

2004

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 6

WEDNESDAY, 1 DECEMBER 2004

1 The House met, at 9 a.m., pursuant to adjournment. The Speaker (the Honourable David Hawker) took the Chair, and read Prayers.

2 **NATIONAL HEALTH AMENDMENT (PROSTHESES) BILL 2004**

Mr Abbott (Minister for Health and Ageing), pursuant to notice, presented a Bill for an Act to amend legislation relating to private health insurance, and for related purposes.

Bill read a first time.

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

*Document*

Mr Abbott presented an explanatory memorandum to the bill.

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

3 **STANDING ORDERS AUTHORITY**

Mr Abbott (Leader of the House), pursuant to notice, moved—That the Clerk be authorised to correct clerical errors or inconsistencies in wording in the standing orders, but not so as to cause a change to the meaning of any standing order.

Question—put and passed.

4 **HEALTH INSURANCE AMENDMENT (100% MEDICARE REBATE AND OTHER MEASURES) 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 Gillard, viz.*—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, this Parliament condemns the Government for:

- (1) doing nothing while out of pocket costs to see a general practitioner have soared from a little over \$8 to a national average of \$15.37 and failing to attach conditions to 100% Medicare aimed at reducing out of pocket costs;
- (2) causing bulk billing rates to fall from 80% under Labor to a little over 70% and failing to attach conditions to 100% Medicare aimed at bolstering bulk billing rates;
- (3) failing to ensure that any of the \$1.7 billion spent will be passed on to patients; and
- (4) continuing its undermining of Medicare as Australia’s universal public health insurance system”—

Debate resumed.

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

Question—put.

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

## AYES, 79

Mr Abbott	Mrs Elson	Mr Ley	Mr Secker
Mr Andrews	Mr Entsch	Mr Lindsay	Mr Slipper
Fran Bailey	Mr Farmer	Mr Lloyd	Mr A. D. H. Smith
Mr Baird	Mr Fawcett	Mr McArthur*	Mr Somlyay
Mr Baker	Mr M. D. Ferguson	Mr Macfarlane	Dr Southcott
Mr Baldwin	Mr Forrest*	Mr McGauran	Dr Stone
Mr Barresi	Ms Gambaro	Mrs Markus	Mr C. P. Thompson
Mr Bartlett	Mrs Gash	Mrs Moylan	Mr Ticehurst
Mrs B. K. Bishop	Mr Georgiou	Mr Nairn	Mr Tollner
Ms J. Bishop	Mr Haase	Dr Nelson	Mr Truss
Mr Broadbent	Mr Hartsuyker	Mr Neville	Mr Tuckey
Mr Brough	Mr Henry	Ms Panopoulos	Mr Turnbull
Mr Cadman	Mrs Hull	Mr Pearce	Mr M. A. J. Vaile
Mr Causley	Mr Hunt	Mr Prosser	Mrs D. S. Vale
Mr Ciobo	Dr Jensen	Mr Randall	Mr Vasta
Mr Cobb	Mr Johnson	Mr Richardson	Mr Wakelin
Mr Costello	Mr Jull	Mr Robb	Dr Washer
Mr Downer	Mr Keenan	Mr Ruddock	Mr Windsor
Mrs Draper	Mrs D. M. Kelly	Mr Schultz	Mr Wood
Mr Dutton	Dr Laming	Mr Scott	

## NOES, 55

Mr Adams	Ms K. M. Ellis	Ms Hoare	Ms Owens
Mr Albanese	Mr Emerson	Mrs Irwin	Ms Plibersek
Mr Beazley	Mr L. Ferguson	Mr Jenkins	Mr Price
Ms Bird	Mr M. J. Ferguson	Mr Kerr	Mr Quick
Mr Bowen	Mr Fitzgibbon	Ms C. King	Mr Ripoll
Ms A. E. Burke	Mr Garrett	Dr Lawrence	Ms Roxon
Mr A. S. Burke	Mr Georganas	Ms Livermore	Mr Rudd
Mr Byrne	Ms George	Mr McClelland	Mr Sercombe
Ms Corcoran	Mr Gibbons	Ms Macklin	Mr Snowdon
Mr Crean	Ms Gillard	Mr McMullan	Mr Swan
Mr Danby*	Ms Grierson	Mr Melham	Mr Tanner
Mr Edwards	Mr Griffin	Mr Murphy	Ms Vamvakinou
Mrs Elliot	Ms Hall*	Mr B. P. O'Connor	Mr Wilkie
Ms A. L. Ellis	Mr Hatton	Mr G. M. O'Connor	

\* 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. 6, 30 November 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 immediately.

