

1998-1999-2000

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 141

THURSDAY, 5 OCTOBER 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 **HORTICULTURE MARKETING AND RESEARCH AND DEVELOPMENT SERVICES BILL 2000**

Mr Truss (Minister for Agriculture, Fisheries and Forestry), pursuant to notice, presented a Bill for an Act to reform the provision of marketing, research and development services to the horticultural industry, and for related purposes.

Bill read a first time.

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

*Paper*

Mr Truss presented an explanatory memorandum to the Bill.

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

3 **HORTICULTURE MARKETING AND RESEARCH AND DEVELOPMENT SERVICES (REPEALS AND CONSEQUENTIAL PROVISIONS) BILL 2000**

Mr Truss (Minister for Agriculture, Fisheries and Forestry), pursuant to notice, presented a Bill for an Act to deal with matters consequential on the enactment of the *Horticulture Marketing and Research and Development Services Act 2000*, and for related purposes.

Bill read a first time.

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

*Paper*

Mr Truss presented an explanatory memorandum to the Bill.

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

**4 NATIONAL CRIME AUTHORITY—PARLIAMENTARY JOINT COMMITTEE**

The House was informed that the Chief Government Whip had nominated Mr Schultz to be a member of the Parliamentary Joint Committee on the National Crime Authority in place of Mr Somlyay.

Mr McGauran (Minister for the Arts and the Centenary of Federation), by leave, moved—That Mr Somlyay be discharged from the Parliamentary Joint Committee on the National Crime Authority and that, in his place, Mr Schultz be appointed a member of the committee.

Question—put and passed.

**5 WORKPLACE RELATIONS AMENDMENT (AUSTRALIAN WORKPLACE AGREEMENTS PROCEDURES) 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.

The House divided (the Deputy Speaker, Mrs Gash, in the Chair)—

AYES, 72

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

## NOES, 65

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

\* Tellers

*Pairs*

Mr Howard	Mr Beazley
Mr Ruddock	Mr Hollis
Mr M. A. J. Vaile	Mr Morris

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.

## 6 INDIGENOUS EDUCATION (TARGETED ASSISTANCE) 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 Lee 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) notes the major disparity between the educational outcomes for indigenous Australians and the general population;
- (2) calls for a renewed commitment from governments and education providers to address this disparity; and
- (3) condemns the Government for:
  - (a) misleading the public by wrongly claiming the National Indigenous Literacy and Numeracy Strategy contained additional funding; and

- (b) providing incorrect funding figures for indigenous education in the Budget Papers.”.

Debate continued.

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.

## 7 QUESTIONS

Questions without notice being asked—

*Paper*

Mr Fahey (Minister for Finance and Administration) presented the following paper:

Should Telstra Spin-Off its Network Business?—Article published in *Macquarie Research Equities*, Volume 30, 8 September 2000.

Questions without notice continued.

## 8 PRIVILEGE—STATEMENT BY SPEAKER

The Speaker referred to the matter of privilege raised by Mr Brereton on 3 October 2000 in connection with the execution of a search warrant on the home of an adviser on 16 September.

The Speaker said that the warrant had been issued under the Crimes Act and authorised certain actions. The Speaker said that while he understood the Member's concerns and his claim that the execution of the warrant had meant that officers involved had seen confidential material relating to his parliamentary duties, he had seen no evidence that improper interference, as required by section 4 of the Parliamentary Privileges Act, had occurred. Accordingly, he was not able to allow precedence to a motion on the matter.

*Papers*

The Speaker presented the following papers:

Letters from—

Mr Beazley (Leader of the Opposition) to Speaker, 18 September 2000.

Speaker to Mr Beazley, 22 September.

Mr Beazley to Speaker, 29 September.

Search Warrant—Copy of warrant issued to Federal Agent, 12 September 2000.

Privileges—House of Representatives Standing Committee—Report concerning the execution of a search warrant on the electorate office of Mr E. H. Cameron, MP, October 1995.

## 9 SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED

Mr Beazley (Leader of the Opposition) moved—That so much of the standing and sessional orders be suspended as would prevent the Leader of the Opposition moving forthwith—That the House expresses its deep concern at the search by federal agents and security officers of the home of Dr Philip Dorling, adviser to the Hon. L. J. Brereton, MP, on Saturday, 16 September; and that the

same matter be referred by the House to the Standing Committee of Privileges, in the following terms:

Whether a breach of privilege was committed in connection with the execution of a search warrant on the home of Dr Philip Dorling, adviser to the Hon. L. J. Brereton, MP, on Saturday, 16 September.

*Closure*

Mr Reith (Minister for Employment, Workplace Relations and Small Business) 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, 74

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

## NOES, 66

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

\* Tellers

*Pairs*

Mr Ruddock	Mr Hollis
Mr M. A. J. Vaile	Mr Edwards

And so it was resolved in the affirmative.

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

## NOES, 74

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

\* Tellers

*Pairs*

Mr Ruddock	Mr Hollis
Mr M. A. J. Vaile	Mr Edwards

And so it was negatived.

