

2002-03-04

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 167

TUESDAY, 11 MAY 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 Howard (Prime Minister) informed the House that, during the absence abroad of Mr M. A. J. Vaile (Minister for Trade), Mr Downer (Minister for Foreign Affairs) would answer questions on his behalf.

Mr Howard also informed the House that, during the absence of Mr Hockey (Minister for Small Business and Tourism), Mr I. E. Macfarlane (Minister for Industry, Tourism and Resources) would answer questions on his behalf.

3 QUESTIONS

Questions without notice being asked—

Papers

Mr Sidebottom, by leave, presented the following papers:

Australian Hearing offices—

Office closure talk 'just rumour'—Copy of article by Leila Williams, *The Advocate*, 4 May 2004.

Hearing service will be cut back: Labor—Article in *The Advocate*, 6 May 2004.

Hearing services cut back—Article in *The Advocate*, 10 May 2004.

Changes to Australian Hearing's centre in Burnie—Copy of letter from Sarina Sanna, Australian Hearing—Regional Manager, Burnie, Tasmania.

Questions without notice continued.

4 UNAUTHORISED TELEVISION COVERAGE: VISIT BY PRESIDENT GEORGE W. BUSH—STATEMENT BY SPEAKER

The Speaker made a statement concerning unauthorised television coverage during the visit by President George W. Bush, and presented the following paper:

Official visit by the President of the United States of America Mr George W. Bush and Mrs Laura Bush, 22-23 October 2003—Media Liaison Report prepared by Daniel Bolger, employed under contract to the Department of Prime Minister and Cabinet, November 2003.

5 AUDITOR-GENERAL'S REPORTS

The Speaker presented the following papers:

Auditor-General—Audit reports of 2003–2004—

No. 39—Performance audit—Integrity of the electoral roll—Follow-up audit: Australian Electoral Commission.

No. 40—Performance audit—Department of Health and Ageing's management of the multipurpose services program and the regional health services program.

No. 41—Performance audit—Management of repatriation health cards: Department of Veterans' Affairs.

No. 42—Business support process audit—Financial delegations for the expenditure of public monies in FMA agencies.

No. 43—Performance audit—Defence force preparedness management systems: Department of Defence.

No. 44—Performance audit—National Aboriginal health strategy—Delivery of housing and infrastructure to Aboriginal and Torres Strait Islander communities—Follow-up audit: Aboriginal and Torres Strait Islander Services.

No. 45—Performance audit—Army individual readiness notice—Follow-up audit: Department of Defence.

Reports ordered to be printed.

6 PAPERS

The following papers were presented:

Central Land Council—Report—2002-03 (Addendum).

Gene Technology Regulator—Quarterly report for the period 1 October to 31 December 2003.

Tobacco Advertising Prohibition Act 1992—Report under section 34A, 2003.

Trade 2004—A statement by Mark Vaile, Minister for Trade.

7 PAPER—MOTION TO TAKE NOTE OF PAPER

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

Trade 2004—Statement by Mark Vaile, Minister for Trade.

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

8 PAPER

The Speaker presented the following paper:

Record of attendance of Members in the House—Copy of letter and attachments from Mr J. N. Andrew, Speaker of the House of Representatives, to Mr Andren, Member for Calare, 16 April 2004.

9 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ENVIRONMENT CO-OPERATIVE RESEARCH CENTRES

The House was informed that Mr K. J. Thomson had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The Government’s decision to defund Environment Co-operative Research Centres including the CRC for the Great Barrier Reef, the CRC for Tropical Rainforest Ecology and the CRC for the Coastal Zone”.

The proposed discussion having received the necessary support—

Mr K. J. Thomson addressed the House.

Discussion ensued.

Discussion concluded.

10 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:

5 April 2004—Message No. 237—Migration Agents Registration Application Charge Amendment 2004.

1 April 2004—Message No. 238—Fisheries Legislation Amendment (Compliance and Deterrence Measures and Other Matters) 2004.