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

## 5 FINANCIAL FRAMEWORK LEGISLATION AMENDMENT BILL 2004

Dr Stone (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, presented a Bill for an Act to amend Commonwealth financial management legislation and other financial and reporting provisions, and for related purposes.

Bill read a first time.

Dr Stone moved—That the bill be now read a second time.

*Document*

Dr Stone presented an explanatory memorandum to the bill.

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

**6 SUSPENSION OF STANDING ORDERS MOVED**

Mr Albanese moved—That so much of the standing orders be suspended as would prevent the Government tabling the maps and precise boundaries of the 170,000 hectares of Tasmanian old growth forests it will protect in accordance with the deadline of December 1<sup>st</sup> stated in its own policy.

*Closure of Member*

Mr Pearce (Parliamentary Secretary to the Treasurer) moved—That the Member be not further heard.

Question—put.

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

## AYES, 77

Mr Abbott	Mr Entsch	Mr Lindsay	Mr Slipper
Mr Andrews	Mr Farmer	Mr Lloyd	Mr A. D. H. Smith
Fran Bailey	Mr Fawcett	Mr McArthur*	Mr Somlyay
Mr Baird	Mr M. D. Ferguson	Mr Macfarlane	Dr Southcott
Mr Baker	Mr Forrest*	Mr McGauran	Dr Stone
Mr Baldwin	Ms Gambaro	Mrs Markus	Mr C. P. Thompson
Mr Barresi	Mrs Gash	Mrs Moylan	Mr Ticehurst
Mr Bartlett	Mr Georgiou	Mr Nairn	Mr Tollner
Mrs B. K. Bishop	Mr Haase	Dr Nelson	Mr Truss
Ms J. Bishop	Mr Hartsuyker	Mr Neville	Mr Tuckey
Mr Broadbent	Mr Henry	Ms Panopoulos	Mr Turnbull
Mr Brough	Mrs Hull	Mr Pearce	Mr M. A. J. Vaile
Mr Cadman	Mr Hunt	Mr Prosser	Mrs D. S. Vale
Mr Causley	Dr Jensen	Mr Randall	Mr Vasta
Mr Ciobo	Mr Johnson	Mr Richardson	Mr Wakelin
Mr Cobb	Mr Jull	Mr Robb	Dr Washer
Mr Downer	Mr Keenan	Mr Ruddock	Mr Wood
Mrs Draper	Mrs D. M. Kelly	Mr Schultz	
Mr Dutton	Dr Laming	Mr Scott	
Mrs Elson	Mrs Ley	Mr Secker	

## NOES, 55

Mr Adams	Ms K. M. Ellis	Ms Hoare	Ms Plibersek
Mr Albanese	Mr Emerson	Mrs Irwin	Mr Price
Mr Beazley	Mr L. Ferguson	Mr Kerr	Mr Quick
Ms Bird	Mr M. J. Ferguson	Ms C. King	Mr Ripoll
Mr Bowen	Mr Fitzgibbon	Dr Lawrence	Ms Roxon
Ms A. E. Burke	Mr Garrett	Ms Livermore	Mr Rudd
Mr A. S. Burke	Mr Georganas	Mr McClelland	Mr Sercombe
Mr Byrne	Ms George	Ms Macklin	Mr Snowdon
Ms Corcoran	Mr Gibbons	Mr McMullan	Mr Swan
Mr Crean	Ms Gillard	Mr Melham	Mr K. J. Thomson
Mr Danby*	Ms Grierson	Mr Murphy	Ms Vamvakinou
Mr Edwards	Mr Griffin	Mr B. P. O'Connor	Mr Wilkie
Mrs Elliot	Ms Hall*	Mr G. M. O'Connor	Mr Windsor
Ms A. L. Ellis	Mr Hatton	Ms Owens	

\* Tellers

And so it was resolved in the affirmative.

Ms Gillard (seconder) addressing the House—

*Closure of Member*

Mr Pearce moved—That the Member be not further heard.

Question—put.

