

2004-05

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 17

WEDNESDAY, 16 FEBRUARY 2005



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

2 SUSPENSION OF STANDING ORDERS MOVED

Mr Albanese moved—That so much of the standing orders be suspended as would prevent order of the day No. 6, private Members' business, relating to the Avoiding Dangerous Climate Change (Kyoto Protocol Ratification) Bill 2005, being called on forthwith to provide the House with an immediate chance to debate and vote on the bill in the light of the following reasons:

- (1) the fact that the Kyoto Protocol comes into effect today after being ratified by 140 countries and the European Union;
- (2) climate change is the number one environmental challenge facing the global community;
- (3) Australia is restricted from the economic opportunities arising from the global carbon trading market;
- (4) Australia will not be able to benefit from the clean development mechanism provisions contained in the Protocol which are designed to encourage renewable energy projects in developing countries;
- (5) as Australia is on track to meet our Kyoto target of 108% of 1990 emissions by 2012, there is no reason for Australia to remain outside the international framework;
- (6) Australia's ability to influence post-Kyoto agreements will be undermined by our isolationist position;
- (7) international security is advanced through agreements such as the Kyoto Protocol which promote a common purpose; and
- (8) climate change is the ultimate intergenerational issue. Our response will be central in determining the quality of life of our children and grandchildren.

Closure of Member

Mr Truss (Minister for Agriculture, Fisheries and Forestry) moved—That the Member be not further heard.

Question—put.

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

AYES, 75

Mr Abbott	Mr Farmer	Jackie Kelly	Mr Scott
Mr Andrews	Mr Fawcett	Mr Lloyd	Mr Secker
Fran Bailey	Mr M. D. Ferguson	Mr McArthur*	Mr Slipper
Mr Baird	Mr Forrest*	Mr Macfarlane	Mr A. D. H. Smith
Mr Baker	Ms Gambaro	Mr McGauran	Mr Somlyay
Mr Baldwin	Mrs Gash	Mrs Markus	Dr Southcott
Mr Barresi	Mr Georgiou	Mrs May	Dr Stone
Mr Bartlett	Mr Haase	Mrs Moylan	Mr C. P. Thompson
Mr Billson	Mr Hardgrave	Dr Nelson	Mr Ticehurst
Mrs B. K. Bishop	Mr Hartsuyker	Mr Neville	Mr Tollner
Ms J. Bishop	Mr Henry	Ms Panopoulos	Mr Truss
Mr Broadbent	Mr Hockey	Mr Pearce	Mr Tuckey
Mr Cadman	Mrs Hull	Mr Prosser	Mr Turnbull
Mr Causley	Mr Hunt	Mr Pyne	Mrs D. S. Vale
Mr Ciobo	Dr Jensen	Mr Randall	Mr Vasta
Mr Downer	Mr Johnson	Mr Richardson	Mr Wakelin
Mrs Draper	Mr Jull	Mr Robb	Dr Washer
Mr Dutton	Mr Keenan	Mr Ruddock	Mr Wood
Mrs Elson	Mrs D. M. Kelly	Mr Schultz	

NOES, 55

Mr Adams	Ms K. M. Ellis	Mrs Irwin	Mr Price
Mr Albanese	Mr Emerson	Mr Jenkins	Mr Quick
Mr Andren	Mr L. Ferguson	Mr Kerr	Mr Ripoll
Mr Beazley	Mr M. J. Ferguson	Ms C. King	Ms Roxon
Mr Bevis	Mr Fitzgibbon	Dr Lawrence	Mr Rudd
Ms Bird	Mr Garrett	Ms Livermore	Mr Sawford
Ms A. E. Burke	Mr Georganas	Mr McClelland	Mr Sercombe
Mr A. S. Burke	Ms George	Ms Macklin	Mr Snowdon
Mr Byrne	Mr Gibbons	Mr McMullan	Mr Swan
Ms Corcoran	Ms Gillard	Mr Melham	Mr Tanner
Mr Crean	Ms Grierson	Mr Murphy	Mr K. J. Thomson
Mr Danby*	Mr Griffin	Mr B. P. O'Connor	Ms Vamvakinou
Mrs Elliot	Ms Hall*	Mr G. M. O'Connor	Mr Wilkie
Ms A. L. Ellis	Mr Hatton	Ms Owens	

* Tellers

And so it was resolved in the affirmative.

