

1998-1999-2000-2001

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 209

THURSDAY, 30 AUGUST 2001



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 HEALTH AND OTHER SERVICES (COMPENSATION) LEGISLATION AMENDMENT BILL 2001**

Mr McGauran (Minister for the Arts and the Centenary of Federation), for Dr Wooldridge (Minister for Health and Aged Care), pursuant to notice, presented a Bill for an Act to amend the *Health and Other Services (Compensation) Act 1995*, and for related purposes.

Bill read a first time.

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

*Papers*

Mr McGauran presented the following papers:

Explanatory memorandum to the Bill.

Review of the *Health and Other Services (Compensation) Act 1995* and of its operation—Report by George Pooley, Consultant, January 2001.

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

**3 HEALTH LEGISLATION AMENDMENT BILL (NO. 3) 2001**

Mr McGauran (Minister for the Arts and the Centenary of Federation), for Dr Wooldridge (Minister for Health and Aged Care), pursuant to notice, presented a Bill for an Act to amend legislation relating to health, and for related purposes.

Bill read a first time.

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

*Paper*

Mr McGauran presented an explanatory memorandum to the Bill.

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

**4 WORKPLACE RELATIONS AND OTHER LEGISLATION AMENDMENT (SMALL BUSINESS AND OTHER MEASURES) BILL 2001**

Mr Abbott (Minister for Employment, Workplace Relations and Small Business), pursuant to notice, presented a Bill for an Act to amend the *Workplace Relations Act 1996* and other legislation, and for related purposes.

Bill read a first time.

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

*Paper*

Mr Abbott presented an explanatory memorandum to the Bill.

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

**5 EXCISE TARIFF AMENDMENT (CRUDE OIL) BILL 2001**

Mr Entsch (Parliamentary Secretary to the Minister for Industry, Science and Resources) presented a Bill for an Act to amend the *Excise Tariff Act 1921*, and for related purposes.

Bill read a first time.

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

*Paper*

Mr Entsch presented an explanatory memorandum to the Bill.

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

**6 JURISDICTION OF THE FEDERAL MAGISTRATES SERVICE LEGISLATION AMENDMENT BILL 2001**

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), for Mr Williams (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the law relating to the jurisdiction of the Federal Magistrates Service, and for related purposes.

Bill read a first time.

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

*Paper*

Mr Slipper presented an explanatory memorandum to the Bill.

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

**7 POSTPONEMENT OF NOTICES**

Ordered—That notices Nos 5 and 6, government business, be postponed until a later hour this day.

**8 ROYAL COMMISSIONS AND OTHER 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 Abbott (Minister for Employment, Workplace Relations and Small Business), the Bill was read a third time.

**9 TAXATION LAWS AMENDMENT BILL (NO. 6) 2001**

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) presented a Bill for an Act to amend the law relating to taxation.

Bill read a first time.

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

*Paper*

Mr Slipper presented an explanatory memorandum to the Bill.

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

**10 TRADE PRACTICES AMENDMENT (TELECOMMUNICATIONS) 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 by Mr Smith 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 lack of effective competition in significant parts of the Australian telecommunications industry;
- (2) notes the Government’s failure to respond in a timely manner to widespread industry concerns held since at least January 1999 about delays in the telecommunications competition regime, which continue to the detriment of both consumers and the industry;
- (3) notes that the cause of the Government’s failure to act has been its ideological obsession with the full privatisation of Telstra; and
- (4) calls on the Government to urgently consider further reform as part of its response to the final report of the Productivity Commission’s inquiry into the telecommunications competition regime due next month”.

Debate continued.

Amendment negatived.

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

Leave granted for third reading to be moved forthwith.

On the motion of Dr Nelson (Parliamentary Secretary to the Minister for Defence), the Bill was read a third time.

**11 BANKRUPTCY 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 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:

- (1) condemns the government for introducing a tax system that has caused a significant increase in the number of bankruptcies;
- (2) condemns the government for failing to prevent the excesses of some sections of corporate Australia but scapegoating those ordinary citizens and unincorporated small businesses who are unable to pay their debts by virtue of the GST;
- (3) condemns the government for failing to act to stop tax avoidance by virtue of the improper use of the bankruptcy laws; and
- (4) calls on the government to act to stamp out illegal tax avoidance in all its forms”.

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.

**12 QUESTIONS**

Questions without notice were asked.

**13 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—MV TAMPA**

The House was informed that Mr Beazley (Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The failure of the Government to put in place a comprehensive solution to the situation of the people on board the *MV Tampa*”.

The proposed discussion having received the necessary support—

Mr Beazley addressed the House.

