

2002

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 15

TUESDAY, 14 MAY 2002

1 The House met, at 2 p.m., pursuant to adjournment. The Speaker (the Honourable Neil Andrew) took the Chair, and read Prayers.

**2 SUSPENSION OF STANDING ORDERS—ROUTINE OF BUSINESS FOR THIS SITTING**

Mr Abbott (Leader of the House), by leave, moved—That so much of the standing orders be suspended as would prevent the routine of business for:

- (a) this sitting, being as follows, unless otherwise ordered:
1. Address of Condolence moved by the Prime Minister in connection with the death of Her Majesty Queen Elizabeth The Queen Mother.  
*Sitting to be suspended for 1 hour.*
  2. Questions without notice.  
*Sitting to be suspended until 7.30 p.m.*
  3. Government business.
  4. Presentation of papers.
  5. Motions relating to committee appointments.
  6. Referral of Bills to the Main Committee.
  7. Presentation of committee reports and related motions; and
- (b) Standing order 48A (adjournment and next meeting) be suspended for the sitting on Thursday, 16 May 2002, to facilitate the Leader of the Opposition's response to the Budget speech.

Question—put and passed.

**3 DEATH OF HER MAJESTY QUEEN ELIZABETH THE QUEEN MOTHER—ADDRESS OF CONDOLENCE TO HER MAJESTY THE QUEEN**

Mr Howard (Prime Minister) moved—That:

An address to Her Majesty Queen Elizabeth II in the following terms be agreed to:

YOUR MAJESTY:

We, the Speaker and Members of the House of Representatives of the Commonwealth of Australia received with great sorrow the news of the death of Her Majesty Queen Elizabeth The Queen Mother. On behalf of the Australian people, we express deep sympathy to Your Majesty and other members of the Royal Family, and give thanks for a remarkable life dedicated to service, duty, support and her family.

And Mr Crean (Leader of the Opposition) having seconded the motion, and Mr Anderson (Leader of the National Party of Australia) having addressed the House in support thereof, and all Members present having risen, in silence—

Question—passed.

**4 SUSPENSION OF SITTING AS MARK OF RESPECT**

As a mark of respect to the memory of Her Majesty Queen Elizabeth The Queen Mother, the sitting was thereupon suspended for 1 hour.

**5 RESUMPTION OF SITTING**

The Speaker resumed the Chair at 3.25 p.m.

**6 MINISTERIAL ARRANGEMENTS**

Mr Howard (Prime Minister) informed the House that, during the absence abroad of Mr M. A. J. Vaile (Minister for Trade), Mr Downer (Minister for Foreign Affairs) would answer questions on his behalf.

**7 QUESTIONS**

Questions without notice were asked.

**8 SUSPENSION OF SITTING**

In accordance with the resolution agreed to earlier this day, the sitting was thereupon suspended until 7.30 p.m.

**9 RESUMPTION OF SITTING**

The Speaker resumed the Chair at 7.30 p.m.

**10 MESSAGE FROM THE GOVERNOR-GENERAL, PROPOSED EXPENDITURE AND APPROPRIATION FOR YEAR 2002-2003—APPROPRIATION BILL (NO. 1) 2002-2003—BUDGET SPEECH**

Message No. 21, 10 May 2002, from His Excellency the Governor-General was announced recommending, in accordance with the requirements of section 56 of the Constitution an appropriation for the purposes of a Bill for an Act to appropriate money out of the Consolidated Revenue Fund for the ordinary annual services of the Government, and for related purposes.

Mr Costello (Treasurer) presented a Bill for an Act to appropriate money out of the Consolidated Revenue Fund for the ordinary annual services of the Government, and for related purposes.

Bill read a first time.

Mr Costello moved—That the Bill be now read a second time, and delivered the budget speech.

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

**11 PAPERS**

Mr Costello (Treasurer) presented the following papers:

Budget strategy and outlook 2002-03.

