

1998-1999-2000

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 150

MONDAY, 6 NOVEMBER 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 **ECONOMICS, FINANCE AND PUBLIC ADMINISTRATION—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER**

Mr Hawker (Chair) presented the following papers:

Economics, Finance and Public Administration—Standing Committee—Review of the Australian Prudential Regulation Authority: Who will guard the guardians?—

Report, October 2000.

Minutes of proceedings.

Ordered—That the report be printed.

Mr Hawker, Ms Burke, Ms Gambaro and Dr Southcott made statements in connection with the report.

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

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

Mr Hawker 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 **RESTAURANT AND CAFÉ INDUSTRY**

Ms Gambaro, pursuant to notice, moved—That this House:

- (1) recognises that the restaurant and café industry makes a significant contribution to the Australian economy, having an estimated gross profit of \$3.3 billion and employing over 188 000 Australians;
- (2) acknowledges the contribution the restaurant and café industry makes to Australia's tourism income, with visitors spending an average \$328 on food during their stay in Australia; and

- (3) recognises the importance placed on the apprenticeship scheme by the Government, increasing the positions available in traineeships, and noting its beneficial impact for training in the restaurant industry.

Debate ensued.

The time allotted for the debate having expired, the debate was interrupted, the resumption of the debate made an order of the day for the next sitting, and Mr Gibbons was granted leave to continue his speech when the debate is resumed.

#### 4 SUSPENSION OF STANDING AND SESSIONAL ORDERS—PRIVATE MEMBERS' BUSINESS

Ms Worth (Parliamentary Secretary to the Minister for Education, Training and Youth Affairs), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent Notice No. 2, private Members' business, given by Mr Latham and accorded priority for Monday, 6 November 2000, being moved in his absence by Mr Ripoll.

Question—put and passed.

#### 5 INTERNET VOTING

Mr Ripoll, for Mr Latham, pursuant to notice, moved—That this House:

- (1) recognises the potential of Internet democracy as a way of fostering greater public participation in politics and rebuilding public trust in democratic processes;
- (2) notes the US experience in conducting elections through Internet voting, plus the development of mass participation in Internet polls;
- (3) notes the strong interest of the Australian Electoral Commission in the development of Internet voting; and
- (4) recognises the need to reform representative democracy and create a charter of issues and governmental responsibilities determined by direct democracy.

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 C. P. Thompson 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 being asked—

*Paper*

Mr Howard (Prime Minister) presented the following paper:

Allegations published in *The Courier Mail* concerning electoral fraud in Queensland in the 1987 Federal election—Copy of letter from Mr Howard to Mr Peter Beattie, Premier of Queensland, 6 November 2000.

Questions without notice continued.

#### 8 PRIVILEGE—COMPLAINT OF BREACH

Mr Hawker raised, as a matter of privilege, the publication in *Time* magazine of an article which dealt with matters presently under consideration by the Defence subcommittee of the Joint Standing Committee on Foreign Affairs, Defence and Trade, and which appeared to reveal confidential information. Mr Hawker further stated that the matter would be considered by the subcommittee and the full committee and he would report the outcome to the House.

##### *Paper*

Mr Hawker, by leave, presented the following paper:

“Attacking the Flaws”—Article published in *Time* magazine, 6 November 2000.

The Speaker stated that he would await the results of the committee’s deliberations.

#### 9 PETITIONS

Petitions lodged for presentation were announced.

#### 10 HYDROGEN ECONOMY

Mr Charles, pursuant to notice, moved—That this House encourages the Australian research and development community, both public and private, and the motor vehicle manufacturing industry to move as rapidly as possible to embrace the emerging hydrogen economy and to place Australia at the forefront of the development of hydrogen as an energy carrier to replace carbon and commends General Motors for its “HydroGen 1” hydrogen fuel electric car.

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.

#### 11 OPTIONAL PROTOCOL TO THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

Mrs Crosio, pursuant to notice, moved—That this House:

- (1) congratulates the countries of Argentina, Austria, Belgium, Benin, Bolivia, Bulgaria, Chile, Colombia, Costa Rica, Croatia, Cuba, Czech Republic, Denmark, Dominican Republic, Ecuador, Finland, France, Germany, Ghana, Greece, Iceland, Indonesia, Italy, Liechtenstein, Luxembourg, Mexico, Namibia, The Netherlands, Norway, Panama, Paraguay, The Philippines, Portugal, Senegal, Slovakia, Slovenia, Spain, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Uruguay and Venezuela for being signatories to the Optional Protocol to the United Nations Convention on the Elimination of all forms of Discrimination Against Women (CEDAW);

