

2004-05-06

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 140

TUESDAY, 28 NOVEMBER 2006

1 The House met, at 12.30 p.m., pursuant to adjournment. The Speaker (the Honourable David Hawker) took the Chair, and read Prayers.

2 **BUSINESS OF THE MAIN COMMITTEE**

Mr Bartlett (Chief Government Whip), by leave, moved—That, unless otherwise ordered, for the Main Committee meeting today the first item of business shall be 3 minute statements continuing for a period of 30 minutes, irrespective of suspensions for divisions in the House.

Question—put and passed.

3 **AUSTRALIAN CITIZENSHIP BILL 2005—REPORT FROM MAIN COMMITTEE**

The order of the day having been read for the consideration of the report of the Main Committee relating to the Australian Citizenship Bill 2005 (*see item No. 17, page 1562, Thursday, 2 November 2006*)—

Unresolved question—That the amendment moved by Mr A. S. Burke be agreed to—

Debate ensued.

Question—That the amendment be agreed to—put.

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

AYES, 56

Mr Adams	Ms A. L. Ellis	Ms Hoare	Mr Price
Mr Albanese	Mr Emerson	Mrs Irwin	Mr Quick
Mr Andren	Mr L. D. T. Ferguson	Mr Kerr	Mr Ripoll
Mr Beazley	Mr Fitzgibbon	Ms King	Ms Roxon
Mr Bevis	Mr Garrett	Dr Lawrence	Mr Rudd
Ms Bird	Mr Georganas	Ms Livermore	Mr Sawford
Mr Bowen	Ms George	Ms Macklin	Mr Sercombe
Ms A. E. Burke	Mr Gibbons	Mr McMullan	Mr S. F. Smith
Mr A. S. Burke	Ms Gillard	Mr Melham	Mr Swan
Mr Byrne	Ms Grierson	Mr Murphy	Mr Tanner
Mr Crean	Mr Griffin	Mr B. P. O'Connor	Mr K. J. Thomson
Mr Danby*	Ms Hall*	Mr G. M. O'Connor	Ms Vamvakinou
Mr Edwards	Mr Hatton	Ms Owens	Mr Wilkie
Mrs Elliot	Mr Hayes	Ms Plibersek	Mr Windsor

NOES, 79

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

* Tellers

And so it was negatived.

Unresolved question—That Government amendments Nos 1 to 76 be agreed to—

Debate ensued.

Question—That the amendments be agreed to—put.

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

AYES, 79

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

NOES, 57

Mr Adams	Ms K. M. Ellis	Mrs Irwin	Mr Ripoll
Mr Albanese	Mr Emerson	Mr Kerr	Ms Roxon
Mr Andren	Mr L. D. T. Ferguson	Ms King	Mr Rudd
Mr Beazley	Mr Fitzgibbon	Dr Lawrence	Mr Sawford
Mr Bevis	Mr Garrett	Ms Livermore	Mr Sercombe
Ms Bird	Mr Georganas	Ms Macklin	Mr S. F. Smith
Mr Bowen	Ms George	Mr McMullan	Mr Swan
Ms A. E. Burke	Mr Gibbons	Mr Melham	Mr Tanner
Mr A. S. Burke	Ms Gillard	Mr Murphy	Mr K. J. Thomson
Mr Byrne	Ms Grierson	Mr B. P. O'Connor	Ms Vamvakinou
Mr Crean	Mr Griffin	Mr G. M. O'Connor	Mr Wilkie
Mr Danby*	Ms Hall*	Ms Owens	Mr Windsor
Mr Edwards	Mr Hatton	Ms Plibersek	
Mrs Elliot	Mr Hayes	Mr Price	
Ms A. L. Ellis	Ms Hoare	Mr Quick	

* Tellers

And so it was resolved in the affirmative.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Mr Robb (Parliamentary Secretary—Immigration and Multicultural Affairs), by leave, the bill was read a third time.

4 AUSTRALIAN CITIZENSHIP (TRANSITIONALS AND CONSEQUENTIALS) BILL 2005—REPORT FROM MAIN COMMITTEE

The order of the day having been read for the consideration of the report of the Main Committee relating to the Australian Citizenship (Transitionals and Consequentials) Bill 2005 (*see item No. 18, page 1562, Thursday, 2 November 2006*)—

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

Consideration in detail

Bill, by leave, taken as a whole.

