

1998-1999-2000

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 127

MONDAY, 14 AUGUST 2000

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 **PROCEDURE—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER**

Mr Price presented the following papers:

Procedure—Standing Committee—Second Chamber: Enhancing the Main Committee—

Report, 19 July 2000.

Evidence received by the committee.

Minutes of proceedings.

Ordered—That the report be printed.

Mr Price, Mr Cameron, Ms Gerick and Mrs Gash made statements in connection with the report.

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

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

Mr Price 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.

3 **EMPLOYMENT, EDUCATION AND WORKPLACE RELATIONS—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER**

Dr Nelson (Chair) presented the following papers:

Employment, Education and Workplace Relations—Standing Committee—Age counts: Inquiry into issues specific to mature-age workers—

Report, June 2000.

Evidence received by the Committee.

Ordered—That the report be printed.

Dr Nelson, Mr Sawford, Ms Gambaro and Mr Wilkie made statements in connection with the report.

Dr Nelson moved—That the House take note of the report.

Dr Nelson 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.

#### **4 MARKETISATION OF EDUCATION**

Mr Sawford, pursuant to notice, moved—That this House acknowledges the dangers of the marketisation of education in Australia and its potential to normalise inequality for families in rural Australia, for families with disabled children, for families with children with behavioural difficulties and for families of children in depressed socio-economic areas.

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.

#### **5 TIBETAN PEOPLE'S HEALTH**

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

- (1) acknowledges the great need to help the Tibetan people cope with the devastating impact of Iodine Deficiency Disorders; and
- (2) applauds the AusAID program launched in Lhasa on 18 May 2000 which will transform the health profile of the Tibetan people.

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, Mr Danby was granted leave to continue his speech when the debate is resumed, and the resumption of the debate was made an order of the day for the next sitting.

#### **6 MEMBERS' STATEMENTS**

Members' statements were made.

#### **7 QUESTIONS**

Questions without notice were asked.

#### **8 PETITIONS**

Petitions lodged for presentation were announced.

#### **9 PROPOSED STANDING COMMITTEE ON LEGAL AFFAIRS AND ETHICS**

Mr Horne, pursuant to notice, moved—That a Standing Committee on Legal Affairs and Ethics be appointed to inquire into whether to permit human surrogacy in Australia and, if so:

- (1) under what terms and conditions surrogacy should be legalised; and

- (2) the legal, ethical, moral and religious framework by which legal agreements could be drawn up to allow human surrogacy to take place giving maximum legal safeguards to all people involved.

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.

#### 10 PARALYMPIC GAMES

Mr Cameron, pursuant to notice, moved—That this House:

- (1) acknowledges the significance of the Paralympic Games as the second largest sporting event in the world in 2000;
- (2) applauds the example of our elite paralympic athletes in keeping alive the best sporting traditions of honour, excellence and competition; and
- (3) records its appreciation to the people of the ACT and NSW for their generous support of the Paralympics throughout the 2000 Pollie Pedal bike ride from Parliament House, Canberra, to the Sydney Town Hall.

Debate ensued.

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

#### 11 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.

Question—That grievances be noted—put and passed.

#### 12 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:

30 June 2000—Message—

No. 218—

Appropriation (No. 1) 2000-2001.

Appropriation (No. 2) 2000-2001.

Appropriation (Parliamentary Departments) (No. 1) 2000-2001.

Customs Amendment (Alcoholic Beverages) 2000.

Excise Amendment (Alcoholic Beverages) 2000.

No. 219—

A New Tax System (Tax Administration) (No. 2) 2000.

Indirect Tax Legislation Amendment 2000.

Compensation Measures Legislation Amendment (Rent Assistance Increase) 2000.

Social Security and Veterans' Entitlements Legislation Amendment (Miscellaneous Matters) 2000.

Telecommunications (Consumer Protection and Service Standards) Amendment (No. 1) 2000.