Budget measures 2002-03.

Federal financial relations 2002-03.

Agency resourcing 2002-03.

Intergenerational report 2002-03.

Severally ordered to be printed.

**12 MINISTERIAL STATEMENTS**

Mr Costello (Treasurer) presented the following ministerial statements:

Putting Australia's interests first—Honouring our commitments, 14 May 2002.

Australia's overseas aid program 2002-03, 14 May 2002.

Indigenous affairs 2002-03, 14 May 2002.

Regional Australia: A partnership for stronger regions 2002-03, 14 May 2002.

Towards a sustainable Australia: Commonwealth environment expenditure 2002-03, 14 May 2002.

Women's budget statement 2002-03, 14 May 2002.

Growing stronger—Agriculture, fisheries and forestry 2002-03, 14 May 2002.

**13 MESSAGE FROM THE GOVERNOR-GENERAL, CERTAIN PROPOSED EXPENDITURE AND APPROPRIATION FOR YEAR 2002-2003—APPROPRIATION BILL (NO. 2) 2002-2003**

Message No. 22, 10 May 2002, from His Excellency the Governor-General was announced recommending, in accordance with the requirements of section 56 of the Constitution an appropriation for the purposes

of a Bill for an Act to appropriate money out of the Consolidated Revenue Fund for certain expenditure, and for related purposes.

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) presented a Bill for an Act to appropriate money out of the Consolidated Revenue Fund for certain expenditure, and for related purposes.

Bill read a first time.

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

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

**14 MESSAGE FROM THE GOVERNOR-GENERAL, CERTAIN PROPOSED EXPENDITURE AND APPROPRIATION IN RELATION TO THE PARLIAMENTARY DEPARTMENTS FOR YEAR 2002-2003—APPROPRIATION (PARLIAMENTARY DEPARTMENTS) BILL (NO. 1) 2002-2003**

Message No. 23, 10 May 2002, from His Excellency the Governor-General was announced recommending, in accordance with the requirements of section 56 of the Constitution an appropriation for the purposes of a Bill for an Act to appropriate money out of the Consolidated Revenue Fund for certain expenditure in relation to the Parliamentary Departments, and for related purposes.

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) presented a Bill for an Act to appropriate money out of the Consolidated Revenue Fund for expenditure in relation to the Parliamentary Departments, and for related purposes.

Bill read a first time.

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

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

**15 TAXATION LAWS AMENDMENT (MEDICARE LEVY AND MEDICARE LEVY SURCHARGE) BILL 2002**

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) presented a Bill for an Act to amend the law relating to taxation, 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 Swan), and the resumption of the debate made an order of the day for the next sitting.

**16 PAPERS**

The following papers were presented:

Aboriginal Legal Rights Movement Native Title Unit—Report for 2000-01.

Companies Auditors and Liquidators Disciplinary Board—Report for 2000-01.

Department of Foreign Affairs and Trade—Australia's trade—Outcomes and objectives statement 2002.

Economics, Finance and Public Administration—House of Representatives Standing Committee—Reports—Review of the Reserve Bank of Australia Annual Report 1999-2000—Centenary of Federation Hearing—Government response.

Foreign Affairs, Defence and Trade—Joint Standing Committee—Rough justice? An investigation into allegations of brutality in the Army's parachute battalion—Government response, March 2002.

Health Services Australia—Statement of corporate intent 2001-2004.

Human Rights and Equal Opportunity Commission—Aboriginal and Torres Strait Islander Social Justice Commissioner—

Native title report 2001.

Social justice report 2001.

International Labour Organisation—Submission report on ILO Instruments adopted in 2000.

Payment Systems Board—Report for 2001.

Productivity Commission—Reports—

No. 18—Review of the Superannuation Industry (Supervision) Act 1993 and certain other superannuation legislation, 10 December 2001.

No. 19—Price regulation of airport services, 23 January 2002.

