

1998-1999-2000

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 101

TUESDAY, 4 APRIL 2000

1 The House met, at 2 p.m., pursuant to adjournment. The Speaker (the Honourable Neil Andrew) took the Chair, and read Prayers.

2 MINISTERIAL ARRANGEMENTS

Mr Howard (Prime Minister) informed the House that, during the absence abroad of Dr Kemp (Minister for Education, Training and Youth Affairs), Mr Abbott (Minister for Employment Services) would answer questions on his behalf.

3 QUESTIONS

Questions without notice being asked—

Suspension of standing and sessional orders moved

Mr Andren moved—That so much of the standing and sessional orders be suspended as would prevent notice No. 32, private Members' business, being called on and the second reading being moved forthwith.

Suspension of standing and sessional orders—Speech time limits

Mr Reith (Leader of the House), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent the time limits for the debate on this motion being:

- (1) each Member—15 minutes; and
- (2) the period for the whole debate proceeding beyond 25 minutes.

Question—put and passed.

Debate on the original question ensued.

Member ordered to withdraw

At 2.51 p.m. the Member for Grayndler (Mr Albanese) 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.

Ms Kernot addressing the House—

Closure

Mr Ronaldson (Chief Government Whip) moved—That the question be now put.

Question—That the question be now put—put and passed.

And the question—That the motion for the suspension of standing and sessional orders be agreed to—being accordingly put—

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

AYES, 66

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

NOES, 76

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

* Tellers

Pairs

Dr Kemp	Mr Martin
Mr Hawker	Mr Lee

And so it was negatived.

Questions without notice concluded.

4 PAPERS

Dr Wooldridge (Minister for Health and Aged Care), by indulgence, added to answers given during question time yesterday and presented the following papers:

Nuclear medicine appointments—

Extract from Minister's appointment of Dr Richard McLean as a Member and Chair of the Radiation Health and Safety Advisory Council, 17 May 1999.

Press release from Dr Geoff Bower, President, Australian and New Zealand Association of Physicians in Nuclear Medicine, 3 April 2000.

5 AUDITOR-GENERAL'S REPORTS

The Speaker presented the following papers:

Auditor-General—Audit reports of 1999-2000—Performance audits—

No. 35—Retention of military personnel: Australian Defence Force.

No. 36—Home and community care: Department of Health and Aged Care.

No. 37—Defence Estate Project Delivery: Department of Defence.

Severally ordered to be printed.

6 AUSTRALIAN NATIONAL AUDIT OFFICE—PERFORMANCE AUDIT—REPORT

The Speaker presented the following paper:

Auditor-General—Report by Independent Auditor—Performance audit—Australian National Audit Office's strategic planning framework, 3 April 2000.

Ordered to be printed.

7 PAPERS

The following papers were presented:

Australian Accounting Standards Board—Report for 1998-99.

Australian Technology Group Limited—Statement of Corporate Intent, 2 February 2000.

Stevedoring Levy (Collection) Act—Report, March 2000.

Telecommunications Carrier Industry Development Plans—Progress report for 1998-99.

Telstra Corporation Limited—Report—Equal Employment Opportunity for 1998-99.

Treaty—*Bilateral—Text, together with national interest analysis*—Agreement on Social Security between Australia and the Republic of Italy, done at Rome on 13 September 1993, and exchange of notes constituting an agreement between Australia and the Republic of Italy, amending and clarifying the agreement on social security of 13 September 1993.

8 PRIVILEGE—COMPLAINT OF BREACH

Dr Theophanous raised, as a matter of privilege, the alleged improper interference with the performance of his duties as a Member by officers of the National Crime Authority.

Papers and audio tapes

Dr Theophanous presented the following:

Dr Theophanous and the National Crime Authority—

Chronology—4 August 1998 to 24 March 1999.

Comments by NCA Chairman Mr John Broome—Transcript of Channel Nine *Sunday* program, 28 June 1999.

Committal hearing at Magistrates' Court, Melbourne—Audio tapes of proceedings (10).

House of Representatives *Hansard*—Copy of extract, 20 June 1996.

Joint Committee on Migration—Immigration entry requirements for the Olympic Games—Transcript of discussion, 5 February 1999.

Letter from—

John Broome, Chairman, National Crime Authority to Dr Theophanous, 3 May 1999.

Vanessa Twigg, Senior Solicitor, National Crime Authority to Mr Ben Wyatt, Rigby Cooke, 7 March 2000.

Media release from Rigby Cooke Lawyers, 10 March 2000.