No. 220—

Diesel and Alternative Fuels Grants Scheme Amendment 2000.

Corporations Law Amendment (Employee Entitlements) 2000.

New Business Tax System (Miscellaneous) (No. 1) 2000.

Financial Management and Accountability Amendment 2000.

No. 221—

New Business Tax System (Alienation of Personal Services Income) 2000.

New Business Tax System (Alienated Personal Services Income) Tax Imposition (No. 1) 2000.

New Business Tax System (Alienated Personal Services Income) Tax Imposition (No. 2) 2000.

New Business Tax System (Miscellaneous) (No. 2) 2000.

New Business Tax System (Integrity Measures) 2000.

6 July 2000—Message—

No. 222—

Product Stewardship (Oil) 2000.

Customs Tariff Amendment (Product Stewardship for Waste Oil) 2000.

Excise Tariff Amendment (Product Stewardship for Waste Oil) 2000.

Product Stewardship (Oil) (Consequential Amendments) 2000.

Youth Allowance Consolidation 2000.

No. 223—

Sales Tax (Customs) (Industrial Safety Equipment) 2000.

Sales Tax (Excise) (Industrial Safety Equipment) 2000.

Sales Tax (General) (Industrial Safety Equipment) 2000.

Sales Tax (Industrial Safety Equipment) (Transitional Provisions) 2000.

International Tax Agreements Amendment (No. 1) 2000.

Primary Industries Legislation Amendment (Vegetable Levy) 2000.

19 July 2000—Message No. 224—

Environment and Heritage Legislation Amendment 2000.

3 August 2000—Message No. 225—

Broadcasting Services Amendment (Digital Television and Datacasting) 2000.

Datacasting Charge (Imposition) Amendment 2000.

**13 MESSAGES FROM THE SENATE**

Messages from the Senate, 30 June 2000, were reported:

- (a) returning the following Bills without amendment:
  - No. 437—Appropriation (Parliamentary Departments) (No. 1) 2000-2001;
  - No. 438—Appropriation (No. 1) 2000-2001 (*without requests*);
  - No. 439—Appropriation (No. 2) 2000-2001;
- (b) returning the A New Tax System (Tax Administration) Bill (No. 2) 2000 and acquainting the House that the Senate does not insist on its amendment disagreed to by the House—Message No. 440; and
- (c) returning the New Business Tax System (Alienation of Personal Services Income) Bill 2000 and acquainting the House that the Senate does not press its requests for amendments Nos 1, 6 and 13, agrees to the amendments made by the House in place of the Senate's request for amendment No. 6, and agrees to the Bill as amended by the House at the request of the Senate—Message No. 441.

**14 CORPORATIONS AND SECURITIES—PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENT BY MEMBER**

Mr Sercombe presented the following paper:

Corporations and Securities—Parliamentary Joint Committee—Draft Financial Services Reform Bill—Report, incorporating a dissenting report, August 2000.

Ordered—That the report be printed.

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

**15 HIGHER EDUCATION FUNDING AMENDMENT BILL (NO. 1) 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—*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:

- (1) notes with concern that the Government has failed:
  - (a) to address the problems in universities which its own Cabinet submission identified, such as higher student/staff ratios, less frequent lecture and tutorial contact, the persistence of outdated technology and gaps in key areas of professional preparation, as well as eight institutions operating at a deficit, with some regional campuses at risk;
  - (b) to respond to calls from academics, scientists and the business community to increase significantly higher education research funding; and
  - (c) to produce legislation to implement its proposed changes to university research funding, due to start in six months, and legislation

to make urgently-needed changes to the Education Services for Overseas Students Act; and

- (2) calls on the Government to immediately address each of these major issues”—

Debate resumed.

Mr O'Connor addressing the House—

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## 16 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 2 p.m.

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## PAPERS

The following papers were deemed to have been presented on 14 August 2000:

A New Tax System (Family Assistance) Act—

Determination—2000 Family Assistance (Higher Amounts) (No. 2).

