

1998-1999-2000

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 154

MONDAY, 27 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 PRIVILEGE—COMPLAINT OF BREACH**

Mr Cox, by indulgence, referred to the matter of privilege raised by him on 8 November 2000 relating to the alleged unauthorised disclosure of the Joint Committee of Public Accounts and Audit deliberations on IT outsourcing.

Mr Cox stated that subsequent inquiries indicated that there was no substance to the matter raised and he apologised for any time spent on consideration.

**3 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENTS BY MEMBERS**

Ms Burke presented the following paper:

Australian Parliamentary Delegation to the 21st AIPO General Assembly, Singapore, 10 to 15 September 2000—Report, October 2000.

Ms Burke and Dr Nelson made statements in connection with the report.

**4 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER**

Mr Nugent (Chair) presented the following papers:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Conviction with compassion: A report on freedom of religion and belief—

Report, November 2000.

Evidence received by the committee.

Minutes of proceedings.

Ordered—That the report be printed.

Mr Nugent, Mr Snowdon, Mr Baird, Mrs Moylan and Mr Price made statements in connection with the report.

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

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

Mr Nugent 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.

#### **5 AUDITOR OF PARLIAMENTARY ALLOWANCES AND ENTITLEMENTS BILL 2000**

Mr Beazley (Leader of the Opposition), pursuant to notice, presented a Bill for an Act to establish the office of Auditor of Parliamentary Allowances and Entitlements, and for related purposes.

Mr Beazley made a statement in relation to the Bill.

*Paper*

Mr Beazley presented an explanatory memorandum to the Bill.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting, in accordance with sessional order 104A.

#### **6 HORTICULTURAL INDUSTRY**

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

- (1) recognises the contribution to Australia's export earnings of the Australian horticultural industry and its potential for future growth;
- (2) notes that recent shortfalls in horticultural labour have caused delays in harvesting crops and, in some cases, spoilage of the harvest;
- (3) acknowledges the need for the horticultural industry to have access to an adequate labour force;
- (4) promotes recognition of the National Harvest Trail to encourage Australians to take on harvest work in different regions throughout the year;
- (5) facilitates promotion of the Harvest Trail in domestic and international publications;
- (6) commends the report by the National Harvest Trail Working Group entitled "Harvesting Australia"; and
- (7) calls on the Government to take up the recommendations of the report.

Debate ensued.

Mrs Gallus, by leave, again addressed the House without closing the debate.

At 1.45 p.m., the time allotted for the debate having expired, the debate was interrupted in accordance with standing order 106A, Mrs Gallus was granted leave to continue her speech when the debate is resumed, and the resumption of the debate was made an order of the day for the next sitting.

#### **7 MEMBERS' STATEMENTS**

Members' statements were made.

## 8 DEATH OF FORMER MEMBER (MR C H WEBB)

The Speaker informed the House of the death, on Wednesday, 15 November 2000, of Mr Charles Harry Webb, a Member of this House for the Division of Swan from 1954 to 1955, and for the Division of Stirling from 1955 to 1958 and 1961 to 1972.

As a mark of respect to the memory of the deceased all Members present stood, in silence.

## 9 QUESTIONS

Questions without notice being asked—

*Paper*

Mr Costello (Treasurer) presented the following paper:

The *Sydney Morning Herald* is Wrong—Treasury Press Release, Ted Evans, Secretary to the Treasury, 24 November 2000.

Questions without notice continued.

## 10 PETITIONS

Petitions lodged for presentation were announced.

## 11 CASUAL EMPLOYMENT

Mr Sawford, pursuant to notice, moved—That this House acknowledges the grave dangers inherent in the dramatic rise of precarious casual employment in Australia.

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.

## 12 RAIL

Mr St Clair, pursuant to notice, moved—That this House:

- (1) recognises the importance of an efficient and well networked rail system to the Australian economy;
- (2) urges private and government capital investment to ensure more freight is carried by rail to reduce the extent of road transport as an issue of public road safety; and
- (3) applauds the initiative of the Government in the abolition of diesel fuel excise for rail use as a significant element in the reduction of rail freight cost thereby encouraging greater use of rail.

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.

**13 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.

**14 MESSAGE FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS**

A message from His Excellency the Governor-General was announced informing the House that His Excellency, in the name of Her Majesty, had assented to the following Bills:

13 November 2000—Message No. 261—

Higher Education Funding Amendment (No. 1) 2000.

