

2002-03

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 126

MONDAY, 13 OCTOBER 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 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER

Mr Scott presented the following paper:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Review of the Defence Annual Report 2001-02—Report, October 2003.

Ordered to be printed.

Statements in connection with the report were made.

The time allotted for making statements on the report having expired—

Mr Scott moved—That the House take note of the report.

Mr Scott was granted leave to continue his speech when the debate is resumed.

In accordance with standing order 102B, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting.

3 NATIONAL CAPITAL AND EXTERNAL TERRITORIES—JOINT STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER

Mr Neville presented the following paper:

National Capital and External Territories—Joint Standing Committee—Not a town centre: The proposal for pay parking in the Parliamentary Zone—Report, October 2003.

Ordered to be printed.

Statements in connection with the report were made.

The time allotted for making statements on the report having expired—

Mr Neville moved—That the House take note of the report.

Mr Neville was granted leave to continue his speech when the debate is resumed.

In accordance with standing order 102B, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting.

4 PROCEDURE—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER

Mrs May (Chair) presented the following papers:

Procedure—Standing Committee—House estimates: Consideration of the annual estimates by the House of Representatives—

Report, October 2003.

Evidence received by the committee.

Minutes of proceedings.

Ordered—That the report be printed.

Statements in connection with the report were made.

The time allotted for making statements on the report having expired—

Mrs May moved—That the House take note of the report.

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

In accordance with standing order 102B, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting.

5 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS

Mr Jull presented the following papers:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Review of Foreign Affairs and Trade portfolio annual reports 2001-02—

Report, October 2003.

Evidence received by the committee.

Ordered—That the report be printed.

Statements in connection with the report were made.

6 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—STATEMENT BY MEMBER

Mr Baird made a statement on the Joint Standing Committee on Foreign Affairs, Defence and Trade Human Rights Sub-committee's recent activities concerning conditions within immigration detention centres and the treatment of detainees and presented the following paper:

Foreign Affairs, Defence and Trade—Joint Standing Committee—JSCFADT Human Rights Sub-committee's recent activities concerning conditions within immigration detention centres and the treatment of detainees—

Copy of statement.

Evidence received by the committee.

7 ASIO, ASIS AND DSD—JOINT STATUTORY COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER

Mr Jull (Chair) presented the following paper:

ASIO, ASIS and DSD—Joint Statutory Committee—Private review of agency security arrangements—Report, October 2003.

Ordered to be printed.

Statements in connection with the report were made.

The time allotted for making statements on the report having expired—

Mr Jull moved—That the House take note of the report.

Mr Jull was granted leave to continue his speech when the debate is resumed.

In accordance with standing order 102B, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting.

8 NORTH KOREA

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

- (1) condemns the abuse of human rights in North Korea and the unconscionable treatment by that government of its citizens;
- (2) calls on the Government of North Korea to comply with international standards to reform conditions for its citizens;
- (3) urges the DPRK to engage more fully with the international community to address Australia's and the international community's concerns over border crossers in North Korea and notes Australian support for further scrutiny by the UN Commission on Human Rights of the human rights situation in the DPRK; and
- (4) calls on the North Korean regime to cease and desist from any development of weapons of mass destruction.

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, Mr Organ was granted leave to continue his speech when the debate is resumed, and the resumption of the debate was made an order of the day for the next sitting.

9 MEMBERS' STATEMENTS

Members' statements were made and petitions were presented.

10 QUESTIONS

Questions without notice being asked—

Paper

Mr Edwards, by leave, presented the following paper:

Government Attack on TPIs—Extract from *The Vietnam Veteran Newsletter*, page 4.

Questions without notice continued.

11 PETITIONS

Petitions lodged for presentation were announced.

Member ordered to withdraw

At 3.25 p.m. the Member for McMillan (Mr Zahra) 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.

Member named and suspended

The Speaker named the Member for McMillan (Mr Zahra) for reflecting on the Chair.

Mr Abbott (Leader of the House) moved—That the Member for McMillan be suspended from the service of the House.

Question—put.

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

AYES, 81

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

NOES, 59

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

* Tellers

And so it was resolved in the affirmative.

The Member was, therefore, suspended at 3.35 p.m. for 24 hours under standing order 305, and he accordingly withdrew from the Chamber.