Guideline—2000 Child Care Benefit (Australian Resident).

A New Tax System (Family Assistance) (Administration) Act—

Determinations—2000—

Child Care Benefit (Allocation of Child Care Places).

Child Care Benefit (Breach of Conditions for Continued Approval).

Child Care Benefit (Eligibility of Child Care Services for Approval and Continued Approval).

Family Assistance (Present Value of Unpaid Amount—Interest Rate).

Rules—2000—

Child Care Benefit (Receipts).

Child Care Benefit (Record Keeping).

A New Tax System (Goods and Services Tax) Act—Determination—2000 GST-free Supply (Health Services).

Air Navigation Act—Regulations—Statutory Rules 2000 No. 217.

Airports Act—Regulations—Statutory Rules 2000 Nos 193, 195.

Australia New Zealand Food Authority Act—Regulations—Statutory Rules 2000 No. 122.

Australian Communications Authority Act—Determinations—2000—

Radiocommunications (Charges).

Telecommunications (Charges).

Telecommunications (Facility Installation Permit—Application Charge).

Telecommunications (Facility Installation Permit—Public Inquiry Charges).

- Telecommunications (Nominated Carrier Declaration Application Charge).  
Australian Communications Authority Act and Radiocommunications Act—  
Determination—2000 Radiocommunications (Interpretation).  
Australian Communications Authority Act, Radiocommunications Act,  
Radiocommunications (Receiver Licence Tax) Act and Radiocommunications  
(Transmitter Licence Tax) Act—Determination—2000 Radiocommunications  
(Definitions) (Revocation) (No. 2).  
Australian Federal Police Act—Regulations—Statutory Rules 2000 Nos 137,  
138, 139.  
Australian Hearing Services Act—Regulations—Statutory Rules 2000 No. 191.  
Australian Meat and Live-stock Industry Act—Orders—2000—  
Australian Meat and Live-stock Industry (Lamb Export to the United States of  
America).  
Australian Meat and Live-stock Industry (Live Sheep Exports to Saudi  
Arabia)—Amendment (No. 3).  
Australian Prudential Regulation Authority Act—Instrument fixing charges to  
be paid to APRA, 21 June 2000.  
Australian Sports Drug Agency Act—Order—2000 Australian Sports Drug  
Agency Drug Testing (Scheme A) Amendment (No. 2).  
Australian Tourist Commission Act—Regulations—Statutory Rules 2000 No.  
182.  
Australian War Memorial Act—Regulations—Statutory Rules 2000 No. 216.  
Australian Wine and Brandy Corporation Act—Regulations—Statutory Rules  
2000 No. 130.  
Bankruptcy Act—Regulations—Statutory Rules 2000 No. 140.  
Broadcasting Services Act—Broadcasting Services (Events) Notice No. 1 of  
1994—Amendment 2000 No. 2.  
Child Support (Assessment) Act—Regulations—Statutory Rules 2000 No. 79—  
Attachment.  
Child Support (Registration and Collection) Act—Regulations—Statutory Rules  
2000 No. 80—Attachment.  
Christmas Island Act—  
Casino Control Ordinance—Instrument of Appointment—Chairperson of the  
Casino Surveillance Authority, 27 June 2000.  
Travel Agents Act 1985 (WA) (CI)—Exemption Amendment order under  
section 6—No. 1 of 2000.  
Utilities and Services Ordinance—Determination of Fees for Electricity—No. 1  
of 2000.  
Civil Aviation Act—Civil Aviation Regulations—Civil Aviation Orders—  
Amendments—  
Part 20—2000 No. 9.

Part 39-105—2000 5, 21(3), 22(5), 23(7), 27(9), 29(5), 30(9) June, 4(2), 5(2), 6(41), 7(2), 13, 14(4), 18(6), 20(3), 21, 24(7), 25(4), 27(8), 31(6) July, 1, 3(2), 4, 8(3), 9 August.