Public Accounts and Audit—Joint Committee—Report 379—Contract management in the Australian Public Service—Government response, April 2002.

Telecommunications (Interception) Act—Report for 2000-2001.

#### 17 PAPERS—MOTION TO TAKE NOTE OF PAPERS

Fran Bailey (Parliamentary Secretary to the Minister for Defence) moved—That the House take note of the following papers:

Department of Foreign Affairs and Trade—Australia's trade—Outcomes and objectives statement 2002.

Foreign Affairs, Defence and Trade—Joint Standing Committee—Rough justice? An investigation into allegations of brutality in the Army's parachute battalion—Government response, March 2002.

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

#### 18 COMMITTEES—MEMBERSHIP

The House was informed that the Chief Government Whip and the Chief Opposition Whip had nominated Members to be members of certain committees.

Fran Bailey (Parliamentary Secretary to the Minister for Defence), by leave, moved—That:

- (1) Mr Cadman be appointed a supplementary member of the Standing Committee on Education and Training for the purpose of the committee's inquiry into the education of boys; and
- (2) Mr Quick be discharged from the Standing Committee on the Ageing and that, in his place, Ms Corcoran be appointed a member of the committee.

Question—put and passed.

#### 19 MAIN COMMITTEE—DAY OF NEXT MEETING

The Speaker reported that the Deputy Speaker had fixed Wednesday, 15 May 2002, at 9.40 a.m., for the next meeting of the Main Committee.

#### 20 BILLS REFERRED TO MAIN COMMITTEE

Mr Lloyd (Chief Government Whip), by leave, moved—That the following Bills be referred to the Main Committee for further consideration:

Aboriginal and Torres Strait Islander Commission Amendment 2002;

Disability Discrimination Amendment 2002; and

Horticulture Marketing and Research and Development Services (Amendment) 2002.

Question—put and passed.

#### 21 PUBLIC ACCOUNTS AND AUDIT—JOINT COMMITTEE—STATEMENT BY MEMBER—PAPER

Ms Plibersek (Deputy Chair), by leave, made a statement concerning the draft budget estimates for the Australian National Audit Office—

and, by leave, presented the following paper:

Public Accounts and Audit—Joint Committee—Draft budget estimates for the Australian National Audit Office—Statement by Ms Plibersek (Deputy Chair), 14 May 2002.

#### 22 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REPORT—STATEMENT BY MEMBER

Mrs Moylan (Chair) presented the following paper:

Public Works—Parliamentary Standing Committee—65th annual report of the Committee, March 2002, pursuant to the Public Works Committee Act.

Ordered to be printed.

Mrs Moylan, by leave, made a statement in connection with the report.

**23 ASIO, ASIS AND DSD—PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENT BY MEMBER**

Mr McArthur presented the following paper:

ASIO, ASIS and DSD—Parliamentary Joint Committee—Interim advisory report on the Australian Security Intelligence Organisation Legislation Amendment (Terrorism) Bill 2002.

Ordered to be printed.

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

**24 ASIO, ASIS AND DSD—PARLIAMENTARY JOINT COMMITTEE—EXTENSION OF TIME TO REPORT**

Fran Bailey (Parliamentary Secretary to the Minister for Defence), by leave, moved—That the time for the Parliamentary Joint Committee on ASIO, ASIS and DSD to present its advisory report on the Australian Security Intelligence Organisation Legislation Amendment (Terrorism) Bill 2002 be extended to 11 June 2002.

Question—put and passed.

**25 SELECTION COMMITTEE—REPORT**

Mr Causley (Chair) presented the following paper:

Selection Committee—Report relating to the consideration of committee and delegation reports and private Members' business on Monday, 27 May 2002.

**26 TREATIES—JOINT STANDING COMMITTEE—REPORTS—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPERS**

Ms J. I. Bishop (Chair) presented the following papers:

Treaties—Joint Standing Committee—Reports, incorporating dissenting reports—

Report 44—Four Nuclear Safeguards treaties tabled in August 2001, May 2002.

