

2004-05-06

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 102

TUESDAY, 30 MAY 2006

1 The House met, at 2 p.m., pursuant to adjournment. The Speaker (the Honourable David Hawker) took the Chair, and read Prayers.

2 DEATH OF FORMER SENATOR (THE HONOURABLE JOHN MURRAY WHEELDON)

Mr Howard (Prime Minister) referred to the death of the Honourable John Murray Wheeldon, and moved—That the House express its deep regret at the death on 24 May 2006, of the Honourable John Murray Wheeldon, former Federal Minister and Senator for Western Australia and place on record its appreciation of his long and meritorious public service, and tenders its profound sympathy to his family in their bereavement.

Mr Beazley (Leader of the Opposition) having seconded the motion, and other Members having addressed the House in support thereof, and all Members present having risen, in silence—

Question—passed.

3 QUESTIONS

Questions without notice were asked.

4 DOCUMENT—MOTION TO TAKE NOTE OF DOCUMENT

Mr McGauran (Deputy Leader of the House) presented the following document:

Superannuation (Government Co-contribution for Low Income Earners) Act—Quarterly report on the operation of the Act—1 January to 31 March 2006.

and moved—That the House take note of the document.

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

5 SUSPENSION OF STANDING AND SESSIONAL ORDERS—SALE OF SNOWY HYDRO

Mr Andren, by leave, moved—That so much of the standing and sessional orders be suspended as would prevent the Member for Calare from moving—That this House:

- (1) notes the growing public outrage at the majority decision of this parliament on March 30th to dispose of the Commonwealth shareholding in Snowy Hydro;
- (2) notes legal advice suggesting the parliamentary motion to sell Snowy Hydro is constitutionally inadequate in the absence of specific legislation passed by parliament;
- (3) recognises that the Murray Darling Association is gravely concerned that there are no guarantees that licensed irrigators will be protected in the future and that power generation will take precedent over water supplies;
- (4) notes proposals to cap shareholdings by any one group either temporarily or permanently cannot be protected in legislation from future change;
- (5) notes the remaining 72 years of existing licence agreement conditions will not be., included in any sale agreement;
- (6) notes that in its February 2005 submission to the National Competition Council relating to the application of *Lakes R Us* to undertake water storage and release services, Snowy Hydro stated:

“To allow the release of water to be subject to the arbitrary decisions of private individuals would be contrary to the public interest of protecting the environment”;

- (7) notes the crucial role the Snowy Scheme plays in alternative energy, environmental management and water supply strategies that don't necessarily coincide with the exploitation of these resources for private gain; and
- (8) is appalled that this motion and debate is about to be gagged, calls on the Australian Government to give notice that it will rescind the March 30 motion approving the sale of its Snowy Hydro shareholding in the public interest and use its corporations powers under s51 (xx) of the Constitution to prevent the sale of any shares in Snowy Hydro Pty Ltd pending a full and independently chaired public inquiry to be conducted into the actual capital requirements of Snowy Hydro, the 46 operational agreements between the three current shareholders and the impact of the proposed sale on all relevant parties.

Debate ensued.

Mr McGauran (Minister for Agriculture, Fisheries and Forestry) 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.

6 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—INDIGENOUS COMMUNITIES

The House was informed that Mr Snowdon had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The need for the Government to address urgently the underlying issues of poverty and disadvantage, including the causes and symptoms of substance abuse, violence and dysfunction within indigenous communities”.

The proposed discussion having received the necessary support—

Mr Snowdon addressed the House.

Discussion ensued.

Discussion concluded.

7 AUSTRALIAN TRADE COMMISSION LEGISLATION AMENDMENT BILL 2006

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 Rudd 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 notes the bill will do little to correct Australia's trade balance which:

- (a) has been in deficit for four years (48 months);
- (b) recorded a total deficit of \$18.7 billion in 2005;
- (c) is impacting on a record current account deficit of \$55.1 billion; and
- (d) is contributing to Australia's record foreign debt of half a trillion dollars”.

Debate continued.

Amendment negatived.

Question—That the bill be now read a second time—put and passed—bill read a second time.

Message from the Governor-General

Message No. 162, 3 May 2006, 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 M. A. J. Vaile (Minister for Trade), the bill was read a third time.

8 ROYAL COMMISSIONS AMENDMENT BILL 2006

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 Ms Roxon 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 notes that:

- (1) the Opposition demanded action to prevent the abuse of legal professional privilege in the Inquiry into certain Australian companies in relation to the UN Oil-for-Food Program (the Cole Commission) in March;
- (2) the Attorney-General arrogantly rejected that demand at the time and incompetently waited almost three months, after a Federal Court case, before taking action with this bill;
- (3) while this bill proposes a sensible, albeit late, change to the law, it will not solve the broader problem that the Cole Commission's Terms of Reference are limited;
- (4) the current Terms of Reference do not allow the Cole Commission to make findings on whether or not Ministers, their offices and departments have discharged their duties under Australian administrative law and under international law (in particular UN Security Council Resolution 661);
- (5) the Cole Commission has provided written advice that a change to the current Terms of Reference which would allow the Cole Commission to make such determinations is a matter that would be 'significantly different to the existing Terms of Reference' and is therefore a matter for the Executive; and
- (6) if the Howard Government had nothing to hide in the \$300 million wheat-for-weapons scandal, it would expand the Cole Commission's Terms of Reference to allow Commissioner Cole to make such determinations".

Debate continued.

Mr Rudd addressing the House—

9 ADJOURNMENT

It being 9 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 9.30 p.m.—The Speaker adjourned the House until 9 a.m. tomorrow.

DOCUMENT

The following document was deemed to have been presented on 30 May 2006:

Taxation Administration Act—Instrument made under section 15-25 of schedule 1—2006 26 May [F2006L01652].

ATTENDANCE

All Members attended (at some time during the sitting) except Ms Livermore*, Ms Panopoulos, Mr Quick, Mr Somlyay and Mr Tanner.

* On leave

I. C. HARRIS
Clerk of the House of Representatives

2004-05-06

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 102

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

TUESDAY, 30 MAY 2006

1 The Main Committee met at 4 p.m.

2 MEMBERS' STATEMENTS

Members' statements were made.

3 APPROPRIATION BILL (NO. 1) 2006-2007—BUDGET DEBATE

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 is of the view that:

- (1) despite record high commodity prices and rising levels of taxation the Government has failed to secure Australia's long term economic fundamentals and that it should be condemned for its failure to:
 - (a) stem the widening current account deficit and trade deficits;
 - (b) reverse the reduction in public education and training investment;
 - (c) provide national leadership in infrastructure including high speed broadband for the whole country;
 - (d) further reduce effective marginal tax rates to meet the intergenerational challenge of greater workforce participation;
 - (e) provide accessible and affordable long-day childcare for working families;
 - (f) fundamentally reform our health system to equip it for a future focused on prevention, early intervention and an ageing population;
 - (g) expand and encourage research and development to move Australian industry and exports up the value-chain;
 - (h) provide for the economic, social and environmental sustainability of our region, and
 - (i) address falling levels of workplace productivity; and that
- (2) the Government's extreme industrial relations laws will lower wages and conditions for many workers and do nothing to enhance productivity, participation or economic growth; and that
- (3) the Government's Budget documents fail the test of transparency and accountability”—

Debate resumed.

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

4 **ADJOURNMENT**

On the motion of Mrs Gash, the Main Committee adjourned at 9 p.m.

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



B. C. WRIGHT
Clerk of the Main Committee