Part 39-106—2000 23, 26(2), 27(9), 28, 30 June, 4(6), 31(4) July, 1 August.

Part 39-107—2000 30 June, 4 July.

Exemptions—2000 Nos CASA EX25, CASA EX35, CASA EX39.

Instruments—2000 Nos 235, 288, 327, 328.

Civil Aviation Regulations—Statutory Rules 2000 Nos 204, 205.

Commonwealth Electoral Act—Regulations—Statutory Rules 2000 No. 196.

Commonwealth Places (Mirror Taxes) Act—Notice 2000 5 July.

Consular Fees Act—Regulations—Statutory Rules 2000 No. 156.

Consular Privileges and Immunities Act—Determinations—2000—Consular Privileges and Immunities (Indirect Tax Concession Scheme)—Amendments Nos 1, 2.

Corporations Act—Regulations—Statutory Rules 2000 Nos 175, 206.

Customs Act—

Instruments of approval—2000 Nos CEO 22, CEO 23, CEO 24, CEO 25, CEO 26, CEO 27, CEO 28, CEO 29, CEO 30, CEO 31, CEO 32.

Notices—2000 Nos 2, 3.

Regulations—Statutory Rules 2000 Nos 141, 142, 143, 173, 174, 210, 211, 212, 213, 214, 215.

Defence Act—

Defence Force Remuneration Tribunal—Determinations—2000 Nos 6, 7, 8, 9, 10, 11, 12, 13, 14.

Determinations under section 58B—2000 Nos 20, 21, 22, 23, 24, 25.

Diesel and Alternative Fuels Grants Scheme Act—

Determinations—2000—

Diesel and Alternative Fuels Grants Scheme.

Diesel and Alternative Fuels Grants Scheme (Journeys).

Guidelines—2000 Diesel and Alternative Fuels Grants Advances Scheme.

Regulations—Statutory Rules 2000 No. 160.

Diplomatic Privileges and Immunities Act—Determinations—2000 Diplomatic Privileges and Immunities (Indirect Tax Concession Scheme)—Amendments Nos 1, 2.

Environment Protection and Biodiversity Conservation Act—Regulations—Statutory Rules 2000 No. 181.

Excise Act—

Notices—2000 Nos 2, 3.

Regulations—Statutory Rules 2000 Nos 159, 183, 209.

Export Control Act—Export Control (Orders) Regulations—Livestock Export (Merino) Orders (Amendment)—2000 No. 1.

Extradition Act—Regulations—Statutory Rules 2000 Nos 177, 178, 179.

