

1998-99

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 65

MONDAY, 20 SEPTEMBER 1999



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

2 **AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENTS BY MEMBERS**

The Speaker presented the following paper:

Australian Parliamentary Delegation to the 7th annual meeting of the Asia Pacific Parliamentary Forum, Lima, Peru, 11-14 January 1999—Report, August 1999—

and made a statement in connection with the report.

Mr Forrest also made a statement in connection with the report.

3 **ABORIGINAL AND TORRES STRAIT ISLANDER AFFAIRS—STANDING COMMITTEE—VIDEO—STATEMENT BY MEMBER**

Mr Lieberman (Chair) presented a video explaining the committee's report entitled "Unlocking the Future: The report on the review of the Reeves Report on the *Aboriginal Land Rights (Northern Territory) Act 1976*".

Mr Lieberman made a statement in connection with the video.

4 **INDUSTRY, SCIENCE AND RESOURCES—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER**

Mr Lloyd (Chair) presented the following papers:

Industry, Science and Resources—Standing Committee—The effect of certain public policy changes on Australia's R & D—

Report, August 1999.

Minutes of proceedings.

Ordered—That the report be printed.

Mr Lloyd and Mr Morris made statements in connection with the report.

The time allotted for making statements on the report having expired—

Mr Lloyd moved—That the House take note of the report.

Mr Lloyd was granted leave to continue his speech when the debate is resumed. In accordance with standing order 102B, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting.

#### **5 AVIATION NOISE OMBUDSMAN BILL 1999**

Mr Albanese, pursuant to notice, presented a Bill for an Act to establish an Aviation Noise Ombudsman and for related purposes.

Mr Albanese made a statement in relation to the Bill.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting, in accordance with standing order 104A.

#### **6 DRUGS STRATEGY**

Mrs Irwin, pursuant to notice, moved—That the House:

- (1) notes the failure of the Howard Government's Tough on Drugs Strategy, in particular, that after two years there has been:
  - (a) an increase in drug use, with the average age of first users decreasing;
  - (b) no significant decline in the amount of illicit drugs entering Australia, even after a number of high profile "busts";
  - (c) inadequate funding for community-based programs in those areas of greatest need, particularly the south-west of Sydney; and
  - (d) a lack of evidence that zero tolerance policies have achieved anything other than making the illicit drug trade the world's fastest growing industry; and
- (2) calls on the Government to take a more effective and creative approach to stemming the social tragedy being caused by the increasing use of heroin and other dangerous, addictive and illicit drugs.

Debate ensued.

At 1.45 p.m., the time allotted for the debate having expired, the debate was interrupted in accordance with standing order 106A, and the resumption of the debate was made an order of the day for the next sitting.

#### **7 MEMBERS' STATEMENTS**

Members' statements were made.

#### **8 QUESTIONS**

Questions without notice were asked.

#### **9 PETITIONS**

Petitions lodged for presentation were announced.

#### **10 HUMAN RIGHTS AND IRANIAN JEWS**

Mr Pyne, pursuant to notice, moved—That the House:

- (1) reaffirms the fundamental principles of human rights that must be practised by the entire international community;
- (2) condemns the false arrest and imprisonment of thirteen Iranian Jews on spurious espionage charges; and
- (3) calls upon Iranian authorities to immediately release the falsely imprisoned Iranian Jews.

Debate ensued.

The time allotted for the debate having expired, the debate was interrupted, and the resumption of the debate made an order of the day for the next sitting.

#### **11 HOMELESSNESS AMONGST YOUNG PEOPLE**

Mrs Gash, pursuant to notice, moved—That the House:

- (1) recognises the very high risk of homelessness amongst young people in several areas of regional Australia;
- (2) recognises that this is a problem amongst young people in regions such as Gilmore and Macquarie;
- (3) welcomes the federal Government's specific commitment of over \$45 million towards reducing that risk and providing appropriate accommodation services; and
- (4) calls on governments at all levels to cooperate with one another to identify, fund and implement programs of assistance for our young people.

Debate ensued.

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

#### **12 GRIEVANCE DEBATE**

Pursuant to the provisions of standing order 106, the order of the day having been read—

Question proposed—That grievances be noted.

Debate ensued.

The time allotted for the debate having expired—

Question—That grievances be noted—put and passed.

#### **13 MESSAGES FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS**

Messages from His Excellency the Governor-General were announced informing the House that His Excellency, in the name of Her Majesty, had assented to the following Bills:

10 September 1999—Message—

No. 115—

A New Tax System (Commonwealth-State Financial Arrangements) 1999.

A New Tax System (Commonwealth-State Financial Arrangements—Consequential Provisions) 1999.