Document

Mr Robb (Parliamentary Secretary—Immigration and Multicultural Affairs) presented a supplementary explanatory memorandum to the bill.

On the motion of Mr Robb, by leave, Government amendments (1) to (8) were made together.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Mr Robb, by leave, the bill was read a third time.

5 CRIMES AMENDMENT (BAIL AND SENTENCING) BILL 2006

The order of the day having been read for the second reading—

Document

Mr Ruddock (Attorney-General) presented an explanatory memorandum to the bill.

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

Debate ensued.

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.

6 DEATH OF FORMER MEMBER (MR N. K. FOSTER)

The Speaker informed the House of the death, on 19 November 2006, of Mr Norman Kenneth Foster OAM, a Member of this House for the Division of Sturt from 1969 to 1972.

As a mark of respect to the memory of the deceased all Members present stood, in silence.

7 QUESTIONS

Questions without notice being asked—

Member directed to leave

At 2.33 p.m. the Member for Ballarat (Ms King) was directed, under standing order 94, to leave the Chamber for one hour for disorderly behaviour after a warning had been given from the Chair, and she accordingly left the Chamber.

Questions without notice continuing—

Documents

Mr Costello (Treasurer) presented the following documents:

Proposed ACT utilities network facilities charge—Copies of letters from—

Executives and Company Officers of various telecommunications companies to Mr Jon Stanhope MLA, Chief Minister, ACT Legislative Assembly, 2 November 2006.

Mr Jon Stanhope MLA, Chief Minister, ACT Legislative Assembly, to Executives and Company Officers of various telecommunications companies, 23 November 2006.

Questions without notice continuing—

Prime Minister, Deputy Prime Minister and Minister for Foreign Affairs—Motion of censure

Mr Beazley (Leader of the Opposition), by leave, moved—That this House censure the Prime Minister, the Deputy Prime Minister and the Minister for Foreign Affairs for:

- (1) the Government's negligence in failing to act on the 35 warnings it received over a five year period thereby allowing this \$300 million wheat for weapons scandal to occur;
- (2) the Government's attempted cover-up of this scandal through its attempts to shut down a US Senate inquiry into AWB in 2004; its reluctance to cooperate with the Volcker Inquiry; and its failure to provide the Cole Inquiry with powers to determine whether or not Ministers did their job in enforcing UN sanctions against Iraq;
- (3) the cost that has been borne by Australia's hardworking wheat farmers because of this Government's negligence—farmers who have now seen half a billion dollars of their Iraqi wheat market lost;
- (4) allowing \$300 million to be funnelled from AWB to Saddam Hussein's regime which the Iraqi dictator used to buy guns, bombs and bullets for later use against Australian and coalition troops; and
- (5) the damage inflicted on Australia's international reputation because this Government's negligence turned Australia into the world's single biggest violator of UN sanctions against Iraq.

Debate ensued.

Question—put.

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

AYES, 58

Mr Adams	Mr Emerson	Mrs Irwin	Mr Quick
Mr Albanese	Mr L. D. T. Ferguson	Mr Kerr	Mr Ripoll
Mr Beazley	Mr M. J. Ferguson	Ms King	Ms Roxon
Mr Bevis	Mr Fitzgibbon	Dr Lawrence	Mr Rudd
Ms Bird	Mr Garrett	Ms Livermore	Mr Sawford
Mr Bowen	Mr Georganas	Mr McClelland	Mr Sercombe
Ms A. E. Burke	Ms George	Ms Macklin	Mr S. F. Smith
Mr A. S. Burke	Mr Gibbons	Mr McMullan	Mr Swan
Mr Byrne	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
Mr Edwards	Ms Hall*	Mr G. M. O'Connor	Mr Wilkie
Mrs Elliot	Mr Hatton	Ms Owens	Mr Windsor
Ms A. L. Ellis	Mr Hayes	Ms Plibersek	
Ms K. M. Ellis	Ms Hoare	Mr Price	

NOES, 83

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

* Tellers

And so it was negatived.

Questions without notice concluded.

