

2004-05

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 66

THURSDAY, 3 NOVEMBER 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 **CENSUS INFORMATION LEGISLATION AMENDMENT BILL 2005**

Mr Pearce (Parliamentary Secretary to the Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Census and Statistics Act 1905*, 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.

3 **EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT AMENDMENT BILL 2005**

Mr Pearce (Parliamentary Secretary to the Treasurer), pursuant to notice, presented a Bill for an Act to amend the *European Bank for Reconstruction and Development Act 1990*, 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.

4 **RAAF BASE AMBERLEY REDEVELOPMENT STAGE 2, QUEENSLAND—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*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: RAAF Base Amberley redevelopment stage 2, Queensland.

Question—put and passed.

5 **RELOCATE SELECTED RAAF COLLEGE UNITS TO RAAF BASE EAST SALE, VICTORIA, AND RAAF BASE WAGGA, NEW SOUTH WALES—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*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Relocate selected RAAF College units to RAAF Base East Sale, Victoria, and RAAF Base Wagga, New South Wales.

Question—put and passed.

**6 WORKPLACE RELATIONS AMENDMENT (WORK CHOICES) 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.

Mr S. F. Smith moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “the House declines to give the bill a second reading, because the House condemns the Government:

- (a) for failing to allow the House of Representatives and the Australian people proper scrutiny of the bill prior to the debate in the House;
- (b) for spending over \$55 million dollars of taxpayers’ money advertising Liberal Party policy proposals before the *Work Choices* legislation has entered the Parliament;
- (c) for misleading the Australian people in those advertisements by making unsubstantiated assertions about the benefits of these changes and misrepresenting the extent to which employees will lose their rights under the *Work Choices* legislation;
- (d) for creating an industrial relations system that is extreme, unfair and divisive;
- (e) for failing to put working families first in developing its plans to dramatically change Australia’s industrial relations laws;
- (f) specifically, for failing to commission and publish a Family Impact Statement as promised during the election for all family related legislation;
- (g) for failing to provide a guarantee that no individual Australian employee will be worse off under the extreme industrial relations changes;
- (h) for attacking the living standards of Australian employees and their families by removing the ‘no disadvantage test’ from collective and individual agreements;
- (i) by allowing employees to be forced onto unfair Australian Workplace Agreements as a condition of employment;
- (j) for abolishing annual wage increases made by the Australian Industrial Relations Commission for workers under Awards with the objective of reducing the Minimum Wage in real terms, and by removing the requirement that fairness be taken into account in the calculation of the Minimum Wage;
- (k) for delaying the next National Wage Case by a period of six months, so that at least 1.7 million workers under Awards will not receive a wage increase for a period of 18 months or longer;
- (l) for undermining family life by proposing to give employers the power to change employees’ work hours without reasonable notice;
- (m) for destroying rights achieved through the hard work of generations of Australian workers;
- (n) for undermining the principles of fairness that underpinned the Australian industrial relations system for the past hundred years;
- (o) for gutting the Australian Industrial Relations Commission and eliminating the role of an independent umpire to ensure fair wages and conditions and resolve disputes;
- (p) for developing proposals that will deliberately distort the workplace bargaining relationship in favour of employers and against employees;
- (q) for denying Australian employees the capacity to bargain collectively with their employer for decent wages and conditions;
- (r) for denying individuals the right to reject individual contracts which cut pay and conditions and undermine collective bargaining and union representation;
- (s) for allowing individual contracts to undermine the rights of Australian workers under collective agreements and Awards, for instance by eliminating penalty rates, shift loadings, overtime and holiday pay and other Award conditions;
- (t) for removing from almost 4 million employees any protection from unfair dismissal;
- (u) for refusing to consult with State Governments in developing a unitary industrial relations system resulting in an inadequate and incomplete national system;

- (v) for launching an unprovoked attack on responsible trade unions and asserting that those unions have no role in the economic and social future of Australia;
- (w) for proposing to jail union representatives or fine them up to \$33,000 if they negotiate to include health and safety, training and other clauses in agreements;
- (x) for ignoring the concerns of the Australian community and Churches about the adverse impact these changes will have on Australian employees and their families;
- (y) for failing to guarantee that wages will be sustained or increased in real terms under these changes; and
- (z) for seeking to justify these measures by asserting that slashing wages will somehow make Australia more competitive, more productive, and increase employment”.

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.

## 7 QUESTIONS

Questions without notice being asked—

*Member directed to leave*

At 2.12 p.m. the Member for Grayndler (Mr Albanese) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a warning had been given from the Chair, and he accordingly left the Chamber.

Questions without notice continuing—

*Member directed to leave*

At 2.16 p.m. the Member for Melbourne (Mr Tanner) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a warning had been given from the Chair, and he accordingly left the Chamber.

Questions without notice continuing—

*Member directed to leave*

At 2.18 p.m. the Member for Lilley (Mr Swan) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a general warning had been given from the Chair, and he accordingly left the Chamber.

Questions without notice continuing—

*Member directed to leave*

At 2.21 p.m. the Member for Sydney (Ms Plibersek) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a general warning had been given from the Chair, and she accordingly left the Chamber.

Questions without notice continuing—

*Member directed to leave*

At 2.36 p.m. the Member for Cowan (Mr Edwards) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a general warning had been given from the Chair, and he accordingly left the Chamber.

Questions without notice continuing—

*Documents*

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

Still pictures (2) taken from House Monitoring System, 2 November 2005.

Questions without notice continuing—

*Member directed to leave*

At 2.52 p.m. the Member for Shortland (Ms Hall) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a general warning had been given from the Chair, and she accordingly left the Chamber.

