

2002-03-04

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 150

THURSDAY, 19 FEBRUARY 2004

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 Monday, 1 March 2004, at 12.30 p.m., unless the Speaker or, in the event of the Speaker being unavailable, the Deputy Speaker, fixes an alternative day or hour of meeting.

Question—put and passed.

3 MEDICAL INDEMNITY AMENDMENT BILL 2004

Mr Abbott (Minister for Health and Ageing), pursuant to notice, presented a Bill for an Act to amend the *Medical Indemnity Act 2002*, and for related purposes.

Bill read a first time.

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

Paper

Mr Abbott presented an explanatory memorandum to the following Bills:

Medical Indemnity Amendment 2004; and

Medical Indemnity (IBNR Indemnity) Contribution Amendment 2004.

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

4 MEDICAL INDEMNITY (IBNR INDEMNITY) CONTRIBUTION AMENDMENT BILL 2004

Mr Abbott (Minister for Health and Ageing) presented a Bill for an Act to amend the *Medical Indemnity (IBNR Indemnity) Contribution Act 2002*, and for related purposes.

Bill read a first time.

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

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

5 EXTENSION OF SUNSET OF PARLIAMENTARY JOINT COMMITTEE ON NATIVE TITLE BILL 2004

Mr Ruddock (Attorney-General), pursuant to notice, presented a Bill for an Act to extend for 2 years the operation of the Parliamentary Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Fund.

Bill read a first time.

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

Paper

Mr Ruddock presented an explanatory memorandum to the Bill.

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

6 INTERNATIONAL TRANSFER OF PRISONERS AMENDMENT BILL 2004

Mr Ruddock (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *International Transfer of Prisoners Act 1997*, and for related purposes.

Bill read a first time.

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

Paper

Mr Ruddock presented an explanatory memorandum to the Bill.

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

7 TELECOMMUNICATIONS (INTERCEPTION) AMENDMENT BILL 2004

Mr Ruddock (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Telecommunications (Interception) Act 1979*, and for other purposes.

Bill read a first time.

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

Paper

Mr Ruddock presented an explanatory memorandum to the Bill.

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

8 CUSTOMS TARIFF AMENDMENT (PARAQUAT DICHLORIDE) BILL 2004

Mr Ruddock (Attorney-General) presented a Bill for an Act to amend the *Customs Tariff Act 1995*, and for related purposes.

Bill read a first time.

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

Paper

Mr Ruddock presented an explanatory memorandum to the Bill.

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

9 AUSTRALIAN SPORTS DRUG AGENCY AMENDMENT BILL 2004

Mr Williams (Minister representing the Minister for the Arts and Sport), pursuant to notice, presented a Bill for an Act to amend the *Australian Sports Drug Agency Act 1990*, 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 (Mr Edwards), and the resumption of the debate made an order of the day for the next sitting.

10 HOUSE OF REPRESENTATIVES (NORTHERN TERRITORY REPRESENTATION) BILL 2004

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, presented a Bill for an Act to make provision in relation to the number of members of the House of Representatives to be chosen in the Northern Territory in the next election, and for related purposes.

Bill read a first time.

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

Paper

Mr Slipper presented an explanatory memorandum to the Bill.

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

11 TRADE PRACTICES AMENDMENT (PERSONAL INJURIES AND DEATH) BILL (NO. 2) 2004

Mr Cameron (Parliamentary Secretary to the Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Trade Practices Act 1974*, and for related purposes.

Bill read a first time.

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

Paper

Mr Cameron presented an explanatory memorandum to the Bill.

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

12 TAX LAWS AMENDMENT (2004 MEASURES NO. 1) BILL 2004

Mr Cameron (Parliamentary Secretary to the Treasurer) presented a Bill for an Act to amend the law relating to taxation, and for related purposes.

Bill read a first time.

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

Paper

Mr Cameron presented an explanatory memorandum to the Bill.

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

13 MIGRATION AMENDMENT (DURATION OF DETENTION) BILL 2004

Mr Hardgrave (Minister representing the Minister for Immigration and Multicultural and Indigenous Affairs), pursuant to notice, presented a Bill for an Act to amend the *Migration Act 1958*, and for related purposes.

Bill read a first time.

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

Paper

Mr Hardgrave presented an explanatory memorandum to the Bill.