Ms George (seconder) addressing the House—

Closure of Member

Mr Truss moved—That the Member be not further heard.

Question—put.

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

AYES, 77

Mr Abbott	Mr Farmer	Mr Laming	Mr Secker
Mr Andrews	Mr Fawcett	Mr Lloyd	Mr Slipper
Fran Bailey	Mr M. D. Ferguson	Mr McArthur*	Mr A. D. H. Smith
Mr Baird	Mr Forrest*	Mr Macfarlane	Mr Somlyay
Mr Baker	Ms Gambaro	Mr McGauran	Dr Southcott
Mr Baldwin	Mrs Gash	Mrs Markus	Dr Stone
Mr Barresi	Mr Georgiou	Mrs May	Mr C. P. Thompson
Mr Bartlett	Mr Haase	Mrs Moylan	Mr Ticehurst
Mr Billson	Mr Hardgrave	Dr Nelson	Mr Tollner
Mrs B. K. Bishop	Mr Hartsuyker	Mr Neville	Mr Truss
Ms J. Bishop	Mr Henry	Ms Panopoulos	Mr Tuckey
Mr Broadbent	Mr Hockey	Mr Pearce	Mr Turnbull
Mr Cadman	Mrs Hull	Mr Prosser	Mrs D. S. Vale
Mr Causley	Mr Hunt	Mr Pyne	Mr Vasta
Mr Ciobo	Dr Jensen	Mr Randall	Mr Wakelin
Mr Cobb	Mr Johnson	Mr Richardson	Dr Washer
Mr Downer	Mr Jull	Mr Robb	Mr Wood
Mrs Draper	Mr Keenan	Mr Ruddock	
Mr Dutton	Mrs D. M. Kelly	Mr Schultz	
Mrs Elson	Jackie Kelly	Mr Scott	

NOES, 55

Mr Adams	Ms K. M. Ellis	Mrs Irwin	Mr Price
Mr Albanese	Mr Emerson	Mr Jenkins	Mr Quick
Mr Andren	Mr L. Ferguson	Mr Kerr	Mr Ripoll
Mr Beazley	Mr M. J. Ferguson	Ms C. King	Ms Roxon
Mr Bevis	Mr Fitzgibbon	Dr Lawrence	Mr Rudd
Ms Bird	Mr Garrett	Ms Livermore	Mr Sawford
Ms A. E. Burke	Mr Georganas	Mr McClelland	Mr Sercombe
Mr A. S. Burke	Ms George	Ms Macklin	Mr Snowdon
Mr Byrne	Mr Gibbons	Mr McMullan	Mr Swan
Ms Corcoran	Ms Gillard	Mr Melham	Mr Tanner
Mr Crean	Ms Grierson	Mr Murphy	Mr K. J. Thomson
Mr Danby*	Mr Griffin	Mr B. P. O'Connor	Ms Vamvakinou
Mrs Elliot	Ms Hall*	Mr G. M. O'Connor	Mr Wilkie
Ms A. L. Ellis	Mr Hatton	Ms Owens	

* Tellers

And so it was resolved in the affirmative.

Question—That the motion for the suspension of standing orders be agreed to—put.