8 AUDITOR-GENERAL'S REPORTS

The Speaker presented the following documents:

Auditor-General—Audit reports—

2005–2006—Performance audit—No. 36—Management of the Tiger Armed Reconnaissance Helicopter Project—Air 87: Department of Defence; Defence Materiel Organisation—Corrigendum.

2006–2007—Performance audits—

No. 11—National food industry strategy: Department of Agriculture, Fisheries and Forestry.

No. 12—Management of Family Tax Benefit overpayments.

Reports ordered to be made Parliamentary Papers.

9 DOCUMENTS

The following documents were presented:

- Aboriginal Land Commissioner—Report for 2005-06.
- Administrative Appeals Tribunal—Report for 2005-06.
- Aged Care Act 1997*—Report for 2005-06.
- Anglo-Australian Telescope Board—Report for 2005-06.
- Anindilyakwa Land Council—Report for 2005-06.
- Australia Post—Report on equal employment opportunity for 2005-06.
- Australian Broadcasting Corporation—Report for 2005-06.
- Australian Communications and Media Authority—Report for 2005-06.
- Australian Fisheries Management Authority—Report for 2005-06.
- Australian Industry Development Corporation—Report for 2005-06.
- Australian Pesticides and Veterinary Medicines Authority—Report for 2005-06.
- Australian Sports Commission—Report for 2005-06.
- Classification Board and Classification Review Board—Report for 2005-06.
- Cotton Research and Development Corporation—Report for 2005-06.
- Dairy Adjustment Authority—Report for 2005-06.
- Defence Housing Authority—Report for 2005-06.
- Equal Opportunity for Women in the Workplace Agency—Report for 2005-06.
- Fisheries Research and Development Corporation—Report for 2005-06.
- Forest and Wood Products Research and Development Corporation—Report for 2005-06.
- Gene Technology Act 2000*—Statutory review of the *Gene Technology Act 2000* and the Gene Technology Agreement—State, Territory and Australian governments' response, November 2006.
- General Practice Education and Training—Report for 2005-06.
- Grape and Wine Research and Development Corporation—Report for 2005-06.
- Human Rights and Equal Opportunity Commission—Report for 2005-06.
- Indigenous Land Corporation—Report for 2005-06.
- Industry Research and Development Board—Report for 2005-06.
- Land and Water Australia—Report for 2005-06.
- Native Title Act—Native title representative bodies—Reports for 2005-06—
 - Cape York Land Council Aboriginal Corporation.
 - Central Land Council.
 - Central Queensland Land Council Aboriginal Corporation.
 - Goldfields Land and Sea Council.
 - Gurang Land Council Aboriginal Corporation.
 - Kimberley Land Council.
 - North Queensland Land Council Aboriginal Corporation.
 - Northern Land Council.
 - Yamatji Marlpa Barna Baba Maaja Aboriginal Corporation.
- Rural Industries Research and Development Corporation—Report for 2005-06.
- Schools Assistance (Learning Together—Achievement Through Choice and Opportunity) Act—Report on financial assistance granted to each State in respect of 2005.
- Screenrights—Report for 2005-06.
- Snowy Hydro Limited—Report for the period 3 July 2005 to 1 July 2006.
- Special Broadcasting Service Corporation (SBS)—Report for 2005-06.
- Sugar Research and Development Corporation—Report for 2005-06.
- Superannuation Complaints Tribunal—Report for 2005-06.

Telstra Corporation Limited—Report on equal employment opportunity for 2005-06.

Tiwi Land Council—Report for 2005-06.

Treaties—*Bilateral—Text, together with national interest analysis and annexures*—Agreement between the Government of Australia and the Government of the Kingdom of Cambodia concerning the transfer of sentenced persons, done at Canberra on 11 October 2006.

Veterans' Review Board—Report for 2005-06.

10 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS

Mr Abbott (Leader of the House) moved—That the House take note of the following documents:

Aged Care Act 1997—Report for 2005-06.

Equal Opportunity for Women in the Workplace Agency—Report for 2005-06.

Gene Technology Act 2000—Statutory review of the *Gene Technology Act 2000* and the Gene Technology Agreement—State, Territory and Australian governments' response, November 2006.

Human Rights and Equal Opportunity Commission—Report for 2005-06.

Land and Water Australia—Report for 2005-06.

