

2004-05

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 22

THURSDAY, 10 MARCH 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 NATIONAL SECURITY INFORMATION LEGISLATION AMENDMENT BILL 2005

Mr Ruddock (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *National Security Information (Criminal Proceedings) Act 2004*, and for related purposes.

Bill read a first time.

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

Document

Mr Ruddock presented an explanatory memorandum to the bill.

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

3 MIGRATION LITIGATION REFORM BILL 2005

Mr Ruddock (Attorney-General), pursuant to notice, presented a Bill for an Act to amend legislation in relation to courts and litigation, particularly in migration matters, and for related purposes.

Bill read a first time.

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

Document

Mr Ruddock presented an explanatory memorandum to the bill.

Debate adjourned (Mr G. M. O'Connor), and the resumption of the debate made an order of the day for the next sitting.

4 CRIMINAL CODE AMENDMENT (SUICIDE RELATED MATERIAL OFFENCES) BILL 2005

Mr Ruddock (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Criminal Code Act 1995*, and for related purposes.

Bill read a first time.

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

Document

Mr Ruddock presented an explanatory memorandum to the bill.

Debate adjourned (Mr G. M. O'Connor), and the resumption of the debate made an order of the day for the next sitting.

5 CUSTOMS TARIFF AMENDMENT BILL (NO. 1) 2005

Mr Ruddock (Minister representing the Minister for Justice and Customs) presented a Bill for an Act to amend the *Customs Tariff Act 1995*, and for related purposes.

Bill read a first time.

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

Document

Mr Ruddock presented an explanatory memorandum to the bill.

Debate adjourned (Mr G. M. O'Connor), and the resumption of the debate made an order of the day for the next sitting.

6 PRIMARY INDUSTRIES (EXCISE) LEVIES AMENDMENT (RICE) BILL 2005

Mr Truss (Minister for Agriculture, Fisheries and Forestry) presented a Bill for an Act to amend the *Primary Industries (Excise) Levies Act 1999*, 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 G. M. O'Connor), and the resumption of the debate made an order of the day for the next sitting.

7 HIGHER EDUCATION LEGISLATION AMENDMENT (2005 MEASURES NO. 2) BILL 2005

Dr Nelson (Minister for Education, Science and Training), pursuant to notice, presented a Bill for an Act to amend legislation relating to higher education, and for other purposes.

Bill read a first time.

Dr Nelson moved—That the bill be now read a second time.

Document

Dr Nelson presented an explanatory memorandum to the bill.

Debate adjourned (Mr G. M. O'Connor), and the resumption of the debate made an order of the day for the next sitting.

8 TELECOMMUNICATIONS LEGISLATION AMENDMENT (REGULAR REVIEWS AND OTHER MEASURES) BILL 2005

Mr Pearce (Parliamentary Secretary to the Treasurer), pursuant to notice, presented a Bill for an Act to amend the law relating to telecommunications, and for related purposes.

Bill read a first time.

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

Document

Mr Pearce presented an explanatory memorandum to the bill.

Debate adjourned (Mr G. M. O'Connor), and the resumption of the debate made an order of the day for the next sitting.

9 PAYMENT SYSTEMS (REGULATION) AMENDMENT BILL 2005

Mr Pearce (Parliamentary Secretary to the Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Payment Systems (Regulation) Act 1998*, and for related purposes.

Bill read a first time.

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

Document

Mr Pearce presented an explanatory memorandum to the bill.

Debate adjourned (Mr G. M. O'Connor), and the resumption of the debate made an order of the day for the next sitting.

10 MESSAGE FROM THE SENATE—NATIONAL HEALTH AMENDMENT (PROSTHESES) BILL 2005

Message No. 79, 9 March 2005, from the Senate was reported returning the National Health Amendment (Prostheses) Bill 2005 with amendments.

Ordered—That the amendments be considered immediately.

On the motion of Mr Pyne (Parliamentary Secretary to the Minister for Health and Ageing), the amendments were agreed to.

