

1998-1999-2000

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 133

WEDNESDAY, 30 AUGUST 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 EDUCATION SERVICES FOR OVERSEAS STUDENTS BILL 2000**

Dr Kemp (Minister for Education, Training and Youth Affairs), pursuant to notice, presented a Bill for an Act to regulate education services for overseas students, and for related purposes.

Bill read a first time.

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

*Paper*

Dr Kemp presented an explanatory memorandum to the Bill.

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

**3 EDUCATION SERVICES FOR OVERSEAS STUDENTS (ASSURANCE FUND CONTRIBUTIONS) BILL 2000**

Dr Kemp (Minister for Education, Training and Youth Affairs) presented a Bill for an Act to impose the requirement to pay annual contributions and special levies to the ESOS Assurance Fund, and for related purposes.

Bill read a first time.

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

*Paper*

Dr Kemp presented an explanatory memorandum to the Bill.

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

**4 EDUCATION SERVICES FOR OVERSEAS STUDENTS (REGISTRATION CHARGES) AMENDMENT BILL 2000**

Dr Kemp (Minister for Education, Training and Youth Affairs) presented a Bill for an Act to amend the *Education Services for Overseas Students (Registration Charges) Act 1997*, and for related purposes.

Bill read a first time.

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

*Paper*

Dr Kemp presented an explanatory memorandum to the Bill.

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

**5 EDUCATION SERVICES FOR OVERSEAS STUDENTS (CONSEQUENTIAL AND TRANSITIONAL) BILL 2000**

Dr Kemp (Minister for Education, Training and Youth Affairs), pursuant to notice, presented a Bill for an Act to repeal the *Education Services for Overseas Students (Registration of Providers and Financial Regulation) Act 1991*, and for other purposes.

Bill read a first time.

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

*Paper*

Dr Kemp presented an explanatory memorandum to the Bill.

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

**6 MIGRATION LEGISLATION AMENDMENT (OVERSEAS STUDENTS) BILL 2000**

Dr Kemp (Minister for Education, Training and Youth Affairs), pursuant to notice, presented a Bill for an Act to amend the law relating to migration, and for related purposes.

Bill read a first time.

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

*Paper*

Dr Kemp presented an explanatory memorandum to the Bill.

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

**7 CHILD SUPPORT LEGISLATION AMENDMENT BILL (NO. 2) 2000**

Mr Anthony (Minister for Community Services), pursuant to notice, presented a Bill for an Act to amend legislation relating to child support, and for related purposes.

Bill read a first time.

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

*Paper*

Mr Anthony presented an explanatory memorandum to the Bill.

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

**8 GENE TECHNOLOGY 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.

Question—put and passed—Dr Theophanous dissenting—Bill read a second time.

*Message from the Governor-General*

Message No. 230, 14 August 2000, 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 Anthony (Minister for Community Services), the Bill was read a third time.

**9 GENE TECHNOLOGY (LICENCE CHARGES) 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—

Question—put and passed—Dr Theophanous dissenting—Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Anthony (Minister for Community Services), the Bill was read a third time.

**10 GENE TECHNOLOGY (CONSEQUENTIAL AMENDMENTS) 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—

Question—put and passed—Dr Theophanous dissenting—Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Anthony (Minister for Community Services), the Bill was read a third time.

**11 WORKPLACE RELATIONS AMENDMENT (SECRET BALLOTS FOR PROTECTED ACTION) 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 by Mr Bevis who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words:

“the House rejects the Bill, and:

(1) condemns the Government for introducing a bill which:

(a) further entrenches unfairness and bias in the industrial relations system; and

(b) further weakens opportunities for employees to organise and bargain collectively;

- (2) condemns the Government for encouraging industrial action by employers, such as lockouts; and
- (3) calls upon the Government to support amendments which:
- (a) deliver fair and equitable outcomes for all Australians;
  - (b) ensure all parties negotiate in good faith;
  - (c) provide for an independent commission with full powers to deal with all industrial matters, to prevent and resolve disputes and to act in the interests of fairness and the national interest;
  - (d) provide jobs and income security; and
  - (e) provide a framework of rights and responsibilities for employers and employees, and their organisations, which supports fair and effective bargaining and ensures that they abide by awards and agreements applying to them”.