Discussion ensued.

Discussion concluded.

**14 LEAVE OF ABSENCE TO MEMBER**

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) moved—That leave of absence for the remainder of the period of sittings be given to Mr Lieberman on the ground of parliamentary business overseas.

Debate ensued.

Question—put and passed.

**15 ENVIRONMENTAL LEGISLATION AMENDMENT BILL (NO. 2) 2001—REPORT FROM MAIN COMMITTEE**

The 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 Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), by leave, the Bill was read a third time.

**16 PARLIAMENTARY SERVICE AMENDMENT BILL 2001—REPORT FROM MAIN COMMITTEE**

The 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 Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), by leave, the Bill was read a third time.

**17 PARLIAMENTARY ZONE—COMMONWEALTH PLACE—EXTERNAL LIGHTING DESIGN, CHANGE OF TREE SPECIES AND ALTERATIONS TO EXHAUST FLUES—APPROVAL OF PROPOSAL**

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), for Mr Anderson (Minister representing the Minister for Regional Services, Territories and Local Government), pursuant to notice, moved—That, in accordance with section 5 of the *Parliament Act 1974*, the House approves the following proposal for work in the Parliamentary Zone which was presented to the House on 28 August 2001, namely: Commonwealth Place—External lighting design, change of tree species and alterations to exhaust flues.

Question—put and passed.

**18 MESSAGE FROM THE SENATE—MEASURES TO COMBAT SERIOUS AND ORGANISED CRIME BILL 2001**

Message No. 692, 27 August 2001, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend the *Crimes Act 1914*, 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.

**19 MESSAGE FROM THE SENATE—SAFETY, REHABILITATION AND COMPENSATION AND OTHER LEGISLATION AMENDMENT BILL 2000**

A message from the Senate was reported returning the following Bill with amendments:

29 August 2001—Message No. 694—Safety, Rehabilitation and Compensation and Other Legislation Amendment 2000.

Ordered—That the amendments be considered at the next sitting.

**20 MESSAGE FROM THE SENATE—FAMILY ASSISTANCE ESTIMATE TOLERANCE (TRANSITION) BILL 2001**

Message No. 696, 29 August 2001, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend the *A New Tax System (Family Assistance) (Administration) Act 1999*, and for related purposes.

Bill read a first time.

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

**21 MESSAGE FROM THE SENATE—SEXUALITY DISCRIMINATION**

Message No. 695, 29 August 2001, from the Senate was reported acquainting the House that the Senate had agreed to a resolution concerning sexuality discrimination.

Ordered—That the message be considered at the next sitting.

**22 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:

22 August 2001—Message No. 347—

Migration Legislation Amendment (Application of Criminal Code) 2001.

Superannuation Legislation Amendment (Post-retirement Commutations) 2001.

Trade Marks and Other Legislation Amendment 2001.

Workplace Relations Amendment (Termination of Employment) 2001.

**23 PUBLICATIONS COMMITTEE—29TH REPORT**

Mr Lieberman (Chair) presented the following paper:

**PUBLICATIONS COMMITTEE 29TH REPORT**

The Publications Committee reports that it has met in conference with the Publications Committee of the Senate.

The Committee, having considered documents presented to Parliament since 9 August 2001, recommends that the following be printed:

Aboriginal Land Commissioner—Reports and recommendations to the Minister for Aboriginal and Torres Strait Islander Affairs and to the Administrator of the Northern Territory—

No. 59—The Kenbi (Cox Peninsula) Land Claim No. 37.

Urapunga Land Claim No. 159.

Council for Aboriginal Reconciliation—Report for 1999-2000.

National Health and Medical Research Council—Report for 2000.

Queensland Fisheries Joint Authority—Report for 1999-2000.

Reserve Bank of Australia—Report for 2000-2001.

Western Australian Fisheries Joint Authority—Report for 1998-99.

LOU LIEBERMAN

Chair

30 August 2001

On the motion of Mr Lieberman, by leave, the report was agreed to.

**24 PUBLIC ACCOUNTS AND AUDIT—JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER**

Mr Charles (Chair) presented the following paper:

Public Accounts and Audit—Joint Committee—Report 383—Amphibious transport ship project, implementation of whole-of-government technology and infrastructure consolidation and outsourcing initiative, AQIS cost-recovery systems, knowledge system equipment acquisition projects in Defence—Review of Auditor General's Reports 2000-2001: First Quarter, incorporating a dissenting report, June 2001.

Ordered to be printed.

Mr Charles, Mr Cox and Mr Georgiou, by leave, made statements in connection with the report.

