

1998-99

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 75

WEDNESDAY, 13 OCTOBER 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 **DIESEL AND ALTERNATIVE FUELS GRANTS SCHEME (ADMINISTRATION AND COMPLIANCE) 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 Crean (Deputy Leader of the Opposition), 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) continuing the uncertainty in the transport industry by not releasing the details of the boundaries of urban conurbations for the purposes of the Diesel and Alternative Fuels Grants Scheme (the Scheme);
- (2) not disclosing, prior to the last election, the new powers being proposed for the Commissioner of Taxation to stop, detain and search vehicles;
- (3) imposing a complex new layer of administration on transport operators in connection with the Scheme, in addition to the new compliance burden associated with the Goods and Services Tax; and
- (4) its failure to disclose the basis of its claims that the programs agreed with the Democrats will counter the greenhouse gas increasing effects of the Scheme”—

Debate resumed.

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

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

## AYES, 71

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

## NOES, 60

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

\* Tellers

*Pairs*

Mr Howard	Mr Beazley
Mr Barresi	Mrs Crosio
Mrs Gallus	Mr Zahra
Mr Prosser	Ms Burke
Mr Somlyay	Dr Theophanous

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.

*Message from the Governor-General*

Message No. 131, 6 September 1999, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

*Consideration in detail*

Bill, by leave, taken as a whole, and agreed to, after debate.

Consideration in detail concluded.

On the motion of Mr Hockey (Minister for Financial Services and Regulation), by leave, the Bill was read a third time.

**3 MESSAGE FROM THE SENATE**

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

12 October 1999—Message No. 217—ACIS (Unearned Credit Liability) 1999.

**4 MESSAGE FROM THE SENATE—ACIS ADMINISTRATION BILL 1999**

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

12 October 1999—Message No. 216—ACIS Administration 1999.

Ordered—That the amendment be considered forthwith.

On the motion of Mr Entsch (Parliamentary Secretary to the Minister for Industry, Science and Resources), the amendment was disagreed to, after debate.

Mr Entsch presented reasons, which were circulated, and are as follows:

*Reasons of the House of Representatives for disagreeing to the amendment of the Senate*

This amendment proposes that an independent inquiry be held prior to certifying an ‘inquiry certificate day’.

The House of Representatives does not accept the amendment. The ACIS package and tariff reduction are part of an integrated package. The policy rationale for ACIS is to help the industry make the transition to a more liberalised trade environment. Without a tariff reduction in 2005, the policy rationale for ACIS no longer exists.

The Government’s decision to implement ACIS and a tariff reduction in 2005 were informed by an extensive Industry Commission inquiry conducted in 1996-97, whose review covered tariff settings and other industry support measures through to the end of 2005.

Investment decisions in the automotive industry have long lead times and the industry requires clarity and certainty about the medium term policy environment.

The industry strongly supports passage of the legislation in its entirety as a matter of urgency.

On the motion of Mr Entsch, the reasons were adopted.

**5 MESSAGE FROM THE SENATE—CUSTOMS TARIFF AMENDMENT (ACIS IMPLEMENTATION) BILL 1999**

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

12 October 1999—Message No. 218—Customs Tariff Amendment (ACIS Implementation) 1999.

Ordered—That the amendments be considered forthwith.

On the motion of Mr Entsch (Parliamentary Secretary to the Minister for Industry, Science and Resources), the amendments were disagreed to.

Mr Entsch presented reasons, which were circulated, and are as follows:

*Reasons of the House of Representatives for disagreeing to the amendments of the Senate*

The Bill establishes that the rate of customs duty imposed on passenger motor vehicles and certain parts for passenger motor vehicles be reduced to 10% on 1 January 2005. These amendments propose that the tariff reduction only occur if recommended by an inquiry and at a time to be determined by the inquiry.

The House of Representatives does not accept the amendments. The ACIS package and tariff reduction are part of an integrated package. The policy rationale for ACIS is to help the industry make the transition to a more liberalised trade environment. Without a tariff reduction in 2005, the policy rationale for ACIS no longer exists.

The Government's decision to implement ACIS and a tariff reduction in 2005 were informed by an extensive Industry Commission inquiry conducted in 1996-97, whose review covered tariff settings and other industry support measures through to the end of 2005.

