

1998-1999-2000-2001

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 198

MONDAY, 6 AUGUST 2001



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 **TREATIES—JOINT STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER**

Mr A. P. Thomson (Chair) presented the following papers:

Treaties—Joint Standing Committee—40th report—Extradition—A review of Australia's law and policy—

Report, August 2001.

Evidence received by the committee.

Minutes of proceedings.

Ordered—That the report be printed.

Mr A. P. Thomson, Mr Adams, Mr Hardgrave and Mr Wilkie made statements in connection with the report.

Mr A. P. Thomson moved—That the House take note of the report.

Mr A. P. Thomson 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 **GOVERNMENT ADVERTISING (OBJECTIVITY, FAIRNESS AND ACCOUNTABILITY) BILL 2001**

Mr Beazley (Leader of the Opposition), pursuant to notice, presented a Bill for an Act to require government advertising to meet minimum standards with respect to objectivity, fairness and accountability, and to prohibit the expenditure of taxpayers' money on advertising which promotes party political interests.

Mr Beazley made a statement in relation 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.

4 KOKODA TRACK

Mr Secker, pursuant to notice, moved—That this House:

- (1) expresses its support for the development of the Kokoda Track as a National Memorial Park; and
- (2) calls on the Government to:
 - (a) support and fund the construction of an all weather road from Kokoda to Ower's Corner, and of educational memorials at each of the battle sites along the Track;
 - (b) commemorate the 60th anniversary of our brave armed forces campaign with an Anzac Day Dawn Service in 2002 at Ower's Corner; and
 - (c) establish a project team to oversee these matters, consisting of representatives of the Departments of the Prime Minister and Cabinet, Foreign Affairs, Defence, Veterans' Affairs and Environment and Heritage.

Debate ensued.

Papers

Mr Murphy, by leave, presented the following papers:

Kokoda Track Memorial Walkway—

Information Leaflet, Rhodes Rotary Park, Killoola Street, Concord.

Explanatory information.

Debate continued.

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

5 MEMBERS' STATEMENTS

Members' statements were made.

6 RETURN TO WRIT—ASTON DIVISION

The Speaker announced that he had received a return to the writ which he had issued on 1 June 2001 for the election of a Member to serve for the electoral division of Aston, in the State of Victoria, in place of Peter Edward Nugent. By the endorsement on the writ, it was certified that Christopher John Pearce had been elected.

7 OATH OF ALLEGIANCE BY MEMBER

Christopher John Pearce made and subscribed the oath of allegiance required by law.

8 QUESTIONS

Questions without notice being asked—

Paper

Mr Howard (Prime Minister) presented the following paper:

The tax base and an ageing Australia—Access Economics, 27 July 2001.

Questions without notice continued.

9 ASSENT TO BILL

The Speaker informed the House that on Friday, 29 June 2001, he had waited upon His Excellency the Governor-General, Dr Peter Hollingworth, and personally presented for the Royal Assent the Appropriation Bill (No. 1) 2001-2002, which was the first Bill ready for presentation following the swearing-in of His Excellency. His Excellency, in the name of Her Majesty, was pleased to assent to the Bill which is now Act No. 64 of 2001—Message No. 330.

10 PETITIONS

Petitions lodged for presentation were announced.

11 NURSING HOMES

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

- (1) condemns the Government for failing to ensure that residents in nursing homes receive an adequate standard of personal medical care;
- (2) notes the concerns of the families of nursing home residents and workers in the aged care industry about the impact of the Government's aged care policy on nursing home standards and care; and
- (3) calls on the Government to review its aged care policy to ensure that the wellbeing of nursing homes is paramount and not secondary to government savings.

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 CITRUS INDUSTRY

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

- (1) acknowledges the financial difficulties being experienced by certain sectors of the citrus industry;
- (2) recognises in particular those difficulties being experienced by the arid zone regions of southern Australia in the Riverina, Murray Valley and Riverland in particular reference to oranges;
- (3) commends orange growers for their willingness to engage in structural reform moving away from valencias for the juice concentrate markets towards markets for fresh fruit;
- (4) commends the industry for its huge effort in the export of navel oranges; and
- (5) calls for financial and export enhancement assistance to this significant industry in the arid zones of rural Australia.

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 Zahra 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.