2 April 2004—Message No. 239—

Fisheries Legislation Amendment (High Seas Fishing Activities and Other Matters) 2004.

Australian Crime Commission Amendment 2004.

20 April 2004—Message—

No. 240—

Appropriation (No. 3) 2003-2004.
 Appropriation (No. 4) 2003-2004.
 Appropriation (Parliamentary Departments) (No. 2) 2003-2004.
 No. 241—
 Communications Legislation Amendment (No. 1) 2004.
 Textile, Clothing and Footwear Strategic Investment Program Amendment 2004.
 No. 242—
 Dairy Produce Amendment 2004.
 Family Assistance Legislation Amendment (Extension of Time Limits) 2004.
 Commonwealth Electoral Amendment (Representation in the House of Representatives) 2004.
 21 April 2004—Message—
 No. 243—
 Age Discrimination (Consequential Provisions) 2004.
 Energy Grants (Cleaner Fuels) Scheme 2004.
 Energy Grants (Cleaner Fuels) Scheme (Consequential Amendments) 2004.
 No. 244—
 Customs Tariff Amendment (No. 1) 2004.
 Excise Tariff Amendment (No. 1) 2004.
 Higher Education Legislation Amendment 2004.
 No. 245—
 Customs Tariff Amendment (Greater Sunrise) 2004.
 Greater Sunrise Unitisation Agreement Implementation 2004.
 No. 246—
 Migration Legislation Amendment (Migration Agents Integrity Measures) 2004.
 Privacy Amendment 2004.
 No. 247—Health and Ageing Legislation Amendment 2004.
 27 April 2004—Message No. 248—
 Military Rehabilitation and Compensation 2004.
 Military Rehabilitation and Compensation (Consequential and Transitional Provisions) 2004.
 Superannuation Safety Amendment 2004.
 Agriculture, Fisheries and Forestry Legislation Amendment (No. 1) 2004.
 Telecommunications (Interception) Amendment 2004.
 Taxation Laws (Clearing and Settlement Facility Support) 2004.
 Intelligence Services Amendment 2004.
 4 May 2004—Message No. 249—Superannuation Legislation Amendment (Family Law and Other Matters) 2004.

11 MESSAGES FROM THE SENATE

Messages from the Senate, 1 April 2004, were reported:

- (a) returning the following Bills without amendment:
 - No. 472—Appropriation (Parliamentary Departments) (No. 2) 2003-2004;
 - No. 473—Appropriation (No. 3) 2003-2004 (*without requests*);
 - No. 474—Appropriation (No. 4) 2003-2004; and
- (b) acquainting the House that Senator Lundy had been discharged from attendance on the Joint Committee of Public Accounts and Audit, and Senator Moore had been appointed a member of the committee—Message No. 475; and

- (c) returning the Communications Legislation Amendment Bill (No. 2) 2003 and acquainting the House that the Senate does not insist on its amendments Nos 1 to 3, 5 to 9, 12 and 13 disagreed to by the House—Message No. 476.

12 MAIN COMMITTEE—DAY OF NEXT MEETING

The Deputy Speaker reported that Wednesday, 12 May 2004, at 9.40 a.m., had been fixed for the next meeting of the Main Committee.

13 BILLS REFERRED TO MAIN COMMITTEE

Mr Lloyd (Chief Government Whip), by leave, moved—That the following Bills be referred to the Main Committee for further consideration:

Health Legislation Amendment (Podiatric Surgery and Other Matters) 2004;

Bankruptcy Legislation Amendment 2004;

Bankruptcy (Estate Charges) Amendment 2004; and

Agricultural and Veterinary Chemicals Legislation Amendment (Name Change) 2004.

Question—put and passed.