Debate continued.

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

The House divided (the Deputy Speaker, Mr Hawker, 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*	Mr Somlyay
Mr Anthony	Mr Forrest*	Mr I. E. Macfarlane	Dr Southcott
Fran Bailey	Mrs Gallus	Mr McGauran	Dr Stone
Mr Baird	Ms Gambaro	Mrs May	Mrs Sullivan
Mr Barresi	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 Hockey	Dr Nelson	Mrs D. S. Vale
Mr Brough	Mrs Hull	Mr Neville	Mr Wakelin
Mr Cadman	Mr Jull	Mr Nugent	Dr Washer
Mr Cameron	Mr Katter	Mr Prosser	Mr Williams
Mr Causley	Mrs D. M. Kelly	Mr Reith	Dr Wooldridge
Mr Charles	Jackie Kelly	Mr Ronaldson	Ms Worth
Mr Costello	Dr Kemp	Mr Ruddock	
Mrs Draper	Mr Lawler	Mr St Clair	
Mrs Elson	Mr Lieberman	Mr Schultz	

## NOES, 59

Mr Adams	Mr Fitzgibbon	Ms Livermore	Mr Price
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
Ms Corcoran	Ms Hall	Mr McLeay	Mr Sawford*
Mr Cox	Mr Hatton	Mr McMullan	Mr Sciacca
Mr Crean	Ms Hoare	Dr Martin	Mr Sercombe*
Mrs Crosio	Mr Horne	Mr Melham	Mr Sidebottom
Mr Danby	Mrs Irwin	Mr Morris	Mr Smith
Mr Edwards	Mr Jenkins	Mr Mossfield	Mr Snowdon
Ms Ellis	Ms Kernot	Mr Murphy	Mr Swan
Mr Emerson	Mr Kerr	Ms O'Byrne	Mr Tanner
Mr M. J. Evans	Mr Latham	Mr O'Connor	Mr K. J. Thomson
Mr L. D. T. Ferguson	Dr Lawrence	Mr O'Keefe	Mr Zahra
Mr M. J. Ferguson	Mr Lee	Ms Plibersek	

\* Tellers

*Pairs*

Mr Howard	Mr Beazley
Mr Downer	Mr Brereton
Mr M. A. J. Vaile	Mr Byrne

And so it was resolved in the affirmative.

Question—That the Bill be now read a second time—put.

The House divided (the Deputy Speaker, Mr Hawker, 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*	Mr Somlyay
Mr Anthony	Mr Forrest*	Mr I. E. Macfarlane	Dr Southcott
Fran Bailey	Mrs Gallus	Mr McGauran	Dr Stone
Mr Baird	Ms Gambaro	Mrs May	Mrs Sullivan
Mr Barresi	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 Hockey	Dr Nelson	Mrs D. S. Vale
Mr Brough	Mrs Hull	Mr Neville	Mr Wakelin
Mr Cadman	Mr Jull	Mr Nugent	Dr Washer
Mr Cameron	Mr Katter	Mr Prosser	Mr Williams
Mr Causley	Mrs D. M. Kelly	Mr Reith	Dr Wooldridge
Mr Charles	Jackie Kelly	Mr Ronaldson	Ms Worth
Mr Costello	Dr Kemp	Mr Ruddock	
Mrs Draper	Mr Lawler	Mr St Clair	
Mrs Elson	Mr Lieberman	Mr Schultz	

## NOES, 60

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

\* Tellers

*Pairs*

Mr Howard	Mr Beazley
Mr Downer	Mr Brereton
Mr M. A. J. Vaile	Mr Byrne

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Reith (Minister for Employment, Workplace Relations and Small Business), the Bill was read a third time.

## 12 FAMILY LAW 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.

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

## 13 QUESTIONS

Questions without notice were asked.

## 14 PAPER

The following paper was presented:

Airservices Australia—Sydney Airport—Maximum movement limit compliance statement for the period 1 April to 30 June 2000.

**15 LEAVE OF ABSENCE TO MEMBER**

Mr Beazley (Leader of the Opposition) moved—That leave of absence for the remainder of the current period of sittings be given to Mr Hollis on the ground of public business overseas.

Question—put and passed.