Investment decisions in the automotive industry have long lead times and the industry requires clarity and certainty about the medium term policy environment.

The industry strongly supports passage of the legislation in its entirety as a matter of urgency.

On the motion of Mr Entsch, the reasons were adopted.

**6 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.

Question—put.

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

## AYES, 71

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

## NOES, 56

Mr Adams	Mr Gibbons	Ms Livermore	Mr Quick
Mr Albanese	Ms Gillard	Mr McClelland	Mr Ripoll
Mr Andren	Mr Griffin	Ms J. S. McFarlane	Ms Roxon
Mr Brereton	Ms Hall	Ms Macklin	Mr Rudd
Mr Cox	Mr Hatton	Mr McMullan	Mr Sawford*
Mr Crean	Ms Hoare	Mr Martin	Mr Sciacca
Mr Danby	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	Mr Kerr	Ms O'Byrne	Mr Swan
Mr L. D. T. Ferguson	Mr Latham	Mr O'Connor	Mr K. J. Thomson
Mr Fitzgibbon	Dr Lawrence	Ms Plibersek	Mr Wilkie
Ms Gerick	Mr Lee	Mr Price	Mr Wilton

\* Tellers

*Pairs*

Mr Howard	Mr Beazley
Mr Barresi	Mrs Crosio
Mrs Gallus	Mr Zahra
Mr Prosser	Ms Burke
Mr Somlyay	Mr McLeay

And so it was resolved in the affirmative—Bill read a second time.

*Consideration in detail*

Bill, by leave, taken as a whole.

Mr McClelland, by leave, moved Opposition amendments (1) to (14) together.

Debate continued.

Amendments negatived.

Mr McClelland moved Opposition amendment (15).

Debate continued.

Amendment negatived.

On the motion of Mr Williams (Attorney-General), by leave, Government amendments (1) to (10) were made together, after debate.

*Paper*

Mr Williams presented a supplementary explanatory memorandum to the Bill.

Bill, as amended, agreed to.

Consideration in detail concluded.

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

#### **7 ADMINISTRATIVE DECISIONS (EFFECT OF INTERNATIONAL INSTRUMENTS) BILL 1999**

Mr Williams (Attorney-General), pursuant to notice, presented a Bill for an Act relating to the effect of international instruments on the making of administrative decisions.

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 L. D. T. Ferguson), and the resumption of the debate made an order of the day for the next sitting.

#### **8 SUSPENSION OF STANDING AND SESSIONAL ORDERS—REGIONAL FOREST AGREEMENTS BILL 1998**

Mr Tuckey (Minister for Forestry and Conservation), pursuant to notice, moved—That so much of the standing and sessional orders be suspended as would prevent a Minister moving amendments to the Regional Forest Agreements Bill 1998 during the consideration of Senate's message No. 192.

Question—put and passed.

#### **9 REGIONAL FOREST AGREEMENTS BILL 1998—SENATE'S AMENDMENTS**

The order of the day having been read for the consideration of the amendments made by the Senate—

Mr Tuckey (Minister for Forestry and Conservation) moved—That the amendments be disagreed to.

*Papers*

Mr Tuckey, by leave, presented the following papers:

Regional Forest Agreements for—  
 New South Wales, Eden, 25 August 1999.  
 Tasmania, 8 November 1997.  
 Victoria—  
 Central Highlands, 27 March 1998.  
 East Gippsland, 3 February 1997.  
 North East region, 9 August 1999.  
 Western Australia, South-west forest region, 4 May 1999.

Debate ensued.

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

## 10 QUESTIONS

Questions without notice being asked—

### *Minister for Education, Training and Youth Affairs—Motion of censure*

Mr Beazley (Leader of the Opposition), by leave, moved—That this House censures the Minister for Education, Training and Youth Affairs for attempting to mislead the House and the Australian public by not truthfully explaining the Government's plans on higher education reform, their breach with previous Government undertakings, and for his deceitful answers in the House which are contradicted by confidential Government documents which he has prepared for Cabinet.