- (2) recognises the CEDAW as the only woman specific human rights mechanism at the international level;
- (3) recognises that the Optional Protocol to the CEDAW is a major step forward in realising Governments' commitments with regard to women's human rights;
- (4) recognises that the Optional Protocol to the CEDAW creates procedures for the United Nations to promote the enjoyment of human rights to all women and the world-wide elimination of discrimination against women;
- (5) recognises that signatories to the Optional Protocol to the CEDAW reject all forms of injustice and systemic discrimination suffered by women world-wide;
- (6) recognises that the Optional Protocol provides a significant opportunity for women who have suffered from discrimination to seek justice through the United Nations;
- (7) expresses concern at the significantly diminished role Australia is playing in the negotiations of the Optional Protocol to the CEDAW and the low priority given to the Optional Protocol by the Howard Government;
- (8) calls on the Howard Government to take an active role in the negotiation process and to promote a speedy ratification of the Optional Protocol; and
- (9) calls on the Howard Government to have Australia become a signatory to the Optional Protocol to the CEDAW.

Debate ensued.

The time allotted for private Members' business having expired, the debate was interrupted, the resumption of the debate made an order of the day for the next sitting, and Mrs D. M. Kelly was granted leave to continue her speech when the debate is resumed.

## 12 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.

*Paper*

Mr Kerr, by leave, presented the following paper:

Commonwealth v Malcolm Colston—Copy of letter and submission from Mr Kerr to Mr Damian Bugg QC, Director of Public Prosecutions, 6 November 2000.

Debate continued.

Question—That grievances be noted—put and passed.

## 13 COMMITTEES—MEMBERSHIP

The House was informed that the Chief Government Whip had nominated Members to be members of certain committees.

Mr Abbott (Minister for Employment Services), by leave, moved—That:

- (1) Mr Nairn be discharged from the Joint Standing Committee on Electoral Matters and that, in his place, Mr Pyne be appointed a member of the committee; and
- (2) Mr Pyne be discharged from the Standing Committee on Procedure and that, in his place, Mr Nairn be appointed a member of the committee.

Question—put and passed.

#### 14 MESSAGES FROM THE SENATE

Messages from the Senate were reported returning the following Bills without amendment:

2 November 2000—

No. 477—Patents Amendment (Innovation Patents) 2000.

No. 478—Veterans' Affairs Legislation Amendment (No. 1) 2000.

No. 480—Criminal Code Amendment (Theft, Fraud, Bribery and Related Offences) 1999.

6 November 2000—

No. 481—Health Insurance Amendment (Rural and Remote Area Medical Practitioners) 2000.

No. 482—Family and Community Services (2000 Budget and Related Measures) 2000.

#### 15 MESSAGE FROM THE SENATE—NATIONAL CRIME AUTHORITY AMENDMENT BILL 2000

Message No. 479, 2 November 2000, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend the *National Crime Authority Act 1984*, and for other purposes.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting.

#### 16 TAXATION LAWS AMENDMENT BILL (NO. 8) 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 Crean (Deputy Leader of the Opposition), 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, noting the serious impact of the taxation regime on Australian households, calls on the Government to remove the effect of the GST from the fuel excise indexation adjustment in February 2001”—

Debate resumed.

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

The House divided (the Deputy Speaker, Mr K. J. Andrews, in the Chair)—

AYES, 74

Mr Abbott	Mr Fahey	Mr Lindsay	Mr Scott
Mr Anderson	Mr Fischer	Mr Lloyd	Mr Secker
Mr Anthony	Mr Forrest*	Mr McArthur*	Mr Slipper
Fran Bailey	Mrs Gallus	Mr I. E. Macfarlane	Mr Somlyay
Mr Baird	Ms Gambaro	Mr McGauran	Dr Southcott
Mr Barresi	Mrs Gash	Mrs May	Dr Stone
Mr Bartlett	Mr Georgiou	Mrs Moylan	Mrs Sullivan
Mr Billson	Mr Haase	Mr Nairn	Mr C. P. Thompson
Mrs B. K. Bishop	Mr Hardgrave	Mr Nehl	Mr A. P. Thomson
Ms J. I. Bishop	Mr Hawker	Dr Nelson	Mr Tuckey
Mr Brough	Mr Hockey	Mr Neville	Mr M. A. J. Vaile
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	Dr Kemp	Mr Ruddock	Ms Worth
Mrs Elson	Mr Lawler	Mr St Clair	
Mr Entsch	Mr Lieberman	Mr Schultz	

NOES, 61

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

\* Tellers

*Pairs*

Mr Howard                      Mr Beazley

And so it was resolved in the affirmative.