**16 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—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 failure of the policies of the Howard Government to enhance fairness, equity and social justice in education”.

The proposed discussion having received the necessary support—

Mr Lee addressed the House.

Discussion ensued.

Discussion concluded.

**17 TRADE PRACTICES AMENDMENT (INTERNATIONAL LINER CARGO SHIPPING) BILL 2000—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the Bill had been fully considered by the Main Committee and agreed to with amendments (*see item No. 1, Minutes of Proceedings of the Main Committee*), and presented a certified copy of the Bill together with a schedule of amendments.

Amendments made by the Main Committee agreed to.

Bill, as amended, agreed to.

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

**18 PROTECTION OF THE SEA (CIVIL LIABILITY) AMENDMENT BILL 2000—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 Mr Entsch (Parliamentary Secretary to the Minister for Industry, Science and Resources), by leave, the Bill was read a third time.

**19 CUSTOMS TARIFF PROPOSAL**

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) moved Customs Tariff Proposal No. 6 (2000).

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

**20 FAMILY LAW 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.

*Paper*

Mr Price, by leave, presented the following paper:

Bureau of Crime Statistics and Research—Domestic Violence in New South Wales—Apprehended violence orders granted in 1998.

Debate continued.

Mr Williams (Attorney-General) 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.

**21 ADJOURNMENT**

Mr Williams (Attorney-General) moved—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.

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**PAPERS**

The following papers were deemed to have been presented on 30 August 2000:

Air Services Act—Instrument—No. M26/2000.

Christmas Island Act—List of Western Australian Acts for period 11 March to 25 August 2000.

Cocos (Keeling) Islands Act—List of Western Australian Acts for period 11 March to 25 August 2000.

Defence Act—Determination under section 58B—2000 No. 26.

Financial Management and Accountability Act—Determinations to establish a special account—2000 Nos 11, 12, 13.

Migration Act—Certificates under section 502—15(3) August 2000.

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**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Brereton, Mr Byrne, Mr Downer, Mr Hollis\*, Mr Pyne, Mr Quick, Mr Scott, Mr M. A. J. Vaile and Mr Wilkie.

\* On leave

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**I. C. HARRIS**

Clerk of the House of Representatives

1998-1999-2000

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

No. 133

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

**WEDNESDAY, 30 AUGUST 2000**

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1 The Main Committee met at 9.40 a.m.

**2 MEMBERS' STATEMENTS**

Members' statements were made.

**3 TRADE PRACTICES AMENDMENT (INTERNATIONAL LINER CARGO SHIPPING) 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 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 condemns the Government for its lack of support for the Australian coastal shipping industry thereby:

- (1) neglecting Australia's national interests;
- (2) risking our maritime safety and marine environment; and
- (3) disregarding the importance of a stable, efficient and effective Australian Merchant Marine given the political instability in our region”.

Debate continued.

Amendment negatived.

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 Anderson (Minister for Transport and Regional Services), by leave, Government amendments (1) to (6), were made together, after debate.

*Paper*

Mr Anderson presented a supplementary explanatory memorandum to the Bill.

Bill, as amended, agreed to.

Consideration in detail concluded.

Ordered—That the Bill be reported to the House with amendments.

#### 4 PROTECTION OF THE SEA (CIVIL LIABILITY) 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 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 condemns the Government for not requiring ship owners to demonstrate that they have adequate insurance cover on entry to Australian waters, and thereby not taking adequate steps to safeguard Australia’s marine environment”.

Debate continued.

Amendment negatived.

Question—That the Bill be now read a second time—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 STANDING COMMITTEE ON EMPLOYMENT, EDUCATION AND WORKPLACE RELATIONS—MOTION TO TAKE NOTE OF PAPER

The order of the day having been read for the resumption of the debate on the motion of Dr Nelson—That the House take note of the paper (*presented on 14 August 2000*), viz.:

Standing Committee on Employment, Education and Workplace Relations—Report—Age Counts: Issues specific to mature-age workers—Final report, August 2000—

Debate resumed.

Mr Bartlett 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.

#### 6 ADJOURNMENT

On the motion of Mr K. J. Andrews, the Main Committee adjourned at 1.01 p.m.

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

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**B. C. WRIGHT**

Clerk of the Main Committee