14 PUBLIC ACCOUNTS AND AUDIT—JOINT COMMITTEE—STATEMENT BY MEMBER—PAPER

Mr Charles (Chair), by leave, made a statement concerning the draft budget estimates for the Australian National Audit Office—

and, by leave, presented the following paper:

Public Accounts and Audit—Joint Committee—Draft budget estimates for the Australian National Audit Office for 2004-2005—Statement by Mr Charles (Chair), 11 May 2004.

15 VETERANS' ENTITLEMENTS (CLARKE REVIEW) 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—

Debate resumed.

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

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

16 MESSAGE FROM THE ADMINISTRATOR, PROPOSED EXPENDITURE AND APPROPRIATION FOR YEAR 2004-2005—APPROPRIATION BILL (NO. 1) 2004-2005—BUDGET SPEECH

Message No. 250, 10 May 2004, from His Excellency the Administrator 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 money out of the Consolidated Revenue Fund for the ordinary annual services of the Government, and for related purposes.

Mr Costello (Treasurer) presented a Bill for an Act to appropriate 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 Costello moved—That the Bill be now read a second time, and delivered the budget speech.

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

17 PAPERS

Mr Costello (Treasurer) presented the following papers:

Budget strategy and outlook 2004-05.

Budget measures 2004-05.

Federal financial relations 2004-05.

Agency resourcing 2004-05.

Papers ordered to be printed.

18 MINISTERIAL STATEMENTS

Mr Costello (Treasurer) presented the following ministerial statements:

A sustainability strategy for the Australian continent 2004-05, 11 May 2004.

Australia's international development cooperation 2004-05, 11 May 2004

Regional partnerships for growth and security 2004-05, 11 May 2004.

Rural and regional Australia: Sustaining the nation 2004-05, 11 May 2004.

19 MESSAGE FROM THE ADMINISTRATOR, CERTAIN PROPOSED EXPENDITURE AND APPROPRIATION FOR YEAR 2004-2005—APPROPRIATION BILL (NO. 2) 2004-2005

Message No. 251, 10 May 2004, from His Excellency the Administrator 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 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 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 (Ms Gillard), and the resumption of the debate made an order of the day for the next sitting.

20 MESSAGE FROM THE ADMINISTRATOR, CERTAIN PROPOSED EXPENDITURE AND APPROPRIATION IN RELATION TO THE PARLIAMENTARY DEPARTMENTS FOR YEAR 2004-2005—APPROPRIATION (PARLIAMENTARY DEPARTMENTS) BILL (NO. 1) 2004-2005

Message No. 252, 10 May 2004, from His Excellency the Administrator 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 money out of the Consolidated Revenue Fund for certain 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 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 (Ms Gillard), and the resumption of the debate made an order of the day for the next sitting.

21 MESSAGE FROM THE ADMINISTRATOR, PROPOSED ADDITIONAL EXPENDITURE AND APPROPRIATION FOR YEAR 2003-2004—APPROPRIATION BILL (NO. 5) 2003-2004

Message No. 253, 10 May 2004, from His Excellency the Administrator 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.

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

22 MESSAGE FROM THE ADMINISTRATOR, CERTAIN PROPOSED ADDITIONAL EXPENDITURE FOR YEAR 2003-2004—APPROPRIATION BILL (NO. 6) 2003-2004

Message No. 254, 10 May 2004, from His Excellency the Administrator 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 (Ms Gillard), and the resumption of the debate made an order of the day for the next sitting.

23 FAMILY ASSISTANCE LEGISLATION AMENDMENT (MORE HELP FOR FAMILIES—ONE-OFF PAYMENTS) BILL 2004

Mr Anthony (Minister for Children and Youth Affairs), by leave, presented a Bill for an Act to provide for one-off payments to families and carers, and for related purposes.

Bill read a first time.

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

Paper

Mr Anthony presented an explanatory memorandum to the Bill.