Mr Charles, by leave, moved—That the House take note of the paper.

Mr Charles was granted leave to continue his speech when the debate is resumed.

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

**25 NATIVE TITLE AND THE ABORIGINAL AND TORRES STRAIT ISLANDER LAND FUND—PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENT BY MEMBER**

Mr Snowdon presented the following paper:

Native Title and the Aboriginal and Torres Strait Islander Land Fund—Parliamentary Joint Committee—Examination of annual reports for 1999-2000—Report, August 2001.

Ordered to be printed.

Mr Snowdon, by leave, made a statement in connection with the report.

**26 RETIREMENT OF MR E. SILVER, CHIEF PARLIAMENTARY BROADCASTER**

The Speaker informed the House of the forthcoming retirement of Mr Errol Silver, Chief Parliamentary Broadcaster, paid tribute to Mr Silver's distinguished contribution to the Parliament and wished him and his family well in his retirement.

**27 ADJOURNMENT NEGATIVED**

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) moved—That the House do now adjourn.

Debate ensued.

Question—put and negatived.

**28 ANZUS TREATY—50TH ANNIVERSARY**

Mr Howard (Prime Minister), pursuant to notice, moved—That this House:

- (1) notes that this year marks the 50th anniversary of the alliance between Australia and the United States of America under the ANZUS Treaty;
- (2) reaffirms the commitment of Australia to that alliance, recognising its fundamental importance to this nation's ongoing security;
- (3) recognises that the alliance has significantly contributed to peace and security in the Asia Pacific and beyond;
- (4) expresses its profound gratitude to the men and women of both nations who have served together throughout the world in defence of freedom and in the pursuit of peace and prosperity for all;
- (5) acknowledges that this is an alliance between two peoples forever committed to democracy, and its foundation stones of freedom of speech, freedom of the press, and the independence and authority of the rule of law; and
- (6) affirms its belief that the alliance will continue playing a vital role in a changing world, building a prosperous and secure future for our two nations, the Asia-Pacific region and the global community.

Debate ensued.

Question—put and passed.

**29 AUSTRALIAN NATIONAL FLAG**

Mr Anderson (Deputy Prime Minister), for Mr Howard (Prime Minister), pursuant to notice, moved—That this House:

- (1) recognises and celebrates the centenary of the Australian National Flag which occurs on 3 September this year;
- (2) honours the ideals for which our national flag stands including our history, geography and unity as a federated nation;
- (3) notes that this is the world's only national flag ever to fly over one entire continent;
- (4) acknowledges that our flag has been Australia's pre-eminent national symbol in times of adversity and war, peacetime and prosperity;
- (5) recognises that our flag now belongs to the Australian people and has been an integral part of the expression of our national pride; and
- (6) expresses its respect for the Australian National Flag as a symbol of our profound achievements as a federation; our independence and freedom as a people; and our optimism for a common future together.

Debate ensued.

Question—put and passed.

**30 ADJOURNMENT**

Mr Fahey (Minister for Finance and Administration) moved—That the House do now adjourn.

Question—put and passed.

And then the House, at 6.05 p.m., adjourned until Monday, 17 September 2001, at 12.30 p.m.



**PAPERS**

The following papers were deemed to have been presented on 30 August 2001:

Dairy Produce Act—Scheme—2001 Supplementary Dairy Assistance Variation (No. 1).

Farm Household Support Act—Schemes—2001—

Dairy Exit Program—Amendment (No. 2).

Farm Help Re-establishment Grant—Amendment (No. 2).



**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Andren, Mr Edwards, Mr Fischer, Mrs Gallus, Mr Horne, Ms O’Byrne, Mr Rudd, Mr Sciacca, Mr Swan\* and Mr M. A. J. Vaile.

\* On leave



**I. C. HARRIS**

Clerk of the House of Representatives

1998-1999-2000-2001

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

No. 209

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

THURSDAY, 30 AUGUST 2001

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1 The Main Committee met at 9.40 a.m.

**2 MEMBERS' STATEMENTS**

Members' statements were made.

**3 ENVIRONMENTAL LEGISLATION AMENDMENT BILL (NO. 2) 2001**

The order of the day having been read for the second reading—Dr Stone (Parliamentary Secretary to the Minister for the Environment and Heritage) moved—That the Bill be now read a second time—

*Paper*

Dr Stone presented a revised explanatory memorandum to the Bill.

Debate ensued.

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 PARLIAMENTARY SERVICE 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 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 Lieberman moved—That the Main Committee do now adjourn.

Debate ensued.

At 11.15 a.m. the Deputy Speaker adjourned the Main Committee.



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