No. 116—

Customs Amendment (No. 1) 1999.

Customs Amendment (Temporary Importation) 1999.

12 September 1999—Message No. 117—Commonwealth Grants Commission Amendment 1999.

**14 MESSAGE FROM THE SENATE**

A message from the Senate was reported returning the following Bill without amendment:

2 September 1999—Message No. 191—Workplace Relations Legislation Amendment (Youth Employment) 1999.

**15 MESSAGE FROM THE SENATE—REGIONAL FOREST AGREEMENTS BILL 1998**

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

2 September 1999—Message No. 192—Regional Forest Agreements 1998.

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

**16 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—*And on the amendment moved thereto by Mr K. J. Thomson, viz.*—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 resumed.

Question—That the words proposed to be omitted stand part of the question—put.

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

## AYES, 73

Mr Abbott	Mr Entsch	Mr Lloyd	Mr Slipper
Mr Anderson	Mr Fahey	Mr McArthur*	Mr Somlyay
Mr K. J. Andrews	Mr Fischer	Mr I. E. Macfarlane	Dr Southcott
Mr Anthony	Mr Forrest*	Mr McGauran	Dr Stone
Fran Bailey	Mrs Gallus	Mrs May	Mrs Sullivan
Mr Baird	Ms Gambaro	Mrs Moylan	Mr C. P. Thompson
Mr Barresi	Mrs Gash	Mr Nairn	Mr A. P. Thomson
Mr Bartlett	Mr Georgiou	Mr Nehl	Mr Truss
Mr Billson	Mr Haase	Dr Nelson	Mr Tuckey
Mrs B. K. Bishop	Mr Hawker	Mr Neville	Mr M. A. J. Vaile
Ms J. I. Bishop	Mr Hockey	Mr Nugent	Mrs D. S. Vale
Mr Cadman	Mrs Hull	Mr Pyne	Mr Wakelin
Mr Cameron	Mr Jull	Mr Reith	Dr Washer
Mr Causley	Mr Katter	Mr Ronaldson	Mr Williams
Mr Charles	Jackie Kelly	Mr Ruddock	Dr Wooldridge
Mr Costello	Dr Kemp	Mr St Clair	Ms Worth
Mr Downer	Mr Lawler	Mr Schultz	
Mrs Draper	Mr Lieberman	Mr Scott	
Mrs Elson	Mr Lindsay	Mr Secker	

## NOES, 57

Mr Albanese	Ms Gillard	Ms Macklin	Mr Rudd
Mr Bevis	Mr Griffin	Mr McLeay	Mr Sawford*
Mr Brereton	Ms Hall	Mr McMullan	Mr Sciacca
Mr Cox	Mr Hatton	Mr Martin	Mr Sercombe*
Mr Crean	Ms Hoare	Mr Melham	Mr Sidebottom
Mrs Crosio	Mr Hollis	Mr Morris	Mr Smith
Mr Edwards	Mr Horne	Mr Mossfield	Mr Swan
Ms Ellis	Mrs Irwin	Mr Murphy	Mr Tanner
Dr Emerson	Mr Jenkins	Ms O'Byrne	Dr Theophanus
Mr M. J. Evans	Ms Kernot	Mr O'Connor	Mr K. J. Thomson
Mr L. D. T. Ferguson	Mr Kerr	Mr O'Keefe	Mr Wilton
Mr M. J. Ferguson	Mr Latham	Ms Plibersek	Mr Zahra
Mr Fitzgibbon	Dr Lawrence	Mr Quick	
Ms Gerick	Ms Livermore	Mr Ripoll	
Mr Gibbons	Mr McClelland	Ms Roxon	

\* Tellers

*Pairs*

Mr Howard	Mr Beazley
Mr Brough	Mr Wilkie
Mr Prosser	Mr G. J. Evans
Mr Hardgrave	Mr Snowdon

And so it was resolved in the affirmative.

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.

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), by leave, Government amendments (1) and (2) were made, together, after debate.

*Paper*

Mr Slipper presented a supplementary explanatory memorandum to the Bill.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Mr Slipper, by leave, the Bill was read a third time.

**17 MAIN COMMITTEE—DAY OF NEXT MEETING**

The Deputy Speaker reported that Wednesday, 22 September 1999 at 9.40 a.m., had been fixed for the next meeting of the Main Committee.

**18 MATTERS REFERRED TO MAIN COMMITTEE**

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

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

Customs Legislation Amendment (No. 2) 1999; and

Export Finance and Insurance Corporation Amendment 1999;

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

Communications, Transport and Microeconomic Reform—Standing Committee—Report on Australian Maritime Safety Authority annual report for 1996-97—Government response—Motion to take note of paper: Resumption of debate; and

- (3) the following order of the day, committee and delegation reports, be referred to the Main Committee for debate:

Aboriginal and Torres Strait Islander Affairs—Standing Committee—Review of Reeves Report on Aboriginal Land Rights (Northern Territory) Act—Motion to take note of paper: Resumption of debate.

