

1998-1999-2000-2001

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

## HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 212

WEDNESDAY, 19 SEPTEMBER 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 SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED**

Mr Beazley (Leader of the Opposition) moved—That so much of the standing and sessional orders be suspended as would prevent:

- (1) Private Members' business notice No. 2, Corporate Responsibility and Employment Security Bill 2001, standing in the name of the Leader of the Opposition—which is urgent because:
  - (a) as the Treasurer noted last night, Air New Zealand and Ansett had common directors, a joint treasury, shared aircraft and joint responsibilities to Ansett employees;
  - (b) holding companies must be held responsible for meeting the full employee entitlements of employees of related companies;
  - (c) legislation is needed to give this effect:
    - (i) where companies are so closely connected that it is their responsibility to do so;
    - (ii) where the companies share management; and
    - (iii) where the holding company is partly responsible for the insolvency of the related company;

being called on forthwith; and

- (2) the bill being passed through all stages without delay.

*Closure of Member*

Mr Anthony (Minister for Community Services) moved—That the Member be not further heard.

Question—put.

The House divided (the Speaker, Mr J. N. Andrew, in the Chair)—

## AYES, 71

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

## NOES, 65

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

\* Tellers

*Pairs*

Mr Lieberman	Ms Burke
Mr Cameron	Mr O'Keefe

And so it was resolved in the affirmative.

Mr Bevis (seconder) addressing the House—

*Closure of Member*

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

Question—put.

The House divided (the Speaker, Mr J. N. Andrew, in the Chair)—

AYES, 71

Mr Abbott	Mrs Elson	Mr Lindsay	Mr Schultz
Mr Anderson	Mr Fahey	Mr Lloyd	Mr Scott
Mr K. J. Andrews	Mr Fischer	Mr McArthur*	Mr Secker
Mr Anthony	Mr Forrest*	Mr I. E. Macfarlane	Mr Slipper
Fran Bailey	Mrs Gallus	Mr McGauran	Mr Somlyay
Mr Baird	Ms Gambaro	Mrs May	Dr Southcott
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Mr Billson	Mr Haase	Mr Nehl	Mr C. P. Thompson
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Ms J. I. Bishop	Mr Hawker	Mr Neville	Mr Tuckey
Mr Brough	Mr Hockey	Mr Pearce	Mr M. A. J. Vaile
Mr Cadman	Mrs Hull	Mr Prosser	Mrs D. S. Vale
Mr Causley	Mr Jull	Mr Pyne	Mr Wakelin
Mr Charles	Mrs D. M. Kelly	Mr Reith	Dr Washer
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Mr Emerson	Mr Kerr	Ms Plibersek	Mr Zahra
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Mr M. J. Ferguson	Mr Lee	Mr Ripoll	

\* Tellers

*Pairs*

Mr Lieberman	Ms Burke
Mr Cameron	Mr O'Keefe

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 Speaker, Mr J. N. Andrew, in the Chair)—

AYES, 65

Mr Adams	Mr Fitzgibbon	Ms Livermore	Ms Roxon
Mr Albanese	Ms Gerick	Mr McClelland	Mr Rudd
Mr Beazley	Mr Gibbons	Ms J. S. McFarlane	Mr Sawford*
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Mr Abbott	Mrs Elson	Mr Lindsay	Mr Schultz
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Mrs Draper	Mr Lawler	Mr St Clair	

\* Tellers

*Pairs*

Mr Lieberman	Ms Burke
Mr Cameron	Mr O'Keefe

And so it was negatived.

**3 TRANSPORT AND REGIONAL SERVICES LEGISLATION AMENDMENT (APPLICATION OF CRIMINAL CODE) BILL 2001**

Mr Anthony (Minister for Community Services), for Mr Anderson (Minister for Transport and Regional Services), pursuant to notice, presented a Bill for an Act relating to the application of the *Criminal Code* to certain offences, and for related purposes.

Bill read a first time.

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

*Papers*

Mr Anthony presented—

Explanatory memorandum to the Bill.

Correction to the explanatory memorandum.

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

**4 INTELLIGENCE SERVICES 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.

*Paper*

Mr Downer (Minister for Foreign Affairs) presented a supplementary explanatory memorandum to the Bill.

On the motion of Mr Downer, by leave, Government amendments (1) to (70) were made together, after debate.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Mr Downer, by leave, the Bill was read a third time.

**5 INTELLIGENCE SERVICES (CONSEQUENTIAL PROVISIONS) 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.

*Messages from the Governor-General*

The following messages from His Excellency the Governor-General were announced:

No. 354, 26 June 2001, recommending an appropriation for the purposes of the Bill; and

No. 355, 18 September 2001, recommending an appropriation for the purposes of amendments to the Bill.

*Consideration in detail*

Bill, by leave, taken as a whole.

*Paper*

Mr Downer (Minister for Foreign Affairs) presented a supplementary explanatory memorandum to the Bill.

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

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Mr Downer, by leave, the Bill was read a third time.

**6 MIGRATION AMENDMENT (EXCISION FROM MIGRATION ZONE) 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.

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 2.18 p.m. the Member for Prospect (Mrs Crosio) 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 she accordingly withdrew from the Chamber.

Questions without notice continued.

**8 AUDITOR-GENERAL'S REPORT**

The Speaker presented the following paper:

Auditor-General—Audit report No. 11 of 2001-2002—Performance audit—Administration of the Federation Fund Programme.

Ordered to be printed.

**9 PAPER—MOTION TO TAKE NOTE OF PAPER**

The following paper was presented:

Aboriginal Land Commissioner—Report for 2000-2001.