12 INTERNATIONAL DAY FOR THE ERADICATION OF POVERTY

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

- (1) acknowledges the importance of 17 October 2003 being the International Day for the Eradication of Poverty;
- (2) is deeply concerned about the 1.2 billion people world-wide who are required to live on less than \$1 per day, and the adverse effects on health, education, and income earning ability which result;
- (3) supports efforts by the United Nations to reduce world poverty through the development of its Millennium Development Goals, which call for:

- (a) halving the proportion of people living on \$1 per day and halving the number of people who suffer from hunger;
 - (b) ensuring that boys and girls alike complete primary schooling;
 - (c) eliminating gender disparity in all levels of education;
 - (d) reducing by two-thirds the under-five mortality rate;
 - (e) reducing by three-quarters the maternal mortality ratio;
 - (f) reversing the spread of HIV/AIDS, malaria and other major infectious diseases;
 - (g) ensuring environmental sustainability through integration of sustainable development into country policies and reversing the loss of environmental resources, halving the proportion of people without access to potable water and significantly improving the lives of at least 100 million slum dwellers; and
 - (h) developing a global partnership for development through raising official development assistance, expanding market access, and encouraging debt sustainability; and
- (4) calls on all national governments and international institutions to make achievement of the Millennium Development Goals a key purpose of their international and domestic programs.

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.

13 BALI BOMBING

Mr Baird, pursuant to notice, moved—That this House commends the efforts of the Indonesian Government in bringing justice to those who were responsible for the Bali bombing and, in particular:

- (1) applauds Indonesia in formally charging 24 people in connection with the Bali bombing and the conviction of 5 of those people;
- (2) congratulates the Indonesian police and Australian Federal Police in the rapid dismantling of the cell that carried out the attack on 12 October 2002;
- (3) recognises and commends the Australian Federal Police for the significant role it has played in helping the Indonesian police bring these terrorists to trial; and
- (4) commends the Government on the \$10 million package of assistance for counter-terrorism capability building.

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 Mr B P J O'Connor was granted leave to continue his speech when the debate is resumed.

14 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.

The time allotted for the debate having expired—

Question—That grievances be noted—put and passed.

15 PETROLEUM (SUBMERGED LANDS) AMENDMENT BILL 2003—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the Bill had been fully considered by the Main Committee, a Governor-General's message recommending an appropriation had been reported, and the Bill had been agreed to without amendment, and presented a certified copy of the Bill.

Bill agreed to.

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

16 OFFSHORE PETROLEUM (SAFETY LEVIES) 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 Slipper (Parliamentary Secretary to the Minister for Finance and Administration), by leave, the Bill was read a third time.

17 FARM HOUSEHOLD SUPPORT 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 Slipper (Parliamentary Secretary to the Minister for Finance and Administration), by leave, the Bill was read a third time.

18 MESSAGE FROM THE SENATE—TAXATION LAWS AMENDMENT BILL (NO. 7) 2003

A message from the Senate was reported returning the following Bill with amendments:

8 October 2003—Message No. 342—Taxation Laws Amendment (No. 7) 2003.

Ordered—That the amendments be considered at the next sitting.

19 MESSAGE FROM THE SENATE

Message No. 344, 9 October 2003, from the Senate was reported acquainting the House that the Senate has considered message No. 415 of the House and has agreed to the following resolution:

That the Senate—

- (a) invites the President of the United States of America, the Honourable George W. Bush, to address the Senate, on Thursday, 23 October 2003, at a time to be fixed by the President of the Senate and notified to all senators;
- (b) accepts the invitation of the House of Representatives to meet with the House for that purpose; and
- (c) concurs in the provisions of the resolution of the House relating to the conduct of that meeting.

20 MESSAGE FROM THE SENATE

Message No. 348, 9 October 2003, from the Senate was reported acquainting the House that the Senate has considered message No. 416 of the House and has agreed to the following resolution:

That the Senate—

- (a) invites His Excellency Hu Jintao, President of the People's Republic of China, to address the Senate, on Friday, 24 October 2003, at a time to be fixed by the President of the Senate and notified to all senators;
- (b) accepts the invitation of the House of Representatives to meet with the House for that purpose; and
- (c) concurs in the provisions of the resolution of the House relating to the conduct of that meeting.

21 MESSAGES FROM THE SENATE

Messages from the Senate, 9 October 2003, were reported returning the following Bills without amendment:

Message—

No. 345—Taxation Laws Amendment (No. 8) 2003.

No. 346—Civil Aviation Amendment 2003.

No. 347—Statistics Legislation Amendment 2003.