National Crime Authority—The involvement of the National Crime Authority in controlled operations—Submission to the Parliamentary Joint Committee on the National Crime Authority, May 1999.

National Crime Authority—Parliamentary Joint Committee—Report—Street legal: The involvement of the National Crime Authority in Controlled Operations, December 1999—Extract.

Statement by Dr Theophanous on the *Sunday* program on the National Crime Authority, 28 June 1999.

Tape 5153 of court hearing featuring the beginning of testimony by Mr Geoff Arnold, NCA—Transcript, 18 February 2000.

Tape 5340 sides A and B—Redlich speaks of illegality of NCA—Transcript, 17 February 2000.

The Speaker stated that he would consider the matter and report to the House at a later time.

9 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—RECONCILIATION

The House was informed that Mr Melham had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The imminent collapse of the process of reconciliation due to the failure of leadership by the Prime Minister and his Government”.

The proposed discussion having received the necessary support—

Mr Melham rising to address the House—

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

Question—put.

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

AYES, 75

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

NOES, 63

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

* Tellers

Pairs

Dr Kemp	Mr Martin
Mr Hawker	Mr Adams

And so it was resolved in the affirmative.

10 MAIN COMMITTEE—DAY OF NEXT MEETING

The Speaker reported that the Deputy Speaker had fixed Wednesday, 5 April 2000, at 9.40 a.m., for the next meeting of the Main Committee.

11 SELECTION COMMITTEE—REPORT

Mr Nehl (Chair) presented the following paper:

Selection Committee—Report relating to the consideration of committee and delegation reports and private Members' business on Monday, 10 April 2000.

12 TAXATION LAWS AMENDMENT BILL (NO. 8) 1999—SENATE'S MESSAGE NO. 293

The order of the day having been read for the consideration of message No. 293 from the Senate returning the Taxation Laws Amendment Bill (No. 8) 1999—

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) moved—That the House insists on disagreeing to amendments Nos 8, 11 to 14, 17 and 18 insisted on by the Senate.

Debate ensued.

Closure

Mr Slipper moved—That the question be now put.

Question—That the question be now put—put.

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

AYES, 73

Mr Abbott	Mr Entsch	Mr McArthur*	Mr Slipper
Mr Anderson	Mr Fahey	Mr I. E. Macfarlane	Mr Somlyay
Mr K. J. Andrews	Mr Fischer	Mr McGauran	Dr Southcott
Mr Anthony	Mr Forrest*	Mrs May	Dr Stone
Fran Bailey	Mrs Gallus	Mr Moore	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 Haase	Mr Nehl	Mr Truss
Mr Billson	Mr Hardgrave	Dr Nelson	Mr Tuckey
Mrs B. K. Bishop	Mr Hockey	Mr Neville	Mr M. A. J. Vaile
Ms J. I. Bishop	Mrs Hull	Mr Nugent	Mrs D. S. Vale
Mr Brough	Mr Jull	Mr Prosser	Mr Wakelin
Mr Cadman	Mr Katter	Mr Reith	Dr Washer
Mr Cameron	Mrs D. M. Kelly	Mr Ronaldson	Mr Williams
Mr Charles	Jackie Kelly	Mr Ruddock	Dr Wooldridge
Mr Costello	Mr Lawler	Mr St Clair	Ms Worth
Mr Downer	Mr Lieberman	Mr Schultz	
Mrs Draper	Mr Lindsay	Mr Scott	
Mrs Elson	Mr Lloyd	Mr Secker	

NOES, 63

Mr Adams	Ms Gerick	Mr McClelland	Mr Ripoll
Mr Albanese	Mr Gibbons	Ms J. S. McFarlane	Ms Roxon
Mr Bevis	Ms Gillard	Ms Macklin	Mr Rudd
Ms Burke	Mr Griffin	Mr McLeay	Mr Sawford*
Mr Byrne	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 Horne	Mr Morris	Mr Smith
Mr Danby	Mrs Irwin	Mr Mossfield	Mr Snowdon
Mr Edwards	Mr Jenkins	Mr Murphy	Mr Swan
Ms Ellis	Ms Kernot	Ms O'Byrne	Mr Tanner
Dr Emerson	Mr Kerr	Mr O'Connor	Dr Theophanous
Mr M. J. Evans	Mr Latham	Mr O'Keefe	Mr K. J. Thomson
Mr L. D. T. Ferguson	Dr Lawrence	Ms Plibersek	Mr Wilkie
Mr M. J. Ferguson	Mr Lee	Mr Price	Mr Zahra
Mr Fitzgibbon	Ms Livermore	Mr Quick	

* Tellers

Pairs

Mr Howard	Mr Beazley
Dr Kemp	Mr Breton
Mr Hawker	Mr Wilton

And so it was resolved in the affirmative.