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

## AYES, 77

Mr Abbott	Mr Entsch	Mr Lindsay	Mr Slipper
Mr Andrews	Mr Farmer	Mr Lloyd	Mr A. D. H. Smith
Fran Bailey	Mr Fawcett	Mr McArthur*	Mr Somlyay
Mr Baird	Mr M. D. Ferguson	Mr Macfarlane	Dr Southcott
Mr Baker	Mr Forrest*	Mr McGauran	Dr Stone
Mr Baldwin	Ms Gambaro	Mrs Markus	Mr C. P. Thompson
Mr Barresi	Mrs Gash	Mrs Moylan	Mr Ticehurst
Mr Bartlett	Mr Georgiou	Mr Nairn	Mr Tollner
Mrs B. K. Bishop	Mr Haase	Dr Nelson	Mr Truss
Ms J. Bishop	Mr Hartsuyker	Mr Neville	Mr Tuckey
Mr Broadbent	Mr Henry	Ms Panopoulos	Mr Turnbull
Mr Brough	Mrs Hull	Mr Pearce	Mr M. A. J. Vaile
Mr Cadman	Mr Hunt	Mr Prosser	Mrs D. S. Vale
Mr Causley	Dr Jensen	Mr Randall	Mr Vasta
Mr Ciobo	Mr Johnson	Mr Richardson	Mr Wakelin
Mr Cobb	Mr Jull	Mr Robb	Dr Washer
Mr Downer	Mr Keenan	Mr Ruddock	Mr Wood
Mrs Draper	Mrs D. M. Kelly	Mr Schultz	
Mr Dutton	Dr Laming	Mr Scott	
Mrs Elson	Mrs Ley	Mr Secker	

## NOES, 55

Mr Adams	Ms K. M. Ellis	Ms Hoare	Ms Plibersek
Mr Albanese	Mr Emerson	Mrs Irwin	Mr Price
Mr Beazley	Mr L. Ferguson	Mr Kerr	Mr Quick
Ms Bird	Mr M. J. Ferguson	Ms C. King	Mr Ripoll
Mr Bowen	Mr Fitzgibbon	Dr Lawrence	Ms Roxon
Ms A. E. Burke	Mr Garrett	Ms Livermore	Mr Rudd
Mr A. S. Burke	Mr Georganas	Mr McClelland	Mr Sercombe
Mr Byrne	Ms George	Ms Macklin	Mr Snowdon
Ms Corcoran	Mr Gibbons	Mr McMullan	Mr Swan
Mr Crean	Ms Gillard	Mr Melham	Mr K. J. Thomson
Mr Danby*	Ms Grierson	Mr Murphy	Ms Vamvakinou
Mr Edwards	Mr Griffin	Mr B. P. O'Connor	Mr Wilkie
Mrs Elliot	Ms Hall*	Mr G. M. O'Connor	Mr Windsor
Ms A. L. Ellis	Mr Hatton	Ms Owens	

\* Tellers

And so it was resolved in the affirmative.

Question—That the motion for the suspension of standing orders be agreed to—put.

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

## AYES, 55

Mr Adams	Ms K. M. Ellis	Ms Hoare	Ms Plibersek
Mr Albanese	Mr Emerson	Mrs Irwin	Mr Price
Mr Beazley	Mr L. Ferguson	Mr Kerr	Mr Quick
Ms Bird	Mr M. J. Ferguson	Ms C. King	Mr Ripoll
Mr Bowen	Mr Fitzgibbon	Dr Lawrence	Ms Roxon
Ms A. E. Burke	Mr Garrett	Ms Livermore	Mr Rudd
Mr A. S. Burke	Mr Georganas	Mr McClelland	Mr Sercombe
Mr Byrne	Ms George	Ms Macklin	Mr Snowdon
Ms Corcoran	Mr Gibbons	Mr McMullan	Mr Swan
Mr Crean	Ms Gillard	Mr Melham	Mr K. J. Thomson
Mr Danby*	Ms Grierson	Mr Murphy	Ms Vamvakinou
Mr Edwards	Mr Griffin	Mr B. P. O'Connor	Mr Wilkie
Mrs Elliot	Ms Hall*	Mr G. M. O'Connor	Mr Windsor
Ms A. L. Ellis	Mr Hatton	Ms Owens	