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

AYES, 55

Mr Adams	Mr Emerson	Mr Jenkins	Mr Quick
Mr Albanese	Mr L. Ferguson	Mr Kerr	Mr Ripoll
Mr Beazley	Mr M. J. Ferguson	Ms C. King	Ms Roxon
Mr Bevis	Mr Fitzgibbon	Dr Lawrence	Mr Rudd
Ms Bird	Mr Garrett	Ms Livermore	Mr Sawford
Ms A. E. Burke	Mr Georganas	Mr McClelland	Mr Sercombe
Mr A. S. Burke	Ms George	Ms Macklin	Mr S. F. Smith
Mr Byrne	Mr Gibbons	Mr McMullan	Mr Snowdon
Ms Corcoran	Ms Gillard	Mr Melham	Mr Swan
Mr Crean	Ms Grierson	Mr Murphy	Mr Tanner
Mr Danby*	Mr Griffin	Mr B. P. O'Connor	Mr K. J. Thomson
Mrs Elliot	Ms Hall*	Mr G. M. O'Connor	Ms Vamvakinou
Ms A. L. Ellis	Mr Hatton	Ms Owens	Mr Wilkie
Ms K. M. Ellis	Mrs Irwin	Mr Price	

NOES, 77

Mr Abbott	Mr Farmer	Mr Laming	Mr Secker
Mr Andrews	Mr Fawcett	Mr Lloyd	Mr Slipper
Fran Bailey	Mr M. D. Ferguson	Mr McArthur*	Mr A. D. H. Smith
Mr Baird	Mr Forrest*	Mr Macfarlane	Mr Somlyay
Mr Baker	Ms Gambaro	Mr McGauran	Dr Southcott
Mr Baldwin	Mrs Gash	Mrs Markus	Dr Stone
Mr Barresi	Mr Georgiou	Mrs May	Mr C. P. Thompson
Mr Bartlett	Mr Haase	Mrs Moylan	Mr Ticehurst
Mr Billson	Mr Hardgrave	Dr Nelson	Mr Tollner
Mrs B. K. Bishop	Mr Hartsuyker	Mr Neville	Mr Truss
Ms J. Bishop	Mr Henry	Ms Panopoulos	Mr Tuckey
Mr Broadbent	Mr Hockey	Mr Pearce	Mr Turnbull
Mr Cadman	Mrs Hull	Mr Prosser	Mrs D. S. Vale
Mr Causley	Mr Hunt	Mr Pyne	Mr Vasta
Mr Ciobo	Dr Jensen	Mr Randall	Mr Wakelin
Mr Cobb	Mr Johnson	Mr Richardson	Dr Washer
Mr Downer	Mr Jull	Mr Robb	Mr Wood
Mrs Draper	Mr Keenan	Mr Ruddock	
Mr Dutton	Mrs D. M. Kelly	Mr Schultz	
Mrs Elson	Jackie Kelly	Mr Scott	

* Tellers

And so it was negatived.

3 FARM HOUSEHOLD SUPPORT AMENDMENT BILL 2005

Mr Truss (Minister for Agriculture, Fisheries and Forestry), pursuant to notice, presented a Bill for an Act to amend the *Farm Household Support Act 1992*, and for related purposes.

Bill read a first time.

Mr Truss moved—That the bill be now read a second time.

Document

Mr Truss presented an explanatory memorandum to the bill.

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

4 CUSTOMS TARIFF PROPOSAL

Mr Hunt (Parliamentary Secretary to the Minister for the Environment and Heritage) moved Customs Tariff Proposal No. 1 (2005).

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

5 DEFENCE AMENDMENT BILL 2005

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 third reading to be moved immediately.

On the motion of Mrs D. M. Kelly (Minister for Veterans' Affairs), the bill was read a third time.

6 AGED CARE AMENDMENT (TRANSITION CARE AND ASSETS TESTING) BILL 2005

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.

Message from the Governor-General

Message No. 34, 10 February 2005, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the bill.

Leave granted for third reading to be moved immediately.

On the motion of Ms J. Bishop (Minister for Ageing), the bill was read a third time.