The time allotted for the debate having expired—

Question—That grievances be noted—put and passed.

14 ORDERS OF THE DAY RETURNED TO THE HOUSE

On the motion of Ms Worth (Parliamentary Secretary to the Minister for Education, Training and Youth Affairs), Main Committee orders of the day Nos 4 and 5, government business, were returned to the House for further consideration and the resumption of each debate made an order of the day for a later hour this day.

15 MESSAGES FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS

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

28 June 2001—Message—

No. 327—

Corporations 2001.

Australian Securities and Investments Commission 2001.

Corporations (Fees) 2001.

Corporations (Futures Organisations Levies) 2001.

Corporations (National Guarantee Fund Levies) 2001.

Corporations (Repeals, Consequential and Transitionals) 2001.

Corporations (Securities Exchanges Levies) 2001.

No. 328—

Governor-General Legislation Amendment 2001.

Migration Legislation Amendment (Electronic Transactions and Methods of Notification) 2001.

No. 329—

Health Legislation Amendment (No. 2) 2001.

Export Market Development Grants Amendment 2001.

Family Law Legislation Amendment (Superannuation) 2001.

Primary Industries and Energy Research and Development Amendment 2001.

Trade Practices Amendment (No. 1) 2001.
29 June 2001—Message—
No. 331—
Appropriation (No. 2) 2001-2002.
Appropriation (Parliamentary Departments) (No. 1) 2001-2002.
30 June 2001—Message—
No. 332—
Excise Tariff Amendment (No. 2) 2001.
Customs Tariff Amendment (No. 3) 2001.
Dried Vine Fruits (Rate of Primary Industry (Customs) Charge) Validation
2001.
Dried Vine Fruits (Rate of Primary Industry (Excise) Levy) Validation 2001.
Family and Community Services Legislation (Simplification and Other
Measures) 2001.
No. 333—
Social Security Legislation Amendment (Concession Cards) 2001.
No. 334—
Taxation Laws Amendment (No. 1) 2001.
Taxation Laws Amendment (No. 3) 2001.
Appropriation (HIH Assistance) 2001.
Child Support Legislation Amendment 2001.
New Business Tax System (Capital Allowances) 2001.
New Business Tax System (Capital Allowances—Transitional and Consequential)
2001.
New Business Tax System (Simplified Tax System) 2001.
Passenger Movement Charge Amendment 2001.
10 July 2001—Message No. 335—
Australia New Zealand Food Authority Amendment 2001.
11 July 2001—Message No. 336—
Environment Protection and Biodiversity Conservation Amendment (Wildlife
Protection) 2001.
Agricultural and Veterinary Chemicals Legislation Amendment 2001.
Interactive Gambling 2001.
18 July 2001—Message No. 337—
Migration Legislation Amendment (Immigration Detainees) 2001.
Higher Education Funding Amendment 2001.
Parliamentary Contributory Superannuation Amendment 2001.
Vocational Education and Training Funding Amendment 2001.

Taxation Laws Amendment (Superannuation Contributions) 2001.
 Import Processing Charges 2001.
 Customs Depot Licensing Charges Amendment 2001.
 20 July 2001—Message No. 338—
 Broadcasting Legislation Amendment (No. 2) 2001.
 Health Legislation Amendment (Medical Practitioners' Qualifications and Other Measures) 2001.
 Dairy Produce Legislation Amendment (Supplementary Assistance) 2001.
 Customs Legislation Amendment and Repeal (International Trade Modernisation) 2001.

16 MESSAGES FROM THE SENATE

Messages from the Senate were reported:

- (a) agreeing to amendments made by the House to the following Bills:
 - No. 662—29 June 2001—Australia New Zealand Food Authority Amendment 2001; and
 - No. 663—29 June 2001—Environment Protection and Biodiversity Conservation Amendment (Wildlife Protection) 2001;
- (b) not insisting on its amendments to the Taxation Laws Amendment (Superannuation Contributions) 2000—Message No. 665—29 June 2001; and
- (c) returning the following Bills without amendment:
 - No. 664—29 June 2001—Higher Education Funding Amendment 2001; and
 - No. 666—6 August 2001—Migration Legislation Amendment (Application of Criminal Code) 2001.

