

2002-03

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 122

THURSDAY, 18 SEPTEMBER 2003

1 The House met, at 9 a.m., pursuant to adjournment. The Speaker (the Honourable Neil Andrew) took the Chair, and read Prayers.

2 SPECIAL ADJOURNMENT

Mr Abbott (Leader of the House) moved—That the House, at its rising, adjourn until Tuesday, 7 October 2003, at 2 p.m., unless the Speaker fixes an alternative day or hour of meeting.

Question—put and passed.

3 BUILDING AND CONSTRUCTION INDUSTRY IMPROVEMENT BILL 2003—EXPOSURE DRAFT—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER

Mr Abbott (Minister for Employment and Workplace Relations), by leave, made a ministerial statement on the Building and Construction Industry Improvement Bill 2003—Exposure draft and presented the following paper:

Building and Construction Industry Improvement Bill 2003—Exposure draft—Statement by Minister for Employment and Workplace Relations, 18 September 2003.

Mr Abbott moved—That the House take note of the paper.

Suspension of standing and sessional orders—Time for speech

Mr McGauran (Deputy Leader of the House), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent Mr Emerson speaking for a period not exceeding 15 minutes.

Question—put and passed.

Mr Emerson addressed the House.

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

4 TELECOMMUNICATIONS INTERCEPTION AND OTHER LEGISLATION AMENDMENT BILL 2003

Mr Williams (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Telecommunications (Interception) Act 1979* and other legislation, 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 (Ms Roxon), and the resumption of the debate made an order of the day for the next sitting.

5 SPAM BILL 2003

Mr McGauran (Minister for Science), pursuant to notice, presented a Bill for an Act about spam, and for related purposes.

Bill read a first time.

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

Paper

Mr McGauran presented an explanatory memorandum to the Bill.

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

6 SPAM (CONSEQUENTIAL AMENDMENTS) BILL 2003

Mr McGauran (Minister for Science), pursuant to notice, presented a Bill for an Act to deal with consequential matters relating to the enactment of the *Spam Act 2003*, and for related purposes.

Bill read a first time.

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

Paper

Mr McGauran presented an explanatory memorandum to the Bill.

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

7 MARITIME TRANSPORT SECURITY BILL 2003

Mr Anderson (Minister for Transport and Regional Services), pursuant to notice, presented a Bill for an Act to safeguard against unlawful interference with maritime transport, and for related purposes.

Bill read a first time.

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

Paper

Mr Anderson presented an explanatory memorandum to the Bill.

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

8 FAMILY AND COMMUNITY SERVICES AND VETERANS' AFFAIRS LEGISLATION AMENDMENT (2003 BUDGET AND OTHER MEASURES) BILL 2003

Mr Anthony (Minister representing the Minister for Family and Community Services), pursuant to notice, presented a Bill for an Act to make amendments relating to the social security law, family assistance law and law about veterans' entitlements and child support, and for related purposes.

Bill read a first time.

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

Paper

Mr Anthony presented an explanatory memorandum to the Bill.

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

9 PARLIAMENTARY ZONE—INSTALLATION OF A COMMEMORATIVE PLAQUE FOR THE VICTIMS OF THE BALI ATROCITY—APPROVAL OF PROPOSAL

Mr Tuckey (Minister for Regional Services, Territories and Local Government), pursuant to notice, moved—That, in accordance with section 5 of the *Parliament Act 1974*, the House approves the following proposal for work in the Parliamentary Zone which was presented to the House on 17 September 2003, namely: Installation of a commemorative plaque for the victims of the Bali atrocity.

Question—put and passed.

10 CONSTRUCTION OF A NEW CHANCERY FOR THE AUSTRALIAN HIGH COMMISSION, NEW DELHI, INDIA—APPROVAL OF WORK

Mr M. A. J. Vaile (Minister for Trade), for Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Construction of a new chancery for the Australian High Commission, New Delhi, India.

Question—put and passed.

11 REFURBISHMENT OF STAFF APARTMENTS AT THE AUSTRALIAN EMBASSY COMPLEX, PARIS, FRANCE—APPROVAL OF WORK

Mr M. A. J. Vaile (Minister for Trade), for Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Refurbishment of staff apartments at the Australian Embassy Complex, Paris.

Question—put and passed.

12 PUBLICATIONS COMMITTEE—REPORT

Mr Randall (Chair) presented the following paper:

PUBLICATIONS COMMITTEE REPORT

The Publications Committee reports that it has met in conference with the Publications Committee of the Senate.

The Committee, having considered documents presented to Parliament since its last meeting, recommends that the following be printed:

Commonwealth Grants Commission—Report for 2002-03.

Housing Assistance Act 1996—Report for 2001-02.

National Health and Medical Research Council—Report for 2002.

Natural Heritage Trust—Report for 2001-02.

Queensland Fisheries Joint Authority—Report for 2001-02.

Remuneration Tribunal—Report for 2002-03.

Reserve Bank of Australia—Report for 2002-03.

War Crimes Act 1945—Report for 2002-03 on the operation of the Act.

DON RANDALL

Chair

18 September 2003

On the motion of Mr Randall, by leave, the report was agreed to.

13 MIGRATION LEGISLATION AMENDMENT (IDENTIFICATION AND AUTHENTICATION) 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 resumed.