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

24 FAMILY ASSISTANCE LEGISLATION AMENDMENT (MORE HELP FOR FAMILIES—INCREASED PAYMENTS) BILL 2004

Mr Anthony (Minister for Children and Youth Affairs), by leave, presented a Bill for an Act to amend the *A New Tax System (Family Assistance) Act 1999* and the *A New Tax System (Family Assistance) (Administration) Act 1999*, and for other purposes.

Bill read a first time.

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

Paper

Mr Anthony presented an explanatory memorandum to the Bill.

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

25 ADJOURNMENT

Mr Anthony (Minister for Children and Youth Affairs) moved—That the House do now adjourn.

Question—put and passed.

And then the House, at 8.25 p.m., adjourned until tomorrow at 9 a.m.

PAPERS

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

Aboriginal and Torres Strait Islander Commission Act—Report of the panel convened to review ATSIIC's region, zone and ward boundaries—Final boundary recommendations.

Aged Care Act—Determinations under section 52-1—2004 Nos ACA 2, ACA 3, ACA 4.

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposal—2004 No. 3.

Australian Postal Corporation Act—Regulations—Statutory Rules 2004 No. 58.

Civil Aviation Act—

Civil Aviation Regulations—

Exemption—2004 No. CASA EX19.

Instruments—2004 Nos CASA 113, CASA 131, CASA 138, CASA 161, CASA 169, CASA 190, CASA 195.

Civil Aviation Safety Regulations—Airworthiness Directives—

- Part 39-105—2004 22, 25 March, 1(13), 2(26) April.
Part 39-107—2004 1 April (3).
- Corporations Act—Accounting standard No. AASB 1047.
- Crimes (Overseas) Act—Regulations—Statutory Rules 2004 No. 61.
- Crimes (Traffic in Narcotic Drugs and Psychotropic Substances) Act—Regulations—Statutory Rules 2004 No. 62.
- Criminal Code Act—Regulations—Statutory Rules 2004 No. 83.
- Customs Act—Regulations—Statutory Rules 2004 No. 72.
- Defence Act—
- Defence Force Remuneration Tribunal—Determinations 2004 Nos 2, 3.
- Determinations under section 58B—2004 Nos 9, 10, 11, 12, 13, 14, 15, 16, 17.
- Defence Force (Home Loans Assistance) Act—Declaration of warlike service (Operation TANAGER), 1 April 2004.
- Diplomatic Privileges and Immunities Act—Diplomatic Privileges and Immunities Regulations—Certificates—2004 30 March (2).
- Disability Services Act—
- Approval—2004 Disability Services (Eligible Services).
- Standards—2004 Disability Services (Eligibility—wage phase-in services and targeted support services).
- Environment Protection and Biodiversity Conservation Act—
- Instrument under section 303DB—2004 24 March.
- Instruments under section 303EB—2004 18, 24, 31 March.
- Pulu Keeling National Park—
- Management plan, 2004.
- Report of the Director of National Parks on the management plan, including public comments received on the draft plan, analysis of these comments and changes to the plan in response to these comments, 2004.
- Federal Magistrates Act—Rules of Court—Statutory Rules 2004 No. 54.
- Financial Management and Accountability Act—Regulations—Statutory Rules 2004 No. 57.
- Fisheries Management Act—
- Heard Island and McDonald Islands Fishery Management Plan—Directions—2004 Nos HIMIFD 5, HIMIFD 6, HIMIFD 7, HIMIFD 8.
- Regulations—Statutory Rules 2004 No. 70.
- Fisheries Management Act and Fishing Levy Act—Regulations—Statutory Rules 2004 No. 71.
- Foreign Evidence Act—Regulations—Statutory Rules 2004 No. 63.
- Great Barrier Reef Marine Park Act—Regulations—Statutory Rules 2004 No. 60.
- Hazardous Waste (Regulation of Exports and Imports) Act—Regulations—Statutory Rules 2004 No. 73.
- Health Insurance Act—
- Determinations—2004 Nos HS/02, HS/03, HS/04.
- Principles—2004 Health Insurance (Eligible collection centres) approval.
- Regulations—Statutory Rules 2004 Nos 64, 65, 66, 67, 75, 76, 77.
- Higher Education Funding Act—Determination—2004 No. T12.
- Income Tax Assessment Act 1936—Regulations—Statutory Rules 2004 No. 80.
- Lands Acquisition Act—Regulations—Statutory Rules 2004 No. 82.
- Medical Indemnity (Prudential Supervision and Product Standards) Act—Regulations—Statutory Rules 2004 No. 81.
- Migration Act—
- Direction under section 499—2004 No. 34.
- Statement under subsection 33(6)—24 March 2004.
- Statements under subsection 91L(3)—2004 24 February (2).

