

2002-03

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 99

MONDAY, 16 JUNE 2003



1 The House met, at 12.30 p.m., pursuant to adjournment. The Speaker (the Honourable Neil Andrew) took the Chair, and read Prayers.

**2 COMMONWEALTH ELECTORAL AMENDMENT (REPRESENTATION OF TERRITORIES) BILL 2003**

Mr Tollner, pursuant to notice, presented a Bill for an Act to amend the *Commonwealth Electoral Act 1918* in relation to representation of the Australian Capital Territory and the Northern Territory, and for related purposes.

Mr Tollner made a statement in relation to the Bill.

*Paper*

Mr Tollner presented an explanatory memorandum to the Bill.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting, in accordance with standing order 104A.

**3 WORKPLACE RELATIONS AMENDMENT (GOOD FAITH BARGAINING) BILL 2003**

Mr McClelland, pursuant to notice, presented a Bill for an Act to amend the *Workplace Relations Act 1996*, and for related purposes.

Mr McClelland made a statement in relation to the Bill.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting, in accordance with standing order 104A.

**4 WESTERN HIGHWAY, VICTORIA**

Ms C. F. King, pursuant to notice, moved—That this House:

- (1) recognises the importance of the Western Highway to the economic well-being of the towns and cities along the highway;
- (2) recognises that traffic congestion has increased with the development of housing estates at Deer Park, Burnside and Caroline Springs;
- (3) acknowledges that the Western Highway has suffered from sustained financial neglect that has in turn compromised the safety and integrity of the road;
- (4) further acknowledges that since 1998 there has been a total of 543 collisions on the Ballarat Highway between Anthony's Cutting and the Western Ring Road with 14 resulting in fatalities and 254 collisions resulting in serious injuries; and
- (5) calls on the Government to take steps to upgrade the Western Highway, including a commitment to the freeway standard link between the Western Highway and the Western Ring Road (Deer Park Bypass).

Debate ensued.

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

## 5 CERVICAL CANCER SCREENING

Ms Hoare, pursuant to notice, moved—That this House:

- (1) notes that cancer of the cervix is the eighth most common cancer amongst females;
- (2) notes with satisfaction that as a result of the National Cervical Screening Program its incidence and mortality have been falling for many years;
- (3) encourages all Australian women to undertake regular screening for cervical cancer;
- (4) notes that although the Pap smear has been an effective screening test there is room for improvement;
- (5) understands that many Australian women are choosing the more accurate but costly ThinPrep Pap test for screening; and
- (6) urges the Minister to allow free access to the more reliable ThinPrep Pap test for all Australian women.

Debate ensued.

At 1.45 p.m., the time allotted for the debate having expired, the debate was interrupted in accordance with standing order 106A, Mrs Hull was granted leave to continue her speech when the debate is resumed, and the resumption of the debate was made an order of the day for the next sitting.

## 6 MEMBERS' STATEMENTS

Members' statements were made.

*Paper*

Mr Organ, by leave, presented the following paper:

The heart of the nation's existence: A review of reports on the treatment of children in Australian detention centres—Report prepared by ChilOut, for the information of the Department of Immigration, Multicultural and Indigenous Affairs, 2002.

## 7 MINISTERIAL ARRANGEMENTS

Mr Howard (Prime Minister) informed the House that, during the absence abroad of Dr Kemp (Minister for the Environment and Heritage), Mr Truss (Minister for Agriculture, Fisheries and Forestry) would answer questions on his behalf.

Mr Howard also 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 today and Mr Ruddock (Minister for Immigration and Multicultural and Indigenous Affairs) would answer questions on his behalf for the remainder of the week.

## 8 DEATH OF FORMER MEMBER (THE HONOURABLE W. C. WENTWORTH)

Mr Howard (Prime Minister) referred to the death of the Honourable W. C. Wentworth, and moved—That the House records its deep regret at the death on 15 June 2003, of the Honourable William Charles (Bill) Wentworth, AO, former Federal Minister and Member of this House for the Division of Mackellar from 1949 to 1977, places on record its appreciation of his long and meritorious public service, and tenders its profound sympathy to his family in their bereavement.

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

Question—passed.

## 9 QUESTIONS

Questions without notice being asked—

*Member ordered to withdraw*

At 3.19 p.m. the Member for Hasluck (Ms Jackson) was ordered, under standing order 304A, to withdraw from the House for one hour for continually interjecting, and she accordingly withdrew from the Chamber.

Questions without notice continued.

**10 PETITIONS**

Petitions lodged for presentation were announced.