17 SUPERANNUATION CONTRIBUTIONS TAXES AND TERMINATION PAYMENTS TAX LEGISLATION AMENDMENT BILL 2001

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 third reading to be moved forthwith.

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the Bill was read a third time.

18 MESSAGE FROM THE SENATE

A message from the Senate was reported returning the following Bill without amendment:

6 August 2001—Message No. 667—Superannuation Legislation Amendment (Post-retirement Commutations) 2000.

19 THERAPEUTIC GOODS AMENDMENT (MEDICAL DEVICES) BILL 2001

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.

Consideration in detail

Bill, by leave, taken as a whole.

Mr Griffin, by leave, moved Opposition amendments (1) and (2) together.

Debate ensued.

Amendments negatived.

Bill agreed to.

Consideration in detail concluded.

On the motion of Mr I. E. Macfarlane (Minister for Small Business), by leave, the Bill was read a third time.

20 THERAPEUTIC GOODS (CHARGES) AMENDMENT BILL 2001

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—Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Mr I. E. Macfarlane (Minister for Small Business), the Bill was read a third time.

21 SPACE ACTIVITIES AMENDMENT (BILATERAL AGREEMENT) BILL 2001

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 third reading to be moved forthwith.

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

22 ADJOURNMENT

Mr Entsch (Parliamentary Secretary to the Minister for Industry, Science and Resources) moved—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 10.50 p.m., adjourned until tomorrow at 2 p.m.

PAPERS

The following papers were deemed to have been presented on 6 August 2001:

Aged Care Act—

Determinations under section 44—2001 Nos ACA 2, ACA 3, ACA 4, ACA 5, ACA 6, ACA 8, ACA 9, ACA 10, ACA 11, ACA 14.

Determination under Section 48—2001 No. ACA 12.

Determination under Section 52—2001 No. ACA 13.

Principles under section 96-1—2001 User Rights Amendment Principles (No. 1).

Air Force Act—Regulations—Statutory Rules 2001 No. 175.

Airports Act—Regulations—Statutory Rules 2001 No. 170.

Australian Communications Authority Act and Radiocommunications Act—Determination—2001 Radiocommunications (Interpretation) Amendment (No. 3).

Australian National University Act—Academic Board Statute—2001 23 May 2001.

Australian Securities and Investments Commission Act—Regulations—Statutory Rules 2001 No. 192.

Charter of the United Nations Act—Regulations—Statutory Rules 2001 No. 181.

Child Support (Assessment) Act—Regulations—Statutory Rules 2001 No. 204.

Child Support (Registration and Collection) Act—Regulations—Statutory Rules 2001 No. 205.

Christmas Island Act—Ordinance—2001 No. 1.

Civil Aviation Act—Civil Aviation Regulations—Airworthiness Directives—

Part 39-105—2001 22(5), 25, 26(9), 27(6), 29(16) June, 2(3), 3(5), 4(2), 12, 17(2), 18(3) 25(3) July.

Part 39-106—2001 29(3) June, 2 July.

Part 39-107—2001 29 June, 2(2) July.

Civil Aviation Amendment Orders—2001 Nos 10, 11, 12, 13.

Exemptions—2001 Nos CASA EX11, CASA EX 13, CASA EX 14, CASA EX 15.

Instruments—2001 Nos CASA 184, CASA 261.

Cocos (Keeling) Islands Act—Ordinance—2001 No. 1.

Commonwealth Authorities and Companies Act—

Notice under section 45—Formation of a company by the Commonwealth—General Practice Education and Training Limited.

Regulations—Statutory Rules 2001 No. 180.

Corporations Act—

Accounting standards—Nos AASB 1027, AASB 1028, AASB 1041.

Regulations—Statutory Rules 2001 Nos 187, 193, 208.

Corporations (Fees) Act—Regulations—Statutory Rules 2001 No. 194.

Currency Act—Determination—2001 Currency (Perth Mint) No. 2.

Customs Act—Regulations—Statutory Rules 2001 No. 171.

Datacasting Charge (Imposition) Act—Determination—2001 Datacasting Charge (Amount).

Defence Act—

Defence Force Remuneration Tribunal—Determinations—2001 Nos 11, 12.

Determinations under section 58B—2001 Nos 18, 19, 20.

Regulations—Statutory Rules 2001 No. 176.