Dr Kemp (Minister for Education, Training and Youth Affairs) moved, as an amendment—That all words after "That" be omitted with a view to substituting the following words:

"the House censures the Member for Dobell for his failure to develop any manner of education policy and orders the Member for Dobell to produce forthwith, without any further amendment or debate, the original document purporting to be a Cabinet submission, and any copies thereof made by the Opposition, from which he was quoting during question time today".

Debate continued.

### *Member ordered to withdraw*

At 4.13 p.m. the Member for Melbourne (Mr Tanner) 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 he accordingly withdrew from the Chamber.

Debate continued.

### *Member ordered to withdraw*

At 4.23 p.m. the Member for Isaacs (Mr Wilton) 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 he accordingly withdrew from the Chamber.

Debate continued.

Mr Melham having raised a point of order that the amendment moved by Dr Kemp was out of order in that the House did not have the power to order a Member to produce documents—

*Speaker's ruling*

The Speaker ruled that the amendment moved by Dr Kemp was in order and stated that the House should be permitted to proceed to a decision on the matter.

*Dissent from ruling moved*

Mr Beazley moved—That the ruling be dissented from.

Debate ensued.

Mr McMullan rising to address the House—

*Closure*

Mr Reith (Leader of the House) moved—That the question be now put.

Question—That the question be now put—put.

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

AYES, 73

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

## NOES, 59

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

\* Tellers

*Pairs*

Mr Barresi	Mrs Crosio
Mrs Gallus	Ms O'Byrne
Mr Prosser	Ms Burke
Mr Somlyay	Mr McLeay

And so it was resolved in the affirmative.

And the question—That the ruling be dissented from—being accordingly put—  
The House divided (the Speaker, Mr J. N. Andrew, in the Chair)—

## AYES, 59

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

## NOES, 73

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

\* Tellers

*Pairs*

Mr Barresi	Mrs Crosio
Mrs Gallus	Ms O'Byrne
Mr Prosser	Ms Burke
Mr Somlyay	Mr McLeay

And so it was negatived.

Question—That the amendment be agreed to—put.

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

## AYES, 73

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

## NOES, 60

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

\* Tellers

*Pairs*

Mr Barresi	Mrs Crosio
Mrs Gallus	Ms O'Byrne
Mr Prosser	Ms Burke
Mr Somlyay	Mr McLeay

And so it was resolved in the affirmative.

Question—That the motion, as amended, be agreed to—put.

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

AYES, 73

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

NOES, 60

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

\* Tellers

*Pairs*

Mr Barresi	Mrs Crosio
Mrs Gallus	Ms O'Byrne
Mr Prosser	Ms Burke
Mr Somlyay	Mr McLeay

And so it was resolved in the affirmative.

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Questions without notice concluded.

The Speaker drew attention to the resolution of the House and asked the Member for Dobell to comply with the resolution.

Mr Lee indicated that the document was no longer in his possession and he was not in a position to present it. He further stated he did not acknowledge the right of the House to order him to produce the document.

The Speaker invited the Member for Dobell to reconsider the matter.

Mr Lee advised the House that he was not in a position to withdraw his statement.

#### 11 PAPERS

The following papers were presented:

Australia Council—Report for 1998-99.

Australian Competition and Consumer Commission—Report for 1998-99.

Australian Tourist Commission—Report for 1998-99.

Fisheries Research and Development Corporation—Report for 1998-99.

Health Insurance Commission—Equity and Diversity Program—Report for 1998-99.

Repatriation Medical Authority—Report for 1998-99.

Rural Adjustment Scheme Advisory Council—Report, including a report on the Rural Adjustment Scheme, for 1998-99.

#### 12 PAPERS—MOTION TO TAKE NOTE OF PAPERS

Mr Reith (Leader of the House) moved—That the House take note of the following papers:

Australian Competition and Consumer Commission—Report for 1998-99.

Health Insurance Commission—Equity and Diversity Program—Report for 1998-99.

Repatriation Medical Authority—Report for 1998-99.

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

#### 13 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—PUBLIC EDUCATION

The House was informed that Mr Lee had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The damage done by the Government’s cuts to public education”.

The proposed discussion having received the necessary support—

Mr Lee rising to address the House—

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

Question—put and passed.