7 TAX LAWS AMENDMENT (2005 MEASURES NO. 1) BILL 2005

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 Fitzgibbon 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) failing to embrace real and meaningful tax reform; and
- (2) failing to develop effective tax and related policies to address the problem of Australia's ageing population”.

Debate continued.

It being 2 p.m., the debate was interrupted in accordance with standing order 97, and the resumption of the debate made an order of the day for a later hour this day.

8 QUESTIONS

Questions without notice being asked—

Document

Mr Anderson (Deputy Prime Minister) presented the following document:

Beazley seeks funding for study of Mangles Bay Marina proposals—Copy of article in newsletter, January 2004.

Questions without notice continued.

9 DOCUMENT

Mr Costello (Treasurer) presented the following document:

Dalrymple Bay Coal Terminal (Long-Term Lease) Bill—Extract from Hansard, Queensland Parliament, 22 June 2001.

10 DOCUMENTS

Mr Beazley (Leader of the Opposition), by leave, during a personal explanation, presented the following documents:

Election issues—

Blackspot funding—Article in *Sound Telegraph*, 31 March 2004.
 Campaigner enters political ring—Article by Darren O’Dea, *Mandurah Mail*, 8 April 2004.
 Canberra fronts up for Mangles Bay party—Article in *Weekend Courier Community*, 13 February 2004.
 Dive wreck in sight—Article by John Brown, *Sound Telegraph*, 22 September 2004.
 Edman surveys traffic Black Spots—Article in *Mandurah Coastal Times*, 10 March 2004,
 Funds for new beach development—Article in *Mandurah Mail*, 17 June 2004.
 Funds for road black spots—Article in *Mandurah Mail*, 25 March 2004.
 Mission accomplished—Article in *Weekend Courier*, 27 February 2004.
 Mangles Bay marina study green light—Article by Grace Millimaci, *Sound Telegraph*, 25 February 2004.
 Sunken ship for Dive Park—Article by Amanda Colville.

11 DOCUMENTS

The following documents were presented:

Department of Employment and Workplace Relations—Report for 2003-04—Corrigendum.

Productivity Commission—Report for 2003-04.

Superannuation (Government Co-contribution for Low Income Earners) Act—Quarterly report on the operation of the Act—1 October to 31 December 2004.

12 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—KYOTO PROTOCOL

The House was informed that Mr Beazley (Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The need for the Australian Government to ratify the Kyoto Protocol which comes into force today”.

The proposed discussion having received the necessary support—

Mr Beazley addressed the House.

Discussion ensued.

Document

Mr Macfarlane (Minister for Industry, Tourism and Resources) presented the following document:

Global Temperature Record, Vostok Ice Core Data—Graph provided by McKibbin and Wilcoxon from data in Petit et al (2002).

Discussion continued.

Discussion concluded.

13 PRIVILEGES COMMITTEE—REPORT—STATEMENT BY MEMBER

Mr C. P. Thompson (Chair) presented the following document:

Committee of Privileges—Alleged threats to Mr Latham MP and Mr Murphy MP—Report, February 2005.

Ordered to be made a Parliamentary Paper.

Mr C. P. Thompson, by leave, made a statement in connection with the report.

14 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—PROPOSED MID-LIFE UPGRADE OF EXISTING CHANCERY BUILDING FOR THE AUSTRALIAN HIGH COMMISSION, SINGAPORE

Dr Stone (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Proposed mid-life upgrade of existing Chancery building for the Australian High Commission, Singapore.

Question—put and passed.

15 CONSTRUCTION AND REFURBISHMENT WORKS ON A BUILDING TO SERVE AS A NEW CHANCERY FOR THE AUSTRALIAN EMBASSY IN BAGHDAD, IRAQ—APPROVAL OF WORK

Dr Stone (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, and by

reason of the urgent nature of the work, it is expedient that the following proposed work be carried out without having been referred to the Parliamentary Standing Committee on Public Works: Construction and refurbishment works on a building to serve as a new Chancery for the Australian Embassy in Baghdad, Iraq.