Report 45—The Statute of the International Criminal Court, May 2002.

Minutes of proceedings.

Ordered—That each report be printed.

Ms J. I. Bishop, Mr Wilkie and Mr Bartlett, by leave, made statements in connection with the reports.

Ms J. I. Bishop, by leave, moved—That the House take note of each of the reports.

Ms J. I. Bishop was granted leave to continue her speech when the debate is resumed.

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

**27 ADJOURNMENT**

Fran Bailey (Parliamentary Secretary to the Minister for Defence) moved—That the House do now adjourn.

Question—put and passed.

And then the House, at 8.45 p.m., adjourned until tomorrow at 9.30 a.m.

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**PAPERS**

The following papers were deemed to have been presented on 14 May 2002:

A New Tax System (Goods and Services Tax) Act—Regulations—Statutory Rules 2002 No. 88.

A New Tax System (Goods and Services Tax Transition) Act—Regulations—Statutory Rules 2002 No. 89.

Aboriginal and Torres Strait Islander Commission Act—Rules—2002 Regional Council Election Amendment (No. 2).

Agricultural and Veterinary Chemicals Code Act, Australian Horticultural Corporation Act (as continued in force under section 45 of the Horticulture Marketing and Research and Development Services (Repeals and Consequential Provisions) Act, Australian Wine and Brandy Corporation Act, Dairy Produce Act, Export Control Act, Fisheries Management Act, Meat Inspection Act, National

Residue Survey (Customs) Levy Act, National Residue Survey (Excise) Levy Act, Primary Industries Levies and Charges Collection Act, Quarantine Act and Torres Strait Fisheries Act—Regulations—Statutory Rules 2002 No. 60.

Airports Act—Regulations—Statutory Rules 2002 No. 82.

Ashmore and Cartier Islands Acceptance Act—Ordinance 2002 No. 1.

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposal 2002 No. 8.

Australian Citizenship Act—Regulations—Statutory Rules 2002 No. 85.

Australian Institute of Health and Welfare Act—Regulations—Statutory Rules 2002 No. 62.

Australian Land Transport Development Act—Determination under Section 10—2000-01.

Australian Prudential Regulation Authority Act—Regulations—Statutory Rules 2002 No. 64.

Australian Research Council Act—Determinations—2002 Nos 6, 7, 8.

Broadcasting Services Act—Determinations—2001—

Datacasting Charge (Due and Payable).

Datacasting Charge (Late Payment Penalty).

Charter of the United Nations Act—Regulations—Statutory Rules 2002 No. 61.

Christmas Island Act—Ordinance—2002 No. 1.

Christmas Island Act and Cocos (Keeling) Islands Act—Regulations—Statutory Rules 2002 No. 93.

Civil Aviation Act—Civil Aviation Regulations—

Airworthiness Directives—

Part 39-105—2002 5(2), 8(4), 10(8), 20(2), 22(4), 24, 25, 26(3), 27(7), 28(3) March, 3(8), 4(2), 5(2), 7(10), 10(2), 12(2), 23(2), 24 April.

Part 39-106—2002 5(4), 8(2), 10(5), 13, 19, 25(2), 26(3) March, 2(2), 3(3), 7(3) April.

Part 39-107—2002 5, 7(2), 8, 28 March, 4, 7(2), 16 April.

Amendment Orders—2002 Nos 4, 5, 6.

Exemption—2002 CASA EX 10.

Instruments—2002 Nos CASA 154, CASA 228, CASA 229, CASA 230, CASA 235, CASA 240, CASA 246, CASA 252.

Regulations—Statutory Rules 2002 No. 79.

Cocos (Keeling) Islands Act—Ordinance 2002 No. 1.