Telecommunications (Universal Service Levy) Amendment 2000.

Social Security and Veterans' Entitlements Legislation Amendment (Private Trusts and Private Companies—Integrity of Means Testing) 2000.

**15 ENVIRONMENT AND HERITAGE—STANDING COMMITTEE**

The House was informed that the Chief Opposition Whip had nominated Ms Corcoran to be a member of the Standing Committee on Environment and Heritage in place of Dr Lawrence.

Mr Ruddock (Minister for Immigration and Multicultural Affairs), by leave, moved—That Dr Lawrence be discharged from the Standing Committee on Environment and Heritage and that, in her place, Ms Corcoran be appointed a member of the committee.

Question—put and passed.

**16 MESSAGE FROM THE SENATE—VETERANS' AFFAIRS LEGISLATION AMENDMENT (BUDGET MEASURES) BILL 2000**

A message from the Senate was reported returning the following Bill with a requested amendment:

27 November 2000—Message No. 491—Veterans' Affairs Legislation Amendment (Budget Measures) 2000.

Ordered—That the requested amendment be considered at the next sitting.

**17 MESSAGE FROM THE SENATE—STATES GRANTS (PRIMARY AND SECONDARY EDUCATION ASSISTANCE) BILL 2000**

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

10 November 2000—Message No. 490—States Grants (Primary and Secondary Education Assistance) 2000.

Ordered—That the requested amendments be considered forthwith.

Dr Kemp (Minister for Education, Training and Youth Affairs) moved—That the requested amendments be not made.

Debate ensued.

*Closure*

Mr Ruddock (Minister for Immigration and Multicultural Affairs) moved—That the question be now put.

Question—That the question be now put—put.

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

AYES, 72

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

## NOES, 62

Mr Adams	Mr L. D. T. Ferguson	Mr Lee	Mr Ripoll
Mr Albanese	Mr M. J. Ferguson	Mr McClelland	Ms Roxon
Mr Andren	Mr Fitzgibbon	Ms J. S. McFarlane	Mr Rudd
Mr Bevis	Ms Gerick	Ms Macklin	Mr Sawford*
Mr Brereton	Mr Gibbons	Mr McLeay	Mr Sciacca
Ms Burke	Ms Gillard	Mr McMullan	Mr Sercombe*
Mr Byrne	Mr Griffin	Dr Martin	Mr Sidebottom
Ms Corcoran	Ms Hall	Mr Melham	Mr Smith
Mr Cox	Ms Hoare	Mr Morris	Mr Snowdon
Mr Crean	Mr Horne	Mr Mossfield	Mr Swan
Mrs Crosio	Mrs Irwin	Mr Murphy	Mr Tanner
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	

\* Tellers

*Pairs*

Mr Howard	Mr Beazley
Mr Forrest	Ms O'Byrne

And so it was resolved in the affirmative.

And the question—That the requested amendments be not made—being accordingly put—

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

AYES, 73

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

NOES, 62

Mr Adams	Mr L. D. T. Ferguson	Mr Lee	Mr Ripoll
Mr Albanese	Mr M. J. Ferguson	Mr McClelland	Ms Roxon
Mr Andren	Mr Fitzgibbon	Ms J. S. McFarlane	Mr Rudd
Mr Bevis	Ms Gerick	Ms Macklin	Mr Sawford*
Mr Breton	Mr Gibbons	Mr McLeay	Mr Sciacca
Ms Burke	Ms Gillard	Mr McMullan	Mr Sercombe*
Mr Byrne	Mr Griffin	Dr Martin	Mr Sidebottom
Ms Corcoran	Ms Hall	Mr Melham	Mr Smith
Mr Cox	Ms Hoare	Mr Morris	Mr Snowdon
Mr Crean	Mr Horne	Mr Mossfield	Mr Swan
Mrs Crosio	Mrs Irwin	Mr Murphy	Mr Tanner
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	

\* Tellers

*Pairs*

Mr Howard	Mr Beazley
Mr Forrest	Ms O'Byrne

And so it was resolved in the affirmative.

**18 ELECTORAL MATTERS—JOINT STANDING COMMITTEE**

The House was informed that the Acting Chief National Party Whip had nominated Mr St Clair to be a member of the Joint Standing Committee on Electoral Matters in place of Mr Forrest.

