented on 10 February 2004*), viz.:

Family and Community Affairs—Standing Committee—Report—Every picture tells a story: Report on the inquiry into child custody arrangements in the event of family separation, December 2003—

Debate resumed.

Suspension of sitting

At 10.41 a.m., a division having been called in the House, the proceedings were suspended.

Resumption of sitting

At 10.55 a.m., the proceedings were resumed.

Debate continued.

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

5 ADJOURNMENT

On the motion of Mr Bartlett, the Main Committee adjourned at 1 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