Commonwealth Authorities and Companies Act—Orders—2002 Commonwealth Authorities and Companies (Financial Statements 2001-2002) Amendment.

Coral Sea Islands Act—Ordinance 2002 No. 1.

Corporations Act—Regulations—Statutory Rules 2002 No. 53.

Crimes Act—Regulations—Statutory Rules 2002 No. 66.

Criminal Code Act—Regulations—Statutory Rules 2002 No. 67.

Currency Act—Determination—2002 Currency (Royal Australian Mint) No. 2.

Customs Act—

Instrument of approval—2002 No. 15.

Regulations—Statutory Rules 2002 No. 81.

Defence Act—

Defence Force Remuneration Tribunal—Determinations—2002 Nos 1, 2, 3, 4, 5, 6, 7.

Determinations under section 58B—2002 Nos 4, 5, 6, 7, 8, 9.

Regulations—Statutory Rules 2002 No. 51.

Diesel and Alternative Fuels Grants Scheme Act—Regulations—Statutory Rules 2002 No. 54.

Diplomatic Privileges and Immunities Regulations—Certificates, 16 March, 10 April (2) 2002.

Environment Protection and Biodiversity Conservation Act—

Booderee National Park—

Management Plan, March 2002.

Report of the Board and the Director on the management plan and submissions, including the views of the Board and the Director on public comments on the draft plan, February 2002.

Submissions and comments on the draft management plan, September 2001.

Christmas Island National Park—  
Management Plan.  
Report of the Director of National Parks—  
Analysis of public comments on the draft plan and changes to the plan.  
Public comments received on the draft plan.  
Regulations—Statutory Rules 2002 No. 83.

Epidemiological Studies (Confidentiality) Act—Regulations—Statutory Rules 2002 No. 63.

Explosives Act—Regulations—Statutory Rules 2002 No. 92.

Export Control Act—Export Control (Orders) Regulations—Orders—Export Control (Fees) Amendment—2002 (No. 1).

Federal Magistrates Act—Rules of Court—Statutory Rules 2002 No. 80.

Financial Management and Accountability Act—  
Orders—2002 Financial Management and Accountability (Financial Statements 2001-2002) Amendment.  
Regulations—Statutory Rules 2002 No. 74.

Fisheries Management Act—Northern Prawn Fishery Management Plan 1995—Direction No. NPFD 64.

Great Barrier Reef Marine Park Act—Regulations—Statutory Rules 2002 Nos 72, 73.

Health Insurance Act—  
Determination—2002 HS/01, HS/02, HS/03.  
Regulations—Statutory Rules 2002 Nos 75, 76, 77.

Higher Education Funding Act—Determination—2001 Nos T33, T34.

Income Tax Assessment Act 1997—Regulations—Statutory Rules 2002 No. 65.

Industrial Chemicals (Notification and Assessment) Act—Regulations—Statutory Rules 2002 No. 58.

International Organisations (Privileges and Immunities) Act—Regulations—Statutory Rules 2002 No. 57.

Lands Acquisition Act—Declaration under sub-section 41(1), 27 February 2002.

Life Insurance Act—  
Actuarial standards—2002 Nos AS1.02, AS1.03, AS2.03, AS3.03, AS4.02, AS5.02, AS6.02, AS7.01.  
Variation of actuarial standards, March 2002.

Migration Act—Regulations—Statutory Rules 2002 No. 86.

National Health Act—  
Declarations—2002 Nos PB 5, PB 6  
Determinations 2002—  
National Health (Circumstances for Payment of Supplier of Pharmaceutical Benefits).  
No. PB 7.  
Determinations under Schedule 1, paragraph (bj)—2002 Nos HSR 3, HSR 4, HSR 7.  
Rules under Subsection 99AAA(8)—2002 No. PB 8.

National Residue Survey (Excise) Levy Act—Regulations—Statutory Rules 2002 No. 50.

Naval Defence Act—Regulations—Statutory Rules 2002 No. 52.

