

1998-1999-2000

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 91

THURSDAY, 17 FEBRUARY 2000



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 CORPORATIONS LAW AMENDMENT (EMPLOYEE ENTITLEMENTS) BILL 2000

Mr Hockey (Minister for Financial Services and Regulation), pursuant to notice, presented a Bill for an Act to amend the Corporations Law, 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 to the Bill.

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

3 CENSUS INFORMATION LEGISLATION AMENDMENT BILL 2000

Mr Hockey (Minister for Financial Services and Regulation), pursuant to notice, presented a Bill for an Act to amend the *Census and Statistics Act 1905* and the *Archives Act 1983* in relation to the 2001 Census, and for other 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 to the Bill.

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

4 EXCISE TARIFF AMENDMENT BILL (NO. 1) 2000

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) presented a Bill for an Act to amend the *Excise Tariff Act 1921*, and for related purposes.

Bill read a first time.

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

Paper

Mr Slipper presented an explanatory memorandum to the Bill.

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

5 CUSTOMS TARIFF AMENDMENT BILL (NO. 1) 2000

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) presented a Bill for an Act to amend the *Customs Tariff Act 1995*, and for related purposes.

Bill read a first time.

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

Paper

Mr Slipper presented an explanatory memorandum to the Bill.

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

6 MEDICARE LEVY AMENDMENT (DEFENCE—EAST TIMOR LEVY) BILL 2000

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) presented a Bill for an Act to amend the law relating to Medicare levy, and for related purposes.

Bill read a first time.

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

Paper

Mr Slipper presented an explanatory memorandum to the Bill.

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

7 TAXATION LAWS AMENDMENT BILL (NO. 5) 2000

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) presented a Bill for an Act to amend the law relating to taxation, and for related purposes.

Bill read a first time.

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

Paper

Mr Slipper presented an explanatory memorandum to the Bill.

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

8 TIMOR GAP TREATY (TRANSITIONAL ARRANGEMENTS) BILL 2000

Mr Entsch (Parliamentary Secretary to the Minister for Industry, Science and Resources), pursuant to notice, presented a Bill for an Act to amend the

Petroleum (Australia-Indonesia Zone of Cooperation) Act 1990 and other legislation consequentially on the United Nations Transitional Administration in East Timor administering East Timor, and for related purposes.

Bill read a first time.

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

Paper

Mr Entsch presented an explanatory memorandum to the Bill.

Debate adjourned (Mr Crean—Deputy Leader of the Opposition), and the resumption of the debate made an order of the day for the next sitting.

9 CSIRO/UNIVERSITY OF QUEENSLAND JOINT BUILDING PROJECT, ST LUCIA, QLD—APPROVAL OF WORK

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*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: CSIRO/University of Queensland joint building project, St Lucia, Qld.

Question—put and passed.

10 POSTPONEMENT OF BUSINESS

Ordered—That business intervening before order of the day No. 2, government business, be postponed until a later hour this day.

11 NEW BUSINESS TAX SYSTEM (MISCELLANEOUS) 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.

Debate adjourned (Mr Tuckey—Minister for Forestry and Conservation), and the resumption of the debate made an order of the day for a later hour this day.

12 AUSTRALIAN LAW REFORM COMMISSION—REPORT

Mr Tuckey (Minister for Forestry and Conservation) presented the following paper:

Australian Law Reform Commission—Report No. 89—Managing justice: A review of the federal civil justice system.

13 NEW BUSINESS TAX SYSTEM (MISCELLANEOUS) 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.

Message from the Governor-General

Message No. 163, 7 December 1999, 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 forthwith.

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

14 NEW BUSINESS TAX SYSTEM (VENTURE CAPITAL DEFICIT TAX) 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—

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

Leave granted for third reading to be moved forthwith.

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

15 HEALTH LEGISLATION AMENDMENT BILL (NO. 3) 1998—SENATE'S AMENDMENTS

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

On the motion of Dr Wooldridge (Minister for Health and Aged Care), the amendments were agreed to, after debate.

16 HEALTH LEGISLATION AMENDMENT (GAP COVER SCHEMES) BILL 2000

Dr Wooldridge (Minister for Health and Aged Care), pursuant to notice, presented a Bill for an Act to provide for gap cover schemes, and for related purposes.

Bill read a first time.

Dr Wooldridge moved—That the Bill be now read a second time.

Paper

Dr Wooldridge presented an explanatory memorandum to the Bill.

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

17 POSTPONEMENT OF ORDER OF THE DAY

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

18 AUSTRALIAN FEDERAL POLICE LEGISLATION AMENDMENT BILL 1999—SENATE'S AMENDMENTS

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

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the amendments were agreed to, after debate.