Question—put and passed.

**19 POSTPONEMENT OF ORDERS OF THE DAY**

Ordered—That orders of the day Nos. 3 and 4, government business, be postponed until a later hour this day.

**20 INTELLECTUAL PROPERTY LAWS AMENDMENT (BORDER INTERCEPTION) 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—

Debate resumed.

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Entsch (Parliamentary Secretary to the Minister for Industry, Science and Resources), the Bill was read a third time.

**21 POSTPONEMENT OF ORDERS OF THE DAY**

Ordered—That orders of the day Nos. 6 to 17, government business, be postponed until a later hour this day.

**22 HUMAN RIGHTS LEGISLATION AMENDMENT BILL (NO. 2) 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.

Debate adjourned (Mr Ronaldson (Chief Government Whip)), and the resumption of the debate made an order of the day for the next sitting.

**23 SUSPENSION OF STANDING AND SESSIONAL ORDERS—ROUTINE OF BUSINESS FOR NEXT SITTING**

Mr Reith (Leader of the House), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent the routine of business for Tuesday, 21 September 1999 being as follows, unless otherwise ordered:

1. A motion to be moved by the Prime Minister relating to East Timor, and debate ensuing with speech time limits being as follows:

Prime Minister—Not specified;

Leader of the Opposition—Not specified;

Next 8 Members speaking—20 minutes each; and

Other Members—10 minutes each.

2. Orders of the day, government business.

Debate ensued.

Mr McMullan moved, as an amendment—That the following words be inserted before paragraph 1:

“1A. Questions without notice”.

Question—That the amendment be agreed to—put.

The House divided (the Speaker, Mr J. N. Andrew, in the Chair)—

## AYES, 59

Mr Adams	Mr Gibbons	Mr McClelland	Mr Quick
Mr Albanese	Ms Gillard	Ms J. S. McFarlane	Mr Ripoll
Mr Bevis	Mr Griffin	Ms Macklin	Ms Roxon
Mr Brereton	Ms Hall	Mr McLeay	Mr Rudd
Mr Cox	Mr Hatton	Mr McMullan	Mr Sawford*
Mr Crean	Ms Hoare	Mr Martin	Mr Sciacca
Mrs Crosio	Mr Hollis	Mr Melham	Mr Sercombe*
Mr Edwards	Mr Horne	Mr Morris	Mr Sidebottom
Ms Ellis	Mrs Irwin	Mr Mossfield	Mr Smith
Dr Emerson	Mr Jenkins	Mr Murphy	Mr Snowdon
Mr M. J. Evans	Ms Kernot	Ms O'Byrne	Mr Tanner
Mr L. D. T. Ferguson	Mr Kerr	Mr O'Connor	Dr Theophanous
Mr M. J. Ferguson	Mr Latham	Mr O'Keefe	Mr K. J. Thomson
Mr Fitzgibbon	Dr Lawrence	Ms Plibersek	Mr Zahra
Ms Gerick	Ms Livermore	Mr Price	

## NOES, 72

Mr Abbott	Mr Fahey	Mr Lindsay	Mr Scott
Mr Anderson	Mr Fischer	Mr Lloyd	Mr Secker
Mr K. J. Andrews	Mr Forrest*	Mr McArthur*	Mr Slipper
Mr Anthony	Mrs Gallus	Mr I. E. Macfarlane	Mr Somlyay
Fran Bailey	Ms Gambaro	Mr McGauran	Dr Southcott
Mr Baird	Mrs Gash	Mrs May	Dr Stone
Mr Barresi	Mr Georgiou	Mrs Moylan	Mrs Sullivan
Mr Bartlett	Mr Haase	Mr Nairn	Mr C. P. Thompson
Mr Billson	Mr Hawker	Mr Nehl	Mr A. P. Thomson
Mrs B. K. Bishop	Mr Hockey	Dr Nelson	Mr Truss
Ms J. I. Bishop	Mrs Hull	Mr Neville	Mr Tuckey
Mr Cadman	Mr Jull	Mr Nugent	Mr M. A. J. Vaile
Mr Cameron	Mr Katter	Mr Pyne	Mrs D. S. Vale
Mr Causley	Mrs D. M. Kelly	Mr Reith	Mr Wakelin
Mr Charles	Jackie Kelly	Mr Ronaldson	Dr Washer
Mrs Draper	Dr Kemp	Mr Ruddock	Mr Williams
Mrs Elson	Mr Lawler	Mr St Clair	Dr Wooldridge
Mr Entsch	Mr Lieberman	Mr Schultz	Ms Worth

\* Tellers

And so it was negatived.