## NOES, 77

Mr Abbott	Mr Entsch	Mr Lindsay	Mr Slipper
Mr Andrews	Mr Farmer	Mr Lloyd	Mr A. D. H. Smith
Fran Bailey	Mr Fawcett	Mr McArthur*	Mr Somlyay
Mr Baird	Mr M. D. Ferguson	Mr Macfarlane	Dr Southcott
Mr Baker	Mr Forrest*	Mr McGauran	Dr Stone
Mr Baldwin	Ms Gambaro	Mrs Markus	Mr C. P. Thompson
Mr Barresi	Mrs Gash	Mrs Moylan	Mr Ticehurst
Mr Bartlett	Mr Georgiou	Mr Nairn	Mr Tollner
Mrs B. K. Bishop	Mr Haase	Dr Nelson	Mr Truss
Ms J. Bishop	Mr Hartsuyker	Mr Neville	Mr Tuckey
Mr Broadbent	Mr Henry	Ms Panopoulos	Mr Turnbull
Mr Brough	Mrs Hull	Mr Pearce	Mr M. A. J. Vaile
Mr Cadman	Mr Hunt	Mr Prosser	Mrs D. S. Vale
Mr Causley	Dr Jensen	Mr Randall	Mr Vasta
Mr Ciobo	Mr Johnson	Mr Richardson	Mr Wakelin
Mr Cobb	Mr Jull	Mr Robb	Dr Washer
Mr Downer	Mr Keenan	Mr Ruddock	Mr Wood
Mrs Draper	Mrs D. M. Kelly	Mr Schultz	
Mr Dutton	Dr Laming	Mr Scott	
Mrs Elson	Mrs Ley	Mr Secker	

\* Tellers

And so it was negatived.

## 7 WATER EFFICIENCY LABELLING AND STANDARDS BILL 2004

Mr Hunt (Parliamentary Secretary to the Minister for the Environment and Heritage), pursuant to notice, presented a Bill for an Act to provide for water efficiency labelling and the making of water efficiency standards, and for related purposes.

Bill read a first time.

Mr Hunt moved—That the bill be now read a second time.

### *Document*

Mr Hunt 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 PROPOSAL**

Mr Hunt (Parliamentary Secretary to the Minister for the Environment and Heritage) moved Customs Tariff Proposal No. 1 (2004).

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

**9 PARLIAMENTARY ZONE—REPLACEMENT AND EXTENSION OF COOLING TOWERS AT OLD PARLIAMENT HOUSE—APPROVAL OF PROPOSAL**

Mr Lloyd (Minister for Local Government, Territories and Roads), pursuant to notice, moved—That, in accordance with section 5 of the *Parliament Act 1974*, the House approves the following proposal for work in the Parliamentary Zone which was presented to the House on 30 November 2004, namely: Replacement and extension of cooling towers at Old Parliament House.

Question—put and passed.

**10 VOCATIONAL EDUCATION AND TRAINING FUNDING AMENDMENT BILL 2004—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the bill had been fully considered by the Main Committee, a Governor-General's message recommending an appropriation had been reported, and the bill had been agreed to without amendment, and presented a certified copy of the bill.

Bill agreed to.

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

**11 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—

Debate resumed by Ms Macklin (Deputy Leader of the Opposition) 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 its unfair funding policies for schools; and
- (2) believes that there is a need to restore integrity and sustainability to Commonwealth funding of schools through the adoption of comprehensive principles that include:
  - (a) supporting high quality public schooling as a national priority;
  - (b) recognising the entitlement of all children and young people to national standards of educational results and resources;
  - (c) giving priority in funding for all Commonwealth programs for schools to meeting the educational and financial needs of schools;
  - (d) recognition of the right of parents to choose the type of schooling for their children and to public funding for that schooling based on need; and
  - (e) Commonwealth funding for schools to be provided as part of a national partnership with State and Territory governments so that all governments work together to deliver high quality schooling for all”.

Debate continued.

Mr Hartsuyker addressing the House—

**12 QUESTIONS**

Questions without notice being asked—

*Documents*

Mr Lloyd (Minister for Local Government, Territories and Roads) presented the following documents:  
Namoi Valley Structural Adjustment Package—

Copy of letter from Kevin Humphries, Chairman, Namoi Valley Advisory Committee, to Mr Tuckey, Minister for Regional Services, Territories and Local Government, 27 June 2003.

Minutes of sub-committee meeting, 24 June 2003.

Project Assessment.

Regional Partnerships Program—Strategic Opportunities Notional Allocation (SONA)—Procedures, March 2004.