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

*Message from the Governor-General*

Message No. 258, 1 November 2000, from His Excellency the Governor-General was announced recommending an appropriation for the purpose of amendments to the Bill.

*Consideration in detail*

Bill, by leave, taken as a whole.

Mr Crean moved the Opposition amendment.

Debate continued.

Question—That the amendment be agreed to—put.

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

AYES, 60

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

## NOES, 75

Mr Abbott	Mrs Elson	Mr Lawler	Mr St Clair
Mr Anderson	Mr Entsch	Mr Lieberman	Mr Schultz
Mr K. J. Andrews	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	Mrs Moylan	Mrs Sullivan
Mrs B. K. Bishop	Mr Haase	Mr Nairn	Mr C. P. Thompson
Ms J. I. Bishop	Mr Hardgrave	Mr Nehl	Mr A. P. Thomson
Mr Brough	Mr Hawker	Dr Nelson	Mr Tuckey
Mr Cadman	Mr Hockey	Mr Neville	Mr M. A. J. Vaile
Mr Cameron	Mrs Hull	Mr Nugent	Mrs D. S. Vale
Mr Causley	Mr Jull	Mr Prosser	Mr Wakelin
Mr Charles	Mr Katter	Mr Pyne	Dr Washer
Mr Costello	Mrs D. M. Kelly	Mr Reith	Mr Williams
Mr Downer	Jackie Kelly	Mr Ronaldson	Ms Worth
Mr Draper	Dr Kemp	Mr Ruddock	

\* Tellers

*Pairs*

Mr Howard                      Mr Beazley

And so it was negatived.

*Paper*

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) presented a supplementary explanatory memorandum to the Bill.

On the motion of Mr Slipper, by leave, Government amendments (1) to (7) were made together, after debate.

Bill, as amended, agreed to.

Consideration in detail concluded.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Slipper, the Bill was read a third time.

**17 PRIVACY AMENDMENT (PRIVATE SECTOR) 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 having been resumed by Mr McClelland—

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## 18 ADJOURNMENT

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

Debate ensued.

The House continuing to sit until 11 p.m.—The Speaker adjourned the House until tomorrow at 2 p.m.

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## PAPERS

The following papers were deemed to have been presented on 6 November 2000:

Australian Communications Authority Act and Radiocommunications Act—Radiocommunications (Interpretation) Amendment (No. 1).

Australian Maritime College Act—Statute 2000 No. 13.

Australian Meat and Live-stock (Quotas) Act—Regulations—Statutory Rules 2000 No. 286.

Civil Aviation Act—Civil Aviation Regulations—Airworthiness Directives—

Part 39-105—2000 11, 16(20), 17(12), 20(4), 23(2), 24(3), 25 October.

Part 39-106—2000 20(2), 23 October.

Civil Aviation Amendment Order—2000 No. 17.

Exemptions—2000 Nos CASA EX43, CASA EX45.

Statutory Rules 2000 Nos 294, 295, 296.

Customs Act—Regulations—Statutory Rules 2000 No. 287.

Excise Act—Regulations—Statutory Rules 2000 No. 297.

Financial Transaction Reports Act—Regulations—Statutory Rules 2000 No. 288.

Health Insurance Act—Regulations—Statutory Rules 2000 Nos 290, 291, 292, 293.

Occupational Health and Safety (Commonwealth Employment) Act—Regulations—Statutory Rules 2000 No. 289.

Product Grants and Benefits Administration Act—Regulations—Statutory Rules 2000 No. 298.

Radiocommunications Act—Determinations—2000—

Radiocommunications Licence Conditions (Fixed Licence) Amendment (No. 2).

Radiocommunications Licence Conditions (Maritime Coast Licence) Amendment (No. 1).

Radiocommunications Licence Conditions (Outpost Licence) Amendment No. 1.

*Telecommunications Act 1997*—Instruments—2000 Telecommunications Numbering Plan Amendments Nos 5, 6, 7.

Telecommunications (Consumer Protection and Service Standards) Act—  
Determination—2000 Telecommunications (Emergency Call Service)  
Amendment (No. 1).

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**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Hollis\*, Mr Latham, Mr O'Keefe and Dr Theophanous.

\* On leave

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**I. C. HARRIS**

Clerk of the House of Representatives