

2002-03-04

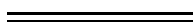
THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 162

THURSDAY, 25 MARCH 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 COMMONWEALTH ELECTORAL AMENDMENT (REPRESENTATION IN THE HOUSE OF REPRESENTATIVES) BILL 2004**

Mr McGauran (Minister for Science), pursuant to notice, presented a Bill for an Act to amend the *Commonwealth Electoral Act 1918*, and for related purposes.

Bill read a first time.

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

*Papers*

Mr McGauran presented the following papers:

Explanatory memorandum to the Bill.

Electoral Matters—Joint Standing Committee—Territory representation: Report of the inquiry into increasing the minimum representation of the Australian Capital Territory and the Northern Territory in the House of Representatives—Government response, March 2004.

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

**3 MIGRATION AMENDMENT (JUDICIAL REVIEW) BILL 2004**

Mr Hardgrave (Minister for Citizenship and Multicultural Affairs), pursuant to notice, presented a Bill for an Act to amend the *Migration Act 1958*, and for other purposes.

Bill read a first time.

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

*Paper*

Mr Hardgrave presented an explanatory memorandum to the Bill.

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

**4 EXCISE AND OTHER LEGISLATION AMENDMENT (COMPLIANCE MEASURES) BILL 2004**

Mr Cameron (Parliamentary Secretary to the Treasurer) presented a Bill for an Act to amend the *Excise Act 1901*, and for other purposes.

Bill read a first time.

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

*Paper*

Mr Cameron presented an explanatory memorandum to the Bill.

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

**5 VETERANS' ENTITLEMENTS AMENDMENT (DIRECT DEDUCTIONS AND OTHER MEASURES) BILL 2004**

Mrs D. S. Vale (Minister for Veterans' Affairs), pursuant to notice, presented a Bill for an Act to amend the law relating to veterans' entitlements, and for related purposes.

Bill read a first time.

Mrs D. S. Vale moved—That the Bill be now read a second time.

*Paper*

Mrs D. S. Vale presented an explanatory memorandum to the Bill.

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

**6 CORPORATIONS AND FINANCIAL SERVICES—JOINT PARLIAMENTARY COMMITTEE—REPORT**

Mr Hunt presented the following paper:

Corporations and Financial Services—Joint Parliamentary Committee—Corporations Amendment Regulations 2003 (Batch 6); Corporations Amendment Regulations 2003/04 (Batch 7); and Draft Regulations—Corporations Amendment Regulations 2004 (Batch 8)—

Report, incorporating a dissenting report, March 2004.

Evidence received by the committee.

Ordered—That the report be printed.

**7 SEX DISCRIMINATION AMENDMENT (TEACHING PROFESSION) BILL 2004**

The order of the day having been read for the consideration in detail of the Bill—

*Consideration in detail*

Bill, by leave, taken as a whole.

Debate resumed.

*Paper*

Ms Roxon, by leave, presented the following paper:

Teaching scholarships—Media statement by the Department of Education and Training, Western Australia, 21 March 2004.

Debate continued.

Question—That the Bill be agreed to—put.

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

## AYES, 77

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

## NOES, 58

Mr Adams	Mr M. J. Ferguson	Mr McClelland	Ms Roxon
Mr Andren	Mr Fitzgibbon	Ms Macklin	Mr Rudd
Mr Bevis	Ms George	Mr McLeay	Mr Sawford
Mr Brereton	Mr Gibbons	Mr McMullan	Mr Sercombe
Ms Burke	Ms Gillard	Mr Melham	Mr Sidebottom
Mr Byrne	Ms Grierson	Mr Mossfield	Mr S. F. Smith
Ms Corcoran	Mr Griffin	Mr Murphy	Mr Snowdon
Mr Cox	Ms Hall	Ms O'Byrne	Mr Swan
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
Mr Emerson	Mr Kerr	Mr Price	Mr Zahra
Mr Evans	Ms C. F. King	Mr Quick*	
Mr L. D. T. Ferguson	Ms Livermore	Mr Ripoll	

\* Tellers

And so it was resolved in the affirmative.

Bill agreed to.

Consideration in detail concluded.

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

## 8 TRADE PRACTICES AMENDMENT (PERSONAL INJURIES AND DEATH) BILL (NO. 2) 2004

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.

Mr Organ moved—That:

- (1) the Trade Practices Amendment (Personal Injuries and Death) Bill (No. 2) 2004 be referred to a select committee for consideration and an advisory report to the House as soon as possible;

- (2) the select committee consist of ten members, comprising at least one independent or Australian Greens member and four other non-government members; and
- (3) in considering the Bill the committee should:
  - (a) assess the merits, costs and benefits of:
    - (i) a comprehensive national no fault scheme that would provide medical care, rehabilitation, income, retraining, counselling, home and vehicle modification to injured people throughout Australia regardless of fault; and
    - (ii) continued tort law reform and a reliance upon adversarial insurance litigation; and
  - (b) consider if there is any correlation between recent tort law reform and public liability insurance premium affordability.

Debate ensued.

Question—That the motion be agreed to—put and negatived.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Cameron (Parliamentary Secretary to the Treasurer), the Bill was read a third time.

#### 9 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:

23 March 2004—Message No. 232—

Medical Indemnity Amendment 2004.

Medical Indemnity (IBNR Indemnity) Contribution Amendment 2004.

International Transfer of Prisoners Amendment 2004.

Taxation Laws Amendment (No. 2) 2004.

A New Tax System (Commonwealth-State Financial Arrangements) Amendment 2004.

Great Barrier Reef Marine Park Amendment 2004.

25 March 2004—Message—

No. 233—

Australian Sports Drug Agency Amendment 2004.