11 TRADE PRACTICES LEGISLATION AMENDMENT BILL (NO. 1) 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, 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:

- (1) constraining the economy’s productive capacity by failing to build on Labor’s competition reforms;
- (2) its failure to adopt all the recommendations of the Report of the Senate Inquiry into the effectiveness of the *Trade Practices Act 1974* in protecting small business;
- (3) its failure to promptly introduce appropriate criminal sanctions for cartel-type behaviour;
- (4) limiting the ability of small businesses to make their own choices in relation to appointing agents in collective bargaining negotiations; and
- (5) endangering small business collective bargaining reforms by including them in the same bill as the highly contentious changes to the merger approval regime and third line forcing laws”—

Debate resumed.

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

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

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

NOES, 55

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

* Tellers

And so it was resolved in the affirmative.

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 Pearce (Parliamentary Secretary to the Treasurer) moved—That the bill be now read a third time.

Debate ensued.

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

12 POSTPONEMENT OF BUSINESS

Ordered—That business intervening before order of the day, No. 5, government business, be postponed until a later hour this day.

13 WORKPLACE RELATIONS AMENDMENT (RIGHT OF ENTRY) 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.

Debate adjourned (Mr Billson—Parliamentary Secretary, Foreign Affairs and Trade), and the resumption of the debate made an order of the day for a later hour this day.

14 APPROPRIATION (TSUNAMI FINANCIAL ASSISTANCE AND AUSTRALIA-INDONESIA PARTNERSHIP) BILL 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—

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 Downer (Minister for Foreign Affairs), the bill was read a third time.

15 APPROPRIATION (TSUNAMI FINANCIAL ASSISTANCE) BILL 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—

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

Leave granted for third reading to be moved immediately.

On the motion of Mr Downer (Minister for Foreign Affairs), the bill was read a third time.

16 PUBLIC ACCOUNTS AND AUDIT—JOINT COMMITTEE—STATEMENTS BY MEMBERS

Mr Baldwin (Chair) and Ms Grierson (Deputy Chair), by leave, made statements in connection with the Committee's responsibilities relating to the appointment of the Auditor-General, as per section 8A of the Public Accounts and Audit Committee Act.

17 AUSTRALIAN INSTITUTE OF MARINE SCIENCE AMENDMENT BILL 2005—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 Hunt (Parliamentary Secretary to the Minister for the Environment and Heritage), by leave, the bill was read a third time.

18 BORDER PROTECTION LEGISLATION AMENDMENT (DETERRENCE OF ILLEGAL FOREIGN FISHING) 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.

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.

19 PRESENTATION OF ADDRESS IN REPLY

The Speaker informed the House that he had ascertained that His Excellency the Governor-General would be pleased to receive the Address in Reply at Government House at 6.30 p.m. on Tuesday, 15 March 2005. The Speaker said he would be glad if the mover and seconder, together with other Members, would accompany him to present the Address.

20 QUESTIONS

Questions without notice being asked—

Document

Mr Costello (Treasurer) presented the following document:

OECD Report "Taxing Wages"—Press release by Ken Henry, Secretary to the Treasury.

Questions without notice continued.

21 DOCUMENTS

Mr Costello (Treasurer) added to an answer to a question without notice and presented the following documents:

Budget speech—Appropriation Bill (No. 1) 2004-2005—Extract from Hansard, 1 May 2004.

Revenue Statistics 1965-2003—OECD 2004.

22 AUDITOR-GENERAL'S REPORTS

The Speaker presented the following documents:

Auditor-General—Audit reports of 2004-2005—

No. 37—Business support process audit—Management of business support service contracts.

No. 38—Performance audit—Payment of goods and services tax to the States and Territories.

Reports ordered to be made Parliamentary Papers.

23 DOCUMENTS

The following documents were presented:

Corporations and Financial Services—Joint Statutory Committee—Corporate Law Economic Reform Program (CLERP) (Audit Reform and Corporate Disclosure) Bill 2003—Report, June 2004—Government response.

Public Accounts and Audit—Joint Committee—Report 391—Review of independent auditing by registered company auditors—Government response.

Stevedoring Levy (Collection) Act—Report for 2004.