Mr Ruddock (Minister for Immigration and Multicultural Affairs), by leave, moved—That Mr Forrest be discharged from the Joint Standing Committee on Electoral Matters and that, in his place, Mr St Clair be appointed a member of the committee.

Question—put and passed.

**19 INDIGENOUS EDUCATION (TARGETED ASSISTANCE) BILL 2000—SENATE'S AMENDMENTS**

The order of the day having been read for the consideration of the amendments made by the Senate—

On the motion of Mr Lee, amendments (1) and (2) were disagreed to and Opposition amendments (1) and (2) were made in place thereof, after debate.

**20 TRADE PRACTICES 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 Fitzgibbon, 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) condemns the Government for failing to fully embrace the recommendations of the Joint Select Committee on the Retailing Sector including:
  - (a) the establishment of a mandatory code embracing the principle of ‘like terms for like customers’ and the mandatory notification of retail stores and wholesale operation acquisitions by publicly listed corporations, and
  - (b) the establishment of a National Uniform Retail Tenancy Code, and
- (2) calls on the Government to facilitate open debate about the full impact of the GST on the viability of small businesses”—

Debate resumed.

Debate adjourned (Mr Brough—Parliamentary Secretary to the Minister for Employment, Workplace Relations and Small Business), and the resumption of the debate made an order of the day for the next sitting.



## 21 ADJOURNMENT

Mr Brough (Parliamentary Secretary to the Minister for Employment, Workplace Relations and Small Business) moved—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 10.58 p.m., adjourned until tomorrow at 2 p.m.

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## PAPERS

The following papers were deemed to have been presented on 27 November 2000:

Australian Radiation Protection and Nuclear Safety Act—Regulations—Statutory Rules 2000 No. 306.

Australian Radiation Protection and Nuclear Safety (Licence Charges) Act—Regulations—Statutory Rules 2000 No. 307.

Civil Aviation Act—Civil Aviation Regulations—Airworthiness Directives—

Part 39-105—2000 6, 7(3), 8(7), 10(4), 13(7), 15, 16, 17, 20 November.

Part 39-106—2000 13(2) November.

Part 39-107—2000 13 November.

Civil Aviation Amendment Order—2000 No. 18.

Instruments 2000 Nos CASA 485, CASA 506.

Corporations Act—Accounting Standard AASB 1012, November 2000.

Customs Act—Regulations—Statutory Rules 2000 No. 299.

Defence Act—Determinations under section 58B—2000 Nos 34, 35, 36, 37, 38.

Extradition Act—Regulations—Statutory Rules—2000 No. 308.

Federal Court of Australia Act—Rules of Court—Statutory Rules 2000 No. 300.

Human Rights Legislation Amendment (No. 1) Act—Regulations—Statutory Rules 2000 No. 301.

Indigenous Education (Supplementary Assistance) Act—Regulations—Statutory Rules 2000 No. 302.

Lands Acquisition Act—Regulations—Statutory Rules 2000 No. 304.

Migration Act—Regulations—Statutory Rules 2000 No. 309.

National Health Act—

Declarations—2000 Nos PB 14, PB 15, PB 16.

Determinations—2000 Nos PIB 26, PIB 27, PIB 28.

Nuclear Non-Proliferation (Safeguards) Act—Regulations—Statutory Rules 2000 No. 305.

Parliament Act—Parliamentary Zone—Proposals—

Construction of Commonwealth Place.

Magna Carta Monument.

Temporary works associated with the National Capital 1000 V8 Supercar Race Carnival.

Payments System and Netting Act—Approval of RTGS system 2000 No. 1.

Radiocommunications Act—Class Licence Variation 2000 Radiocommunications (Low Interference Potential Devices) (No. 1).

Remuneration Tribunal Act—Remuneration Tribunal—Determination 2000 No. 11.

States Grants (Primary and Secondary Education Assistance) Act—Regulations—Statutory Rules 2000 No. 303.

Sydney Airport Curfew Act—Dispensation 2000 No. 18.

Taxation Administration Act—

Determinations—2000 Nos GSTD 11, TD 50, TD 51.

Rulings—2000 Nos PR 109 (Addendum), PR 110 (Addendum), PR 112, PR 113, TR 15, TR 16.



#### **ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Forrest, Mr Hatton, Mr Hollis\*, Ms Livermore, Ms O’Byrne and Dr Theophanous.

\* On leave



**I. C. HARRIS**

Clerk of the House of Representatives