

2002-03

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 74

TUESDAY, 11 FEBRUARY 2003

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—

Prime Minister and Acting Prime Minister—Motion of censure

Mr Crean (Leader of the Opposition), by leave, moved—That this House censures the Prime Minister and the Acting Prime Minister for their breach of trust with the Australian people in not telling the truth, that the Government has signed up to a “Coalition of the Willing” despite the Prime Minister’s and the Acting Prime Minister’s assurances to the Parliament that that is not the case.

Debate ensued.

Question—put.

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

AYES, 64

Mr Adams	Mr L. D. T. Ferguson	Mr Latham	Mr Quick*
Mr Albanese	Mr M. J. Ferguson	Dr Lawrence	Mr Ripoll
Mr Beazley	Mr Fitzgibbon	Mr McClelland	Ms Roxon
Mr Bevis	Ms George	Ms J. S. McFarlane	Mr Rudd
Mr Brereton	Mr Gibbons	Ms Macklin	Mr Sawford
Ms Burke	Ms Gillard	Mr McLeay	Mr Sciacca
Mr Byrne	Ms Grierson	Mr McMullan	Mr Sercombe
Ms Corcoran	Mr Griffin	Mr Melham	Mr Sidebottom
Mr Cox	Ms Hall	Mr Mossfield	Mr S. F. Smith
Mr Crean	Mr Hatton	Mr Murphy	Mr Snowdon
Mrs Crosio	Ms Hoare	Ms O’Byrne	Mr Swan
Mr Danby*	Mrs Irwin	Mr B. P. O’Connor	Mr Tanner
Mr Edwards	Ms Jackson	Mr G. M. O’Connor	Mr K. J. Thomson
Ms Ellis	Mr Jenkins	Mr Organ	Ms Vamvakinou
Mr Emerson	Mr Kerr	Ms Plibersek	Mr Wilkie
Mr Evans	Ms C. F. King	Mr Price	Mr Zahra

NOES, 80

Mr Abbott	Mrs Draper	Mrs D. M. Kelly	Mr Ruddock
Mr Anderson	Mr Dutton	Jackie Kelly	Mr Schultz
Mr K. J. Andrews	Mrs Elson	Dr Kemp	Mr Scott
Mr Anthony	Mr Entsch	Mr P. E. King	Mr Secker
Fran Bailey	Mr Farmer	Mrs Ley	Mr Slipper
Mr Baird	Mr Forrest*	Mr Lindsay	Mr A. D. H. Smith
Mr Barresi	Mrs Gallus	Mr Lloyd	Mr Somlyay
Mr Bartlett	Ms Gambaro	Mr McArthur*	Dr Southcott
Mr Billson	Mrs Gash	Mr I. E. Macfarlane	Dr Stone
Mrs B. K. Bishop	Mr Georgiou	Mr McGauran	Mr C. P. Thompson
Ms J. I. Bishop	Mr Haase	Mrs May	Mr Ticehurst
Mr Brough	Mr Hardgrave	Mrs Moylan	Mr Tollner
Mr Cadman	Mr Hartsuyker	Mr Nairn	Mr Truss
Mr Cameron	Mr Hawker	Dr Nelson	Mr Tuckey
Mr Causley	Mr Hockey	Mr Neville	Mr M. A. J. Vaile
Mr Charles	Mrs Hull	Ms Panopoulos	Mrs D. S. Vale
Mr Ciobo	Mr Hunt	Mr Pearce	Mr Wakelin
Mr Cobb	Mr Johnson	Mr Prosser	Dr Washer
Mr Costello	Mr Jull	Mr Pyne	Mr Williams
Mr Downer	Mr Katter	Mr Randall	Ms Worth

* Tellers

And so it was negatived.

Questions without notice concluded.

3 LEAVE OF ABSENCE TO MEMBER

Mr Crean (Leader of the Opposition) moved—That leave of absence until 27 March 2003 be given to Ms Livermore for maternity purposes.

Question—put and passed.

4 AUDITOR-GENERAL'S REPORTS

The Speaker presented the following papers:

Auditor-General—Audit reports of 2002-2003—

No. 28—Performance audit—Northern Territory Land Councils and the Aboriginals Benefit Account.

No. 29—Audit activity report—Audit activity report: July to December 2002—Summary of outcomes.

