

2002-03-04

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 178

TUESDAY, 15 JUNE 2004

1 The House met, at 2 p.m., pursuant to adjournment. The Speaker (the Honourable Neil Andrew) took the Chair, and read Prayers.

2 MINISTERIAL ARRANGEMENTS

Mr Anderson (Deputy Prime Minister) informed the House that, during the absence abroad of Mr M. A. J. Vaile (Minister for Trade), Mr Downer (Minister for Foreign Affairs) would answer questions on his behalf.

3 QUESTIONS

Questions without notice being asked—

Paper

Mr Downer (Minister for Foreign Affairs) presented the following paper:

Iraq—The Path Ahead—Department of Foreign Affairs and Trade, June 2004.

Questions without notice continued.

4 AUDITOR-GENERAL'S REPORTS

The Speaker presented the following papers:

Auditor-General—Audit reports of 2003–2004—Performance audits—

No. 50—Management of federal airport leases.

No. 51—HIH Claims Support Scheme—Governance arrangement: Department of the Treasury.

No. 52—Information technology in the Department of Veterans' Affairs—Follow-up audit: Department of Veterans' Affairs.

Reports ordered to be printed.

5 PAPERS

Australian Radiation Protection and Nuclear Safety Agency—Quarterly report of the Chief Executive Officer for period 1 October to 31 December 2003.

Higher education—Report for the 2004 to 2006 triennium.

Postal Services Legislation Amendment Bill 2003—Further supplementary explanatory memorandum.

6 PAPER—MOTION TO TAKE NOTE OF PAPER

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

Higher education—Report for the 2004 to 2006 triennium.

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

7 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ENERGY POLICY

The House was informed that Mr Fitzgibbon had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The Government’s failure, after eight and a half years,

to produce a policy which guarantees reliable, affordable and environmentally sustainable supplies of energy to all Australians”.

The proposed discussion having received the necessary support—

Mr Fitzgibbon addressed the House.

Discussion ensued.

Papers

Mr I. E. Macfarlane (Minister for Industry, Tourism and Resources) presented the following papers:

Australian Government’s energy policy—

A sustainable energy vision for Australia’s future—Media release by Australian Industry Greenhouse Network, 15 June 2004.

A sustainability plus—a supply reliability question mark—Media statement by Australian Petroleum Production and Exploration Association Limited, 15 June 2004.

Energy Supply Association welcomes new greenhouse measures—Media statement by Energy Supply Association of Australia Limited, 15 June 2004.

Howard’s oil measures not relevant today—Media release by Mr Fitzgibbon, ALP News Statements web-site, 12 May 2004.

Substance over symbolism—Media statement by Mr Mitchell H. Hooke, Chief Executive, Minerals Council of Australia, 15 June 2004.

Transcript of doorstep interview with Mr Fitzgibbon, Media Monitors, 15 June 2004.

Discussion continued.

Discussion concluded.

8 CORPORATIONS AND FINANCIAL SERVICES—JOINT PARLIAMENTARY COMMITTEE—REPORT

Mr Ciobo presented the following papers:

Corporations and Financial Services—Joint Parliamentary Committee—CLERP (Audit Reform and Corporate Disclosure) Bill 2003—Part 1: Enforcement, executive remuneration, continuous disclosure, shareholder participation and related matters (sent to the Speaker on 8 June 2004, pursuant to standing order 360) and Part 2: Financial reporting and audit reform—

Report, incorporating dissenting reports, June 2004—

Evidence received by the committee.

Ordered—That the report be printed.

9 BILL REFERRED TO MAIN COMMITTEE

Mr Lloyd (Chief Government Whip), by leave, moved—That the Customs Legislation Amendment (Airport, Port and Cargo Security) Bill 2004 be referred to the Main Committee for further consideration.

Question—put and passed.

10 AGED CARE AMENDMENT 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—

Debate resumed by Mr S. F. Smith who moved, as an amendment—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:

- (1) notes that for years the Government has ignored the pleas of the aged care industry, the community and Labor about its neglect of residential aged care, neglect that has caused difficulties in access and industry viability as well as concerns about the quality of care; and
- (2) registers its concern that the Government has resorted to a short term political fix which seeks to put off until after the election the Government’s true intentions on a range of issues, including whether:
 - (a) accommodation bonds will apply consistently for both high level care and low level care;

- (b) an accommodation bond will apply to residents who are classified as medium-care residents under the new Resident Classification Scale;
- (c) there will be a further increase in the maximum daily accommodation charge for non-concessional residents from \$16.25 to \$19, a nearly 40% increase from the current charge;
- (d) the requirement that at least 40% of residents are concessional before a provider is entitled to a concessional supplement is retained into the future;
- (e) bonds will be available to providers for the duration of a resident's period of stay if it is greater than the current five years;
- (f) an aged care voucher system will be introduced; and
- (g) an auction or tender system will be introduced for the allocation of aged care places".

Debate continued.

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

11 AGRICULTURE, FISHERIES AND FORESTRY LEGISLATION AMENDMENT (EXPORT CONTROL) 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—

Debate resumed by Mr G. M. O'Connor who moved, as an amendment—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:

- (1) condemns the Government for failing to respond to a series of independent reports that recommended significant reforms to the administration of the live-stock export trade; and
- (2) further condemns the Government for allowing Australia's reputation as a country that demands a high standard of animal welfare practices to be badly damaged in the international community because of its failure to resolve the Cormo Express fiasco in a timely fashion".