Question—put and passed—Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Ruddock (Minister for Immigration and Multicultural and Indigenous Affairs), the Bill was read a third time.

14 SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED

Mr Emerson moved—That so much of the standing and sessional orders be suspended as would prevent the Minister for Employment and Workplace Relations immediately coming into the Chamber to make a statement explaining:

- (1) why the Minister has not read the secret Chapter 23 of the Report of the Cole Royal Commission into the construction industry, that sets out allegations of criminal behaviour;
- (2) how the Minister prepared the Exposure Draft of the construction industry legislation in response to these allegations; and
- (3) whether he proposes to refer the leaking of the secret chapter to the police for investigation.

Closure of Member

Mr Cameron (Parliamentary Secretary to the Minister for Family and Community Services) moved—
That the Member be not further heard.

Question—put.

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

AYES, 71

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

NOES, 60

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

* Tellers

And so it was resolved in the affirmative.

Mr Latham (seconder) addressing the House—

Closure of Member

Mr Abbott (Leader of the House) moved—That the Member be not further heard.

Question—put.

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

AYES, 71

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

NOES, 60

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

* Tellers

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 Deputy Speaker, Mr Causley, in the Chair)—

AYES, 59

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

NOES, 69

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

* Tellers

And so it was negatived.

15 STATISTICS LEGISLATION AMENDMENT BILL 2003—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the Bill had been fully considered by the Main Committee and agreed to without amendment, and presented a certified copy of the Bill.

Bill agreed to.

On the motion of Mr Cameron (Parliamentary Secretary to the Minister for Family and Community Services), by leave, the Bill was read a third time.

16 STATES GRANTS (PRIMARY AND SECONDARY EDUCATION ASSISTANCE) 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 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.

17 QUESTIONS

Questions without notice being asked—

Paper

Mr Anderson (Minister for Transport and Regional Services) presented the following paper:

Air Traffic Management—A strategic plan for Australia, 2003.

Questions without notice continuing—

Member ordered to withdraw

At 3.18 p.m. the Member for Hunter (Mr Fitzgibbon) was ordered, under standing order 304A, to withdraw from the House for one hour for continuing to interject, and he accordingly withdrew from the Chamber.

Questions without notice concluded.

18 PAPER

Mr McGauran (Deputy Leader of the House) presented the following paper:

Petitions not in accord with standing and sessional orders of the House.

19 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—MEDICARE

The House was informed that Ms Gillard had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The Government’s attack on Medicare”.

The proposed discussion having received the necessary support—

Ms Gillard addressed the House.

Discussion ensued.

Discussion concluded.

20 MESSAGES FROM THE SENATE

Messages from the Senate, 18 September 2003, were reported returning the following Bills without amendment:

Message—

No. 333—National Residue Survey (Customs) Levy Amendment 2002.

No. 334—National Residue Survey (Customs) Levy Amendment (No. 2) 2003.

No. 335—National Residue Survey (Excise) Levy Amendment 2002.

No. 336—National Residue Survey (Excise) Levy Amendment (No. 2) 2003.

21 ADJOURNMENT

It being 4.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 5 p.m.—The Speaker adjourned the House until Tuesday, 7 October 2003 at 2 p.m., in accordance with the resolution agreed to this sitting.

PAPERS

The following papers were deemed to have been presented on 18 September 2003:

Australian Security Intelligence Organisation Act—Regulations—Statutory Rules 2003 No. 233.

Civil Aviation Act—Civil Aviation Regulations—Instruments—2003 Nos CASA 398, CASA 423.

Parliamentary Entitlements Act—Advice under paragraph 18(b), 16 September 2003.

Taxation Administration Act—

Determination—2002 No. TD 4 (Addendum).

Rulings—2003 Nos CR 80, TR 11.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr K. J. Andrews, Fran Bailey, Mr Brereton, Mr Costello, Mr Downer, Mr Edwards, Jackie Kelly, Mrs May, Mr Sciacca, Mr Sercombe, Mr Snowdon* and Mr Somlyay.

* On leave

I. C. HARRIS
Clerk of the House of Representatives

2002-03

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 122

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 18 SEPTEMBER 2003

1 The Main Committee met at 9.40 a.m.

2 MEMBERS' STATEMENTS

Members' statements were made.

3 STATISTICS LEGISLATION 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 resumed.

Question—put and passed—Bill read a second time.

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 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—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 Baird—That the House take note of the paper (*presented on 15 September 2003*), viz.:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Report—Expanding Australia's trade and investment relationship with the countries of Central Europe, August 2003—

Debate resumed.

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

5 EMPLOYMENT AND WORKPLACE RELATIONS—STANDING COMMITTEE—MOTION TO TAKE NOTE OF PAPER

The order of the day having been read for the resumption of the debate on the motion of Mrs D. M. Kelly—That the House take note of the paper (*presented on 2 June 2003*), viz.:

Employment and Workplace Relations—Standing Committee—Report—Aspects of Australia's workers' compensation schemes, June 2003—

Debate resumed.

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

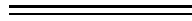
6 ADJOURNMENT

Dr Southcott moved—That the Main Committee do now adjourn.

Debate ensued.

Question—put and passed.

At 12.57 p.m. the Deputy Speaker adjourned the Main Committee until Wednesday 8 October 2003, at 9.40 a.m.



B. C. WRIGHT
Clerk of the Main Committee