Reports ordered to be printed.

5 PAPERS

The following papers were presented:

National Environment Protection Council—Report for 2001-02.

Wheat Export Authority—Report for 2001-02.

6 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—AUSTRALIAN CHILDREN

The House was informed that Ms Roxon had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The Government’s lack of leadership and failure to provide adequate services for Australian children”.

The proposed discussion having received the necessary support—

Ms Roxon rising to address the House—

Mr Abbott (Leader of the House) moved—That the business of the day be called on.

Question—put and passed.

7 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:

New Business Tax System (Consolidation and Other Measures) (No. 2) 2002;

New Business Tax System (Venture Capital Deficit Tax) 2002;

Customs Legislation Amendment (No. 2) 2002;

Agriculture, Fisheries and Forestry Legislation Amendment (No. 1) 2002;

Agriculture, Fisheries and Forestry Legislation Amendment (No. 2) 2002;

Commonwealth Electoral Amendment (Members of Local Government Bodies) 2002; and

Family and Community Services Legislation Amendment 2002.

Question—put and passed.

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, 3 March 2003.

9 CORPORATIONS AMENDMENT (REPAYMENT OF DIRECTORS' BONUSES) 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—put and passed—Bill read a second time.

Consideration in detail

Bill, by leave, taken as a whole.

Mr Cox, by leave, moved Opposition amendments (1) to (5) together.

Debate continued.

Question—That the amendments be agreed to—put.

The House divided (the Deputy Speaker, Mr Jenkins, in the Chair)—

AYES, 64

Mr Adams	Mr Evans	Mr Latham	Mr Ripoll
Mr Albanese	Mr L. D. T. Ferguson	Dr Lawrence	Ms Roxon
Mr Andren	Mr M. J. Ferguson	Mr McClelland	Mr Rudd
Mr Beazley	Mr Fitzgibbon	Ms J. S. McFarlane	Mr Sawford
Mr Bevis	Ms George	Ms Macklin	Mr Sciacca
Mr Brereton	Mr Gibbons	Mr McLeay	Mr Sercombe
Ms Burke	Ms Gillard	Mr Melham	Mr Sidebottom
Mr Byrne	Ms Grierson	Mr Mossfield	Mr S. F. Smith
Ms Corcoran	Mr Griffin	Mr Murphy	Mr Snowdon
Mr Cox	Ms Hall	Ms O'Byrne	Mr Swan
Mr Crean	Mr Hatton	Mr B. P. O'Connor	Mr Tanner
Mrs Crosio	Ms Hoare	Mr G. M. O'Connor	Mr K. J. Thomson
Mr Danby*	Mrs Irwin	Mr Organ	Ms Vamvakinou
Mr Edwards	Ms Jackson	Ms Plibersek	Mr Wilkie
Ms Ellis	Mr Kerr	Mr Price	Mr Windsor
Mr Emerson	Ms C. F. King	Mr Quick*	Mr Zahra

NOES, 78

Mr Abbott	Mrs Elson	Dr Kemp	Mr Scott
Mr K. J. Andrews	Mr Entsch	Mr P. E. King	Mr Secker
Mr Anthony	Mr Farmer	Mrs Ley	Mr Slipper
Fran Bailey	Mr Forrest*	Mr Lindsay	Mr A. D. H. Smith
Mr Baird	Mrs Gallus	Mr Lloyd	Mr Somlyay
Mr Barresi	Ms Gambaro	Mr McArthur*	Dr Southcott
Mr Bartlett	Mrs Gash	Mr I. E. Macfarlane	Dr Stone
Mrs B. K. Bishop	Mr Georgiou	Mr McGauran	Mr C. P. Thompson
Ms J. I. Bishop	Mr Haase	Mrs May	Mr Ticehurst
Mr Brough	Mr Hardgrave	Mrs Moylan	Mr Tollner
Mr Cadman	Mr Hartsuyker	Mr Nairn	Mr Truss
Mr Cameron	Mr Hawker	Dr Nelson	Mr Tuckey
Mr Causley	Mr Hockey	Mr Neville	Mr M. A. J. Vaile
Mr Charles	Mrs Hull	Ms Panopoulos	Mrs D. S. Vale
Mr Ciobo	Mr Hunt	Mr Pearce	Mr Wakelin
Mr Cobb	Mr Johnson	Mr Prosser	Dr Washer
Mr Costello	Mr Jull	Mr Pyne	Mr Williams
Mr Downer	Mr Katter	Mr Randall	Ms Worth
Mrs Draper	Mrs D. M. Kelly	Mr Ruddock	
Mr Dutton	Jackie Kelly	Mr Schultz	

* Tellers

And so it was negatived.

