

2002-03-04

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 164

TUESDAY, 30 MARCH 2004

1 The House met, at 2 p.m., pursuant to adjournment. The Speaker (the Honourable Neil Andrew) took the Chair, and read Prayers.

2 MINISTERIAL ARRANGEMENTS

Mr Anderson (Deputy 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.

3 SUSPENSION OF STANDING AND SESSIONAL ORDERS—VARIATION OF ROUTINE OF BUSINESS

Mr Abbott (Leader of the House), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent the routine of business for today being varied to permit questions without notice being called on forthwith, followed by notice No. 1, government business, being the motion by the Prime Minister relating to Australian Defence Force personnel in or around Iraq, with speech time limits being as follows:

Prime Minister—not specified;

Leader of the Opposition—a period of time equivalent to that taken by the Prime Minister;

9 Members—10 minutes each; and

2 Members—5 minutes each;

then presentation of papers; ministerial statements, by leave; matter of public importance and notices and orders of the day, government business.

Question—put and passed.

4 QUESTIONS

Questions without notice being asked—

Paper

Mr Howard (Prime Minister) presented the following paper:

Briefing on Iraq—Copy of letter from Murray McLean, Deputy Secretary, Department of Foreign Affairs and Trade, to Mr Downer, Minister for Foreign Affairs and Trade, 30 March 2004.

Questions without notice continued.

5 IRAQ—AUSTRALIAN DEFENCE FORCE PERSONNEL

Mr Howard (Prime Minister), pursuant to notice, moved—That this House:

- (1) expresses its continued support for and confidence in the 850 Australian Defence Force personnel currently deployed in or around Iraq and records its deep appreciation for the outstanding professionalism they have displayed in carrying out their duties; and
- (2) is of the opinion that no elements of this contingent of Australian Defence Force personnel should be withdrawn until their respective tasks have been completed and that no arbitrary times should be set for such withdrawal.

Mr Latham (Leader of the Opposition) moved, as an amendment—That paragraph (2) of the motion be omitted and the following paragraph substituted:

“(2) is of the opinion that:

- (a) Australia’s international security policy should have as its principal priorities:
 - (i) the on-going war against terrorism;
 - (ii) enhancing the security and stability of our immediate region; and
 - (iii) the protection of Australians both at home and overseas;
- (b) any Australian Government committing Australian forces overseas should have a defined exit strategy for the eventual withdrawal of those forces;
- (c) the Howard Government has previously provided public undertakings to the Australian people ruling out a post-war Australian military commitment in Iraq altogether or else limiting that commitment to months, not years;
- (d) Australian military forces in Iraq should be withdrawn from that country as soon as practicable once Australia’s responsibilities as an Occupying Power have been discharged with the intention of returning our forces to Australia by the end of 2004;
- (e) Australia should continue to provide strong levels of humanitarian assistance and economic reconstruction assistance to the Iraqi people for the rebuilding of the Iraqi nation; and
- (f) all members of this Parliament express their unqualified support for the courage and professionalism of the members of the Australian Defence Force deployed to Iraq and the surrounding region”.

Debate continued.

Suspension of standing and sessional orders moved

Mr Edwards moved—That so much of the standing and sessional orders be suspended as would prevent the following two separate questions being put at the end of this debate:

- (1) that the proposition contained in paragraph (1) be agreed to; and
- (2) that the proposition contained in paragraph (2) be agreed to.

Motion seconded.

Question—That the motion for the suspension of standing and sessional orders be agreed to—put and a division being called for—

Mr Howard, having indicated that the Government did not wish to proceed with the division—

Division, by leave, not proceeded with.

Motion to suspend standing and sessional orders—put and passed, with the concurrence of an absolute majority.

Question—That the proposition contained in paragraph (1) of the Prime Minister’s motion be agreed to—put and passed.

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

The House divided (the Speaker, Mr J. N. Andrew, in the Chair)—

AYES, 77

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

NOES, 63

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

* Tellers

And so it was resolved in the affirmative.

Question—That the proposition contained in paragraph (2) of the Prime Minister's motion be agreed to—put.

The House divided (the Speaker, Mr J. N. Andrew, in the Chair)—

AYES, 77

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

NOES, 62

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

* Tellers

And so it was resolved in the affirmative.

6 IRAQ—AUSTRALIAN DEFENCE FORCE PERSONNEL—PAPER—MOTION TO TAKE NOTE OF PAPER

Mr Abbott (Leader of the House) presented the following paper:

Australian Defence Force personnel in and around Iraq—Copy of Prime Minister's motion—
and moved—That the House take note of the paper.

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

7 MATTER REFERRED TO MAIN COMMITTEE

Mr Abbott (Leader of the House), by leave, moved—That the following order of the day be referred to the Main Committee for debate:

Australian Defence Force personnel in and around Iraq—Copy of Prime Minister's motion—Motion to take note of paper: Resumption of debate.

Question—put and passed.

8 AUDITOR-GENERAL'S REPORT

The Speaker presented the following paper:

Auditor-General—Audit report No. 37 of 2003–2004—Performance audit—National marine unit—Australian Customs Service.

Ordered to be printed.