**11 FREE TRADE AGREEMENT WITH THE USA**

Mr Baird, pursuant to notice, moved—That this House:

- (1) takes note of recent progress towards a Free Trade Agreement with the United States of America;
- (2) welcomes the increased opportunities the agreement will bring to Australia and Australian producers;
- (3) congratulates the Government on the significant achievement of bringing this initiative closer to reality; and
- (4) continues to place priority on working to negotiate free trade agreements that complement the work of the WTO and APEC.

Debate ensued.

The time allotted for the debate having expired, the debate was interrupted, and the resumption of the debate made an order of the day for the next sitting.

**12 WOMEN AND CHILDREN IN VIETNAM**

Mrs Irwin, pursuant to notice, moved—That this House notes:

- (1) the very high levels of domestic violence in Vietnam and its consequences for women and children and urges international agencies and Vietnamese institutions to take action to detect and prevent abuse and calls on Non Government Organisations and AUSAID, in consultation with Vietnamese Government agencies, to initiate and promote education programs on gender equality, vocational rights and children's rights in Vietnam;
- (2) the high level of sex trafficking in Vietnam and neighbouring countries and related risks including increasing infection rates of HIV/AIDS and calls on Non Government Organisations and AUSAID to cooperate with the Vietnamese Government to train law enforcement officers to rescue and rehabilitate victims, to raise public awareness of the problem, to provide alternative employment and income earning opportunities for women and girls and to offer sex education for children; and
- (3) the lack of safe and effective fertility control available to women in Vietnam and the resulting very high level of legal abortions performed and calls on Non Government Organisations and AUSAID to assist in the development of accessible, safe and effective fertility control measures for women in Vietnam.

Debate ensued.

The time allotted for private Members' business having expired, the debate was interrupted, the resumption of the debate made an order of the day for the next sitting, and Ms Gambaro was granted leave to continue her speech when the debate is resumed.

**13 GRIEVANCE DEBATE**

Pursuant to the provisions of standing order 106, the order of the day having been read—

Question proposed—That grievances be noted.

Debate ensued.

*Paper*

Fran Bailey (Parliamentary Secretary to the Minister for Defence), by leave, presented the following paper:

Australian Wine Industry—Industry Risk Alert by the National Australia Bank, Industry Economics, Group Economics, March 2003.

Debate continued.

Question—That grievances be noted—put and passed.

**14 MESSAGES FROM THE ADMINISTRATOR—ASSENT TO BILLS**

Messages from His Excellency the Administrator were announced informing the House that His Excellency, in the name of Her Majesty, had assented to the following Bills:

27 May 2003—Message No. 137—

Therapeutic Goods Amendment (No. 1) 2003.

Criminal Code Amendment (Terrorism) 2003.

3 June 2003—Message No. 138—Crimes Legislation Enhancement 2003.

#### 15 MESSAGE FROM THE SENATE

Message No. 262, 16 June 2003, from the Senate was reported returning the Terrorism Insurance Bill 2003 and acquainting the House that the Senate does not insist upon its amendments disagreed to by the House of Representatives.

#### 16 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:

Workplace Relations Amendment (Protection for Emergency Management Volunteers) 2003; and  
Acts Interpretation Amendment (Court Procedures) 2003.

Question—put and passed.

#### 17 PAPER

Mr McGauran (Minister for Science), presented the following paper:

Australian Research Council—Strategic Action Plan 2003-2005—Investing in our future.

#### 18 HEALTH LEGISLATION AMENDMENT (MEDICARE AND PRIVATE HEALTH INSURANCE) BILL 2003

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 S. F. Smith, viz.*—That all words after “That” be omitted with a view to substituting the following words: “the House rejects this Bill and the Government’s so-called “A Fairer Medicare” package for the following reasons:

- (1) it will create a two tiered user-pays health system under which Australian families will pay more for a visit to the doctor;
- (2) it will lead in time to Medicare becoming a second-class safety net in which bulk billing is only available for pensioners and concession card holders;
- (3) it will make it easier for those doctors who currently bulk bill Australian families to start charging them co-payments for the first time, and those doctors who are currently private billing to increase their fees;

and commends Labor’s plan to save Medicare and restore bulk billing for Australians families”—

Debate resumed.

Question—That the words proposed to be omitted stand part of the question—put.