Debate continued.

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

12 AGED CARE AMENDMENT BILL 2004—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 the words proposed to be omitted stand part of the question—put (*see item 10, page 1682*).

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

AYES, 79

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

NOES, 58

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

Message No. 269, 15 June 2004, from His Excellency the Administrator was announced recommending an appropriation for the purposes of the Bill.

Consideration in detail

Bill, by leave, taken as a whole.

Mr S. F. Smith moved the Opposition amendment.

Debate continued.

Question—That the amendment be agreed to—put.

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

AYES, 57

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

NOES, 79

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

* Tellers

And so it was negatived.

Bill agreed to.

Consideration in detail concluded.

On the motion of Ms J. I. Bishop (Minister for Ageing), by leave, the Bill was read a third time.

13 AGRICULTURE, FISHERIES AND FORESTRY LEGISLATION AMENDMENT (EXPORT CONTROL) 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—*And on the amendment moved thereto by Mr G. M. O'Connor (see item No. 11, page 1683)—*

Debate having been resumed by Mr Adams—

14 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 Speaker adjourned the House until tomorrow at 9 a.m.

PAPERS

The following papers were deemed to have been presented on 15 June 2004:

A New Tax System (Family Assistance) (Administration) Act—Determination—2004 Family Assistance (Household Organisational Management Expenses (HOME) Advice Program).

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposals—2004 Nos 4, 5, 6, 7, 8.

Census and Statistics Act—Regulations—Statutory Rules 2004 No. 114.

Christmas Island Act—Ordinance—2004 No. 1.

Cocos (Keeling) Islands Act—Ordinance—2004 No. 1.

Commonwealth Authorities and Companies Act—Regulations—Statutory Rules 2004 No. 116.

Customs Act—Regulations—Statutory Rules 2004 Nos 107, 108.

Defence Act—

Defence Force Remuneration Tribunal—Determinations 2004 Nos 4, 5.

Determinations under section 58B—2004 Nos 19, 20, 21.

Designs Act—Regulations—Statutory Rules 2004 No. 117.

Environment Protection and Biodiversity Conservation Act—Instrument under section 303DB, 18 April 2004.

Export Control Act—Export Control (Orders) Regulations—Export Control (Fees) Amendment Orders—2004 (No. 2).

Export Market Development Grants Act—Determination—2004 No. 1.

Health Insurance Act—Regulations—Statutory Rules 2004 No. 110.

Ozone Protection and Synthetic Greenhouse Gas Management Act—Notice of grant of exemption under Section 40, 24 April 2004.

Petroleum (Submerged Lands) Act—Regulations—Statutory Rules 2004 No. 111.

Primary Industries (Customs) Charges Act—Regulations—Statutory Rules 2004 No. 103.

Primary Industries (Excise) Levies Act—Regulations—Statutory Rules 2004 Nos 104, 106.

Primary Industries Levies and Charges Collection Act—Regulations—Statutory Rules 2004 No. 105.

Public Service Act—Public Service Commissioner's Directions—2004 Amendment No. 1.

Remuneration Tribunal Act—Remuneration Tribunal—Determinations—2004 Nos 11, 12, 13, 14, 15.

Social Security (Administration) Act—

Determination—2004 Social Security (Household Organisational Management Expenses (HOME) Advice Program).

Guidelines—2004—

Social Security (Payment Pending—ARO Application for Review).

Social Security (Payment Pending—SSAT Application for Review).

Social Security (International Agreements) Act—Regulations—Statutory Rules 2004 No. 109.

Superannuation Industry (Supervision) Act—Regulations—Statutory Rules 2004 No. 113.

Taxation Administration Act—

Regulations—Statutory Rules 2004 No. 112.

Rulings—2004 Nos CR 38 (Addendum), CR 50, CR 51, CR 52, CR 53, CR 54, CR 55, CR 56, CR 57, IT 2574 (Withdrawal), PR 71.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Beazley, Ms Ellis*, Ms J. S. McFarlane* and Mr M. A. J. Vaile.

* On leave

I. C. HARRIS
Clerk of the House of Representatives

2002-03-04

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 178

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

TUESDAY, 15 JUNE 2004

1 The Main Committee met at 4 p.m.

2 **APPROPRIATION BILL (NO. 1) 2004-2005—BUDGET DEBATE**

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 Crean, 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:

- (1) condemns the Government for its cynical election driven spending spree which—while spending a record \$52 billion over the forward estimates—failed to deliver crucial services to Australians, including:
 - (a) funding the pneumococcal vaccine for children;
 - (b) funding VET in schools so young Australians can either Earn or Learn;
 - (c) ensuring access to Higher Education without excessive fees or increasing student debt levels;
 - (d) ensuring all Australians can access bulkbilling services; and
 - (e) ensuring adequate measures to respond to Australia’s skill shortage; and
- (2) also condemns the Government for failing to present a strategy to adequately address the long term fiscal challenges facing the nation”—

Debate resumed.

Suspension of sitting

At 8.11 p.m., a division having been called in the House, the proceedings were suspended.

Resumption of sitting

At 8.25 p.m., the proceedings were resumed.

Debate continued.

Ms Livermore was granted leave to continue her speech when the debate is resumed.

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

3 ADJOURNMENT

On the motion of Mr Neville, the Main Committee adjourned at 8.43 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