Family Law Act—

- Regulations—Statutory Rules 2000 Nos 81 (Attachment), 207, 208.  
Rules of Court—Statutory Rules 2000 Nos 172, 190.
- Farm Household Support Act—Schemes—2000—  
Dairy Exit Program—Amendment (No. 1).  
Restart Re-establishment Grant—Amendment (No. 2).
- Federal Court of Australia Act—Rules of Court—Statutory Rules 2000 No. 189.
- Federal Magistrates Act—Rules of Court—Statutory Rules 2000 No. 171.
- Financial Management and Accountability Act—  
Determination—2000 Establishment of a special account No. 9.  
Regulations—Statutory Rules 2000 Nos 145, 200.
- Fisheries Management Act—  
Northern Prawn Fishery Management Plan 1995—Directions Nos. NPF 38, NPF 39, NPF 40, NPF 41, NPF 42, NPF 43, NPF 44.  
Temporary Orders—2000 Nos 1, 2.
- Fringe Benefits Tax Assessment Act—Regulations—Statutory Rules 2000 No. 127.
- Fuel Sales Grants Act—Regulations—Statutory Rules 2000 No. 161.
- Health Insurance Act—  
Instrument—2000—Health Insurance (Accredited Pathology Laboratories—Approval) Amendment Principles (No. 1).  
Regulations—Statutory Rules 2000 Nos 146, 147, 148.
- Higher Education Funding Act—Determinations—2000 Nos T9, T10.
- Income Tax Assessment Act 1997*—Regulations—Statutory Rules 2000 No. 128.
- International Organisations (Privileges and Immunities) Act—Regulations—Statutory Rules 2000 No. 201.
- Marine Navigation Levy Act—Regulations—Statutory Rules 2000 No. 158.
- Migration Act—  
Certificate under section 502—7(2), 27 July 2000.  
Regulations—Statutory Rules 2000 No. 192.  
Statements under section—  
33 (2)—1 January to 30 June 2000.  
48B (2)—1 January to 30 June 2000.  
345 (4)—1 January to 30 June 2000.  
351 (39)—1 January to 30 June 2000.  
417 (127)—1 January to 30 June 2000.
- Military Superannuation and Benefits Act—Regulations—Statutory Rules 2000 No. 144.
- Motor Vehicle Standards Act—  
Determination—Road Vehicle (National Standards)—2000 No. 1.  
Regulations—Statutory Rules 2000 No. 194.
- National Health Act—

Determinations—2000 Nos PB 8, PB 9, PB 10, PB 11, PB 12, PIB 8, PIB 9, PIB 10, PIB 11, PIB 12, PIB 13, PIB 14, PIB 15, PIB 16, PIB 17, PIB 18, PIB 19, PIB 20, PIB 21.

Medicare and Pharmaceutical Benefits Programs Privacy Guidelines—2000 Amendment No. 1.

Regulations—Statutory Rules 2000 No. 218.

Native Title Act—Recognition of Representative Aboriginal/Torres Strait Islander Body—2000 Nos 10, 11.

Overseas Missions (Privileges and Immunities) Act—Regulations—Statutory Rules 2000 Nos 202, 203.

Passports Act—Regulations—Statutory Rules 2000 No. 157.

Primary Industries (Customs) Charges Act—Regulations—Statutory Rules 2000 No. 131.

Primary Industries (Customs) Charges Act, Primary Industries (Excise) Levies Act and Primary Industries Levies and Charges Collection Act—Regulations—Statutory Rules 2000 No. 135.

Primary Industries (Excise) Levies Act—Regulations—Statutory Rules 2000 Nos 132, 176.

Primary Industries Levies and Charges Collection Act—Regulations—Statutory Rules 2000 No. 133.

Primary Industries Levies and Charges Collection Act and Primary Industries (Excise) Levies Act—Regulations—Statutory Rules 2000 No. 136.

Primary Industries Levies and Charges Collection Act, National Residue Survey (Customs) Levy Act and National Residue Survey (Excise) Levy Act—Regulations—Statutory Rules 2000 No. 134.

Product Grants and Benefits Administration Act—Regulations—Statutory Rules 2000 No. 162.

Product Stewardship (Oil) Act—Regulations—Statutory Rules 2000 No. 199.

Quarantine Act—

Determination—2000 No. 1.

Notice—Declaration of a Special Quarantine Zone, 13 July 2000.

Regulations—Statutory Rules 2000 No. 129.

Radiocommunications Act—

Class Licence—2000 Radiocommunications (Low Interference Potential Devices).

Determinations—2000—

Radiocommunications (Australian Space Objects) (No. 2).

Radiocommunications (Foreign Space Objects) (No. 2)

Radiocommunications (Foreign Space Objects) (No. 2)—Amendment (No. 1).

Radiocommunications (Radiocommunications Receivers) (No. 2).

Radiocommunications Licence Conditions (Amateur Licence)—Amendment (No. 2).

Standards—2000—

Radiocommunications—Amendment (No. 2).

Radiocommunications (Compliance Labelling—Cordless and Mobile Phones)—Amendment (No. 2).

