

2002-03

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 137

TUESDAY, 25 NOVEMBER 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 MINISTRY—PAPER

Mr Howard (Prime Minister) presented the following paper:

Howard Ministry, 24 November 2003,

and informed the House of a change in relation to ministerial representation in the Senate.

3 QUESTIONS

Questions without notice being asked—

Paper

Mr M. J. Ferguson, by leave, presented the following paper:

Airspace management in Australia—Email from Mr Phil Faulkner, Airservices Australia, to Mr Peter Coburn and Mr John Hodder (RAAF), 13 November 2003.

Questions without notice continuing—

Paper

Mr M. J. Ferguson, by leave, presented the following paper:

GAPAN—Industry meeting Brisbane Airport October 27th 2003—Letter from Mr Stephen Ingham, Deputy Chairman, Guild of Airpilots and Air Navigators (GAPAN), to Mr John Anderson, Minister for Transport and Regional Services, 28 October 2003.

Questions without notice continued.

4 PAPER

Mr Crean (Leader of the Opposition), by leave, during a personal explanation, presented the following paper:

A New Tax System (Personal Income Tax Cuts) Bill 1998—Votes and Proceedings extract, 10 December 1998, p. 257.

5 AUDITOR-GENERAL'S REPORT

The Speaker presented the following paper:

Auditor-General—Audit report No. 13 of 2003–2004—Performance audit—ATSIS Law and Justice Program: Aboriginal and Torres Strait Islander Services.

Ordered to be printed.

6 PAPERS

The following papers were presented:

Administrative Review Council—Report for 2002-03.

Australia and the International Financial Institutions—Report for 2002-03.

Australian Industrial Relations Commission and the Australian Industrial Registry—Report for 2002-03.

Australian Landcare Council—Report for 2002-03.

Civil Aviation Safety Authority—Report for 2002-03.

Coal Mining Industry (Long Service Leave Funding) Corporation—Report for 2002-03.

Financial Reporting Council and Australian Accounting Standards Board—Reports for 2002-03.

Migration Agents Registration Authority—Report for 2002-03.

Sydney Airport Demand Management Act—Quarterly report on movement cap for Sydney airport—1 July to 30 September 2003.

United Nations—Committee on the Elimination of Racial Discrimination under the Convention on the Elimination of All Forms of Racial Discrimination—13th and 14th reports of the Australian Government.

7 PAPERS—MOTION TO TAKE NOTE OF PAPERS

Mr Abbott (Leader of the House) moved—That the House take note of the following papers:

Australia and the International Financial Institutions—Report for 2002-03.

Migration Agents Registration Authority—Report for 2002-03.

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

8 LEGISLATIVE ASSEMBLY OF QUEENSLAND—RESOLUTION—PAULINE HANSON AND DAVID ETTRIDGE

The Speaker informed the House that he had received the following resolution passed by the Legislative Assembly of Queensland on 11 November 2003 relating to Pauline Hanson and David Ettridge:

(1) That this Parliament refers to the Crime and Misconduct Commission for consideration and advice:

1. Comments regarding the Queensland justice system in the judgement of the Court of Appeal in the cases of Pauline Hanson and David Ettridge, in particular:
 - (39) “it should be understood that result (the release of the appellants) will not mean the process has to this point been unlawful. While the appellants experience will in that event have been insupportably painful they will have endured the consequence of adjudication through due process in accordance with what is compendiously termed the rule of law.”
 - (40) ... “it is my view that had both appellants been represented by experienced trial counsel throughout, the relevance of all of the evidence would more likely have been addressed with appropriate precision.”
 - (41) “the case will in my view provide a further illustration of the need for a properly resourced, highly talented, top level team of prosecutors within or available to the Office of the Director of Public Prosecutions. In this complex case which resulted in a trial of that length, and the consumption of vast public resources, highly talented lawyers of broad common law experience should desirably been engaged from the outset in the preparation and then presentation of the Crown case. ... had that been done, the present difficulty may well have been avoided.”
2. The involvement of Federal Minister, Tony Abbott and others in the original legal action against Pauline Hanson and David Ettridge.
3. Submissions from any interested party in relation to these matters.

Further, this parliament calls on the Australian Electoral Commission to ensure that donors to the fund established by Tony Abbott are fully disclosed in the public arena.

