

1998-99

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 64

THURSDAY, 2 SEPTEMBER 1999



1 The House met, at 9.30 a.m., pursuant to adjournment. The Speaker (the Honourable Neil Andrew) took the Chair, and read Prayers.

**2 CUSTOMS TARIFF PROPOSAL**

Mr Williams (Minister representing the Minister for Justice and Customs) moved Customs Tariff Proposal No. 4 (1999).

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

**3 COPYRIGHT AMENDMENT (DIGITAL AGENDA) BILL 1999**

Mr Williams (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Copyright Act 1968*, and for related purposes.

Bill read a first time.

Mr Williams moved—That the Bill be now read a second time.

*Paper*

Mr Williams presented an explanatory memorandum to the Bill.

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

**4 TELECOMMUNICATIONS (INTERCEPTION) AMENDMENT BILL 1999**

Mr Williams (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the law relating to telecommunications interception, and for related purposes.

Bill read a first time.

Mr Williams moved—That the Bill be now read a second time.

*Paper*

Mr Williams presented an explanatory memorandum to the Bill.

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

**5 TAXATION LAWS AMENDMENT BILL (NO. 9) 1999**

Mr Tuckey (Minister for Forestry and Conservation) presented a Bill for an Act to amend the law relating to taxation, and for related purposes.

Bill read a first time.

Mr Tuckey moved—That the Bill be now read a second time.

*Paper*

Mr Tuckey presented an explanatory memorandum to the Bill.

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

**6 FAMILY AND COMMUNITY SERVICES LEGISLATION AMENDMENT (1999 BUDGET AND OTHER MEASURES) BILL 1999**

Mr Anthony (Minister for Community Services), pursuant to notice, presented a Bill for an Act to amend the law relating to social security, and for related purposes.

Bill read a first time.

Mr Anthony moved—That the Bill be now read a second time.

*Paper*

Mr Anthony presented an explanatory memorandum to the Bill.

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

**7 POSTPONEMENT OF NOTICE**

Ordered—That notice No. 4, government business, be postponed until a later hour this day.

**8 STATES GRANTS (PRIMARY AND SECONDARY EDUCATION ASSISTANCE) AMENDMENT BILL 1999**

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 Lee, 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) using the important issue of literacy in a cynical political fashion;
- (2) failing to provide government schools with additional resources in line with its increased expenditure for the non-government sector; and
- (3) failing to meet its 1996 promise and 1999 Budget commitment to maintain funding for teacher professional development”.

Debate resumed.

Amendment negatived.

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

*Messages from the Governor-General*

The following messages from His Excellency the Governor-General were announced:

No. 113, 16 July 1999, recommending an appropriation for the purposes of the Bill; and

No. 114, 27 August 1999, recommending an appropriation for the purposes of amendments to the Bill.

*Consideration in detail*

Bill, by leave, taken as a whole.

On the motion of Ms Worth (Parliamentary Secretary to the Minister for Education, Training and Youth Affairs), by leave, Government amendments (1) to (9) were made, together.

Bill, as amended, agreed to.

Consideration in detail concluded.

*Paper*

Ms Worth presented a supplementary explanatory memorandum to the Bill.

On the motion of Ms Worth, by leave, the Bill was read a third time.

**9 SUPERANNUATION LEGISLATION AMENDMENT BILL (NO. 4) 1999**

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 K. J. Thomson who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words:

“the House condemns the Government for:

- (1) its continuing attack on superannuation, this time to do it yourself superannuation funds;
- (2) the uncertainty, confusion and cost this legislation will force on small businesses which operate a superannuation fund;
- (3) imposing on businesses a destructive superannuation policy which is unsupported by evidence that it will achieve a positive outcome for retirees; and
- (4) poor administration and policy reversals resulting in the delay of some 15 months in introducing this legislation”.

Debate continued.

It being 2 p.m., the debate was interrupted in accordance with standing order 101A, and the resumption of the debate made an order of the day for a later hour this day.

**10 QUESTIONS**

Questions without notice being asked—

*Paper*

Dr Wooldridge (Minister for Health and Aged Care) presented the following paper:

Ms Macklin—1985-1988—Ministerial Advisor to Victorian Minister for Health, Hon. David White, MLC.

