

1998-1999-2000-2001

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 168

THURSDAY, 1 MARCH 2001



1 The House met, at 9.30 a.m., pursuant to adjournment.

2 ABSENCE OF SPEAKER

The Clerk having informed the House that the Speaker (Mr J. N. Andrew) was absent, the Deputy Speaker (Mr Nehl) took the Chair as Acting Speaker, and read Prayers.

3 SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED

Mr Crean (Deputy Leader of the Opposition) moved—That so much of the standing and sessional orders be suspended as would prevent notices Nos 1 and 2 standing in the name of the Leader of the Opposition for 5 March 2001 and concerning the introduction of bills to provide immediate relief from the \$1.5 million a day slug on motorists being collected as a result of the 1 February excise rate increase for petroleum and the related customs rate increase:

- (1) being called on forthwith;
- (2) being presented by the Deputy Leader of the Opposition; and
- (3) passing through all stages without delay.

Closure of Member

Mr Hockey (Minister for Financial Services and Regulation) moved—That the Member be not further heard.

Question—put.

The House divided (the Acting Speaker, Mr Nehl, in the Chair)—

AYES, 72

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

NOES, 61

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

* Tellers

Pairs

Mr Howard	Mr Beazley
Mr Fahey	Ms O'Byrne
Mrs Moylan	Ms Plibersek

And so it was resolved in the affirmative.

Mr McMullan (seconder) addressing the House—

Closure of Member

Mr Hockey moved—That the Member be not further heard.

Question—put.

The House divided (the Acting Speaker, Mr Nehl, in the Chair)—

AYES, 72

Mr Abbott	Mrs Draper	Mr Lawler	Mr Scott
Mr Anderson	Mrs Elson	Mr Lieberman	Mr Secker
Mr K. J. Andrews	Mr Entsch	Mr Lindsay	Mr Slipper
Mr Anthony	Mr Fischer	Mr Lloyd	Mr Somlyay
Fran Bailey	Mr Forrest*	Mr McArthur*	Dr Southcott
Mr Baird	Mrs Gallus	Mr I. E. Macfarlane	Dr Stone
Mr Barresi	Ms Gambaro	Mr McGauran	Mrs Sullivan
Mr Bartlett	Mrs Gash	Mrs May	Mr C. P. Thompson
Mr Billson	Mr Georgiou	Mr Nairn	Mr A. P. Thomson
Mrs B. K. Bishop	Mr Haase	Dr Nelson	Mr Truss
Ms J. I. Bishop	Mr Hardgrave	Mr Neville	Mr Tuckey
Mr Brough	Mr Hawker	Mr Nugent	Mr M. A. J. Vaile
Mr Cadman	Mr Hockey	Mr Prosser	Mrs D. S. Vale
Mr Cameron	Mrs Hull	Mr Pyne	Mr Wakelin
Mr Causley	Mr Jull	Mr Ronaldson	Dr Washer
Mr Charles	Mrs D. M. Kelly	Mr Ruddock	Mr Williams
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Mr Albanese	Mr Fitzgibbon	Mr Lee	Ms Roxon
Mr Bevis	Ms Gerick	Ms Livermore	Mr Sawford*
Mr Brereton	Mr Gibbons	Mr McClelland	Mr Sciacca
Ms Burke	Ms Gillard	Ms J. S. McFarlane	Mr Sercombe*
Mr Byrne	Mr Griffin	Ms Macklin	Mr Sidebottom
Ms Corcoran	Ms Hall	Mr McLeay	Mr Smith
Mr Cox	Mr Hatton	Mr McMullan	Mr Snowdon
Mr Crean	Ms Hoare	Mr Melham	Mr Swan
Mrs Crosio	Mr Hollis	Mr Morris	Mr Tanner
Mr Danby	Mr Horne	Mr Mossfield	Mr K. J. Thomson
Mr Edwards	Mrs Irwin	Mr Murphy	Mr Wilkie
Ms Ellis	Mr Jenkins	Mr O'Connor	Mr Zahra
Mr Emerson	Ms Kernot	Mr O'Keefe	
Mr M. J. Evans	Mr Kerr	Mr Price	
Mr L. D. T. Ferguson	Mr Latham	Mr Quick	

* Tellers

Pairs

Mr Howard	Mr Beazley
Mr Fahey	Ms O'Byrne
Mrs Moylan	Ms Plibersek

And so it was resolved in the affirmative.