Radiocommunications (Electromagnetic Radiation—Human Exposure)—Amendment (No. 2).

Radiocommunications (Receiver Licence Tax) Act—Determination—2000 Radiocommunications (Receiver Licence Tax).

Radiocommunications (Spectrum Licence Tax) Act—Determination—2000 Amendment (No. 1).

Radiocommunications (Transmitter Licence Tax) Act—Determination—2000 Radiocommunications (Transmitter Licence Tax).

Remuneration Tribunal Act—Remuneration Tribunal—Determinations—2000 Nos 3, 4, 5.

Seafarers Rehabilitation and Compensation Act—Regulations—Statutory Rules 2000 No. 198.

Social Security (International Agreements) Act—Determination—2000 Social Security International Agreements (Additional Child Amounts).

Superannuation (Productivity Benefit) Act—Declarations—Statutory Rules 2000 Nos 166, 167, 168, 169.

*Superannuation Act 1976*—Regulations—Statutory Rules 2000 No. 154.

*Superannuation Act 1990*—Regulations—Statutory Rules 2000 No. 155.

Superannuation Contributions Tax (Assessment and Collection) Act—Regulations—Statutory Rules 2000 No. 149.

Superannuation Contributions Tax (Members of Constitutionally Protected Superannuation Funds) Assessment and Collection Act—Regulations—Statutory Rules 2000 No. 150.

Superannuation Industry (Supervision) Act—Regulations—Statutory Rules 2000 Nos 151, 185.

Sydney Airport Curfew Act—Dispensations—2000 No. 8.

Taxation Administration Act—Regulations—Statutory Rules 2000 Nos 152, 184.

Rulings—2000 Nos GSTD 8, GSTR 25, GSTR 26, GSTR 28, GSTR 29, GSTR 30, GSTR 31, GSTR 32, GSTR 33, PR 88, PR 89, PR 90, TD 30.

*Telecommunications Act 1997*—

Declaration—2000 Telecommunications (Customer Cabling—Exemption).

Instruments—2000 Telecommunications Numbering Plan Amendments Nos 3, 4.

Notice—2000 Telecommunications Labelling (Customer Equipment and Cabling) Amendment (No. 1).

Regulations—Statutory Rules 2000 No. 197.

Telecommunications (Carrier Licence Charges) Act—Determination—2000 Telecommunications (Carrier Licence Application Charge).

Telecommunications (Consumer Protection and Service Standards) Act—

Determination—2000 Telstra Carrier Charges—Price Control Arrangements, Notification and Disallowance No. 1.

Standards—2000 Telecommunications (Customer Service Guarantee) (No. 2).

Telecommunications (Interception) Act—Regulations—Statutory Rules 2000 No. 180.

Telecommunications (Numbering Charges) Act—Determination—2000 Telecommunications (Amounts of Annual Charge) (No. 2).

Textile, Clothing and Footwear Strategic Investment Program Act—Textile, Clothing and Footwear Strategic Investment Program Scheme—2000 Amendment (No. 2).

Therapeutic Goods Act—Regulations—Statutory Rules 2000 Nos 123, 124.

Therapeutic Goods (Charges) Act—Regulations—Statutory Rules 2000 No. 125.

Trade Practices Act—Regulations—Statutory Rules 2000 Nos 163, 164, 186.

Tradex Scheme Act—Regulations—Statutory Rules 2000 No. 126.

Veterans' Entitlements Act—

Determination—2000 No. 11.

Instruments under section 196B—2000 Nos 15, 16, 17, 18, 19, 20.

Regulations—Statutory Rules 2000 Nos 187, 188.

Wool Tax Acts (Nos 1-5)—Regulations—Statutory Rules 2000 No. 153.

Workplace Relations Act—Regulations—Statutory Rules 2000 Nos 121, 170.



#### **ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Pyne.



**I. C. HARRIS**

Clerk of the House of Representatives