

2002-03-04

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 187

THURSDAY, 5 AUGUST 2004

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- 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 (NO. 3) 2004**
Dr Nelson (Minister for Education, Science and Training), pursuant to notice, presented a Bill for an Act to amend higher education legislation, 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 Swan), and the resumption of the debate made an order of the day for the next sitting.
- 3 **ELECTORAL AND REFERENDUM AMENDMENT (PRISONER VOTING AND OTHER MEASURES) BILL 2004**
Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, presented a Bill for an Act to amend the law relating to elections and referendums, 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 Swan), and the resumption of the debate made an order of the day for the next sitting.
- 4 **TREATIES—JOINT STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER**
Dr Southcott (Chair) presented the following papers:
Treaties—Joint Standing Committee—Report 62—Treaties tabled on 30 March 2004—Joint Scheme for the regulation of therapeutic products—New Zealand; World Health Organization Framework Convention on Tobacco Control—
Report, August 2004.
Minutes of proceedings.
Ordered—That the report be printed.
Dr Southcott and Mr Wilkie, by leave, made statements in connection with the report.
Dr Southcott, by leave, moved—That the House take note of the report.
Dr Southcott 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.

5 SCHOOLS ASSISTANCE (LEARNING TOGETHER—ACHIEVEMENT THROUGH CHOICE AND OPPORTUNITY) 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 Ms Macklin (Deputy Leader of the Opposition), 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:
 - (a) refusing to accept its responsibilities for funding government schools as a national priority;
 - (b) providing only \$4 million in new money for government schools out of its \$31.3 billion package for schools;
 - (c) failing to include needs-based criteria in its funding and accountability provisions for non-government schools;
 - (d) refusing to take into account the total level of funding for non-government schools from all sources - Commonwealth, State and private - in assessing funding needs;
 - (e) entrenching its divisive and unfair funding arrangements for schools, where the largest increases in funding have been provided to some of the best resourced independent schools in Australia;
 - (f) failing to meet the urgent needs of students in government and non-government schools who have special needs, including:
 - (i) schools with concentrations of students from families living in poverty, unemployment and with low levels of school achievement and students with disabilities;
 - (ii) indigenous students; and
- (2) calls on the Government to introduce funding arrangements that reflect the relative needs of schools and students, so that all students have access to the resources they need to achieve the educational outcomes set out in the National Goals of Schooling for the 21st century”—

Debate resumed.

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

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

AYES, 80

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

NOES, 60

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

* 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. 295, 23 June 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.

On the motion of Dr Nelson (Minister for Education, Science and Training), the Bill was read a third time.

6 STATES GRANTS (PRIMARY AND SECONDARY EDUCATION ASSISTANCE) LEGISLATION 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—

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

Message from the Governor-General

Message No. 296, 23 June 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.

On the motion of Dr Nelson (Minister for Education, Science and Training), the Bill was read a third time.

7 INDIGENOUS EDUCATION (TARGETED ASSISTANCE) 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 having been resumed by Ms Livermore—

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.

8 QUESTIONS

Questions without notice being asked—

Paper

Mr Latham (Leader of the Opposition), by leave, presented the following paper:

US Free Trade Agreement Implementation Bill 2004—Proposed Government amendments to be moved in the Senate.

Questions without notice continued.

Paper

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

Patent Law—Letter to Mr I. E. Macfarlane (Minister for Industry, Tourism and Resources) from Ian Heath, Director General, IP Australia.

Questions without notice continued.

9 AUDITOR-GENERAL'S REPORT

The Speaker presented the following paper:

Auditor-General—Audit report No. 6 of 2004–2005—Performance audit—Performance management in the Australian Public Service.

Ordered to be printed.

10 PAPER—MOTION TO TAKE NOTE OF PAPER

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

Tax Laws Amendment (2004 Measures No. 4) Bill 2004—Correction to the explanatory memorandum. and moved—That the House take note of the paper.

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

11 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—FREE TRADE AGREEMENT

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 Government’s failure to defend the national interest, especially its failure to ensure that the Free Trade Agreement enabling legislation has adequate safeguards in relation to the Pharmaceutical Benefits Scheme and drug prices in Australia”.

The proposed discussion having received the necessary support—

Mr Latham addressed the House.

Member ordered to withdraw

At 3.30 p.m. the Member for Flinders (Mr Hunt) was ordered, under standing order 304A, to withdraw from the House for one hour for continuing to interject, and he accordingly withdrew from the Chamber.

Discussion ensued.

Discussion concluded.

12 INDIGENOUS EDUCATION (TARGETED ASSISTANCE) 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 Ms Livermore 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 condemns the Government for:

- (1) failing to provide real increases in funding for urgently needed recurrent and capital programs in primary and secondary schools for indigenous students and their families;
- (2) introducing major changes to the operation of programs, particularly ASSPA committees, without full consultation with indigenous communities;
- (3) failing to provide strategic intervention in the early years of primary schooling by changing the focus of support for tutorial assistance to indigenous students who fail to meet national literacy and numeracy benchmarks in Years 3, 5 and 7; and
- (4) fostering instability in funding arrangements for the Supplementary Recurrent Assistance program and failing to recognise the disadvantage experienced by all indigenous students whether they live in metropolitan, regional, rural or remote areas of Australia”.

13 **ADJOURNMENT**

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

Paper

Mr Wilkie, by leave, presented the following paper:

Letter to the Editor, Southern Gazette—Statutory declaration by Deeahn O'Brien, 5 August 2004.

Debate continued.

Question—put and passed.

And then the House, at 4.54 p.m., adjourned until Monday next at 12.30 p.m.



PAPERS

The following papers were deemed to have been presented on 5 August 2004:

A New Tax System (Goods and Services Tax) Act—Determination—2004 GST-free Supply (Health Goods).

Environment Protection and Biodiversity Conservation Act—

Instrument under section 303DB, 7 June 2004.

Instrument under section 303EB, 22 June 2004.

National Health Act—

Declarations under subsection 85(2)—2004 Nos PB 10, PB 12.

Declaration under subsection 85(2AA)—2004 No. PB 11.

Determination under paragraph 98C(1)(b)—2004 No. PB 13.



ATTENDANCE

All Members attended (at some time during the sitting) except Mr Andren, Mr Danby, Mr Neville and Mr Snowdon.



I. C. HARRIS

Clerk of the House of Representatives

2002-03-04

**HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS**

No. 187

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 5 AUGUST 2004

1 The Main Committee met at 9.40 a.m.

2 MEMBERS' STATEMENTS

Members' statements were made.

3 ADJOURNMENT

Mrs Gash moved—That the Main Committee do now adjourn.

Debate ensued.

Question—put and passed.

At 1.05 p.m. the Deputy Speaker adjourned the Main Committee until 9.40 a.m. on Wednesday, 11 August 2004.

B. C. WRIGHT
Clerk of the Main Committee