

2002

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 31

TUESDAY, 25 JUNE 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 QUESTIONS

Questions without notice being asked—

Paper

Mr Dutton, in accordance with standing order 321, having called for documents quoted from by Dr Nelson (Minister for Education, Science and Training)—

Dr Nelson presented the following paper:

School funding—'She deserves better'—Advertisement published in the *Sunday Mail*, 23 June 2002.

Questions without notice continuing—

Paper

Mr Crean (Leader of the Opposition), by leave, presented the following paper:

Money laundering in Nauru—Copy of transcript of AM program, ABC Radio, 6 June 2002.

Questions without notice continued.

3 PRIVILEGE—STATEMENT BY SPEAKER

The Speaker referred to the matter of privilege raised by Mr Tanner on 24 June 2002 concerning a threat of legal action against him that he said had been made by representatives of Telstra at a meeting relating to his shadow portfolio responsibilities.

The Speaker stated that as he did not have sufficient information to make a final decision on the Member's complaint, he could therefore not give precedence to a motion at this time.

Mr Tanner, by indulgence, spoke further to the matter.

4 AUDITOR-GENERAL'S REPORT

The Speaker presented the following paper:

Auditor-General—Audit report No. 61 of 2001-2002—Information Support Services—Managing people for business outcomes.

Ordered to be printed.

5 PAPERS

The following papers were presented:

Australia-India Council—Report for 2000-01.

Treaties—

Bilateral—Text, together with national interest analyses—

Timor Sea treaty between the Government of Australia and the Government of East Timor, done at Dili on 20 May 2002.

Exchange of notes constituting an agreement between the Government of Australia and the Government of the Democratic Republic of East Timor concerning arrangements for exploration and exploitation of petroleum in an area of the Timor Sea between Australia and East Timor, done at Dili on 20 May 2002.

Multilateral—

*Text, together with national interest analysis and regulation impact statement—*Agreement to promote compliance with international conservation and management measures by fishing vessels on the high seas, done at Rome on 24 November 1993.

List of multilateral treaty action under negotiation or consideration by the Australian Government, or expected to be within the next twelve months, June 2002.

6 PAPERS—MOTION TO TAKE NOTE OF PAPERS

Mr Abbott (Leader of the House) moved—That the House take note of each of the papers listed under item No. 5, other than the first listed paper.

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

7 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—INDUSTRIAL RELATIONS.

The House was informed that Mr McClelland had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The failure of the Howard Government’s confrontationalist approach to industrial relations”.

The proposed discussion having received the necessary support—

Mr McClelland addressed the House.

Discussion ensued.

Discussion concluded.

8 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, 19 August 2002.

9 MAIN COMMITTEE—DAY OF NEXT MEETING

The Deputy Speaker reported that Wednesday, 26 June 2002, at 9.40 a.m., had been fixed for the next meeting of the Main Committee.

10 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:

Family Law Amendment (Child Protection Convention) 2002; and

Jurisdiction of Courts Legislation Amendment 2002.

Question—put and passed.

11 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENT BY MEMBER

Mr Sciacca, by leave, presented the following paper:

Australian Parliamentary Delegation to the 107th Inter-Parliamentary Conference, Marrakech, Morocco, 17 to 23 March 2002, and a bi-lateral visit to Kuwait, 25 to 28 March 2002—Report, June 2002.

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

12 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.

Mr Williams (Attorney-General), by leave, moved—That:

(1) Mr Somlyay be discharged from the Standing Committee on Industry and Resources and that, in his place, Mr Tollner be appointed a member of the committee; and

(2) Mr Melham be discharged from the Joint Standing Committee on Electoral Matters and that, in his place, Ms Hall be appointed a member of the committee.

Question—put and passed.

13 INTERNATIONAL CRIMINAL COURT BILL 2002

Mr Williams (Attorney-General), pursuant to notice, presented a Bill for an Act to facilitate compliance by Australia with obligations under the Rome Statute of the International Criminal Court, and for related purposes.

Bill read a first time.

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

Paper

Mr Williams presented an explanatory memorandum to the Bill.

Debate adjourned (Mr Swan), and, by leave, after debate, the resumption of the debate made an order of the day for a later hour this day.

14 INTERNATIONAL CRIMINAL COURT (CONSEQUENTIAL AMENDMENTS) BILL 2002

Mr Williams (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Criminal Code Act 1995* and certain other Acts in consequence of the enactment of the *International Criminal Court Act 2002*, and for other purposes.

Bill read a first time.

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

Paper

Mr Williams presented an explanatory memorandum to the Bill.

Debate adjourned (Mr Rudd), and, by leave, the resumption of the debate made an order of the day for a later hour this day.

15 WORKPLACE RELATIONS AMENDMENT (GENUINE BARGAINING) BILL 2002

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—*And on the amendment moved thereto by Mr McClelland, viz.—That all words after “That” be omitted with a view to substituting the following words: “whilst not denying the bill a second reading, the House condemns the Government for:*

- (1) unreasonably emasculating the powers of the AIRC to resolve industrial disputes in the interests of the parties;
- (2) interfering with the AIRC’s discretion to deal with industrial disputes in the most appropriate way; and
- (3) failing to put forward constructive proposals to enable the Commission to direct parties to bargain in good faith”—

Debate resumed.

Debate adjourned (Mr Entsch—Parliamentary Secretary to the Minister for Industry, Tourism and Resources), and the resumption of the debate made an order of the day for a later hour this day.

16 INTERNATIONAL CRIMINAL COURT BILL 2002

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.

Member ordered to withdraw

At 9.16 p.m. the Member for Indi (Ms Panopoulos) 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.

Debate continued.

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Williams (Attorney-General), the Bill was read a third time.

17 INTERNATIONAL CRIMINAL COURT (CONSEQUENTIAL AMENDMENTS) BILL 2002

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—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 Mr Williams (Attorney-General), the Bill was read a third time.

18 ADJOURNMENT

It being approximately 10.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 11 p.m.—The Speaker adjourned the House until tomorrow at 9.30 a.m.

PAPERS

The following papers were deemed to have been presented on 25 June 2002:

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposals—2002 Nos 10, 11, 12.

Disability Services Act—

Guidelines—2002—

Disability Services (Administration of Part II of the Act).

Disability Services (Rehabilitation Programs).

Standards—2002 Disability Services (Disability Employment and Rehabilitation Program).

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

Export Market Development Grants Act—Determination—2002 No. 1.

Sydney Airport Curfew Act—Dispensation—2002 No. 4.

Taxation Administration Act—Rulings—

2001 No. TR 14 (Addendum).

2002 Nos PR 90, PR 91, PR 92, PR 93, PR 94, TR 10.

Telecommunications Act 1997—Declaration—2002 Carrier Licence Conditions (Telstra Corporation Limited) 1997—Amendment (No. 2).

Telecommunications (Consumer Protection and Service Standards) Act—Determination—2002 Telstra Carrier Charges—Price Control Arrangements, Notification and Disallowance No. 1.

ATTENDANCE

All Members attended (at some time during the sitting) except Ms Burke*, Ms Corcoran, Jackie Kelly* and Mr Sawford.

* On leave

I. C. HARRIS

Clerk of the House of Representatives