Questions without notice continuing—

*Document*

Mr Abbott (Minister for Health and Ageing) presented the following document:

Medicare Gold—Copy of extract of transcript of presentation given by Ms Gillard, Member for Lalor, Rehame Transcripts, 19 November 2004.

Questions without notice continuing—

*Document*

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

Australian Labor Party—Campaign 2004—Great Australian Schools—Fact Sheets.

*Point of order*

Ms Gillard having raised a question as to whether the document presented by Dr Nelson was publicly available, and thus not able to be presented pursuant to the Speaker's statement relating to the presentation of documents during Question Time—

*Speaker's ruling*

The Speaker ruled that Ministers did not require leave to present papers during Question Time.

*Dissent from ruling moved*

Ms Gillard moved—That the ruling be dissented from.

Debate ensued.

*Closure*

Mr Abbott moved—That the question be now put.

Question—That the question be now put—put and passed.

And the question—That the ruling be dissented from—being accordingly put—

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

AYES, 60

Mr Adams	Ms A. L. Ellis	Ms Hoare	Ms Plibersek
Mr Albanese	Ms K. M. Ellis	Mrs Irwin	Mr Price*
Mr Andren	Mr Emerson	Mr Kerr	Mr Quick
Mr Beazley	Mr L. Ferguson	Ms C. King	Mr Ripoll
Mr Bevis	Mr M. J. Ferguson	Mr Latham	Ms Roxon
Ms Bird	Mr Fitzgibbon	Dr Lawrence	Mr Rudd
Mr Bowen	Mr Garrett	Ms Livermore	Mr Sercombe
Ms A. E. Burke	Mr Georganas	Mr McClelland	Mr S. F. Smith
Mr A. S. Burke	Ms George	Ms Macklin	Mr Snowdon
Mr Byrne	Mr Gibbons	Mr McMullan	Mr Swan
Ms Corcoran	Ms Gillard	Mr Melham	Mr Tanner
Mr Crean	Ms Grierson	Mr Murphy	Mr K. J. Thomson
Mr Danby*	Mr Griffin	Mr B. P. O'Connor	Ms Vamvakinou
Mr Edwards	Ms Hall	Mr G. M. O'Connor	Mr Wilkie
Mrs Elliot	Mr Hatton	Ms Owens	Mr Windsor

## NOES, 81

Mr Abbott	Mr Entsch	Mrs Ley	Mr Secker
Mr Andrews	Mr Farmer	Mr Lindsay	Mr Slipper
Fran Bailey	Mr Fawcett	Mr Lloyd	Mr A. D. H. Smith
Mr Baird	Mr M. D. Ferguson	Mr McArthur*	Mr Somlyay
Mr Baker	Mr Forrest*	Mr Macfarlane	Dr Southcott
Mr Baldwin	Ms Gambaro	Mr McGauran	Dr Stone
Mr Barresi	Mrs Gash	Mrs Markus	Mr C. P. Thompson
Mr Bartlett	Mr Georgiou	Mrs Moylan	Mr Ticehurst
Mrs B. K. Bishop	Mr Haase	Mr Nairn	Mr Tollner
Ms J. Bishop	Mr Hardgrave	Dr Nelson	Mr Truss
Mr Broadbent	Mr Hartsuyker	Mr Neville	Mr Tuckey
Mr Brough	Mr Henry	Ms Panopoulos	Mr Turnbull
Mr Cadman	Mr Hockey	Mr Pearce	Mr M. A. J. Vaile
Mr Causley	Mrs Hull	Mr Prosser	Mrs D. S. Vale
Mr Ciobo	Mr Hunt	Mr Pyne	Mr Vasta
Mr Cobb	Dr Jensen	Mr Randall	Mr Wakelin
Mr Costello	Mr Johnson	Mr Richardson	Dr Washer
Mr Downer	Mr Jull	Mr Robb	Mr Wood
Mrs Draper	Mr Keenan	Mr Ruddock	
Mr Dutton	Mrs D. M. Kelly	Mr Schultz	
Mrs Elson	Dr Laming	Mr Scott	

\* Tellers

And so it was negatived.

Questions without notice concluded.

**13 DOCUMENT**

Pursuant to section 65 of the *Parliamentary Service Act 1999*, the Speaker presented the following document:

Department of Parliamentary Services—Report for 2003-04.