Questions without notice continued.

*Member ordered to withdraw*

At 3.07 p.m., the Member for Fowler (Mrs Irwin) was ordered, under standing order 304A, to withdraw from the House for one hour for continuing to interject after a warning had been given from the Chair, and she accordingly withdrew from the Chamber.

Questions without notice continued.

*Papers*

Mr Beazley (Leader of the Opposition) presented the following papers:

Commonwealth Recognition Awards for Senior Australians—

Letter from Mrs B. K. Bishop (Minister for Aged Care) to all Members, 23 August 1999.

Parliament House Broadcast Fax Service—Delivery advice, 24 August 1999.

Questions without notice continued.

**11 STATEMENT BY LEAVE**

Mr Abbott (Minister for Employment Services), by leave, made a statement amplifying an answer to a question without notice given yesterday by Mr Anthony (Minister for Community Services).

**12 PAPER**

Mr Crean (Deputy Leader of the Opposition), by leave, presented the following paper:

International Year of Older Persons—Letter from Mrs B. K. Bishop (Minister for Aged Care) to all Members and Senators.

**13 PAPERS**

The following papers were presented:

Attorney-General's Department—Report—Review of the treaty-making process, August 1999.

Migration—Joint Standing Committee—

Immigration detention centres—Inspection report—Government response, June 1999.

Working holiday makers: More than tourists—Government response, August 1999.

**14 LEAVE OF ABSENCE TO MEMBER**

Mr Reith (Leader of the House) moved—That leave of absence for the remainder of the current period of sittings be given to Mr Prosser on the ground of public business overseas.

Question—put and passed.

**15 LEAVE OF ABSENCE TO MEMBER**

Mr Beazley (Leader of the Opposition) moved—That leave of absence from 3 September to 22 November 1999 be given to Ms Burke for maternity purposes.

Question—put and passed.

**16 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—LIVING STANDARDS AND WORKPLACE 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 need for integrity in the Government’s approach to the living standards and workplace security of the Australian people”.

The proposed discussion having received the necessary support—

Mr Beazley addressed the House.

Discussion ensued.

Discussion concluded.

**17 VETERANS’ AFFAIRS LEGISLATION AMENDMENT BILL (NO. 1) 1999—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the Bill had been fully considered by the Main Committee, a Governor-General’s message recommending an appropriation had been reported, and the Bill had been agreed to without amendment, and presented a certified copy of the Bill.

Bill agreed to.

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), by leave, the Bill was read a third time.

**18 PUBLICATIONS COMMITTEE—7TH REPORT**

Mr Lieberman (Chair) presented the following paper:

**PUBLICATIONS COMMITTEE 7TH REPORT**

The Publications Committee reports that it has met in conference with the Publications Committee of the Senate.

The Committee, having considered documents presented to Parliament since 30 June 1999, recommends that the following be printed:

Australian Electoral Commission—1999 redistribution of electoral divisions—South Australia—Report, together with maps and compact disc containing suggestions to the Redistribution Committee, comments on suggestions, objections to the proposed redistribution, and comments on objections.

Foreign Investment Review Board—Report for 1997-98.

Human Rights and Equal Opportunity Commission—National Pregnancy and Work Inquiry—Report—Pregnant and productive: It's a right not a privilege to work while pregnant.

Judge Advocate General—Report for 1998.

Reserve Bank of Australia—Report for 1998-99.

Western Australian Fisheries Joint Authority—Report for 1997-98.

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Finance—Budget 1999-2000—Budget papers—

No. 1—Budget strategy and outlook 1999-2000—Corrigendum.

No. 2—Budget measures 1999-2000—Corrigendum.

LOU LIEBERMAN

Chair

2 September 1999

Mr Lieberman, by leave, moved—That the report be agreed to.

Question—put and passed.

#### 19 POSTPONEMENT OF ORDER OF THE DAY

Ordered—That order of the day No. 3, Government business, be postponed until a later hour this day.

#### 20 A NEW TAX SYSTEM (TAX ADMINISTRATION) BILL 1999

Mr Hockey (Minister for Financial Services and Regulation) presented a Bill for an Act to implement A New Tax System by amending the law about taxation and Australian Business Numbers, and for related purposes.

Bill read a first time.