Bill agreed to.

Consideration in detail concluded.

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

10 SEX DISCRIMINATION AMENDMENT (PREGNANCY AND WORK) 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 supporting the particular amendments proposed in the Bill, the House calls on the Government to support all the legislative amendments and other actions necessary to give effect to the recommendations of the Human Rights and Equal Opportunity Commission in its report *Pregnant and Productive: It’s a right not a privilege to work while pregnant*”—

Debate resumed.

Amendment negatived.

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

Consideration in detail

Bill, by leave, taken as a whole.

Ms Macklin (Deputy Leader of the Opposition), by leave, moved Opposition amendments (1) to (37) together.

Debate continued.

Question—That the amendments be agreed to—put.

The House divided (the Deputy Speaker, Mr Scott, in the Chair)—

AYES, 62

Mr Adams	Mr L. D. T. Ferguson	Mr Latham	Mr Ripoll
Mr Albanese	Mr M. J. Ferguson	Dr Lawrence	Ms Roxon
Mr Beazley	Mr Fitzgibbon	Mr McClelland	Mr Sawford
Mr Bevis	Ms George	Ms J. S. McFarlane	Mr Sciacca
Mr Brereton	Mr Gibbons	Ms Macklin	Mr Sercombe
Ms Burke	Ms Gillard	Mr McLeay	Mr Sidebottom
Mr Byrne	Ms Grierson	Mr Melham	Mr S. F. Smith
Ms Corcoran	Mr Griffin	Mr Mossfield	Mr Snowdon
Mr Cox	Ms Hall	Mr Murphy	Mr Swan
Mr Crean	Mr Hatton	Ms O'Byrne	Mr Tanner
Mrs Crosio	Ms Hoare	Mr B. P. O'Connor	Mr K. J. Thomson
Mr Danby*	Mrs Irwin	Mr G. M. O'Connor	Ms Vamvakinou
Mr Edwards	Ms Jackson	Mr Organ	Mr Wilkie
Ms Ellis	Mr Jenkins	Ms Plibersek	Mr Zahra
Mr Emerson	Mr Kerr	Mr Price	
Mr Evans	Ms C. F. King	Mr Quick*	

NOES, 78

Mr Abbott	Mrs Draper	Jackie Kelly	Mr Schultz
Mr K. J. Andrews	Mr Dutton	Dr Kemp	Mr Secker
Mr Anthony	Mrs Elson	Mr P. E. King	Mr Slipper
Fran Bailey	Mr Entsch	Mrs Ley	Mr A. D. H. Smith
Mr Baird	Mr Farmer	Mr Lindsay	Dr Southcott
Mr Baldwin	Mr Forrest*	Mr Lloyd	Dr Stone
Mr Barresi	Mrs Gallus	Mr McArthur*	Mr C. P. Thompson
Mr Bartlett	Ms Gambaro	Mr I. E. Macfarlane	Mr Ticehurst
Mr Billson	Mrs Gash	Mr McGauran	Mr Tollner
Mrs B. K. Bishop	Mr Georgiou	Mrs May	Mr Truss
Ms J. I. Bishop	Mr Haase	Mrs Moylan	Mr Tuckey
Mr Brough	Mr Hardgrave	Mr Nairn	Mr M. A. J. Vaile
Mr Cadman	Mr Hartsuyker	Dr Nelson	Mrs D. S. Vale
Mr Cameron	Mr Hawker	Mr Neville	Mr Wakelin
Mr Causley	Mrs Hull	Ms Panopoulos	Dr Washer
Mr Charles	Mr Hunt	Mr Pearce	Mr Williams
Mr Ciobo	Mr Johnson	Mr Prosser	Mr Windsor
Mr Cobb	Mr Jull	Mr Pyne	Ms Worth
Mr Costello	Mr Katter	Mr Randall	
Mr Downer	Mrs D. M. Kelly	Mr Ruddock	

* Tellers

And so it was negatived.