Diesel and Alternative Fuels Grants Scheme Act—Regulations—Statutory Rules 2001 No. 200.

Environment Protection and Biodiversity Conservation Act—

Management Plan—

Comments on the Draft Management Plan for Macquarie Island Marine Park, May 2001.

Macquarie Island Marine Park, August 2001.

Regulations—Statutory Rules 2001 No. 179.

Environment Protection (Sea Dumping) Act—Regulations—Statutory Rules 2001 No. 199.

Extradition Act—Regulations—Statutory Rules 2001 No. 196.

Family Law Act—Rules of Court—Statutory Rules 2001 No. 191.

Federal Court of Australia Act—Regulations—Statutory Rules 2001 Nos 172, 201.

Federal Magistrates Act—Rules of Court—Statutory Rules 2001 No. 195.

Financial Management and Accountability Act—

Determination—2001 Financial Management and Accountability (Amendment of Special Account) No. 4.

Regulations—Statutory Rules 2001 No. 198.

Fisheries Management Act—Northern Prawn Fishery Management Plan 1995—Direction No. NPF 55.

Fringe Benefits Tax Assessment Act—Regulations—Statutory Rules 2001 No. 188.

Fuel Sales Grants Act—Regulations—Statutory Rules 2001 No. 189.

Great Barrier Reef Marine Park Act—Regulations—Statutory Rules 2001 Nos 178, 197.

Hazardous Waste (Regulation of Exports and Imports) Act—Regulations—Statutory Rules 2001 No. 203.

Health Insurance Act—

Instrument—2001 Health Insurance (Accredited Pathology Laboratories—Approval) Amendment Principles (No. 2).

Regulations—Statutory Rules 2001 Nos 157, 158.

Higher Education Funding Act—Determinations—2001 Nos T17, T18, T19, T20, T21.

Horticultural Marketing and Research and Development Services Act—Regulations—Statutory Rules 2001 No. 151.

- Import Processing Charges Act—Regulations—Statutory Rules 2001 No. 155.
- Income Tax Assessment Act 1936*—Regulations—Statutory Rules 2001 No. 163.
- International Organisations (Privileges and Immunities) Act—Regulations—Statutory Rules 2001 No. 182.
- Interstate Road Transport Act—Determinations—2001 Nos RTR 1, RTR 2, RTR 5.
- Jervis Bay Territory Acceptance Act—Ordinance—2001 No. 1.
- Life Insurance Act—Variation of Prudential Rules No. 47.
- Migration Act—
- Direction under section 499—2001 No. 20.
- Regulations—Statutory Rules 2001 Nos 162, 206.
- Statement under section 33—1 January to 30 June 2001.
- Statements under section 48B—1 January to 30 June 2001 (5).
- Statements under section 345—1 January to 30 June 2001 (3).
- Statements under section 351—1 January to 30 June 2001 (58).
- Statements under section 417—1 January to 30 June 2001 (117).
- Mutual Assistance in Criminal Matters Act—Regulations—Statutory Rules 2001 No. 202.
- National Environment Protection Council Act—National Environment Protection Measure—Diesel Vehicle Emissions.
- National Health Act—
- Declarations—2001 Nos PB 7, PB 8.
- Determination—2001 No. PB 9.
- Determinations under Schedule 1, paragraph (bj)—2001 Nos PHI 13, PHI 14, PHI 15, PHI 16, PHI 17, PHI 19.
- Naval Defence Act—Regulations—Statutory Rules 2001 No. 177.
- Parliamentary Entitlements Act—Advice under paragraph 18(a), 10 July 2001.
- Passports Act—Regulations—Statutory Rules 2001 No. 156.
- Patents Act—Regulations—Statutory Rules 2001 No. 184.
- Petroleum (Submerged Lands) Fees Act—Regulations—Statutory Rules 2001 No. 207.
- Primary Industries and Energy Research and Development Act and the Horticulture Marketing and Research and Development Services (Repeals and Consequential Provisions) Act—Regulations—Statutory Rules 2001 No. 150.
- Primary Industries (Excise) Levies Act—Regulations—Statutory Rules 2001 No. 152.
- Primary Industries Levies and Charges Collection Act—Regulations—Statutory Rules 2001 No. 153.
- Private Health Insurance Incentives Act—Regulations—Statutory Rules 2001 No. 183.

