

2004-05

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 69

WEDNESDAY, 9 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 ANGLO-AUSTRALIAN TELESCOPE AGREEMENT AMENDMENT BILL 2005

Dr Nelson (Minister for Education, Science and Training), pursuant to notice, presented a Bill for an Act to amend the *Anglo-Australian Telescope Agreement Act 1970*, and for related 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.

3 EMPLOYMENT AND WORKPLACE RELATIONS LEGISLATION AMENDMENT (WELFARE TO WORK AND OTHER MEASURES) BILL 2005

Mr Andrews (Minister for Employment and Workplace Relations), pursuant to notice, presented a Bill for an Act to amend the social security law, and for other purposes.

Bill read a first time.

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

Document

Mr Andrews 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 FAMILY AND COMMUNITY SERVICES LEGISLATION AMENDMENT (WELFARE TO WORK) BILL 2005

Mr Dutton (Minister for Workforce Participation) presented a Bill for an Act to amend the law relating to family and community services, and for related purposes.

Bill read a first time.

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

Document

Mr Dutton 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 AUSTRALIAN CITIZENSHIP BILL 2005

Mr Cobb (Minister for Citizenship and Multicultural Affairs), pursuant to notice, presented a Bill for an Act relating to Australian citizenship.

Bill read a first time.

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

Document

Mr Cobb 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 AUSTRALIAN CITIZENSHIP (TRANSITIONALS AND CONSEQUENTIALS) BILL 2005

Mr Cobb (Minister for Citizenship and Multicultural Affairs), pursuant to notice, presented a Bill for an Act to provide for transitional and consequential matters relating to the enactment of the *Australian Citizenship Act 2005*, and for other purposes.

Bill read a first time.

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

Document

Mr Cobb 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 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, viz.*—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 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.

8 QUESTIONS

Questions without notice being asked—

Member directed to leave

At 3.15 p.m. the Member for Lingiari (Mr Snowdon) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after the Speaker was on his feet, and he accordingly left the Chamber.

Questions without notice continued.

9 DOCUMENTS

The following documents were presented:

Australia Post—Equal employment opportunity—Report for 2004-05.

Australian Law Reform Commission—Report No. 101—Report for 2004-05.

Land and Water Australia—Report for 2004-05.

States Grants (Primary and Secondary Education Assistance) Act 2000—Report on financial assistance granted to each State in respect of 2004.

Treaties—*Multilateral—Text, together with national interest analysis and annexures*—United Nations Educational, Scientific and Cultural Organization, International Convention Against Doping in Sport, done at Paris on 19 October 2005.

10 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—AUSTRALIAN WHEAT BOARD

The House was informed that Mr Rudd had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The Government’s culpable negligence in allowing the Australian Wheat Board to pay nearly \$300 million to Saddam Hussein in violation of UN sanctions”.

The proposed discussion having received the necessary support—

Mr Rudd addressed the House.

Discussion ensued.

Discussion concluded.

11 MESSAGE FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS

Message No. 118, 8 November 2005, from His Excellency the Governor-General was announced informing the House that His Excellency, in the name of Her Majesty, had assented to the following bills:

Law and Justice Legislation Amendment (Serious Drug Offences and Other Measures) 2005.

Copyright Amendment (Film Directors' Rights) 2005.

Customs Tariff Amendment (Commonwealth Games) 2005.

12 THERAPEUTIC GOODS 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 with amendments (*see item No. 3, Minutes of Proceedings of the Main Committee*), and presented a certified copy of the bill together with a schedule of amendments.

Amendments made by the Main Committee agreed to.

Bill, as amended, agreed to.

On the motion of Mr Lloyd (Minister for Local Government, Territories and Roads), by leave, the bill was read a third time.

13 MESSAGES FROM THE SENATE

Messages from the Senate, 9 November 2005, were reported returning the following bills without amendment:

No. 218—Australian Workplace Safety Standards 2005.

No. 219—National Occupational Health and Safety Commission (Repeal, Consequential and Transitional Provisions) 2005.

14 MESSAGE FROM THE SENATE—DEFENCE LEGISLATION AMENDMENT BILL (NO. 2) 2005

Message No. 217, 9 November 2005, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend legislation relating to defence, and for related purposes.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting.

