

2002-03-04

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 158

THURSDAY, 11 MARCH 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 **HIGHER EDUCATION LEGISLATION AMENDMENT BILL 2004**

Dr Nelson (Minister for Education, Science and Training), pursuant to notice, presented a Bill for an Act to amend legislation relating to higher education, and for related purposes.

Bill read a first time.

Dr Nelson moved—That the Bill be now read a second time.

Paper

Dr Nelson 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.

3 **CIVIL AVIATION AMENDMENT (RELATIONSHIP WITH ANTI-DISCRIMINATION LEGISLATION) BILL 2004**

Mrs D. M. Kelly (Parliamentary Secretary to the Minister for Transport and Regional Services), pursuant to notice, presented a Bill for an Act to amend the *Civil Aviation Act 1988*, and for related purposes.

Bill read a first time.

Mrs D. M. Kelly moved—That the Bill be now read a second time.

Paper

Mrs D. M. Kelly 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.

4 **TELSTRA (TRANSITION TO FULL PRIVATE OWNERSHIP) BILL 2003 [NO. 2]**

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.

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

AYES, 75

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

NOES, 58

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

* Tellers

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

Message from the Governor-General

Message No. 223, 27 February 2004, 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.

Mr Williams (Minister for Communications, Information Technology and the Arts) moved—That the Bill be now read a third time.

Question—put.

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

AYES, 75

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

NOES, 62

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

* Tellers

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

5 HEALTH AND AGEING 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—*And on the amendment moved thereto by Ms Gillard, 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) planning to cover up bulk billing figures by electorate until after the next election;
- (2) causing a bulk billing crisis;
- (3) trying to divert attention from its plans to destroy Medicare by introducing so-called ‘safety net’ arrangements which will make 98% of Australians worse off and which will waste \$72 million of precious health dollars on administration; and
- (4) consistently ignoring the advice of the Pharmaceutical Benefits Advisory Committee thus depriving many sick Australians of affordable access to cost-effective medications while agreeing to a Free Trade Agreement with the USA which:

- (a) has the potential to undermine the Pharmaceutical Benefits Scheme over time through the establishment of an on going Australia/USA Medicines Working Group;
- (b) has ensured US Pharmaceutical companies can challenge the decisions of the expert committees that advise government on PBS listing and price;
- (c) may force changes to the current Australian blood plasma fractionation arrangements with consequences for the safety of blood products; and
- (d) may result in job losses in Australian firms which manufacture generic medicines as a result of changes to patents and intellectual property protection”—

Debate resumed.

Debate adjourned (Mr Abbott—Minister for Health and Ageing), and the resumption of the debate made an order of the day for a later hour this day.

6 MESSAGE FROM THE GOVERNOR-GENERAL—HEALTH LEGISLATION AMENDMENT (MEDICARE) BILL 2003

Message No. 224, 12 February 2004, from His Excellency the Governor-General was announced recommending an appropriation for the purpose of amendments to a Bill for an Act to amend the law relating to medicare, and for related purposes.

7 MESSAGE FROM THE SENATE—HEALTH LEGISLATION AMENDMENT (MEDICARE) BILL 2003

Message No. 436, 11 March 2004, from the Senate was reported returning the Health Legislation Amendment (Medicare) Bill 2003 with requests for amendments.

Ordered—That the amendments requested by the Senate be considered forthwith.

Mr Abbott (Minister for Health and Ageing) moved—That the requested amendments be made.

Debate ensued.

Question—put.

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

AYES, 81

Mr Abbott	Mr Downer	Jackie Kelly	Mr Secker
Mr Anderson	Mrs Draper	Dr Kemp	Mr Slipper
Mr Andren	Mr Dutton	Mr P. E. King	Mr A. D. H. Smith
Mr K. J. Andrews	Mrs Elson	Mrs Ley	Mr Somlyay
Mr Anthony	Mr Entsch	Mr Lindsay	Dr Southcott
Fran Bailey	Mr Farmer	Mr Lloyd	Dr Stone
Mr Baird	Mr Forrest*	Mr McArthur*	Mr C. P. Thompson
Mr Baldwin	Mrs Gallus	Mr I. E. Macfarlane	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 Howard	Mr Pyne	Mr Windsor
Mr Charles	Mr Hunt	Mr Randall	Ms Worth
Mr Ciobo	Mr Johnson	Mr Ruddock	
Mr Cobb	Mr Jull	Mr Schultz	
Mr Costello	Mrs D. M. Kelly	Mr Scott	

NOES, 60

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

* Tellers

And so it was resolved in the affirmative.

8 QUESTIONS

Questions without notice being asked—

Papers

Dr Nelson (Minister for Education, Science and Training) presented the following papers:

Department of Education, Science and Training—Set of documents—

Learning together: Achievement through choice and opportunity.

Taking schools to the next level: The national education framework for schools.

Questions without notice continuing—

Paper

Ms Macklin (Deputy Leader of the Opposition) in accordance with standing order 321, having called for a document quoted from by Dr Nelson—

Dr Nelson presented the following paper:

Independent Schools 2005-08.

Questions without notice continuing—

Member ordered to withdraw

At 2.53 p.m. the Member for Sydney (Ms Plibersek) 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 continuing—

Paper

Mr K. J. Andrews (Minister for Employment and Workplace Relations) presented the following paper:

Summary of endorsed amendments and resolutions—Australian Labor Party National Conference, 2004.

Questions without notice continuing—

Paper

Mr Abbott (Minister representing the Special Minister of State) presented the following paper:

Labor's rent rip-off—Graph.

Questions without notice continued.

9 PAPERS

The following papers were presented:

Export Market Development Grants—List of grant recipients 2002-03.