24 SUSPENSION OF STANDING ORDERS 31 AND 33

Mr Abbott (Leader of the House), pursuant to notice, moved—That standing order 31 (automatic adjournment of the House) and standing order 33 (limit on business after 9.30 p.m.) be suspended for the sitting on Monday, 14 March 2005.

Question—put and passed.

25 AUSTRALIA'S DEVELOPMENT COOPERATION PROGRAM—AUSAID—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF DOCUMENT

Mr Downer (Minister for Foreign Affairs) made a ministerial statement on Australia's aid program and presented the following document:

Thirteenth annual statement to Parliament on Australia's aid program—Australia's aid: An integrated approach.

Mr Downer moved—That the House take note of the document.

Suspension of standing orders—Time for speech

Mr Downer, by leave, moved—That so much of the standing orders be suspended as would prevent Mr Rudd speaking for a period not exceeding 13 minutes.

Question—put and passed.

Mr Rudd addressed the House.

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

26 MESSAGE FROM THE SENATE

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

9 March 2005—Message No. 78—Family and Community Services and Veterans' Affairs Legislation Amendment (Further 2004 Election Commitments and Other Measures) 2005.

27 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ECONOMIC MANAGEMENT

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 Government's failure to manage the economy in a way that secures Australia's long term prosperity".

The proposed discussion having received the necessary support—

Mr Beazley addressed the House.

Discussion ensued.

Discussion concluded.

28 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.

DOCUMENTS

The following documents were deemed to have been presented on 10 March 2005:

Appropriation Act (No. 1) 2004-2005—Advance to the Finance Minister, 8 March 2005 [F2005L00628].

Appropriation Act (No. 3) 2003-2004—Determination to reduce appropriation upon request, 21 January 2005 [F2005L00576].

Aviation Transport Security Act—Notice under section 107—2005 Notice about how incident reports are to be made [F2005L00631].

Civil Aviation Act—

Civil Aviation Regulations—Instrument—2005 No. CASA 76 [F2005L00547].

Civil Aviation Safety Regulations—Airworthiness Directives—Part 39-105—2005 2, 4 March [F2005L00583], [F2005L00605].

Corporations Act—Notice under section 791C—2005 Corporations (Foreign exchange markets) exemption amendment (No. 1) [F2005L00629].

Customs Act—Tariff Concession Order—2005 7 March [F2005L00566].

National Health Act—Determination under subsection 5D(1)—2005 No. PSO 2 [F2005L00594].

Parliament Act—Parliamentary Zone—Proposal, together with supporting documentation, for extension of approval for the temporary vehicle barriers around Parliament House to remain until 30 June 2005.



ATTENDANCE

All Members attended (at some time during the sitting) except Mr Edwards*, Mr Emerson, Mr Jull, Ms Plibersek*, Ms Roxon, Mr Scott, Mr A. D. H. Smith, Mr Tuckey, Mr Turnbull and Mr M. A. J. Vaile.

* On leave



I. C. HARRIS

Clerk of the House of Representatives

2004-05

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 22

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 10 MARCH 2005

1 The Main Committee met at 9.40 a.m.

2 **MEMBERS' STATEMENTS**

Members' statements were made.

3 **AUSTRALIAN INSTITUTE OF MARINE SCIENCE 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.

Suspension of sitting

At 10.06 a.m., a division having been called in the House, the proceedings were suspended.

Resumption of sitting

At 10.22 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 immediately.

Question—That the bill be reported to the House without amendment—put and passed.

4 **INDIAN OCEAN TSUNAMI—DOCUMENT—MOTION TO TAKE NOTE OF DOCUMENT**

The order of the day having been read for the resumption of the debate on the motion of Mr Pearce (Parliamentary Secretary to the Treasurer)—That the House take note of the document (*presented* on 8 February 2005), viz.:

Indian Ocean Tsunami—Copy of motion by the Prime Minister—

Debate resumed.

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

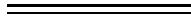
5 ADJOURNMENT

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

Debate ensued.

Question—put and passed.

At 12.55 p.m. the Deputy Speaker adjourned the Main Committee until 9.40 a.m. on Wednesday, 16 March 2005.



B. C. WRIGHT
Clerk of the Main Committee