**10 PRIVILEGE—STATEMENT BY SPEAKER**

The Speaker referred to the further raising by Mr Kerr, on 3 October, of an issue of privilege in respect of a Mr W. Sievers, who had appeared before the Joint Standing Committee on Foreign Affairs, Defence and Trade in November 1999 (*see item No. 5, Votes and Proceedings No. 89, 15 February 2000 and item No. 8, Votes and Proceedings No. 98, 15 March 2000*).

The Speaker said that while Mr Kerr had informed the House of further developments in relation to Mr Sievers, and while the protection of committee witnesses was most important, as far as he could see no new information concerning any issue of privilege had been presented. He said, however, that if the Joint Committee wished to present further information, he would consider it.

*Paper*

The Speaker presented the following paper:

Federal Police investigate one of their own over leaks—*Transcript of 7.30 Report*, 28 September 2000.

**11 PAPERS**

The following papers were presented:

Aboriginal Land Commissioner—Report for 1999–2000.

Centrelink—Report—Compliance activity for Family and Community Services 1999–2000.

Foreign Affairs, Defence and Trade—Joint Standing Committee—Visit of the Defence Sub-Committee to Defence Establishments in Northern Australia, 26–29 July 1999—Report—Government response, October 2000.

Public Lending Right Committee—Report for 1999–2000.

Royal Australian Mint—Report for 1999–2000.

Treaties—Joint Standing Committee—Reports—

25th—Eight treaties tabled on 11 August 1999—Government response, October 2000.

29th—Singapore’s use of Shoalwater Bay, development cooperation with PNG and protection of new varieties of plants—Government response, October 2000.

**12 PAPER—MOTION TO TAKE NOTE OF PAPER**

Mr Reith (Minister for Employment, Workplace Relations and Small Business) moved—That the House take note of the following paper:

Aboriginal Land Commissioner—Report for 1999–2000.

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

**13 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—SCHOOL FUNDING POLICY**

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 widespread community concern about the Howard Government’s new school funding policy”.

The proposed discussion having received the necessary support—

Mr Lee addressed the House.

Discussion ensued.

Discussion concluded.

**14 HEALTH INSURANCE AMENDMENT (RURAL AND REMOTE AREA MEDICAL PRACTITIONERS) 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 Dr Stone (Parliamentary Secretary to the Minister for the Environment and Heritage), by leave, the Bill was read a third time.

**15 MESSAGES FROM THE SENATE**

Messages from the Senate, 5 October 2000, were reported returning the following Bills without amendment:

Message—

No. 458—Petroleum Excise Amendment (Measures to Address Evasion) 2000.

No. 459—Criminal Code Amendment (United Nations and Associated Personnel) 2000.

**16 INDIGENOUS EDUCATION (TARGETED ASSISTANCE) 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—*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 the major disparity between the educational outcomes for indigenous Australians and the general population;
- (2) calls for a renewed commitment from governments and education providers to address this disparity; and
- (3) condemns the Government for:
  - (a) misleading the public by wrongly claiming the National Indigenous Literacy and Numeracy Strategy contained additional funding; and
  - (b) providing incorrect funding figures for indigenous education in the Budget Papers”—

Debate resumed.

Debate adjourned (Ms Worth—Parliamentary Secretary to the Minister for Education, Training and Youth Affairs), and the resumption of the debate made an order of the day for the next sitting.

**17 ADJOURNMENT**

Dr Stone (Parliamentary Secretary to the Minister for the Environment and Heritage) 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 next at 12.30 p.m.

**PAPERS**

The following papers were deemed to have been presented on 5 October 2000:

Customs Act—Instruments of approval—2000 Nos CEO 50, CEO 51, CEO 52, CEO 53, CEO 54.

Defence Act—Defence Force Remuneration Tribunal—Determinations—2000 Nos 18, 19.

Radiocommunications Act—Determinations—2000 Radiocommunications  
(Certificates—27GHz Band).

Wildlife Protection (Regulation of Exports and Imports) Act—Declaration  
under section 9—Amendment to Schedule 4, 28 September 2000.



**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Anderson, Mr  
K. J. Andrews, Mr Hollis\*, Mr Ruddock and Mr M. A. J. Vaile.

\* On leave



**I. C. HARRIS**

Clerk of the House of Representatives

1998-1999-2000

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

No. 141

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

**THURSDAY, 5 OCTOBER 2000**

---

---

1 The Main Committee met at 9.40 a.m.

**2 MEMBERS' STATEMENTS**

Members' statements were made.

**3 HEALTH INSURANCE AMENDMENT (RURAL AND REMOTE AREA MEDICAL PRACTITIONERS) 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.

---

*Suspension of sitting*

At 11.35 a.m., a division having been called in the House, the proceedings were suspended.

*Resumption of sitting*

At 11.46 a.m., the proceedings were resumed.

---

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 CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) 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 by Mr McClelland, 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:

- (a) not proceeding with the NVE classification; and
- (b) delaying the implementation of classification reform restricting the availability of violent and demeaning material currently permitted within the X classification”.

Debate continued.

---

## 5 ADJOURNMENT

It being approximately 12.30 p.m.—The question was proposed—That the Main Committee do now adjourn.

Debate ensued.

At 12.54 p.m. the Deputy Speaker adjourned the Main Committee until a date and time to be fixed.

---

---

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