Questions without notice continuing—

*Member directed to leave*

At 2.54 p.m. the Member for Fowler (Mrs Irwin) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a general warning had been given from the Chair, and she accordingly left the Chamber.

Questions without notice continued.

**8 MEMBER DIRECTED TO LEAVE THE CHAMBER**

At 3.17 p.m. the Member for Bass (Mr M. D. Ferguson) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a general warning had been given from the Chair, and he accordingly left the Chamber.

**9 DOCUMENTS**

The following documents were presented:

Airservices Australia—

Corporate plan—July 2005 to June 2010.

Equity and diversity program 2004-07—Progress report for 2004-05.

Australia Business Arts Foundation Ltd—Report for 2004-05.

Australian Institute of Health and Welfare—Report for 2004-05.

Forest and Wood Products Research and Development Corporation—Report for 2004-05.

National Museum of Australia—Report for 2004-05—Erratum.

Telstra Corporation Limited—Equal employment opportunity— Report for 2004-05.

**10 DOCUMENTS**

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

Petitions not in accord with standing and sessional orders of the House.

**11 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—EMPLOYMENT SECURITY**

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 threat to the employment security of working Australians posed by the Government’s extreme industrial relations changes”.

The proposed discussion having received the necessary support—

Mr Beazley addressed the House.

Discussion ensued.

Discussion concluded.

**12 ANTI-TERRORISM BILL (NO. 2) 2005**

Mr Ruddock (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the law relating to terrorist acts, and for other 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 Bevis), and the resumption of the debate made an order of the day for the next sitting.

**13 ENERGY EFFICIENCY OPPORTUNITIES 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 Nairn (Parliamentary Secretary to the Prime Minister), by leave, the bill was read a third time.

**14 ACTS INTERPRETATION AMENDMENT (LEGISLATIVE INSTRUMENTS) 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 Nairn (Parliamentary Secretary to the Prime Minister), by leave, the bill was read a third time.

**15 CONSULAR PRIVILEGES AND IMMUNITIES 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 Nairn (Parliamentary Secretary to the Prime Minister), by leave, the bill was read a third time.

**16 WORKPLACE RELATIONS AMENDMENT (WORK CHOICES) 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 S. F. Smith (see item No. 6, page 732)*—

Debate resumed.

Dr Lawrence 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 Deputy Speaker adjourned the House until 12.30 p.m. next Monday.

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**DOCUMENTS**

The following documents were deemed to have been presented on 3 November 2005:

Acts Interpretation Act—Statement relating to delay in furnishing report within specified period—Office of the Renewable Energy Regulator (ORER)—Report for 2004-05.

Defence Act—Determinations under section 58B—2005 Nos 42, 43, 44.

Taxation Administration Act—Rulings—

1994—No. TR 31 (Withdrawal).

2003—No. PR 12 (Addendum).

2004—No. PR 26 (Addendum).

2005—

Nos CR 91, CR 92, CR 93.

Nos PR 13 (Addendum), PR 14 (Addendum).

Nos TR 18, TR 19.

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**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Farmer, Mr Jull\*, Mr Sawford, Dr Southcott\* and Mr M. A. J. Vaile.

\* On leave

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**I. C. HARRIS**  
Clerk of the House of Representatives

2004-05

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

No. 66

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

**THURSDAY, 3 NOVEMBER 2005**

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1 The Main Committee met at 9.30 a.m.

**2 MEMBERS' STATEMENTS**

Members' statements were made.

**3 ENERGY EFFICIENCY OPPORTUNITIES 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 M. J. Ferguson, 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:

- (1) calls on the Government to introduce energy efficiency to all sectors of the community, including transport, and housing, as well as business;
- (2) condemns the Government for failing to support the alternative fuel and renewable energy industries; and
- (3) condemns the Government for not adopting the bipartisan recommendations put forward by the House of Representatives Standing Committee on Environment and Heritage in its report on Sustainable Cities”.

Debate resumed.

*Document*

Mr Entsch (Parliamentary Secretary to the Minister for Industry, Tourism and Resources) presented a correction to the explanatory memorandum to the bill.

Amendment negatived.

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 ACTS INTERPRETATION AMENDMENT (LEGISLATIVE INSTRUMENTS) BILL 2005**

The order of the day having been read for the second reading—Mr Hunt (Parliamentary Secretary to the Minister for the Environment and Heritage) moved—That the bill be now read a second time.

*Document*

Mr Hunt presented an explanatory memorandum to the bill.

Debate ensued.

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.

**5 CONSULAR PRIVILEGES AND IMMUNITIES AMENDMENT BILL 2005**

The order of the day having been read for the second reading—Mr Billson (Parliamentary Secretary—Foreign Affairs and Trade) moved—That the bill be now read a second time.

*Document*

Mr Billson presented an explanatory memorandum to the bill.

Debate ensued.

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.

**6 ENVIRONMENT AND HERITAGE—STANDING COMMITTEE—MOTION TO TAKE NOTE OF DOCUMENT**

The order of the day having been read for the resumption of the debate on the motion of Dr Washer—That the House take note of the document (*presented on 12 September 2005*), viz.:

Environment and Heritage—Standing Committee—Report—Sustainable cities—Final report, August 2005—

Debate resumed.

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

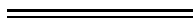
**7 ADJOURNMENT**

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

Debate ensued.

Question—put and passed.

At 1.01 p.m. the Deputy Speaker adjourned the Main Committee until 9.30 a.m. on Wednesday, 9 November 2005.



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