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

## AYES, 74

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

## NOES, 61

Mr Adams	Mr Fitzgibbon	Ms J. S. McFarlane	Mr Rudd
Mr Albanese	Ms George	Ms Macklin	Mr Sawford
Mr Beazley	Mr Gibbons	Mr McLeay	Mr Sciacca
Mr Bevis	Ms Gillard	Mr McMullan	Mr Sercombe
Mr Brereton	Ms Grierson	Mr Melham	Mr Sidebottom
Ms Burke	Mr Griffin	Mr Mossfield	Mr S. F. Smith
Mr Byrne	Ms Hall	Mr Murphy	Mr Snowdon
Ms Corcoran	Mr Hatton	Ms O'Byrne	Mr Swan
Mr Cox	Ms Hoare	Mr B. P. O'Connor	Mr Tanner
Mrs Crosio	Mrs Irwin	Mr G. M. O'Connor	Mr K. J. Thomson
Mr Danby*	Mr Kerr	Mr Organ	Ms Vamvakinou
Mr Edwards	Ms C. F. King	Ms Plibersek	Mr Wilkie
Ms Ellis	Mr Latham	Mr Price	Mr Zahra
Mr Emerson	Dr Lawrence	Mr Quick*	
Mr Evans	Ms Livermore	Mr Ripoll	
Mr M. J. Ferguson	Mr McClelland	Ms Roxon	

\* Tellers

And so it was resolved in the affirmative.

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

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

## AYES, 72

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

## NOES, 62

Mr Adams	Mr Fitzgibbon	Ms J. S. McFarlane	Mr Rudd
Mr Albanese	Ms George	Ms Macklin	Mr Sawford
Mr Beazley	Mr Gibbons	Mr McLeay	Mr Sciacca
Mr Bevis	Ms Gillard	Mr McMullan	Mr Sercombe
Mr Brereton	Ms Grierson	Mr Melham	Mr Sidebottom
Ms Burke	Mr Griffin	Mr Mossfield	Mr S. F. Smith
Mr Byrne	Ms Hall	Mr Murphy	Mr Snowdon
Ms Corcoran	Mr Hatton	Ms O'Byrne	Mr Swan
Mr Cox	Ms Hoare	Mr B. P. O'Connor	Mr Tanner
Mrs Crosio	Mrs Irwin	Mr G. M. O'Connor	Mr K. J. Thomson
Mr Danby*	Mr Kerr	Mr Organ	Ms Vamvakinou
Mr Edwards	Ms C. F. King	Ms Plibersek	Mr Wilkie
Ms Ellis	Mr Latham	Mr Price	Mr Windsor
Mr Emerson	Dr Lawrence	Mr Quick*	Mr Zahra
Mr Evans	Ms Livermore	Mr Ripoll	
Mr M. J. Ferguson	Mr McClelland	Ms Roxon	

\* Tellers

And so it was resolved in the affirmative—Bill read a second time.

*Message from the Administrator*

Message No. 136, 28 May 2003, from His Excellency the Administrator 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 Health and Ageing), the Bill was read a third time.

**19 EXPORT MARKET DEVELOPMENT GRANTS AMENDMENT BILL 2003**

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 having been resumed by Mr Emerson—

**20 ADJOURNMENT**

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

Debate ensued.

Question—put and passed.

And then the House, at 9.30 p.m., adjourned until tomorrow at 2 p.m.

**PAPERS**

The following papers were deemed to have been presented on 16 June 2003:

Australian Prudential Regulation Authority Act—Determination—2003 Australian Prudential Regulation Authority (Commonwealth Costs).

Authorised Deposit-taking Institutions Supervisory Levy Imposition Act—Determination—2003 Authorised Deposit-taking Institutions Supervisory Levy Imposition.

Authorised Non-operating Holding Companies Supervisory Levy Imposition Act—Determination—2003 Authorised Non-operating Holding Companies Supervisory Levy Imposition.

Civil Aviation Act—Civil Aviation Regulations—

Amendment Order—2003 No. 6.

Exemptions—2003 No. CASA EX13.

Instruments—2003 Nos CASA 214, CASA 215, CASA 216, CASA 217.

Copyright Act—Declaration under paragraph 10A (1)(c), 25 March 2003.

Defence Act—

Defence Force Remuneration Tribunal—Determinations—2003 Nos 8, 9, 10.

Determination under section 58B—2003 No. 13.

Export Control Act—Export Control (Orders) Regulations—Orders—2003 Grain, Plants and Plant Products Amendment (No. 1).

Financial Sector (Collection of Data) Act—Exemption under subsection 16(1), 17 April 2003.

General Insurance Supervisory Levy Imposition Act—Determination—2003 General Insurance Supervisory Levy Imposition.