Schools Assistance (Learning Together—Achievement Through Choice and Opportunity) Act—Report on financial assistance granted to each State in respect of 2005.

Snowy Hydro Limited—Report for the period 3 July 2005 to 1 July 2006.

Telstra Corporation Limited—Report on equal employment opportunity for 2005-06.

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

11 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—WHEAT SALES TO IRAQ

The House was informed that both Mr K. J. Thomson and Mr Windsor had proposed that definite matters of public importance be submitted to the House for discussion today. In accordance with the provisions of standing order 46, the Speaker had given priority to the matter proposed by Mr K. J. Thomson, namely, "The Government's negligence and incompetence in the \$300 million wheat for weapons scandal that has cost Australian wheat farmers and Australia's international trading reputation dearly".

The proposed discussion having received the necessary support—

Mr K. J. Thomson rising to address the House—

Mr Abbott (Leader of the House) moved—That the business of the day be called on.

Question—put and passed.

12 MESSAGES FROM THE SENATE

Messages from the Senate, 27 November 2006, were reported returning the following bills without amendment:

No. 415—Indigenous Education (Targeted Assistance) Amendment 2006.

No. 416—Education Services for Overseas Students Legislation Amendment (2006 Measures No. 1) 2006.

No. 417—Education Services for Overseas Students Legislation Amendment (2006 Measures No. 2) 2006.

13 BILLS REFERRED TO MAIN COMMITTEE

Mr Bartlett (Chief Government Whip), by leave, moved—That the following bills be referred to the Main Committee for further consideration:

Datacasting Transmitter Licence Fees 2006;

Broadcasting Services Amendment (Collection of Datacasting Transmitter Licence Fees) 2006; and

Australian Securities and Investments Commission Amendment (Audit Inspection) 2006.

Question—put and passed.

14 SELECTION COMMITTEE—REPORT

Mr Causley (Chair) presented the following document:

Selection Committee—Report relating to the consideration of committee and delegation reports and private Members' business on Monday, 4 December 2006.

15 CRIMES AMENDMENT (BAIL AND SENTENCING) 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.

Document

Mr Ruddock (Attorney-General) presented a revised explanatory memorandum.

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

Consideration in detail

Bill, by leave, taken as a whole.

Document

Mr Ruddock presented a supplementary explanatory memorandum to the bill.

On the motion of Mr Ruddock, by leave, Government amendments (1) to (5) were made together, after debate.

Question—That the bill as amended be agreed to—put.

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

AYES, 83

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

NOES, 55

Mr Adams	Ms A. L. Ellis	Mr Hatton	Ms Plibersek
Mr Albanese	Ms K. M. Ellis	Mr Hayes	Mr Price
Mr Andren	Mr Emerson	Ms Hoare	Mr Quick
Mr Beazley	Mr L. D. T. Ferguson	Mrs Irwin	Mr Ripoll
Mr Bevis	Mr M. J. Ferguson	Mr Kerr	Ms Roxon
Ms Bird	Mr Fitzgibbon	Ms King	Mr Rudd
Mr Bowen	Mr Garrett	Dr Lawrence	Mr Sawford
Ms A. E. Burke	Mr Georganas	Ms Livermore	Mr Sercombe
Mr A. S. Burke	Ms George	Ms Macklin	Mr Swan
Mr Byrne	Mr Gibbons	Mr Melham	Mr Tanner
Mr Crean	Ms Gillard	Mr Murphy	Mr K. J. Thomson
Mr Danby*	Ms Grierson	Mr B. P. O'Connor	Ms Vamvakinou
Mr Edwards	Mr Griffin	Mr G. M. O'Connor	Mr Wilkie
Mrs Elliot	Ms Hall*	Ms Owens	

* Tellers

And so it was resolved in the affirmative.

Consideration in detail concluded.

Leave granted for third reading to be moved immediately.

On the motion of Mr Ruddock, the bill was read a third time.