Question—put and passed.

16 REPAIRS TO, AND URGENT SECURITY UPGRADE OF, THE AUSTRALIAN EMBASSY IN JAKARTA, INDONESIA—APPROVAL OF WORK

Dr Stone (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, and by reason of the urgent nature of the work, it is expedient that the following proposed work be carried out without having been referred to the Parliamentary Standing Committee on Public Works: Repairs to, and urgent security upgrade of, the Australian Embassy in Jakarta, Indonesia.

Question—put and passed.

17 TAX LAWS AMENDMENT (2005 MEASURES NO. 1) BILL 2005

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 Fitzgibbon (see item No. 7, page 189)—*

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 immediately.

Mr Brough (Minister for Revenue and Assistant Treasurer) moved—That the bill be now read a third time.

Debate ensued.

Question—put and passed—bill read a third time.

18 TELECOMMUNICATIONS (CONSUMER PROTECTION AND SERVICE STANDARDS) AMENDMENT (NATIONAL RELAY SERVICE) BILL 2005

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.

Message from the Governor-General

Message No. 35, 10 February 2005, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the bill.

Leave granted for third reading to be moved immediately.

On the motion of Mr Hunt (Parliamentary Secretary to the Minister for the Environment and Heritage), the bill was read a third time.

19 NEW INTERNATIONAL TAX ARRANGEMENTS (MANAGED FUNDS AND OTHER MEASURES) 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.

Question—put and passed—bill read a second time.

Leave granted for third reading to be moved immediately.

On the motion of Mr Brough (Minister for Revenue and Assistant Treasurer), the bill was read a third time.

20 APPROPRIATION BILL (NO. 3) 2004-2005

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 Swan, viz.*—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 its:

- (1) dishonest promises during the 2004 election campaign that it would keep interest rates low;
- (2) short-term, reckless spending during the lead up to the 2004 election, which is adding to inflationary and interest rate pressures;
- (3) gross neglect of Australia’s education and training needs, leaving Australia with a skills crisis which is adding to inflationary and interest rate pressures; and
- (4) failure to secure Australia’s economic future by making the long term policy commitments that will improve the productivity and competitiveness of the Australian economy”—

Debate resumed.

Mr Slipper addressing the House—

21 ADJOURNMENT

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

Debate ensued.

The House continuing to sit until 8 p.m.—The Speaker adjourned the House until tomorrow at 9 a.m.

DOCUMENT

The following document was deemed to have been presented on 16 February 2005:

Environment Protection and Biodiversity Conservation Act—Instrument under section 178, 7 December 2004.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Bowen*, Mr Edwards*, Mr Entsch, Ms Hoare, Mr Katter, Mr Lindsay and Ms Plibersek*.

* On leave

I. C. HARRIS

Clerk of the House of Representatives

2004-05

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 17

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

WEDNESDAY, 16 FEBRUARY 2005

1 The Main Committee met at 9.40 a.m.

2 **MEMBERS' STATEMENTS**

Members' statements were made.

3 **ADDRESS IN REPLY TO THE GOVERNOR-GENERAL'S SPEECH**

The order of the day having been read for the resumption of the debate on the question—That the following Address in Reply to the speech of His Excellency the Governor-General be agreed to:

May it please Your Excellency:

We, the House of Representatives of the Commonwealth of Australia, in Parliament assembled, desire to express our loyalty to our Most Gracious Sovereign, and to thank Your Excellency for the speech which you have been pleased to address to the Parliament—

Debate resumed.

Suspension of sitting

At 12.58 p.m., the Deputy Speaker left the Chair.

Resumption of sitting

At 4.01 p.m., the Deputy Speaker resumed the Chair.

Debate continued.

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

4 **ADJOURNMENT**

On the motion of Mrs Moylan, the Main Committee adjourned at 7.30 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