Higher Education Funding Act—Determinations—

2002 No. T33.

2003 No. T14.

*Income Tax Assessment Act 1936—*

Determinations—1994 Nos TD 48 (Withdrawal), TD 73 (Withdrawal).

Rulings—Nos IT 340 (Withdrawal), IT 2345 (Withdrawal), IT 2386 (Withdrawal), IT 2438 (Withdrawal).

Life Insurance Supervisory Levy Imposition Act—Determination—2003 Life Insurance Supervisory Levy Imposition.

Migration Act—Certificate under section 502, 27 May 2003.

Motor Vehicle Standards Act—Road Vehicle (National Standards)—Determination—2003 No. 4.

Quarantine Act—Proclamation—2003 Quarantine Amendment (No. 2).

Remuneration Tribunal Act—Remuneration Tribunal—Determinations—2003 Nos 8, 9, 10, 11.

Retirement Savings Account Providers Supervisory Levy Imposition Act—Determination—2003 Retirement Savings Account Providers Supervisory Levy Imposition.

*Superannuation Act 1976—*Determination under sub-section 248(1), No. 8.

Superannuation Contributions Tax (Assessment and Collection) Act—Determination—2003 No. SCD 1.

Superannuation Contributions Tax Imposition Act—Determination—2003 No. SCD 4.

Superannuation Guarantee (Administration) Act—Determination—2003 No. SGD 1.

Superannuation Industry (Supervision) Act—Determination under sub-paragraph 66(2)(d)(i), 2 May 2003.

Superannuation Supervisory Levy Imposition Act—Determination—2003 Superannuation Supervisory Levy Imposition.

Taxation Administration Act—  
Determinations—

1992 Nos TD 157 (Withdrawal), TD 197 (Withdrawal).

1993 Nos TD 11 (Withdrawal), TD 244 (Withdrawal).

2003 No. TD 21.

Rulings—

1996 No. TR17 (Withdrawal).

1997 No. TR12 (Partial withdrawal).

2001 No. TR96 (Withdrawal).

2003 Nos CR 43, CR 44, PR 1 (Addendum), PR 20 (Withdrawal), PR 23 (Addendum), PR 35, PR 36, PR 37, PR 38, PR 39, PR 39 (Erratum), PR 40, PR 40 (Erratum), PR 41, PR 42, TR 5.

Termination Payments Tax (Assessment and Collection) Act—Determination—2003 No. SCD 3.

Termination Payments Tax Imposition Act—Determination—2003 No. SCD 2.

Therapeutic Goods Act—Regulations—Statutory Rules 2003 No. 111.

Veterans' Entitlements Act—

Instrument under section 88A—2003 No. 6.

Instrument under section 90(4)—2003 No. 3.



#### ATTENDANCE

All Members attended (at some time during the sitting) except Mr Katter, Dr Kemp, Mr I. E. Macfarlane\*, Mr Prosser and Mr M. A. J. Vaile.

\* On leave



**I. C. HARRIS**

Clerk of the House of Representatives

2002-03

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

No. 99

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

MONDAY, 16 JUNE 2003

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1 The Main Committee met at 4 p.m.

**2 APPROPRIATION BILL (NO. 1) 2003-2004**

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 McMullan, viz.*—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 condemns the Government for:

- (1) its obsession with shifting the cost of health and education from the budget to Australian families;
- (2) imposing higher costs of doctors’ visits on families without concession cards and a 30 per cent hike in essential medicine prices;
- (3) allowing HECS fees to rise by 30%, introducing a loan scheme with a 6% interest rate and doubling the number of places reserved for full fee paying students;
- (4) its cynical attempt to distract the public from these higher costs by offering miserly tax cuts of \$4 a week for the average family;
- (5) its failure to address the complexity of superannuation and its determination to offer super cuts only to the wealthiest families;
- (6) its willingness to deliver tax cuts to corporate Australia while imposing a record tax burden on Australian families;
- (7) its failure to protect the superannuation savings of Australian families by protecting them from corporate greed;
- (8) its decision to hire yet more tax officials rather than take steps to ease the BAS compliance burden on small business; and
- (9) its failure to provide leadership on environmental issues and in particular its failure to address water reform”—

Debate resumed.

Mr K. J. Thomson 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.

**3 ADJOURNMENT**

On the motion of Mr B. P. J. O’Connor, the Main Committee adjourned at 8.39 p.m.

The Deputy Speaker fixed tomorrow at 4 p.m. for the next meeting of the Main Committee.

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