Question—That the motion for the suspension of standing and sessional orders be agreed to—put.

The House divided (the Acting Speaker, Mr Nehl, in the Chair)—

AYES, 61

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

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

* Tellers

Pairs

Mr Howard	Mr Beazley
Mr Fahey	Ms O'Byrne
Mrs Moylan	Ms Plibersek

And so it was negatived.

4 PRIMARY INDUSTRIES AND ENERGY RESEARCH AND DEVELOPMENT AMENDMENT BILL 2001

Mr Tuckey (Minister for Forestry and Conservation), pursuant to notice, presented a Bill for an Act to amend the *Primary Industries and Energy Research and Development Act 1989*, and for related purposes.

Bill read a first time.

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

Paper

Mr Tuckey presented an explanatory memorandum to the Bill.

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

5 AIRCRAFT NOISE LEVY COLLECTION AMENDMENT BILL 2001

Mr Hockey (Minister for Financial Services and Regulation) presented a Bill for an Act to amend the *Aircraft Noise Levy Collection Act 1995*, and for related purposes.

Bill read a first time.

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

Paper

Mr Hockey presented an explanatory memorandum to the Bill.

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

6 WORKPLACE RELATIONS AMENDMENT (UNFAIR DISMISSALS) BILL 1998 [NO. 2]

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 Bill be withdrawn and redrafted to provide for:

- (1) increased job security for all Australian workers;
- (2) protection for workers from harsh, unfair or unreasonable dismissal, regardless of the size of the business;
- (3) ready access for all workers to an affordable and fair industrial umpire to deal with unfair, unreasonable or harsh dismissal; and
- (4) repeal of paragraph 170CC(1)(a) of the *Workplace Relations Act 1996* to give workers engaged under a contract of employment for a specified period of time or a specified task protection from unfair, unreasonable or harsh dismissal”.

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—

Member ordered to withdraw

At 2.38 p.m. the Member for Brisbane (Mr Bevis) was ordered, under standing order 304A, to withdraw from the House for one hour for continuing to interject after a warning had been given from the Chair, and he accordingly withdrew from the Chamber.

Questions without notice continuing—

Member ordered to withdraw

At 2.44 p.m. the Member for Dickson (Ms Kernot) was ordered, under standing order 304A, to withdraw from the House for one hour for continuing to interject after a warning had been given from the Chair.

Ms Kernot having again interjected and reflected on the Chair—

Member named and suspended

The Acting Speaker named the Member for Dickson (Ms Kernot).

Mr McGauran (Deputy Leader of the House) moved—That the Member for Dickson be suspended from the service of the House.

Question—put.

The House divided (the Acting Speaker, Mr Nehl, in the Chair)—

AYES, 74

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

NOES, 62

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

* Tellers

Pairs

Mr Fahey	Ms O'Byrne
Mrs Moylan	Ms Plibersek

And so it was resolved in the affirmative.

The Member was, therefore, suspended at 2.52 p.m. for 24 hours under standing order 305, and she accordingly withdrew from the Chamber.

Questions without notice continuing—

Papers

Mr Brough (Minister for Employment Services) presented the following papers:

Labour force survey—Australian Bureau of Statistics—
Statistics, November 2000.

Questionnaires used in survey, 4 March 1993.

Questions without notice continued.

8 PAPERS

The following papers were presented:

Electoral Matters—Joint Standing Committee—The 1998 federal election: Inquiry into the conduct of the 1998 federal election and matters related thereto—Report—Government response.

Employment National Limited—Statement of corporate intent 2000/01.

Foreign Affairs, Defence and Trade—Joint Standing Committee—
Australia and ASEAN: Managing Change—Report—Government response,
November 2000.

Australia's Trade Relationship with India: Commonwealth, common language,
cricket and beyond—Report—Government response, November 2000.