Mr Hockey moved—That the Bill be now read a second time.

*Paper*

Mr Hockey presented an explanatory memorandum and a regulation impact statement to the Bill.

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

#### 21 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—DEVELOPMENT OF 90 APARTMENTS IN DARWIN

Mr Slipper (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*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Development of 90 apartments in Darwin.

Question—put and passed.

**22 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—CSIRO/UNIVERSITY OF QUEENSLAND JOINT BUILDING PROJECT, ST LUCIA, QUEENSLAND**

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), by leave moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: CSIRO/University of Queensland Joint Building Project, St Lucia, Queensland.

Question—put and passed.

**23 MESSAGES FROM THE SENATE**

Messages from the Senate, 2 September 1999, were reported returning the following Bills without amendment:

Message—

No. 185—Coal Mining Legislation Amendment (Oakdale Collieries and others) 1999.

No. 186—Social Security (Family Allowance and Related Matters) Legislation Amendment 1999.

No. 187—Ministers of State Amendment 1999.

No. 188—Defence Legislation Amendment (No. 1) 1999.

No. 189—Taxation Laws Amendment (No. 7) 1999.

No. 190—Statute Stocktake 1999.

**24 MESSAGE FROM THE SENATE—COMMONWEALTH GRANTS COMMISSION AMENDMENT BILL 1999**

A message from the Senate was reported returning the following Bill with an amendment:

2 September 1999—Message No. 184—Commonwealth Grants Commission Amendment 1999.

Ordered—That the amendment be considered forthwith.

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the amendment was agreed to.

**25 WORKPLACE RELATIONS LEGISLATION AMENDMENT (MORE JOBS, BETTER PAY) BILL 1999**

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—

*Paper*

Mr Reith (Minister for Employment, Workplace Relations and Small Business), by leave, presented the following paper:

Workplace Relations Legislation Amendment (More Jobs, Better Pay) Bill 1999—Supplementary Regulation Impact statement.

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:

- (1) “the House condemns the Government for introducing a bill which:
  - (a) further entrenches unfairness and bias in the existing industrial relations system;
  - (b) ensures that the role of the Australian Industrial Relations Commission is further restricted and the independence of the Commission is compromised;
  - (c) reduces the minimum conditions available to all Australian workers by further undermining the award system as the dynamic framework for the protection and advancement of wages and conditions, through further award stripping;
  - (d) denies Australia’s lowest paid workers any further wage increase unless their award is stripped of basic entitlements such as long service leave, superannuation and paid jury service leave;
  - (e) further removes workplace and enterprise bargaining from the protection of the Australian Industrial Relations Commission, placing it solely in the hands of the Office of the Employment Advocate, which is run by one of the Minister’s former senior personal political staffers;
  - (f) further weakens opportunities for employees to organise and bargain collectively;
  - (g) aggravates problems of inequality for women and the most vulnerable in the labour market;
  - (h) further restricts workers who are denied proper industrial protection in their state from accessing federal protection;
  - (i) prevents the Australian Industrial Relations Commission from conducting much of its traditional conciliation role;
  - (j) further dismantles the framework for the prevention and settlement of industrial disputes;
  - (k) amends the termination of employment provisions to limit an employee’s right to pursue an application and extends the cost provisions;
  - (l) emphasises the punishment and prevention of industrial action rather than its resolution;
  - (m) unduly hinders the entry and inspection of premises by relevant organisations;
  - (n) demonstrates a lack of balance in freedom of association provisions;
  - (o) fails to ensure that Australia’s labour standards meet our international obligations;
  - (p) continues to breach international standards as identified by the ILO panel of experts’ findings concerning the right to strike and to bargain collectively;



- (q) has a short title which is deliberately misleading and fails to represent the actual intention and impact of the bill; and
- (r) exposes workers to loss of award or agreement entitlements when ownership of a business is transferred;
- (2) the House also condemns the Government for its eagerness in tabling a bill that will specifically strip workers of their basic rights while failing to protect workers' legally accrued entitlements in cases of corporate insolvency; and
- (3) recommends that a new bill be introduced which:
  - (a) delivers fair and equitable outcomes for Australian workers;
  - (b) preserves basic conditions for all Australian workers;
  - (c) provides for an independent commission with the appropriate power to conciliate fairly and settle disputes; and
  - (d) provides jobs and income security”.