**14 FISHERIES LEGISLATION AMENDMENT BILL (NO. 1) 1999—REPORT FROM MAIN COMMITTEE**

The 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 Mr Reith (Leader of the House), by leave, the Bill was read a third time.

**15 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REPORT—STATEMENT BY MEMBER**

Mrs Moylan (Chair) presented the following paper:

Public Works—Parliamentary Standing Committee—Report relating to CSIRO Clayton (Eastern Precinct) Development Works, Victoria (10th report of 1999).

Ordered to be printed.

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

**16 NATIVE TITLE AND THE ABORIGINAL AND TORRES STRAIT ISLANDER LAND FUND—PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENT BY MEMBER**

Mr Snowdon presented the following paper:

Native Title and the Aboriginal and Torres Strait Islander Land Fund—Parliamentary Joint Committee—15th report—Interim report for the s.206(d) inquiry—Proceedings of conference on 12 March 1999.

Report, September 1999.

Ordered—That the report be printed.

Mr Snowdon, by leave, made a statement in connection with the report.

Mr Snowdon, by leave, moved—That the House take note of the report.

Mr Snowdon 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.

**17 MESSAGES FROM THE SENATE**

Messages from the Senate, 13 October 1999, were reported returning the following Bills and acquainting the House that the Senate does not insist upon its amendments disagreed to by the House of Representatives:

Message—

No. 219—ACIS Administration 1999.

No. 220—Customs Tariff Amendment (ACIS Implementation) 1999.

**18 REGIONAL FOREST AGREEMENTS BILL 1998—SENATE'S AMENDMENTS**

The order of the day having been read for the further consideration of the Senate's amendments—

Debate resumed on the question—That the amendments made by the Senate be disagreed to—

Question—put.

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

## AYES, 69

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

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

\* Tellers

*Pairs*

Mr Barresi	Mrs Crosio
Mrs Gallus	Ms O'Byrne
Mr Prosser	Ms Burke
Mr Somlyay	Mr McLeay

And so it was resolved in the affirmative.

Mr Tuckey (Minister for Forestry and Conservation) moved the Government amendment.

*Paper*

Mr Tuckey presented a supplementary explanatory memorandum to the Bill.

Debate continued.

**19 ADJOURNMENT**

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

Debate ensued.

The House continuing to sit until 8 p.m.—The Speaker adjourned the House until tomorrow at 9.30 a.m.

**PAPERS**

The following papers were deemed to have been presented on 13 October 1999:

Acts Interpretation Act—Statement relating to delay in furnishing report within specified period—Aboriginal and Torres Strait Islander Commission—Central Land Council—Report for 1998-99.

Civil Aviation Act—Civil Aviation Regulations—  
Civil Aviation Orders—

Part 105—Amendments 1999 13(3), 16(4), 17, 21(3), 22(5), 23(11), 24, 27(4) September.

Part 106—Amendments 1999 8(2), 27 September.

Health Insurance Act—Determination 1999 No. HS/5.

Lands Acquisition Act—Statements under section—  
40(3), 12 October 1999.  
125, 12 October 1999.

Public Service Act—Determination—Foreign Affairs and Trade 1999 No. 18.

**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Barresi, Ms Burke\*, Mrs Crosio, Mrs Gallus, Mr Katter, Mr Prosser\*, Mr Somlyay and Mr Zahra.

\* On leave



**I. C. HARRIS**

Clerk of the House of Representatives

1998-99

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

No. 75

**MAIN COMMITTEE****MINUTES OF PROCEEDINGS**

WEDNESDAY, 13 OCTOBER 1999

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1 The Main Committee met at 9.48 a.m.

**2 MEMBERS' STATEMENTS**

Members' statements were made.

**3 FISHERIES 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.

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*Suspension of sitting*

At 11.02 a.m., a division having been called in the House, the proceedings were suspended.

*Resumption of sitting*

At 11.14 a.m., the proceedings were resumed.

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Debate continued.

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

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 ADJOURNMENT**

On the motion of Mr Truss (Minister for Agriculture, Fisheries and Forestry), the Main Committee adjourned at 11.43 a.m.

The Deputy Speaker fixed tomorrow at 9.40 a.m. for the next meeting of the Main Committee.



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