*Pairs*

Mr Howard	Mr Beazley
Mr Brough	Mr Wilkie
Mr Prosser	Mr G. J. Evans
Mr Hardgrave	Ms Burke

Question—That the motion be agreed to—put and passed.

24 **ADJOURNMENT**

It being past 10.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 11 p.m.—The Speaker adjourned the House until tomorrow at 2 p.m.

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**PAPERS**

The following papers were deemed to have been presented on 20 September 1999:

Aged Care Act—Principles under section 96-1—1999—

Accountability Amendment Principles (No. 1).

Accreditation Grant Principles.

Agricultural and Veterinary Chemicals Code Act—Regulations—Statutory Rules 1999 No. 215.

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposals 1999 No. 10.

Charter of the United Nations Act—Regulations—Statutory Rules 1999 Nos. 207, 208.

Civil Aviation Act—Civil Aviation Regulations—

Civil Aviation Orders—

Amendment 3 September 1999.

Part 105—Amendments 1999 13(3), 20(5), 23(13), 24(2), 25, 26(2), 27(12) August, 1 September.

Part 106—Amendments 1999 23(2), 24, 26(2), 27(2) August.

Exemptions 1999 Nos. CASA 28, CASA 29.

Statutory Rules 1999 No. 210.

Corporations Act—Regulations—Statutory Rules 1999 No. 212.

Currency Act—Determinations 1999 Nos. 3, 4.

Customs Act—Regulations—Statutory Rules 1999 Nos. 200, 201, 202.

Defence Act—Determinations under section 58B 1999 Nos. 33, 34.

Excise Act—Regulations—Statutory Rules 1999 No. 213.

Export Control Act—Export Control (Orders) Regulations—Prescribed Goods (General) Amendment Orders 1999 No. 1.

Extradition Act—Regulations—Statutory Rules 1999 No. 203.

Foreign Acquisitions and Takeovers Act—Regulations—Statutory Rules 1999 No. 199.

Health Insurance Act—Guidelines under section 23EA, 30 August 1999.

Judiciary Act—

High Court of Australia—Rule of Court, 31 August 1999.

Rules of Court—Statutory Rules 1999 No. 197.

Life Insurance Act—Prudential Rules Nos. 40 (variation), 47.

Migration Act—

Certificates under section 502—  
 24 August, 4(2) and 7(2) September 1999.  
 Regulations—Statutory Rules 1999 No. 198.  
 Motor Vehicle Standards Act—Road Vehicle (National Standards)  
 Determination 1999 No. 1.  
 Mutual Assistance in Criminal Matters Act—Regulations—Statutory Rules  
 1999 No. 204.  
 National Environment Protection Measures (Implementation) Act—  
 Regulations—Statutory Rules 1999 No. 206.  
 National Health Act—  
 Determinations 1999 Nos. IHS 10, IHS 11.  
 Instrument—Guidelines under section 5B, 30 August 1999.  
 National Measurement Act—National Measurement Guidelines 1999.  
 Primary Industries Levies and Charges Collection Act, National Residue Survey  
 (Customs) Levy Act and National Residue Survey (Excise) Levy Act—  
 Regulations—Statutory Rules 1999 No. 214.  
 Public Service Act—Determinations—1999—  
 No. LES 21.  
 Nos. SESROB 46, SESROB 47, SESROB 48, SESROB 49, SESROB 50.  
 Radiocommunications (Spectrum Licence Tax) Act—Determination 19 August  
 1999.  
 Road Transport Reform (Dangerous Goods) Act—Regulations—Statutory  
 Rules 1999 No. 211.  
*Telecommunications Act 1997*—Instruments—1999 Telecommunications  
 Numbering Plan Amendment (No. 2).  
 Telstra Corporation Act—Telstra carrier charges—Price control arrangements,  
 notification and disallowance—Determination No. 1 of 1999.  
 Therapeutic Goods Act—  
 Determinations—1999 No. MP1.  
 Regulations—Statutory Rules 1999 No. 209.  
 Trade Marks Act—Regulations—Statutory Rules 1999 No. 196.  
 Workplace Relations Act—Regulations—Statutory Rules 1999 Nos. 195, 205.

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**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Beazley, Mr  
 Brough, Ms Burke\*, Mr Danby, Mr G. J. Evans, Mr Hardgrave, Mr Howard, Mr  
 Lee, Mr Moore, Mr Prosser\* and Mr Wilkie.

\* On leave

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**I. C. HARRIS**

Clerk of the House of Representatives

By authority of the House of Representatives