Customs Legislation Amendment (Application of International Trade Modernisation and Other Measures) 2004.

Import Processing Charges (Amendment and Repeal) Amendment 2004.

National Measurement Amendment 2004.

No. 234—Social Security Amendment (Further Simplification) 2004.

#### 10 VETERANS' ENTITLEMENTS AMENDMENT (ELECTRONIC DELIVERY) BILL 2004—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 Mr Cameron (Parliamentary Secretary to the Treasurer), by leave, the Bill was read a third time.

#### 11 WORKPLACE RELATIONS AMENDMENT (AWARD SIMPLIFICATION) 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.

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.

#### 12 QUESTIONS

Questions without notice being asked—

*Paper*

Mr Howard (Prime Minister) presented the following papers:

Post-war Iraq—Copies of letters from—

Mr Rudd, Shadow Minister for Foreign Affairs, to Mr Howard, Prime Minister, 17 November 2003.

Mr Howard, Prime Minister, to Mr Rudd, Shadow Minister for Foreign Affairs, 28 November 2003.

Questions without notice continuing—

*Papers*

Mr McMullan, by leave, presented the following papers:

Australian Electoral Commission—Donor to political parties annual return—Manildra Flour Mills Pty Ltd, 17 November 2003.

Ethanol content—Extract from House *Hansard*, 25 September 2002.

Ethanol—Freedom of Information request—Emails from—

Elliott Curley, Department of Agriculture, Fisheries and Forestry—Australia (AFFA), to David Poulter, Peter Thomas and Jill Clark, AFFA, 11 March 2004.

Jill Clark, AFFA, to Peter Thomas, Elliott Curley and David Poulter, AFFA, 13 March 2003.

Jill Clark, AFFA, to David Whitrow, Parliament House, 24 March 2003.

Peter Thomas, AFFA, to David Poulter and Elliott Curley, AFFA, 16 April 2003.

Fuel: Ethanol—Extract from Senate *Hansard*, 12 December 2002.

Questions without notice continued.

**13 AUDITOR-GENERAL'S REPORT**

The Speaker presented the following paper:

Auditor-General—Audit report No. 36 of 2003–2004—Performance audit—The Commonwealth's administration of the dairy industry adjustment package: Department of Agriculture, Fisheries and Forestry—Australia; Dairy Adjustment Authority.

Ordered to be printed.

**14 ROYAL COMMISSION INTO THE BUILDING AND CONSTRUCTION INDUSTRY—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER**

Mr K. J. Andrews (Minister for Employment and Workplace Relations), by leave, made a ministerial statement on the Royal Commission into the Building and Construction Industry and presented the following papers:

Royal Commission into the Building and Construction Industry: A year on—Ministerial statement, 25 March 2004.

Upholding the law—One year on: Findings of the Interim Building Industry Taskforce—Nigel Hadgkiss, Director, Interim Building Industry Taskforce, Department of Employment and Workplace Relations, 25 March 2004.

Mr K. J. Andrews moved—That the House take note of the papers.

*Suspension of standing and sessional orders—Time for speech*

Jackie Kelly (Parliamentary Secretary to the Prime Minister), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent Mr Emerson speaking for a period not exceeding 20 minutes.

Question—put and passed.

Mr Emerson addressed the House.

Debate adjourned (Mr Cameron—Parliamentary Secretary to the Treasurer), and the resumption of the debate made an order of the day for the next sitting.

**15 MESSAGE FROM THE SENATE**

A message from the Senate was reported returning the following Bill without amendment:

25 March 2004—Message No. 444—Privacy Amendment 2004.

**16 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—NATIONAL SECURITY**

The House was informed that Mr Latham (Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The Howard Government’s mismanagement of Australia’s national security”.

The proposed discussion having received the necessary support—

Mr Latham addressed the House.

Discussion ensued.

Mr Downer addressing the House—

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**17 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 next at 12.30 p.m.

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**PAPERS**

The following papers were deemed to have been presented on 25 March 2004:

Higher Education Funding Act—Determinations—2004 Nos T9, T10.

Higher Education Support Act—Higher education provider guidelines 2004.

Quarantine Act—Regulations—Statutory Rules 2004 No. 40.

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**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Beazley\*, Mrs Draper, Ms Ellis\*, Mrs Hull\*, Mr Katter, Ms J. S. McFarlane\* and Mr Sciacca.

\* On leave

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**I. C. HARRIS**

Clerk of the House of Representatives

2002-03-04

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

No. 162

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

**THURSDAY, 25 MARCH 2004**

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1 The Main Committee met at 9.40 a.m.

**2 MEMBERS' STATEMENTS**

Members' statements were made.

**3 VETERANS' ENTITLEMENTS AMENDMENT (ELECTRONIC DELIVERY) BILL 2004**

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—

*Suspension of sitting*

At 10.13. a.m., a division having been called in the House, the proceedings were suspended.

*Resumption of sitting*

At 10.25 a.m., the proceedings were resumed.

Debate continued.

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 ASIO, ASIS AND DSD—PARLIAMENTARY JOINT 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 Mr Jull—That the House take note of the paper (*presented on 1 March 2004*), viz.:

ASIO, ASIS and DSD—Parliamentary Joint Committee—Report—Intelligence on Iraq's weapons of mass destruction—December 2003—

Debate resumed.

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

**5 ADJOURNMENT**

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

Debate ensued.

*Debate extended*

Mr Anthony (Minister for Family and Children's Services) required the debate to be extended.

Debate continued.

Question—put and passed.

At 12.44 p.m. the Deputy Speaker adjourned the Main Committee until 9.40 a.m. on Wednesday, 31 March 2004.

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