Parliamentary Entitlements Act—Advice under paragraph 18(a), 23 March 2002.

Patents Act—Regulations—Statutory Rules 2002 No. 59.

Primary Industries (Excise) Levies Act—Regulations—Statutory Rules 2002 Nos 55, 68.

Primary Industries Levies and Charges Collection Act—Regulations—Statutory Rules 2002 No. 69.

Privacy Act—Determination under section 72—2002 No. 8.

Public Employment (Consequential and Transitional) Amendment Act—Regulations—Statutory Rules 2002 No. 87.

Radiocommunications Act—Plan—2002 2.1 GHz Band frequency band.

Remuneration Tribunal Act—Remuneration Tribunal—Determinations—  
2001 Nos 26, 27.  
2002 Nos 1, 2.

Retirement Savings Accounts Act—Regulations—Statutory Rules 2002 No. 90.

Safety, Rehabilitation and Compensation Act—  
 Notice—2002 No. 4.  
 Directions—2002 Safety, Rehabilitation and Compensation.  
 Regulations—Statutory Rules 2002 No. 56.

Statutory Declarations Act—Regulations—Statutory Rules 2002 No. 70.  
*Superannuation Act 1976*—Regulations—Statutory Rules 2002 No. 94.  
*Superannuation Act 1990*—Declarations—Statutory Rules 2002 Nos 95, 96.

Superannuation Industry (Supervision) Act—Regulations—Statutory Rules 2002 No. 91.

Sydney Airport Curfew Act—Dispensation—2002 No. 3.

Sydney Airport Demand Management Act—Directions—2002 Slot Management Scheme Nos MTR 2, MTR 3.

Taxation Administration Act—  
 Determinations—2002 Nos GSTD 1, TD 5.  
 Rulings—  
 2001—No. PR 56 (Addendum), PR 137 (Addendum).  
 2002—Nos CR 13, CR 14, CR 15, CR 16, CR 17, CR 18, CR 19, CR 20, CR 21, CR 22, PR 22 (Addendum), CR 23, CR 24, CR 25, PR 6 (Addendum), PR 26, PR 27, PR 28, PR 29, PR 30, PR 31, PR 32, PR 33, PR 34, PR 35, PR 36, PR 37, PR 38, PR 38 (Addendum), PR 39, PR 39 (Addendum), PR 40, PR 41, PR 42, PR 43, PR 44 PR 44 (Addendum), PR 45, PR 46, PR 47, PR 48, PR 49, PR 50, PR 51, PR 52, PR 53, PR 54, PR 55, PR 56, PR 57, PR 58, PR 59, PR 60, PR 61, TR 7, TR 8, TR 9.

Telecommunications (Consumer Protection and Service Standards) Act—Determinations—2002 Telecommunications (Performance Standards).

Telecommunications (Numbering Charges) Act—Determination—2002 Telecommunications (Amounts of Annual Charge).

*Telecommunications Act 1997*—Instrument—2002 Telecommunications Code of Practice (Amendment No. 1).

Therapeutic Goods Act—Regulations—Statutory Rules 2002 No. 84.

Trans-Tasman Mutual Recognition Act—Regulations—Statutory Rules 2002 No. 78.

Veterans' Entitlements Act—  
 Determination under section 116A—2002 No. 4.  
 Instruments under section 196B—2002 Nos 34, 35, 36, 37, 38, 39, 40, 41, 42, 43.  
 Instrument under subsection 90(4)—2002 No. 7.  
 Instrument under subsection 117(2)—2002 No. 5.

Workplace Relations Act—Regulations—Statutory Rules 2002 No. 71.

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**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Albanese, Ms Burke\*, Mr Charles, Mr Jull, Jackie Kelly\*, Mr McLeay and Mr M. A. J. Vaile.

\* On leave

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**I. C. HARRIS**  
 Clerk of the House of Representatives