9 PAPERS

The following papers were presented:

Human Rights and Equal Opportunity Commission—Report No. 26—Inquiry into a complaint by Mr Kenneth Douglas of age discrimination in the Australian Defence Force.

Treaties—

Bilateral—

National interest analysis and regulation impact statement and annexes—

Australia United States of America Free Trade Agreement, agreed at Washington DC on 8 February 2004, due to be signed after 13 May 2004 (including Guide to the Agreement).

Text, together with national interest analysis and annexures—

Agreement between the Government of Australia and the Government of New Zealand for the establishment of a joint scheme for the regulation of therapeutic products, done at Wellington 10 December 2003.

Multilateral—Text, together with national interest analysis and annexures—

World Health Organization Framework Convention on Tobacco Control, done at Geneva on 21 May 2003.

10 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—SYDNEY KINGSFORD SMITH AIRPORT

The House was informed that Ms Plibersek had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The urgent need for the Government to provide an alternative to the massive planned expansion of Sydney Kingsford Smith Airport”.

The proposed discussion having received the necessary support—

Ms Plibersek addressed the House.

Discussion ensued.

Papers

Mr Murphy, by leave, presented the following papers:

Sydney Airport—

Final draft Master Plan—Copy of letter and attachments from Chris Falvey, General Manager, Corporate Affairs and Human Resources, Sydney Airport, to Senator Marise Payne, Chair, Sydney Airport Community Forum, 20 January 2004.

Master plan approved—Copy of media release, Mr Anderson, Deputy Prime Minister and Minister for Transport and Regional Services, 22 March 2004.

Discussion concluded.

11 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:

Commonwealth Electoral Amendment (Representation in the House of Representatives) 2004;

Law and Justice Legislation Amendment 2004; and

Classification (Publications, Films and Computer Games) Amendment 2004; and

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

Education and Training—Standing Committee—Learning to work—Inquiry into vocational education in schools—Motion to take note of the paper: Resumption of debate; and
Migration—Joint Standing Committee—To make a contribution—Review of skilled labour migration programs 2004—Motion to take note of the paper: Resumption of debate.

Question—put and passed.

12 INTELLIGENCE SERVICES 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.

Consideration in detail

Bill, by leave, taken as a whole.

Paper

Mrs Gallus (Parliamentary Secretary to the Minister for Foreign Affairs) presented a supplementary explanatory memorandum to the Bill.

Mrs Gallus, by leave, moved Government amendments (1) to (4) together.

Paper

Mrs Gallus presented the following paper:

ASIO, ASIS and DSD—Parliamentary Joint Committee—Report—Review of the Intelligence Services Amendment Bill 2003—Government response.

Debate continued.

Question—That the amendments be agreed to—put and passed.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Mrs Gallus, by leave, the Bill was read a third time.

13 MESSAGE FROM THE SENATE

A message from the Senate was reported returning the following Bill without amendment:
29 March 2004—Message No. 450—Age Discrimination (Consequential Provisions) 2003.

14 MESSAGE FROM THE SENATE—AGE DISCRIMINATION BILL 2003

A message from the Senate was reported returning the following Bill with amendments:
29 March 2004—Message No. 449—Age Discrimination 2003.

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

15 MESSAGE FROM THE SENATE—MILITARY REHABILITATION AND COMPENSATION BILL 2003

A message from the Senate was reported returning the following Bill with requests for amendments:
29 March 2004—Message No. 447—Military Rehabilitation and Compensation 2003.

Ordered—That the amendments requested by the Senate be considered at the next sitting.

16 MESSAGE FROM THE SENATE—MILITARY REHABILITATION AND COMPENSATION (CONSEQUENTIAL AND TRANSITIONAL PROVISIONS) BILL 2003

A message from the Senate was reported returning the following Bill with requests for amendments:
29 March 2004—Message No. 448—Military Rehabilitation and Compensation (Consequential and Transitional Provisions) 2003.

Ordered—That the amendments requested by the Senate be considered at the next sitting.

17 POSTPONEMENT OF BUSINESS

Ordered—That business intervening before order of the day No. 21, government business, be postponed until a later hour this day.

**18 AGRICULTURE, FISHERIES AND FORESTRY LEGISLATION AMENDMENT BILL (NO. 2) 2003—
SENATE'S AMENDMENTS**

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

On the motion of Mr Truss (Minister for Agriculture, Fisheries and Forestry), the amendments were disagreed to and amendments were made in place thereof.

19 ADJOURNMENT

Mr Truss (Minister for Agriculture, Fisheries and Forestry) moved—That the House do now adjourn.
Debate ensued.

Mr Hardgrave (Minister for Citizenship and Multicultural Affairs) required the debate to be extended.
The debate continuing until 9.35 p.m., the Speaker adjourned the House until tomorrow at 9 a.m.

PAPERS

The following papers were deemed to have been presented on 30 March 2004:

Christmas Island Act—List of Western Australian Acts for period 13 September 2003 to 19 March 2004.

Cocos (Keeling) Islands Act—List of Western Australian Acts for period 13 September 2003 to 19 March 2004.

ATTENDANCE

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

* On leave

I. C. HARRIS
Clerk of the House of Representatives