Foreign Affairs, Defence and Trade—Joint Standing Committee—Report—Review of the Defence annual report 2001-02—Government response, March 2004.

Productivity Commission—Report for 2002-03.

Snowy Hydro Limited—Report for the period 29 June 2002 to 28 June 2003.

Wheat Export Authority—Report for 2002-03.

10 PAPER—MOTION TO TAKE NOTE OF PAPER

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

Export Market Development Grants—List of grant recipients 2002-03.

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

11 PAPERS

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

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

12 SPECIAL ADJOURNMENT

Mr Abbott (Leader of the House) moved—That the House, at its rising, adjourn until Monday, 22 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.

13 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—LEVEL OF POVERTY

The House was informed that Mr Latham (Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The urgent need to address the unacceptably high level of poverty in Australia”.

The proposed discussion having received the necessary support—

Mr Latham addressed the House.

Discussion ensued.

Discussion concluded.

14 ADJOURNMENT NEGATIVED

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

Mr Abbott (Leader of the House) requiring the question to be put forthwith without debate—

Question—put and negatived.

15 MESSAGE FROM THE SENATE—HEALTH LEGISLATION AMENDMENT (MEDICARE) BILL 2003

Message No. 441, 11 March 2004, from the Senate was reported returning the Health Legislation Amendment (Medicare) Bill 2003 with an amendment.

Ordered—That the amendment be considered forthwith.

On the motion of Mr Abbott (Minister for Health and Ageing), the amendment was agreed to, after debate.

16 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 19 February 2004, recommends that the following be printed:

Australian Crime Commission—Report for 2002-03, including the final report of the National Crime Authority [1 July to 31 December 2002].

Commonwealth Grants Commission—State revenue sharing relativities—2004 review.

Department of Finance and Administration—Report for 2002-03—Corrigenda.

Grape and Wine Research and Development Corporation—Report for 2002-03—Errata.

Human Rights and Equal Opportunity Commission—Aboriginal and Torres Strait Islander Social Justice Commissioner—Reports for 2003—

Native title.

Social justice.

Native Title Act 1993—Native title representative bodies—Reports for 2002-03—

Mirimbiak Nations Aboriginal Corporation.

Yamatji Marlpa Barna Baba Maaja Aboriginal Corporation.

Private Health Insurance Administration Council—Report for 2002-03 on the operations of the registered health benefits organisations—Errata.

Telecommunications (Interception) Act 1979—Report for 2002-03.

DON RANDALL

Chair

11 March 2004

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

17 SUSPENSION OF STANDING AND SESSIONAL ORDERS—ADJOURNMENT DEBATE

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent debate on the question—That the House do now adjourn—continuing for a period not exceeding 30 minutes after the motion is moved.

Question—put and passed.

18 ADJOURNMENT

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) moved—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 5.01 p.m., adjourned until Monday, 22 March 2004, at 12.30 p.m., in accordance with the resolution agreed to this day.

PAPERS

The following papers were deemed to have been presented on 11 March 2004:

Higher Education Funding Act—Determinations—2004 Nos T7, T8.

Payment Systems and Netting Act—Approval of RTGS system—2004 No. 1.

Taxation Administration Act—Rulings—
2003 No. PR 39 (Withdrawal).

2004 Nos CR 20, CR 21, CR 22, CR 23, PR 22, PR 23, PR 24, PR 25, PR 26, PR 27, TR 2.

ATTENDANCE

All Members attended (at some time during the sitting) except Ms Ellis*, Ms Hall, Mrs Hull, Mrs Irwin, Mr Katter and Mr McGauran.

* On leave

I. C. HARRIS
Clerk of the House of Representatives

2002-03-04

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 158

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 11 MARCH 2004

1 The Main Committee met at 9.40 a.m.

2 MEMBERS' STATEMENTS

Members' statements were made.

3 FISHERIES LEGISLATION AMENDMENT (COMPLIANCE AND DETERRENCE MEASURES AND OTHER MATTERS) BILL 2003

The order of the day having been read for the second reading—Mr Entsch (Parliamentary Secretary to the Minister for Industry, Tourism and Resources) moved—That the Bill be now read a second time.

Paper

Mr Entsch presented an explanatory memorandum to the Bill.

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

4 FISHERIES LEGISLATION AMENDMENT (HIGH SEAS FISHING ACTIVITIES AND OTHER MATTERS) BILL 2004

The order of the day having been read for the second reading—Mr Entsch (Parliamentary Secretary to the Minister for Industry, Tourism and Resources) moved—That the Bill be now read a second time.

Paper

Mr Entsch presented a revised explanatory memorandum to the Bill.

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

5 FISHERIES LEGISLATION AMENDMENT (COMPLIANCE AND DETERRENCE MEASURES AND OTHER MATTERS) 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.

6 FISHERIES LEGISLATION AMENDMENT (HIGH SEAS FISHING ACTIVITIES AND OTHER MATTERS) BILL 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—

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.

7 ASIO, ASIS AND DSD—PARLIAMENTARY JOINT 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 Jull—That the House take note of the paper (*presented on 1 March 2004*), viz.:

ASIO, ASIS and DSD—Parliamentary Joint Committee—Report—Intelligence on Iraq’s weapons of mass destruction—December 2003—

Debate resumed.

Suspension of sitting

At 11.59 a.m., a division having been called in the House, the proceedings were suspended.

Resumption of sitting

At 12.16 p.m., the proceedings were resumed.

Debate continued.

Mr Sidebottom 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.

8 ADJOURNMENT

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

Debate ensued.

Question—put and passed.

At 1 p.m. the Deputy Speaker adjourned the Main Committee until 9.40 a.m. on Wednesday, 24 March 2004.

B. C. WRIGHT
Clerk of the Main Committee