Mr Reith (Leader of the House) moved—That the House take note of the paper.

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

**10 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—WORKERS ENTITLEMENTS**

The House was informed that Mr Bevis had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The failure of the Government to adequately protect workers entitlements, both generally and in the case of Ansett Airlines”.

The proposed discussion having received the necessary support—

Mr Bevis addressed the House.

Discussion ensued.

Discussion concluded.

**11 HEALTH AND OTHER SERVICES (COMPENSATION) LEGISLATION AMENDMENT BILL 2001—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the Bill had been fully considered by the Main Committee, a Governor-General’s message recommending an appropriation had been reported, and the Bill had been agreed to without amendment, and presented a certified copy of the Bill.

Bill agreed to.

On the motion of Mr Fahey (Minister for Finance and Administration), by leave, the Bill was read a third time.

**12 COMMONWEALTH INSCRIBED STOCK AMENDMENT BILL 2001—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the Bill had been fully considered by the Main Committee, a Governor-General’s message recommending an appropriation had been reported, and the Bill had been agreed to without amendment, and presented a certified copy of the Bill.

Bill agreed to.

On the motion of Mr Fahey (Minister for Finance and Administration), by leave, the Bill was read a third time.

**13 SOCIAL SECURITY AND VETERANS’ ENTITLEMENTS LEGISLATION AMENDMENT (RETIREMENT ASSISTANCE FOR FARMERS) BILL 2001—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the Bill had been fully considered by the Main Committee, a Governor-General’s message recommending an appropriation had been reported, and the Bill had been agreed to without amendment, and presented a certified copy of the Bill.

Bill agreed to.

On the motion of Mr Fahey (Minister for Finance and Administration), by leave, the Bill was read a third time.

**14 MIGRATION AMENDMENT (EXCISION FROM MIGRATION ZONE) 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—Dr Theophanous dissenting—Bill read a second time.

Leave granted for third reading to be moved forthwith.

Mr Ruddock (Minister for Immigration and Multicultural Affairs) moved—That the Bill be now read a third time.

Question—put and passed—Dr Theophanous dissenting—Bill read a third time.

**15 MIGRATION AMENDMENT (EXCISION FROM MIGRATION ZONE) (CONSEQUENTIAL PROVISIONS) 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—Dr Theophanous dissenting—Bill read a second time.

Leave granted for third reading to be moved forthwith.

Mr Ruddock (Minister for Immigration and Multicultural Affairs) moved—That the Bill be now read a third time.

Question—put and passed—Dr Theophanous dissenting—Bill read a third time.

**16 BORDER PROTECTION (VALIDATION AND ENFORCEMENT POWERS) 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—Dr Theophanous dissenting—Bill read a second time.

Leave granted for third reading to be moved forthwith.

Mr Ruddock (Minister for Immigration and Multicultural Affairs) moved—That the Bill be now read a third time.

Question—put and passed—Dr Theophanous dissenting—Bill read a third time.

**17 INDIGENOUS EDUCATION (TARGETED ASSISTANCE) 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.

*Message from the Governor-General*

Message No. 356, 5 June 2001, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

On the motion of Ms Worth (Parliamentary Secretary to the Minister for Education, Training and Youth Affairs), the Bill was read a third time.

**18 EXCISE TARIFF AMENDMENT (CRUDE OIL) 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.

**19 MESSAGE FROM THE SENATE—ANSETT AUSTRALIA AND REGIONAL AIR SERVICES**

Message No. 709, 19 September 2001, from the Senate was reported acquainting the House that the Senate had agreed to a resolution concerning Ansett Australia and regional air services.

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

**20 ADJOURNMENT**

It being 7.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 8 p.m.—The Deputy Speaker adjourned the House until tomorrow at 9.30 a.m.



**PAPERS**

The following papers were deemed to have been presented on 19 September 2001:

Aboriginal and Torres Strait Islander Commission Act—Rules—2001 Regional Council Election Amendment (No. 1).

National Health Act—Determinations under Schedule 1, paragraph (bj)—2001 Nos PHI 20, PHI 21, PHI 22.



**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Andren, Ms Burke, Mr Lieberman\* and Mr A. P. Thomson.

\* On leave



**I. C. HARRIS**

Clerk of the House of Representatives

1998-1999-2000-2001

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

No. 212

**MAIN COMMITTEE****MINUTES OF PROCEEDINGS**

WEDNESDAY, 19 SEPTEMBER 2001



1 Due to divisions having been called in the House, the Main Committee met at 9.52 a.m.

**2 MEMBERS' STATEMENTS**

Members' statements were made.

**3 HEALTH AND OTHER SERVICES (COMPENSATION) 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.

*Message from the Governor-General*

Message No. 350, 28 August 2001, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

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 COMMONWEALTH INSCRIBED STOCK 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.

*Message from the Governor-General*

Message No. 349, 4 September 2001, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

*Consideration in detail*

Bill, by leave, taken as a whole, and agreed to, after debate.

Consideration in detail concluded.

Ordered—That the Bill be reported to the House without amendment.

**5 SOCIAL SECURITY AND VETERANS' ENTITLEMENTS LEGISLATION  
AMENDMENT (RETIREMENT ASSISTANCE FOR FARMERS) 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.

*Message from the Governor-General*

Message No. 351, 31 August 2001, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

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.

**6 ADJOURNMENT**

On the motion of Mr Anthony (Minister for Community Services), the Main Committee adjourned at 11.54 a.m.

The Deputy Speaker fixed tomorrow at 9.40 a.m. for the next meeting of the Main Committee.



**B. C. WRIGHT**

Clerk of the Main Committee