16 ANTI-MONEY LAUNDERING AND COUNTER-TERRORISM FINANCING 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 Bevis 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:

- (1) notes that the Financial Action Task Force (FATF) took swift action after September 11 2001, adding eight special recommendations on Counter-Terrorist Financing to the forty recommendations on Anti-Money Laundering by October 2001;
- (2) notes the Minister for Justice (Senator Ellison)’s statement of June 5 2002 that “criminals and terrorists will continue to take advantage of jurisdictions where the law enforcement and regulatory powers are the weakest”;
- (3) notes that the Government promised to meet FATF standards in 2003 and further notes the failure of the Minister for Justice to progress this legislation from that time until the present;
- (4) notes that, in the interval between indicating an intent to produce legislation and actually tabling it:
 - (a) the Government, either through collaboration with AWB or the grossest incompetence, enabled AWB to fleece the UN of some \$300 million in funds to channel them to the evil Iraqi Dictator, Saddam Hussein;
 - (b) in March 2005, the US State Dept Report Released by the Bureau for International Narcotics and Law Enforcement Affairs named Australia as a “major money laundering country”;
 - (c) in April 2005, the Minister created a new anti-money laundering taskforce, but incredibly left off AUSTRAC—the nation’s prime anti-money laundering agency;
 - (d) important anti-terrorism legislation was drafted incorrectly and the Parliament had to be recalled at great expense to fix sloppily-drafted anti-terror legislation by changing one word;
 - (e) further, provisions of the *Anti-Terrorism Bill (No. 2) 2005* were also drafted incorrectly and had to be amended to avoid significant hardship to Australian business; and
 - (f) in October 2005, the FATF reported on Australia’s compliance and found the Government had failed to meet the FATF standards, scoring just 12 out of 40 on anti-money laundering, and 0 out of 9 on counter-terrorism financing; and

- (5) condemns the Government for allowing criminals and terrorists to launder money for three full years while the Minister fumbled the drafting and consultation process;
- (6) condemns also the Government's collaboration with AWB or gross incompetence in allowing the channelling of funds to Saddam Hussein;
- (7) notes that the present legislation, while a substantial improvement on the past five years of soft and weak legislation on terrorist financing, still represents just the first tranche of the required reforms; and
- (8) calls on the Government to outline a timetable for passage of the second tranche, so Australia will no longer be a target for criminals and terrorists seeking to take advantage of the Government's soft and weak AML/CTF laws".

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. 232, 4 November 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 Ruddock (Attorney-General), the bill was read a third time.

17 ANTI-MONEY LAUNDERING AND COUNTER-TERRORISM FINANCING (TRANSITIONAL PROVISIONS AND CONSEQUENTIAL AMENDMENTS) 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—

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

Message from the Governor-General

Message No. 233, 4 November 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 Ruddock (Attorney-General), the bill was read a third time.

18 TELECOMMUNICATIONS AMENDMENT (INTEGRATED PUBLIC NUMBER DATABASE) BILL 2006—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 Mrs D. M. Kelly (Parliamentary Secretary to the Minister for Transport and Regional Services), by leave, the bill was read a third time.

19 PRIVACY LEGISLATION AMENDMENT (EMERGENCIES AND DISASTERS) BILL 2006—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 Mrs D. M. Kelly (Parliamentary Secretary to the Minister for Transport and Regional Services), by leave, the bill was read a third time.

20 JUDICIARY LEGISLATION AMENDMENT BILL 2006—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 Mrs D. M. Kelly (Parliamentary Secretary to the Minister for Transport and Regional Services), by leave, the bill was read a third time.

21 FINANCIAL SECTOR LEGISLATION AMENDMENT (TRANS-TASMAN BANKING SUPERVISION) BILL 2006—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 Mrs D. M. Kelly (Parliamentary Secretary to the Minister for Transport and Regional Services), by leave, the bill was read a third time.

22 MESSAGES FROM THE SENATE

Messages from the Senate, 28 November 2006, were reported returning the following bills without amendment:

No. 418—Australian Nuclear Science and Technology Organisation Amendment 2006.

No. 419—Inspector of Transport Security 2006.

No. 420—Inspector of Transport Security (Consequential Provisions) 2006.

23 CUSTOMS LEGISLATION AMENDMENT (NEW ZEALAND RULES OF ORIGIN) 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.

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

Consideration in detail

Bill, by leave, taken as a whole.

Ms Roxon moved the Opposition amendment.

Debate continued.

Question—That the amendment be agreed to—put.