22 MESSAGE FROM THE SENATE—SUPERANNUATION (GOVERNMENT CO-CONTRIBUTION FOR LOW INCOME EARNERS) BILL 2003

Message No. 343, 9 October 2003, from the Senate was reported returning the Superannuation (Government Co-contribution for Low Income Earners) Bill 2003 with amendments.

Ordered—That the amendments be considered forthwith.

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), amendments Nos 1 to 4, 8 to 11 and 13 to 15 were agreed to.

Mr Slipper moved—That amendments Nos 5 to 7 and 12 be disagreed to.

Debate ensued.

Question—put.

A division having been called for, in accordance with standing order 193 the division was deferred until 8 p.m.

Debate adjourned, and the resumption of the debate made an order of the day for a later hour this day.

23 HIGHER EDUCATION SUPPORT 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.

Pursuant to standing order 193, debate adjourned, and the resumption of the debate made an order of the day for a later hour this day.

**24 SUPERANNUATION (GOVERNMENT CO-CONTRIBUTION FOR LOW INCOME EARNERS) BILL 2003—
DEFERRED DIVISION**

The following question, on which a division had been called for and deferred in accordance with standing order 193, was put, viz.:

Question—That Senate amendments Nos 5 to 7 and 12 be disagreed to.

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

AYES, 77

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

NOES, 61

Mr Adams	Mr L. D. T. Ferguson	Mr Latham	Mr Ripoll
Mr Albanese	Mr M. J. Ferguson	Ms Livermore	Ms Roxon
Mr Andren	Mr Fitzgibbon	Mr McClelland	Mr Rudd
Mr Beazley	Ms George	Ms J. S. McFarlane	Mr Sawford
Mr Bevis	Mr Gibbons	Ms Macklin	Mr Sciacca
Mr Brereton	Ms Gillard	Mr McLeay	Mr Sercombe*
Ms Burke	Ms Grierson	Mr McMullan	Mr Sidebottom
Mr Byrne	Mr Griffin	Mr Melham	Mr S. F. Smith
Ms Corcoran	Ms Hall	Mr Murphy	Mr Swan
Mr Cox	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 Emerson	Mr Kerr	Mr Price	
Mr Evans	Ms C. F. King	Mr Quick*	

* Tellers

And so it was resolved in the affirmative.

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) presented reasons, which were circulated, and are as follows:

*Reasons of the House of Representatives for disagreeing to the amendments of the Senate
Amendments 5 to 7 and 12*

These amendments would amend the Superannuation (Government Co-contribution for Low Income Earners) Bill 2003 to direct payments specifically to dependants in the event of a person not having a legal personal representative, and alter the definition of 'dependant' in the Bill to deal specifically with same-sex relationships.

The Government superannuation Co-contribution for low-income earners is aimed at boosting the superannuation savings of low-income earners and the measure only applies to individuals. It does not distinguish between eligible individuals in same-sex relationships or any other relationships. The Co-contribution will be available to an eligible person regardless of their marital status or sexual preference.

Therefore the House of Representatives considers that these amendments are not necessary because there is no possible discrimination in respect of the operation of this Bill.

On the motion of Mr Slipper, the reasons were adopted.

25 HIGHER EDUCATION SUPPORT 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.

26 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 13 October 2003:

Australian Crime Commission Act—Regulations—Statutory Rules 2003 No. 252.

Crimes Act—Regulations—Statutory Rules 2003 No. 248.

Customs Act—Regulations—Statutory Rules 2003 No. 249.

Health Insurance Act—Determination—2003 HS/06.

Medical Indemnity Act—Regulations—Statutory Rules 2003 No. 250.

Parliament Act—Parliamentary Zone—Proposal, together with supporting documentation for installation of pram ramps to the forecourt parade ground at Parliament House.

Safety, Rehabilitation and Compensation Act—Notice—2003 No. 18.

Superannuation Industry (Supervision) Act—Regulations—Statutory Rules 2003 No. 251.

Sydney Airport Curfew Act—Dispensation—2003 No. 9.

Taxation Administration Act—Rulings—

2000 No. GSTR 23 (Withdrawal).

2001 No. PR 90 (Withdrawal).

2003 Nos GSTR 12, CR 87, CR 88, CR 89, PR 40 (Addendum), PR 58, PR 59.



ATTENDANCE

All Members attended (at some time during the sitting) except Mr Crean, Mr Howard, Dr Lawrence and Mr Snowdon*.

* On leave



I. C. HARRIS

Clerk of the House of Representatives