15 MESSAGE FROM THE SENATE—HIGHER EDUCATION LEGISLATION AMENDMENT (2005 BUDGET MEASURES) BILL 2005

Message No. 216, 8 November 2005, from the Senate was reported returning the Higher Education Legislation Amendment (2005 Budget Measures) Bill 2005 with amendments.

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

16 MATTERS REFERRED TO MAIN COMMITTEE

Mr Bartlett (Chief Government Whip), by leave, moved—That:

(1) the following bills be referred to the Main Committee for further consideration:

Migration and Ombudsman Legislation Amendment 2005; and

Tax Laws Amendment (Superannuation Contributions Splitting) 2005; and

(2) the following order of the day, government business, be referred to the Main Committee for debate:

Parliamentary Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Fund—Second interim report for the section 206(d) inquiry: Indigenous land use agreements—Government response—Motion to take note of document: Resumption of debate.

Question—put and passed.

17 ELECTORAL MATTERS—JOINT STANDING COMMITTEE—CORRIGENDUM

Mr A. D. H. Smith (Chair), by leave, presented the following document:

Electoral Matters—Joint Standing Committee—The 2004 Federal Election—Report of the inquiry into the conduct of the 2004 Federal Election and matters related thereto—Corrigendum.

18 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REPORTS—STATEMENTS BY MEMBERS

Mrs Moylan (Chair) presented the following documents:

Public Works—Parliamentary Standing Committee—Reports—

CSIRO Minerals Laboratory Extensions at Waterford, Perth, WA (20th report of 2005).

Fit-out of New Leased Premises for AusAID at London Circuit, City, ACT (21st report of 2005).

Reports ordered to be made Parliamentary Papers.

Mrs Moylan, by leave, made a statement in connection with the reports.

19 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. 7, page 756)*—

Debate resumed.

Ms Hall addressing the House—

Adjournment negatived

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

Mrs Ley (Parliamentary Secretary—Children and Youth Affairs) requiring the question to be put immediately without debate—

Question—put and negatived.

Ms Hall continued her speech.

Document

Ms Hall, by leave, presented the following document:

Workplace relations system—Commentary on statement by Mr Howard, Prime Minister, by R W Crawford, Belmont.

Debate continued.

Ms Grierson was granted leave to continue her speech when the debate is resumed.

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

20 ADJOURNMENT

Mr Billson (Parliamentary Secretary—Foreign Affairs and Trade) moved—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 8.30 p.m., adjourned until 9 a.m. tomorrow.

DOCUMENTS

The following documents were deemed to have been presented on 9 November 2005:

Commonwealth Authorities and Companies Act—Notice under section 45—Commonwealth participation in the deregistration of Employment National Limited.

Sydney Airport Curfew Act—Dispensation report—2005 No. 10.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Anderson, Fran Bailey, Mr Farmer, Mr Hunt, Mrs D. M. Kelly, Mrs Markus, Mr Sawford and Dr Southcott*.

* On leave

I. C. HARRIS
Clerk of the House of Representatives

2004-05

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 69

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

WEDNESDAY, 9 NOVEMBER 2005

1 The Main Committee met at 9.30 a.m.

2 MEMBERS' STATEMENTS

Members' statements were made.

3 THERAPEUTIC GOODS 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.

Consideration in detail

Bill, by leave, taken as a whole.

Document

Mr Pyne (Parliamentary Secretary to the Minister for Health and Ageing) presented a supplementary explanatory memorandum to the bill.

On the motion of Mr Pyne, by leave, Government amendments (1) to (6) were made together.

Bill, as amended, agreed to.

Consideration in detail concluded.

Ordered—That the bill be reported to the House with amendments.

4 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 Barresi), and the resumption of the debate made an order of the day for the next sitting.

5 ADJOURNMENT

On the motion of Mr Barresi, the Main Committee adjourned at 1.03 p.m.

The Deputy Speaker fixed tomorrow at 9.30 a.m. for the next meeting of the Main Committee.

B. C. WRIGHT
Clerk of the Main Committee