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

AYES, 45

Mr Adams	Mr Fitzgibbon	Mr Jenkins	Mr Ripoll
Mr Albanese	Mr Garrett	Mr Kerr	Ms Roxon
Mr Bevis	Mr Georganas	Ms King	Mr Rudd
Ms Bird	Ms George	Dr Lawrence	Mr Sawford
Mr Bowen	Mr Gibbons	Ms Macklin	Mr Sercombe
Mr A. S. Burke	Ms Gillard	Mr McMullan	Mr S. F. Smith
Mr Byrne	Mr Griffin	Mr Murphy	Mr Swan
Mr Crean	Ms Hall*	Mr G. M. O'Connor	Mr K. J. Thomson
Mrs Elliot	Mr Hatton	Ms Owens	Mr Wilkie
Ms A. L. Ellis	Mr Hayes	Ms Plibersek	
Ms K. M. Ellis	Ms Hoare	Mr Price*	
Mr L. D. T. Ferguson	Mrs Irwin	Mr Quick	

NOES, 76

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

* Tellers

And so it was negatived.

Bill agreed to.

Consideration in detail concluded.

Leave granted for third reading to be moved immediately.

On the motion of Mr Ruddock (Attorney-General), the bill was read a third time.

24 COMMONWEALTH RADIOACTIVE WASTE MANAGEMENT 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.

Ms Macklin addressing the House—

25 ADJOURNMENT

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

Question—put and passed.

And then the House, at 9.01 p.m., adjourned until 9 a.m. tomorrow.

DOCUMENTS

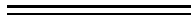
The following documents were deemed to have been presented on 28 November 2006:

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposal—2006 No. 6.

Parliament Act—Parliamentary Zone—Proposal, together with supporting documentation, for directional and interpretive signage.

ATTENDANCE

All Members attended (at some time during the sitting) except Ms Corcoran, Mr Jenkins, Mr Pearce and Mr Ticehurst.



I. C. HARRIS
Clerk of the House of Representatives

2004-05-06

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 140

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

TUESDAY, 28 NOVEMBER 2006

1 The Main Committee met at 4 p.m.

2 **MEMBERS' STATEMENTS**

Members' statements were made.

Suspension of meeting

At 4.09 p.m., a division having been called in the House, the proceedings were suspended.

Resumption of meeting

At 4.21 p.m., the proceedings were resumed.

Members' statements continued.

3 **PRIVACY LEGISLATION AMENDMENT (EMERGENCIES AND DISASTERS) BILL 2006**

The order of the day having been read for the second reading—

Document

Mr Turnbull (Parliamentary Secretary to the Prime Minister) presented an explanatory memorandum to the bill.

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

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.

4 **JUDICIARY LEGISLATION AMENDMENT BILL 2006**

The order of the day having been read for the second reading—

Document

Mr Turnbull (Parliamentary Secretary to the Prime Minister) presented an explanatory memorandum to the bill.

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

Debate ensued.

Suspension of meeting

At 6.03 p.m., a division having been called in the House, the proceedings were suspended.

Resumption of meeting

At 6.15 p.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.

5 FINANCIAL SECTOR LEGISLATION AMENDMENT (TRANS-TASMAN BANKING SUPERVISION) BILL 2006

The order of the day having been read for the second reading—

Document

Mr Dutton (Minister for Revenue and Assistant Treasurer) presented an explanatory memorandum to the bill.

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

Mr Fitzgibbon 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:

- (1) notes that in both Australia and New Zealand there has been a significant increase in the number of low documentation loans approved in recent years and the role of mortgage brokers in securing these loans; and
- (2) calls for uniform regulation of mortgage brokers”.

Debate continued.

Amendment negatived.

Question—That the bill be now read a second time—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 REPORT OF THE INQUIRY INTO CERTAIN AUSTRALIAN COMPANIES IN RELATION TO THE UN OIL-FOR-FOOD PROGRAMME—MOTION TO TAKE NOTE OF DOCUMENTS

The order of the day having been read for the resumption of the debate on the motion of Mr McGauran—That the House take note of the documents (*presented on 27 November 2006*), viz.—

Report of the inquiry into certain Australian companies in relation to the UN Oil-for-Food Programme, November 2006—

Debate resumed.

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

7 ADJOURNMENT

On the motion of Mrs Gash, the Main Committee adjourned at 9.02 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