19 QUESTIONS

Questions without notice being asked—

Paper

Mr Beazley (Leader of the Opposition), by leave, presented the following paper:
National Textiles—Workers' entitlements—Copy of excerpt from a press conference held by New South Wales Premier Bob Carr, 17 February 2000.

Questions without notice continued.

20 MEMBER ORDERED TO WITHDRAW

At 3.11 p.m. the Member for Hotham (Mr Crean—Deputy Leader of the Opposition) was ordered, under standing order 304A, to withdraw from the House for one hour for continuing to interject after having been requested not to do so, and he accordingly withdrew from the Chamber.

21 AUDITOR-GENERAL'S REPORT

The Speaker presented the following paper:

Auditor-General—Audit report No. 32 of 1999-2000—Performance Audit—Management of Commonwealth non-primary industry levies.

Ordered to be printed.

22 PAPERS

The following papers were presented:

Aboriginal Land Commissioner—Reports and recommendations to the Minister for Aboriginal and Torres Strait Islander Affairs and to the Administrator of the Northern Territory—

No. 57—Palm Valley Land Claim No. 48.

Explanatory statement.

Medibank Private—Report—Equal Employment Opportunity and Equity and Diversity 1998-99.

23 MEDIBANK PRIVATE—EQUAL EMPLOYMENT OPPORTUNITY AND EQUITY AND DIVERSITY—REPORT FOR 1998-99—MOTION TO TAKE NOTE OF PAPER

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

Medibank Private—Report—Equal Employment Opportunity and Equity and Diversity 1998-99.

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

24 SPECIAL ADJOURNMENT

Mr Reith (Leader of the House) moved—That the House, at its rising, adjourn until Monday, 6 March 2000, at 12.30 p.m., unless the Speaker or, in the event

of the Speaker being unavailable, the Deputy Speaker, fixes an alternative day or hour of meeting.

Question—put and passed.

25 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—GOODS AND SERVICES TAX

The House was informed that Mr Swan had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The failure of the Government to admit the true effect of the GST on prices and as a consequence fail to provide adequate compensation to offset its impact on the weekly budgets of low to middle income Australians”.

The proposed discussion having received the necessary support—

Mr Swan addressed the House.

Discussion ensued.

Discussion concluded.

26 MESSAGES FROM THE SENATE

Messages from the Senate, 17 February 2000, were reported returning the following Bills without amendment:

Message—

No. 299—Privacy Amendment (Office of the Privacy Commissioner) 1998.

No. 300—Ministers of State and Other Legislation Amendment 1999.

No. 301—Criminal Code Amendment (Application) 1999.

No. 302—Customs Amendment (No. 2) 1999.

No. 303—Import Processing Charges Amendment 1999.

27 SELECTION COMMITTEE—AMENDED REPORT

Mr Nehl (Chair) presented the following paper:

Selection Committee—Amended report relating to the consideration of committee and delegation reports and private Members’ business on Monday, 6 March 2000—

and, by leave, moved—That the report be adopted in lieu of the report presented on 15 February 2000.

Question—put and passed.

28 PUBLICATIONS COMMITTEE—12TH REPORT

Mr Lieberman (Chair) presented the following paper:

PUBLICATIONS COMMITTEE 12TH 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 9 December 1999, recommends that the following be printed:

Administrative Review Council—Report for 1998-99.

- Audio-Visual Copyright Society Ltd—Report for 1998-99.
- Australian Industry Development Corporation—Report for 1998-99.
- Australian Research Council—Report, incorporating reports of National Board of Employment, Education and Training and the Higher Education Council, for 1998-99.
- Commissioner of Taxation—Data-matching program—Reports—ATO's interaction with the program—1998-99.
- Commonwealth Grants Commission—Report—Indian Ocean Territories 1999.
- Companies Auditors and Liquidators Disciplinary Board—Report for 1998-99.
- Copyright Agency Limited—Report for 1998-99.
- Department of the Parliamentary Reporting Staff—Report for 1998-99.
- Federal Court of Australia—Report for 1998-99.
- Foreign Investment Review Board—Report for 1998-99.
- Forest and Wood Products Research and Development Corporation—Report for 1998-99.
- Freedom of Information Act—Report for 1998-99.
- Industrial Relations Court of Australia—Report for 1998-99.
- Migration Agents Registration Authority—Report for 1998-99.
- National Crime Authority—Report for 1998-99.
- National Office of Local Government—Report for 1998-99.
- Productivity Commission—Reports—
- No. 5—Implementation of ecologically sustainable development by Commonwealth departments and agencies.
- No. 9—International liner cargo shipping: A review of Part X of the *Trade Practices Act 1974*, 15 September 1999.
- No. 10—Australia's gambling industries, 26 November 1999—
- Volume 1: Report (Parts A-C).
- Volume 2: Report (Part D).
- Volume 3: Appendices.
- Snowy Mountains Council—Report for 1998-99.
- States Grants (Primary and Secondary Education Assistance) Act—Reports on financial assistance granted to each State in respect of 1998.
- Witness Protection Act—Report on the operation of the Act 1998-99.