(2) That this House requests the Commonwealth Parliament to establish an inquiry to investigate the possible involvement of members of the Commonwealth Parliament and others in the process or funding of the investigation and civil and criminal prosecution of Pauline Hanson and David Ettridge and that the Speaker, on behalf of the Legislative Assembly, relay this request to both Houses of the Commonwealth Parliament.

R K Hollis
Speaker of the Legislative Assembly

N J Laurie
Clerk of the Parliament

9 MILITARY COMMISSIONS FOR GUANTANAMO BAY DETAINEES—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER

Mr Ruddock (Attorney-General), by leave, made a ministerial statement on military commissions for Guantanamo Bay detainees and presented the following paper:

Government accepts military commissions for Guantanamo Bay detainees—Copy of ministerial statement.

Mr Truss (Minister for Agriculture, Fisheries and Forestry) moved—That the House take note of the paper.

Suspension of standing and sessional orders—Time for speech

Mr Truss, by leave, moved—That so much of the standing and sessional orders be suspended as would prevent Mr McClelland speaking for a period not exceeding 9 minutes.

Question—put and passed.

Mr McClelland addressed the House.

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

10 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, 1 December 2003.

11 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—CULTURAL IDENTITY

The House was informed that Mr Tanner had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The threat to Australia's cultural identity from the Government's trade agenda".

The proposed discussion having received the necessary support—

Mr Tanner addressed the House.

Discussion ensued.

Member ordered to withdraw

At 4 p.m. the Member for Melbourne (Mr Tanner) 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 he accordingly withdrew from the Chamber.

Discussion continued.

Discussion concluded.

12 AUSTRALIAN PAVILION AT EXPO 2005 AICHI, JAPAN—APPROVAL OF WORK

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*, and by reason of the urgent nature of the work, it is expedient that the following proposed work be carried out without having been referred to the Parliamentary Standing Committee on Public Works: The Australian Pavilion at the 2005 Aichi World Exposition.

Question—put and passed.

13 MEDICAL INDEMNITY 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.

Message from the Governor-General

Message No. 188, 10 November 2003, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Abbott (Minister for Health and Ageing), the Bill was read a third time.

14 MEDICAL INDEMNITY (IBNR INDEMNITY) CONTRIBUTION 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—

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

Message from the Governor-General

Message No. 189, 10 November 2003, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Abbott (Minister for Health and Ageing), the Bill was read a third time.

15 WORKPLACE RELATIONS AMENDMENT (IMPROVED PROTECTION FOR VICTORIAN WORKERS) 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 by Mr Emerson who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “while not declining to give the Bill a second reading, the House condemns the Government for:

- (1) taking four years to agree to these urgent amendments; and
- (2) seeking to undermine the effect of this Bill through the actions of the Employment Advocate and through the Workplace Relations Amendment (Choice in Award Coverage) Bill”.

Debate continued.

Mr Zahra addressing the House—

16 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 Deputy Speaker adjourned the House until tomorrow at 9 a.m.

PAPER

The following paper was deemed to have been presented on 25 November 2003:

Parliament Act—Parliamentary Zone—Proposal, together with supporting documentation, for security upgrade works at Parliament House loading dock.

ATTENDANCE

All Members attended (at some time during the sitting) except Dr Lawrence, Mr Schultz, Mr Snowdon* 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. 137

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

TUESDAY, 25 NOVEMBER 2003

1 The Main Committee met at 4.30 p.m.

2 ECONOMICS, FINANCE AND PUBLIC ADMINISTRATION—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 Hawker—That the House take note of the paper (*presented on 24 November 2003*), viz.:

Economics, Finance and Public Administration—Standing Committee—Report—Rates and taxes: A fair share for local government, November 2003—

Debate resumed.

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

3 PROCEDURE—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 May—That the House take note of the paper (*presented on 13 October 2003*), viz.:

Procedure—Standing Committee—Report—House estimates: Consideration of the annual estimates by the House of Representatives, October 2003—

Debate resumed.

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

4 SECTION 57 OF THE AUSTRALIAN CONSTITUTION—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 8 October 2003*), viz.:

Resolving Deadlocks: A discussion paper on section 57 of the Australian Constitution—

Debate resumed.

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

5 ADJOURNMENT

On the motion of Mrs Gash, the Main Committee adjourned at 8.21 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