And the question—That the House insists on disagreeing to amendments Nos 8, 11 to 14, 17 and 18 insisted on by the Senate—being accordingly put—

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

AYES, 73

Mr Abbott	Mr Entsch	Mr McArthur*	Mr Slipper
Mr Anderson	Mr Fahey	Mr I. E. Macfarlane	Mr Somlyay
Mr K. J. Andrews	Mr Fischer	Mr McGauran	Dr Southcott
Mr Anthony	Mr Forrest*	Mrs May	Dr Stone
Fran Bailey	Mrs Gallus	Mr Moore	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 Haase	Mr Nehl	Mr Truss
Mr Billson	Mr Hardgrave	Dr Nelson	Mr Tuckey
Mrs B. K. Bishop	Mr Hockey	Mr Neville	Mr M. A. J. Vaile
Ms J. I. Bishop	Mrs Hull	Mr Nugent	Mrs D. S. Vale
Mr Brough	Mr Jull	Mr Prosser	Mr Wakelin
Mr Cadman	Mr Katter	Mr Reith	Dr Washer
Mr Cameron	Mrs D. M. Kelly	Mr Ronaldson	Mr Williams
Mr Charles	Jackie Kelly	Mr Ruddock	Dr Wooldridge
Mr Costello	Mr Lawler	Mr St Clair	Ms Worth
Mr Downer	Mr Lieberman	Mr Schultz	
Mrs Draper	Mr Lindsay	Mr Scott	
Mrs Elson	Mr Lloyd	Mr Secker	

NOES, 64

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

* Tellers

Pairs

Mr Howard	Mr Beazley
Dr Kemp	Mr Brereton
Mr Hawker	Mr Wilton

And so it was resolved in the affirmative.

13 MESSAGE FROM THE SENATE—YOUTH ALLOWANCE CONSOLIDATION BILL 1999

A message from the Senate was reported returning the following Bill with requests for amendments and informing the House that the amendment indicated by schedule B annexed had been made by the Senate:

3 April 2000—Message No. 335—Youth Allowance Consolidation 1999.

Ordered—That the amendments requested by the Senate be considered at a later hour this day.

14 MESSAGES FROM THE SENATE

Messages from the Senate, 3 April 2000, were reported returning the following Bills without amendment:

Message—

No. 336—Census Information Legislation Amendment 2000.

No. 337—Health Insurance Amendment (Diagnostic Imaging Services) 1999.

No. 338—Primary Industries (Excise) Levies (GST Consequential Amendments) 2000.

15 A NEW TAX SYSTEM (FAMILY ASSISTANCE AND RELATED MEASURES) BILL 2000

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 Anthony (Minister for Community Services) presented a correction to the explanatory memorandum.

Debate resumed.

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

16 BILLS REFERRED TO MAIN COMMITTEE

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

A New Tax System (Family Assistance and Related Measures) 2000; and
Customs Tariff Amendment (No. 3) 1999.

Question—put and passed.

17 CHILD SUPPORT LEGISLATION AMENDMENT BILL 2000

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.

Mr Anthony (Minister for Community Services) 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.

18 MESSAGE FROM THE SENATE—HUMAN RIGHTS (MANDATORY SENTENCING OF JUVENILE OFFENDERS) BILL 1999

Message No. 339, 4 April 2000, from the Senate was reported requesting the House to consider immediately the Human Rights (Mandatory Sentencing of Juvenile Offenders) Bill 1999.

19 MESSAGE FROM THE SENATE—INDIGENOUS CHILDREN

Message No. 340, 4 April 2000, from the Senate was reported acquainting the House that the Senate had agreed to a resolution concerning indigenous children.

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

20 ADJOURNMENT

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

Debate ensued.

Question—put and passed.

And then the House, at 11 p.m., adjourned until tomorrow at 9.30 a.m.



PAPERS

The following papers were deemed to have been presented on 4 April 2000:

Civil Aviation Act—

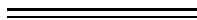
Civil Aviation Regulations—Civil Aviation Orders—

Amendments—2000—

Part 20—No. 2.

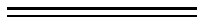
Part 95—No. 4.

Exemptions—2000 Nos CASA EX28, CASA EX29, CASA EX30, CASA EX31, CASA EX32.



ATTENDANCE

All Members attended (at some time during the sitting) except Mr Hawker and Dr Kemp.



I. C. HARRIS

Clerk of the House of Representatives