Bill agreed to.

Consideration in detail concluded.

On the motion of Dr Stone (Parliamentary Secretary to the Minister for the Environment and Heritage), by leave, the Bill was read a third time.

11 SNOWY HYDRO CORPORATISATION AMENDMENT 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—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, Tourism and Resources), the Bill was read a third time.

12 WORKPLACE RELATIONS AMENDMENT (PROHIBITION OF COMPULSORY UNION FEES) BILL 2002 [NO. 2]

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 opposing a second reading, the House condemns the Government for its simplistic and divisive industrial relations agenda that is failing to address the needs of Australia’s working families”.

Debate continued.

Mr Lindsay addressing the House—

13 ADJOURNMENT

It being 9 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 9.30 p.m.—The Speaker adjourned the House until tomorrow at 9 a.m.

PAPERS

The following papers were deemed to have been presented on 11 February 2003:

Aboriginal and Torres Strait Islander Commission Act—Determination—2003 Aboriginal and Torres Strait Islander Commission (Travel).

Horticulture Marketing and Research and Development Services Act—Orders—2002—

Horticulture Marketing and Research and Development Services—

Regulated Horticultural Products and Markets (Apples to all export markets) (No. 1).

Regulated Horticultural Products and Markets (Dried grapes to all export markets) (No. 1).

Regulated Horticultural Products and Markets (Mandarins, tangelos, grapefruit, lemons and limes to the United States of America) (No. 1).

Regulated Horticultural Products and Markets (Oranges to all export markets) (No. 1).

Regulated Horticultural Products and Markets (Pears to all export markets) (No. 1).

Regulated Horticultural Products and Markets [Stone fruit (peaches and plums) to Taiwan] (No. 1).

Taxation Administration Act—Rulings—2003 Nos CR 6, CR 7, PR 3.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Howard and Ms Livermore*.

* On leave

I. C. HARRIS
Clerk of the House of Representatives

2002-03

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 74

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

TUESDAY, 11 FEBRUARY 2003

1 The Main Committee met at 4.30 p.m.

2 IRAQ—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER

The order of the day having been read for the resumption of the debate on the motion of Mr Abbott (Leader of the House)—That the House take note of the paper (*presented on 4 February 2003*) viz.:

Iraq—Ministerial Statement, 4 February 2003—*And on the amendment moved thereto by Mr Andren, viz.*—That the following words be added to the motion: “and insists that in the absence of specific, unambiguous and unanimous support of the five permanent members of the United Nations Security Council, Australian defence forces not be involved in any military action in Iraq”—

Debate resumed.

Suspension of sitting

At 4.45 p.m., a division having been called in the House, the proceedings were suspended.

Resumption of sitting

At 4.58 p.m., the proceedings were resumed.

Debate continued.

Suspension of sitting

At 6.14 p.m., a division having been called in the House, the proceedings were suspended.

Resumption of sitting

At 6.26 p.m., the proceedings were resumed.

Debate continued.

Mr McClelland moved, as an amendment to the proposed amendment—That all words after “and” be omitted with a view to substituting the following words:

- “(1) condemns the Government for forward-deploying Australian troops to a potential theatre of war with Iraq in the absence of any United Nations authorisation and without revealing to the Australian people the commitments on which that deployment was based;
- (2) declares its opposition to a unilateral military attack on Iraq by the United States;
- (3) insists that the disarmament of Iraq proceed under the authority of the United Nations;
- (4) expresses its full support and confidence in our servicemen and women, while expressing its opposition to the Government’s decision to forward-deploy them;

- (5) expresses its total opposition to any use of nuclear arms and declares that Australian support should not be provided to any operation where such weaponry may be used; and
- (6) declares that it has no confidence in the Prime Minister's handling of this grave matter for the nation".

Debate continued.

Paper

Ms Hoare, by leave, presented the following paper:

Statement by General Peter Gration on the report by the Medical Association for the Prevention of War on the health and environmental consequences of a new war against Iraq, 12 November 2002.

Debate continued.

Mrs Elson was granted leave to continue her speech when the debate is resumed.

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

3 ADJOURNMENT

On the motion of Mr Neville, the Main Committee adjourned at 9 p.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