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- Family Court of Australia—Report for 1998-99—Erratum.
- Attorney-General's Department—Report for 1998-99—Corrigenda.
- Tobacco Research and Development Corporation—Report for 1998-99—Corrigendum.
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LOU LIEBERMAN

Chair

17 February 2000

On the motion of Mr Lieberman, by leave, the report was agreed to.

29 ALBURY-WODONGA DEVELOPMENT AMENDMENT BILL 1999—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 B. K. Bishop (Minister for Aged Care), by leave, the Bill was read a third time.

30 THERAPEUTIC GOODS AMENDMENT BILL 1999—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 B. K. Bishop (Minister for Aged Care), by leave, the Bill was read a third time.

31 CIVIL AVIATION AMENDMENT BILL 1998—SENATE'S AMENDMENTS

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

On the motion of Mrs B. K. Bishop (Minister for Aged Care), the amendments were agreed to, after debate.

32 MESSAGE FROM THE SENATE—ADELAIDE AIRPORT CURFEW BILL 1999

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

17 February 2000—Message No. 304—Adelaide Airport Curfew 1999.

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

33 MESSAGE FROM THE SENATE—CRIMES AT SEA BILL 1999

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

17 February 2000—Message No. 305—Crimes at Sea 1999.

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

34 CUSTOMS LEGISLATION AMENDMENT (CRIMINAL SANCTIONS AND OTHER MEASURES) 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 by Mr Kerr 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) calls for an approach to illicit drug use which acknowledges that law enforcement alone cannot be a sufficient response to the health and social problems that confront us as a society in relation to illicit drugs, and policy makers and the community must focus on the effects of drug use on youth, and on developing harm minimisation strategies;
- (2) is of the opinion that the Bill is a misguided response to the issue of illicit drugs in Australia, as the ‘war on drugs’ rhetoric is misguided, misplaced and out of step with what is really going on in the Australian community;
- (3) is concerned that the increases in penalties contained in the Bill, have no coherent foundation and may lead to unintended and grossly unfair consequences; and
- (4) whilst accepting that there are sound public policy reasons in the lead up to the Sydney 2000 Olympic Games to support special measures to prohibit the importation of performance enhancing drugs, notes that there has been inadequate public consultation in the development of these measures and the other penalty measures in the legislation, and calls on the Government to refer these issues to the House of Representatives Standing Committee on Legal and Constitutional Affairs for a comprehensive review after the Sydney 2000 Games have concluded.”

Debate continued.

Mr Prosser 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 a later hour this day.

35 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE

The House was informed that the Government Whip had nominated Mr Billson to be a member of the Standing Committee on Legal and Constitutional Affairs in place of Mr Ronaldson.

Dr Wooldridge (Minister for Health and Aged Care), by leave, moved—That Mr Ronaldson be discharged from the Standing Committee on Legal and Constitutional Affairs and that, in his place, Mr Billson be appointed a member of the committee.

Question—put and passed.

36 ADJOURNMENT

Dr Wooldridge (Minister for Health and Aged Care) moved—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 6 p.m.—The Speaker adjourned the House until Monday, 6 March 2000, at 12.30 p.m., in accordance with the resolution agreed to this sitting.

**PAPERS**

The following papers were deemed to have been presented on 17 February 2000:

Commonwealth Places (Mirror Taxes) Act—Notices—1999 Commonwealth Places (Mirror Taxes) (Modification of Applied Laws—South Australia).

Native Title Act—Recognition of Representative Aboriginal/Torres Strait Islander Body—2000 No. 5.

Taxation Administration Act—Rulings—2000 Nos PR 2, PR 3.

**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr M. J. Evans, Jackie Kelly*, Ms Plibersek and Dr Theophanous.

* On leave



I. C. HARRIS

Clerk of the House of Representatives

1998-1999-2000

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 91

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 17 FEBRUARY 2000

1 The Main Committee met at 9.40 a.m.

2 MEMBERS' STATEMENTS

Members' statements were made.

3 ALBURY-WODONGA DEVELOPMENT 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—

Debate resumed.

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 THERAPEUTIC GOODS 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—

Debate resumed.

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.

5 ADJOURNMENT

Mrs B. K. Bishop (Minister for Aged Care) moved—That the Main Committee do now adjourn.

Debate ensued.

At 11.56 a.m. the Deputy Speaker adjourned the Main Committee.



B. C. WRIGHT
Clerk of the Main Committee