Protection of Movable Cultural Heritage Act—Regulations—Statutory Rules 2001 No. 173.

Quarantine Act—Regulations—Statutory Rules 2001 No. 154.

Radiocommunications Act—Class licences—2001—

Radiocommunications (Aircraft Station).

Radiocommunications (Cordless Telecommunications Devices).

Radiocommunications (Maritime Ship Station—27MHz and VHF).

Remuneration Tribunal Act—Remuneration Tribunal—Determinations—2001 Nos 12, 13, 16.

Safety, Rehabilitation and Compensation Act—Notices—2001 Nos 3, 5.

Seafarers Rehabilitation and Compensation Act—Notice—2001 No. 1.

Seat of Government (Administration) Act—Ordinances—2001 Nos 1, 2.

Space Activities Act—Regulations—Statutory Rules 2001 No. 186.

Superannuation (Productivity Benefit) Act—

Declarations—Statutory Rules 2001 Nos 166, 167, 168.

Determination—Statutory Rules 2001 No. 169.

Taxation Administration Act—

Determinations—2001 Nos TD 16, TD 17.

Regulations—Statutory Rules 2001 No. 164.

Rulings—

1999—Nos PR 4 (Addendum), PR 10 (Addendum), PR 18 (Addendum), PR 23 (Addendum), PR 24, (Addendum), PR 29 (Addendum), PR 33 (Addendum), PR 47 (Addendum), PR 56 (Addendum), PR 71 (Addendum), PR72 (Addendum), PR 84 (Addendum), PR 92 (Addendum), PR 96 (Addendum).

2000—Nos PR 39 (Addendum), PR 40 (Addendum), PR 45 (Addendum), PR 46 (Addendum), PR 50 (Addendum), PR 51 (Addendum), PR 52 (Addendum), PR 60 (Addendum), PR 66 (Addendum), PR 73 (Addendum), PR 74 (Addendum), PR 88 (Addendum), TR 18 (Addendum).

2001—Nos CR 24, CR 25, CR 26, CR 27, CR 28, CR 29, CR 30, CR 31, CR 32, CR 33, GSTR 5, PR 94, PR 95, PR 96, PR 97, PR 98, PR 99, PR 100, PR 101, PR 102, PR 103, PR 104, PR 105, PR 106, PR 107, PR 108, PR 109, PR 110, PR 111, PR 112, PR 113, PR 114, PR 115, PR 116, PR 117, PR 118, PR 119, PR 120, PR 121, PR 122, PR 123, PR 124, TR 4, TR 5, TR 6.

Telecommunications (Consumer Protection and Service Standards) Act—Determinations—2001—

Telstra Carrier Charges—Price Control Arrangements, Notification and Disallowance No. 1.

Universal Service Areas (No. 1) Amendment No. 1.

Statement of reasons—2001 Universal Service Subsidies (2001-03 Contestable Areas) (No. 1) Amendment No. 1.

Telecommunications Act 1997—

Instrument—2001 Telecommunications Numbering Plan Amendment (No. 2).

Regulations—Statutory Rules 2001 No. 174.

Technical standards—Customer Equipment and Customer Cabling—ACA TS 102-1998 Amendment (No. 1).

Textile, Clothing and Footwear Strategic Investment Program Act—Textile, Clothing and Footwear Strategic Investment Program Scheme—2001 Amendment (No. 3).

Therapeutic Goods Act—Regulations—Statutory Rules 2001 Nos 159, 160.

Therapeutic Goods (Charges) Act—Regulations—Statutory Rules 2001 No. 161.

Trade Marks Act—Regulations—Statutory Rules 2001 No. 185.

Trade Practices Act—

Declarations—2001—

Designated inwards secondary shipper body—No. 2.

Designated outwards secondary shipper body—No. 1.

Regulations—Statutory Rules 2001 No. 165.

Veterans' Entitlements Act—

Determination—2001 No. 10.

Instrument under section 90—2001 No. 12.

Instruments under section 196B—2001 Nos 49, 50, 51, 52, 53, 54, 55, 56.

Regulations—Statutory Rules 2001 No. 209.



ATTENDANCE

All Members attended (at some time during the sitting) except Mr Anderson, Mr Hawker and Mrs Sullivan.



I. C. HARRIS

Clerk of the House of Representatives