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

14 PUBLICATIONS COMMITTEE—REPORT

Mr Randall (Chair) presented the following paper:

PUBLICATIONS COMMITTEE REPORT

The Publications Committee reports that it has met and considered documents presented to the House of Representatives since 4 December 2003. The Committee recommends that the following be printed:

Aboriginal Land Commissioner—Reports and recommendations to the Minister for Immigration and Multicultural and Indigenous Affairs and to the Administrator of the Northern Territory—

No. 66—Seven Emu Region Land Claim No. 186; Wollgorang Area II Land Claim No. 187, and part of Manangoora Region Land Claim No. 185.

No. 67—Lower Daly Land Claim No. 68.

Anglo-Australian Telescope Board—Report for 2002-03.

Australian Electoral Commission—2003 redistribution of South Australia into electoral divisions.

Australian Film Commission—Report for 2002-03—Erratum.

Australian Institute of Health and Welfare—Report—Australia's welfare 2003.

Central Land Council—Report for 2002-03.

Commonwealth Ombudsman—Report—Activities in monitoring controlled operations conducted by the Australian Crime Commission and the Australian Federal Police, January 2004.

Department of Agriculture, Fisheries and Forestry—Report for 2002-03—Corrigenda.

Foreign Investment Review Board—Report for 2002-03.

Freedom of Information Act—Report for 2002-03.
 High Court of Australia—Report for 2002-03.
 Industry Research and Development Board—Report for 2002-03.
 National Environment Protection Council—Report for 2002-03.
 Native Title Act—Native title representative bodies—
 Aboriginal Legal Rights Movement Inc.—Report for 2002-03.
 Cape York Land Council Aboriginal Corporation—Report for 2002-03.
 Central Queensland Land Council Aboriginal Corporation—Report for 2002-03.
 Goldfields Land and Sea Council—Report for 2002-03.
 Gurang Land Council Aboriginal Corporation—2002-03.
 Kimberley Land Council—Report for 2002-03.
 Ngaanyatjarra Council Aboriginal Corporation—Report for 2002-03.
 North Queensland Land Council Aboriginal Corporation—Report for 2002-03.
 Queensland South Representative Body Aboriginal Corporation—Report for 2002-03.
 South West Aboriginal Land and Sea Council—Report for 2002-03.
 Official Establishments Trust—Report for 2002-03.
 Pooled Development Funds Registration Board—Report for 2002-03.
 Private Health Insurance Administration Council—Report for 2002-03 on the operations of the Registered Health Benefits Organisations.
 Renewable opportunities: A review of the operation of the *Renewable Energy (Electricity) Act 2000*, September 2003.

DON RANDALL

Chair

19 February 2004

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

15 MEMBERS' INTERESTS COMMITTEE—REPORT

Mr Haase (Chair) presented the following report:

Committee of Members' Interests—Report on the operations of the committee, including the minutes of proceedings, for 2003.

Ordered to be printed.

16 A NEW TAX SYSTEM (COMMONWEALTH-STATE FINANCIAL ARRANGEMENTS) 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 by Mr Cox 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:

- (1) notes that while this Bill addresses a number of deficiencies in the treatment of Commonwealth revenue from the GST and its hypothecation as grants to the States there remain a number of issues in relation to the treatment of revenue and GST in particular in the Australian Government accounts that have resulted in the Auditor-General providing qualifications to the Consolidated Financial Statements for the 2002-2003 financial year;
- (2) notes that
 - (a) because of the use of the Taxation Liabilities Method to value revenue, assets and liabilities, operating results are understated by \$1.8b on an accrual basis, and
 - (b) the failure to recognise GST as revenue has caused revenues to be understated by \$31.8b and expenses by \$30.8b in an attempt to hide the Howard Government's record as the biggest taxing government in Australia's history, and

- (3) requires the Government to:
- (a) prepare proper and accurate accounts in conformity with Australian Accounting Standards;
 - (b) recognise GST as revenue of the Australian Government in accordance with those accounting standards; and
 - (c) prepare the budget papers, mid-year review and budget outcome documents in accordance with those standards and have them audited by the Auditor-General”.

Debate continued.

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

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

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

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

* Tellers

And so it was resolved in the affirmative.

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

Message from the Governor-General

Message No. 215, 4 December 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 Cameron (Parliamentary Secretary to the Treasurer), the Bill was read a third time.

17 COMMITTEES—MEMBERSHIP

The House was informed that the Government Whip and the Chief Opposition Whip had nominated Members to be members of certain committees.

Fran Bailey (Parliamentary Secretary to the Minister for Defence), by leave, moved—That:

- (1) Mr McLeay be discharged from the Standing Committee on Industry and Resources and that, in his place, Mr Sercombe be appointed a member of the committee; and
- (2) Mr Johnson be discharged from the Joint Standing Committee on the National Capital and External Territories and that, in his place, Dr Washer be appointed a member of the committee.