Foreign Affairs, Defence and Trade—Senate Standing References Committee—Japan’s economy: Implications for Australia—First report—Government response.

National Capital and External Territories—Joint Standing Committee—Island to islands: Communications with Australia’s external territories—Report—Government response.

**9 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—
TELECOMMUNICATIONS SERVICES**

The House was informed that Mr Smith had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The failure of the Howard-Anderson Government to protect the interests of people living in regional, rural and remote Australia in respect of their telecommunications services”.

The proposed discussion having received the necessary support—

Mr Smith addressed the House.

Discussion ensued.

Discussion concluded.

**10 VETERANS’ AFFAIRS LEGISLATION AMENDMENT (APPLICATION OF
CRIMINAL CODE) 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 Jackie Kelly (Minister for Sport and Tourism), by leave, the Bill was read a third time.

**11 NATIONAL MUSEUM OF AUSTRALIA AMENDMENT BILL 2001—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 Jackie Kelly (Minister for Sport and Tourism), by leave, the Bill was read a third time.

**12 NATIONAL CRIME AUTHORITY—PARLIAMENTARY JOINT COMMITTEE—
REPORT—STATEMENT BY MEMBER**

Mr Nugent (Chair) presented the following paper:

National Crime Authority—Parliamentary Joint Committee—National Crime Authority Legislation Amendment Bill 2000—

Report, incorporating dissenting reports, March 2001.

Evidence received by the committee.

Ordered—That the report be printed.

Mr Nugent, Mr Kerr, Mr Hardgrave and Mr Edwards, by leave, made statements in connection with the report.

13 MESSAGE FROM THE SENATE—CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) AMENDMENT BILL (NO. 2) 2000

Message No. 554, 28 February 2001, from the Senate was reported returning the Classification (Publications, Films and Computer Games) Amendment Bill (No. 2) 2000 with an amendment.

Ordered—That the amendment be considered forthwith.

On the motion of Mr Williams (Attorney-General), the amendment was agreed to, after debate.

14 TARIFF PROPOSALS

Mr Costello (Treasurer) moved—

Excise Tariff Proposal No. 3 (2001); and

Customs Tariff Proposal No. 2 (2001).

Debate ensued.

Mr Crean (Deputy Leader of the Opposition) addressing the House—

15 ADJOURNMENT

It being 5.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 6 p.m.—The Acting Speaker adjourned the House until Monday next at 12.30 p.m.

PAPERS

The following papers were deemed to have been presented on 1 March 2001:

Higher Education Funding Act—Determination—2001 No. T12.

Navigation Act—Marine Orders—2001 Nos 3, 4, 5.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr J. N. Andrew, Mr Fahey*, Mrs Moylan, Ms O’Byrne*, Ms Plibersek*, Mr Reith and Mr Rudd.

* On leave

I. C. HARRIS

Clerk of the House of Representatives

1998-1999-2000-2001

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 168

MAIN COMMITTEE**MINUTES OF PROCEEDINGS**

THURSDAY, 1 MARCH 2001



1 Due to divisions having been called in the House, the Main Committee met at 9.50 a.m.

2 MEMBERS' STATEMENTS

Members' statements were made and a petition was presented.

3 VETERANS' AFFAIRS LEGISLATION AMENDMENT (APPLICATION OF CRIMINAL CODE) 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—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 NATIONAL MUSEUM OF AUSTRALIA AMENDMENT BILL 2001

The order of the day having been read for the second reading—Mr Brough (Minister for Employment Services) moved—That the Bill be now read a second time.

Paper

Mr Brough presented an explanatory memorandum to the Bill.

Debate ensued.



Adjournment negatived

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

Mr McGauran (Minister for the Arts and the Centenary of Federation) requiring the question to be put forthwith without debate—

Question—put and negatived.

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.

5 ADJOURNMENT

Mr McGauran (Minister for the Arts and the Centenary of Federation) moved—That the Main Committee do now adjourn.

Debate ensued.

Question—put and passed.

At 1.03 p.m. the Deputy Speaker adjourned the Main Committee until a time and date to be fixed.

B. C. WRIGHT
Clerk of the Main Committee