Motor Vehicle Standards Act—Determination—2004 Motor Vehicle Standards (Approval to place used import plates).

National Health Act—

Declarations under subsection 85(2)—2004 Nos PB 5, PB 7.

Declaration under subsection 85(2AA)—2004 No. PB 6.

Determinations under paragraph (bj) of Schedule 1—2004 Nos PHB 2, PHB 4, PHB 5.

Determination under paragraph 98C(1)(b)—2004 No. PB 8.

Determination under subsection 5D(1)—2004 No. AOS 5.

Petroleum Excise (Prices) Act—Regulations—Statutory Rules 2004 No. 69.

Product Stewardship (Oil) Act—Regulations—Statutory Rules 2004 No. 74.

Remuneration Tribunal Act—Remuneration Tribunal—

Determinations—2004 Nos 3, 4, 5, 6, 7, 8, 9, 10.

Report—2004 No. 1 Ministers of State—Salaries additional to the basic parliamentary salary.

Social Security Act—Determination—2004 Social Security (Attribution of income—ineligible deductions).

Space Activities Act—Regulations—Statutory Rules 2004 No. 79.

Spam Act—Regulations—Statutory Rules 2004 No. 56.

Taxation Administration Act—Rulings—

1992 Nos TD 124 (Addendum), TD 161 (Withdrawal).

2002 No. PR 140 (Withdrawal).

2003 No. PR 67 (Addendum).

2004 Nos CR 30, CR 31, CR 32, CR 33, CR 34, CR 35, CR 36, CR 37, CR 38, CR 39, CR 40, CR 41, CR 42, CR 43, CR 44, GSTD 2, GSTD 3, GSTR 2, GSTR 3, MT D1, PR 35, PR 36, PR 37, PR 38, PR 39, PR 40, PR 41, PR 42, PR 43, PR 44, PR 45, PR 46, PR 47, PR 48, PR 49, PR 50, PR 51, PR 52, PR 53, TD 4, TD 5, TD 6, TD 7, TD 8, TD 9, TD 10, TD 11, TD 12, TD 13, TD 14, TR 3.

Telecommunications (Numbering Charges) Act—Determination—2004 Telecommunications (Amounts of annual charge).

Telecommunications Act 1997—Regulations—Statutory Rules 2004 No. 59.

Therapeutic Goods Act—

Regulations—Statutory Rules 2004 No. 78.

Therapeutic Goods Orders—2004 Nos 61A, 72.

Trans-Tasman Mutual Recognition Act—Regulations—Statutory Rules 2004 No. 68.

Veterans' Entitlements Act—Instrument under subsection 90(4) 2004 No. 3.

Water Agencies (Powers) Act 1984 (WA) (CI)—Regulations—Territory of Christmas Island 2004—No. 1.

Water Agencies (Powers) Act 1984 (WA) (CKI)—Regulations—Territory of Cocos (Keeling) Islands—2004 No. 1.

ATTENDANCE

All Members attended (at some time during the sitting) except Ms Ellis, Mr Hockey, Ms J. S. McFarlane, Mr Schultz, Mr M. A. J. Vaile and Mr Wakelin.

I. C. HARRIS
Clerk of the House of Representatives