Question—put and passed.

18 APPROPRIATION BILL (NO. 3) 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 its budget waste and mismanagement, and wrong priorities which have resulted in:

- (1) a costly Medicare ‘safety net’ which does not protect families from increasing health costs and declining levels of bulk billing;
- (2) inadequate funding and higher fees for students seeking access to higher education;
- (3) a growing number of families who are financially squeezed and trying to balance work and family; and
- (4) 500,000 Australians waiting up to five years to get their teeth fixed”—

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.

19 QUESTIONS

Questions without notice being asked—

Papers

Ms Roxon, by leave, presented the following papers:

No respect/No relationship—Copies of 4 advertisements for Internet site www.respect.gov.au.

Questions without notice continued.

20 PAPERS

Mr Abbott (Leader of the House) presented the following papers:

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

21 NATIONAL SECURITY AND RECENT OVERSEAS DEVELOPMENTS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPERS

Mr Ruddock (Attorney-General), by leave, made a ministerial statement on national security and recent overseas developments and presented the following papers:

Australian Government National Security Measures since 11 September 2001.

Statement by the Attorney-General on national security—overseas developments, 19 February 2004.

Mrs D. S. Vale (Minister for Veterans’ Affairs) moved—That the House take note of the papers.

Suspension of standing and sessional orders—Time for speech

Mrs D. S. Vale, 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 15 minutes.

Question—put and passed.

Mr McClelland addressed the House.

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

22 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—NATIONAL MENTORING STRATEGY

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 need to strengthen relationships with a national mentoring strategy”.

The proposed discussion having received the necessary support—

Mr Tanner addressed the House.

Discussion ensued.

Mr Anthony (Minister for Children and Youth Affairs) addressing the House—

23 ADJOURNMENT

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

Debate ensued.

Member ordered to withdraw

At 4.50 p.m. the Member for Fowler (Mrs Irwin) 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 she accordingly withdrew from the Chamber.

Debate continued.

The House continuing to sit until 5 p.m.—The Deputy Speaker adjourned the House until Monday, 1 March 2004, at 12.30 p.m., in accordance with the resolution agreed to this sitting.

PAPERS

The following papers were deemed to have been presented on 19 February 2004:

Disability Discrimination Act—Standards—2004 Disability standards for accessible public transport—Amendment (No. 1).

Health Insurance Act—

Determination—2004 Health Insurance (Billing agents—conditions of approval) (No. 1).

Guidelines—2004 Health Insurance (Approval of billing agents) (No. 1).

Migration Act—Instruments of Approval—2003—

Fall-back primary reporting system (International passenger aircraft—crew).

Fall-back primary reporting system (International passenger aircraft—passengers).

Fall-back primary reporting system (International passenger cruise ship—passengers and crew).

Primary reporting system (International passenger aircraft—crew).

Primary reporting system (International passenger aircraft—passengers).

Primary reporting system (International passenger cruise ship—crew).

Primary reporting system (International passenger cruise ship—passengers).

Occupational Health and Safety (Commonwealth Employment) Act—Notice—2003 No. 1.

Safety, Rehabilitation and Compensation Act—Notice—2003 No. 23.

Sydney Airport Curfew Act—Dispensation—2004 No. 2.

ATTENDANCE

All Members attended (at some time during the sitting) except Mrs Hull, Mr P. E. King, Mr G. M. O'Connor and Mr Schultz.

I. C. HARRIS

Clerk of the House of Representatives

2002-03-04

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 150

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 19 FEBRUARY 2004

1 The Main Committee met at 9.40 a.m.

2 **MEMBERS' STATEMENTS**

Members' statements were made.

3 **CORPORATIONS AND FINANCIAL SERVICES—JOINT PARLIAMENTARY 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 Hunt—That the House take note of the paper (*presented on 16 February 2004*), viz.:

Corporations and Financial Services—Joint Parliamentary Committee—Report—ATM fee structure, January 2004—

Debate resumed.

Papers

Mr Snowden, by leave, presented the following papers:

Extracts from bank statements (2).

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

4 **ADJOURNMENT**

Mr Baird moved—That the Main Committee do now adjourn.

Debate ensued.

Question—put and passed.

At 11.39 a.m. the Deputy Speaker adjourned the Main Committee until a date and time to be fixed.

B. C. WRIGHT
Clerk of the Main Committee