Debate continued.

Mr Charles addressing the House—

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## 26 ADJOURNMENT

It being 5.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

*Debate extended:* It being approximately 6 p.m., the debate was interrupted.

Mr Anthony (Minister for Community Services) required the debate to be extended.

The debate continuing until 6.10 p.m., the Speaker adjourned the House until Monday, 20 September 1999, at 12.30 p.m.

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## PAPERS

The following papers were deemed to have been presented on 2 September 1999:

Aboriginal and Torres Strait Islander Commission Act—Regulations—Statutory Rules 1999 No. 181.

Australian Meat and Live-stock Industry Act—Regulations—Statutory Rules 1999 No. 177.

Australian Securities and Investments Commission Act—Regulations—Statutory Rules 1999 No. 190.

Commonwealth Authorities and Companies Act—Regulations—Statutory Rules 1999 No. 170.

Defence Act—Determinations under section 58B 1999 Nos. 31, 32.

Designs Act—Regulations—Statutory Rules 1999 No. 187.  
Export Inspection and Meat Charges Collection Act—Regulations—Statutory Rules 1999 No. 178.  
Family Law Act—Regulations—Statutory Rules 1999 No. 173.  
Federal Court of Australia Act—Rules of Court—Statutory Rules 1999 No. 194.  
Health Insurance Act—Regulations—Statutory Rules 1999 Nos. 176, 193  
Insurance Contracts Act—Regulations—Statutory Rules 1999 No. 191.  
Judicial and Statutory Officers (Remuneration and Allowances) Act—Regulations—Statutory Rules 1999 No. 171.  
National Health Act—Regulations—Statutory Rules 1999 Nos. 174, 175.  
National Measurement Act—Regulations—Statutory Rules 1999 No. 185.  
National Residue Survey (Excise) Levy Act—Regulations—Statutory Rules 1999 No. 179.  
Occupational Health and Safety (Commonwealth Employment) Act—Regulations—Statutory Rules 1999 No. 189.  
Ombudsman Act—Regulations—Statutory Rules 1999 No. 192.  
Parliamentary Entitlements Act—Advice of decisions under paragraph 18(a), 31 August 1999.  
Patents Act—Regulations—Statutory Rules 1999 No. 184.  
Primary Industries (Excise) Levies Act—Regulations—Statutory Rules 1999 No. 180.  
Public Service Act—Regulations—Statutory Rules 1999 Nos. 182, 183.  
Superannuation Act 1976—Regulations—Statutory Rules 1999 No. 172.  
Superannuation Contributions Tax (Assessment and Collection) Act—Determinations 1999 No. SCD 5 (Addendum).  
Taxation Administration Act—Rulings 1999 Nos. PR 90, PR 91.  
Trade Marks Act—Regulations—Statutory Rules 1999 No. 186.  
Trade Practices Act—Regulations—Statutory Rules 1999 No. 188.

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**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Tanner and Mr M. A. J. Vaile.

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**I. C. HARRIS**

Clerk of the House of Representatives

1998-99

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

No. 64

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

**THURSDAY, 2 SEPTEMBER 1999**

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1 The Main Committee met at 9.40 a.m.

**2 MEMBERS' STATEMENTS**

Members' statements were made.

**3 VETERANS' AFFAIRS LEGISLATION AMENDMENT BILL (NO. 1) 1999**

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.

*Message from the Governor-General*

Message No. 112, 31 July 1999, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

Leave granted for the question on the report to be put forthwith.

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

**4 ABORIGINAL AND TORRES STRAIT ISLANDER COMMISSION AMENDMENT BILL (NO. 1) 1999**

The order of the day having been read for the second reading—Mr Ruddock (Minister representing the Minister for Aboriginal and Torres Strait Islander Affairs) moved—That the Bill be now read a second time.

*Paper*

Mr Ruddock presented an explanatory memorandum to the Bill.

Debate ensued—

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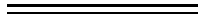
**5 ADJOURNMENT**

It being 12.30 p.m.—The question was proposed—That the Main Committee do now adjourn.

Debate ensued.

Question—put and passed.

At 12.58 p.m. the Deputy Speaker adjourned the Main Committee.



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