**14 DOCUMENT—MOTION TO TAKE NOTE OF DOCUMENT**

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

Alcohol Education and Rehabilitation Foundation Ltd—Report for 2003-04,

and moved—That the House take note of the document.

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

**15 DOCUMENT**

The Speaker presented the following document:

Display of Eureka flag in foyer of entrance to House of Representatives wing—Copy of letter from Mr Hawker, Speaker of the House of Representatives, to Ms King, Member for Ballarat, 1 December 2004.

**16 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—MODERN SMALL BUSINESS**

The House was informed that Mr A. S. Burke had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The failure of the Government to develop an adequate agenda for modern small businesses”.

The proposed discussion having received the necessary support—

Mr A. S. Burke addressed the House.

Discussion ensued.

*Member directed to leave*

At 4.18 p.m. the Member for Melbourne (Mr Tanner) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a warning had been given from the Chair, and he accordingly left the Chamber.

Discussion continued.

Discussion concluded.

**17 AGRICULTURE, FISHERIES AND FORESTRY LEGISLATION AMENDMENT BILL (NO. 2) 2004—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the bill had been fully considered by the Main Committee, a Governor-General's message recommending an appropriation had been reported, and the bill had been agreed to without amendment, and presented a certified copy of the bill.

Bill agreed to.

On the motion of Mrs Ley (Parliamentary Secretary—Children and Youth Affairs), by leave, the bill was read a third time.

**18 SUPERANNUATION LEGISLATION AMENDMENT BILL 2004—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the bill had been fully considered by the Main Committee, a Governor-General's message recommending an appropriation had been reported, and the bill had been agreed to without amendment, and presented a certified copy of the bill.

Bill agreed to.

On the motion of Mrs Ley (Parliamentary Secretary—Children and Youth Affairs), by leave, the bill was read a third time.

**19 CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) AMENDMENT BILL (NO. 2) 2004—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the bill had been fully considered by the Main Committee and agreed to without amendment, and presented a certified copy of the bill.

Bill agreed to.

On the motion of Mrs Ley (Parliamentary Secretary—Children and Youth Affairs), by leave, the bill was read a third time.

**20 MESSAGE FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS**

A message from His Excellency the Governor-General was announced informing the House that His Excellency, in the name of Her Majesty, had assented to the following bills:

26 November 2004—Message No. 7—

Customs Amendment (Thailand-Australia Free Trade Agreement Implementation) 2004.

Customs Tariff Amendment (Thailand-Australia Free Trade Agreement Implementation) 2004.

**21 MESSAGES FROM THE SENATE**

Messages from the Senate, 30 November 2004, were reported:

(1) concurring with the resolution of the House relating to the appointment of the Parliamentary Joint Committee on Corporations and Financial Services—Message No. 9; and

(2) acquainting the House of the following resolution agreed to by the Senate:

That the Joint Standing Committee on Electoral Matters inquire into and report, as soon as practicable, on:

(a) the matter relating to electoral funding and disclosure, which was adopted by the committee in the 39th and 40th Parliaments, and any amendments to the Commonwealth Electoral Act necessary to improve disclosure of donations to political parties and candidates and the true source of those donations; and

(b) submissions and evidence received by the committee in relation to those inquiries in the 39th and 40th Parliaments—Message No. 10.

**22 MESSAGE FROM THE SENATE—SURVEILLANCE DEVICES BILL 2004**

Message No. 11, 30 November 2004, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to set out the powers of Commonwealth law enforcement agencies with respect to surveillance devices, and for related purposes.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting.

**23 MESSAGE FROM THE SENATE—AVIATION SECURITY AMENDMENT BILL 2004**

Message No. 14, 1 December 2004, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend laws relating to aviation security, for related purposes.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting.

**24 BILL REFERRED TO MAIN COMMITTEE**

Mr Bartlett (Chief Government Whip), by leave, moved—That the Aviation Security Amendment Bill 2004 be referred to the Main Committee for further consideration.

Question—put and passed.

**25 COMMITTEES—APPOINTMENT OF MEMBERS**

Mrs Ley (Parliamentary Secretary—Children and Youth Affairs), by leave, moved—That Members be appointed as members of certain committees in accordance with the following schedule:

COMMITTEE	MEMBERSHIP
<b>STANDING</b>	
Aboriginal and Torres Strait Islander Affairs	Mr Robb, Mr Slipper, Dr Southcott, Mr Tuckey, Mrs D. S. Vale, Mr Wakelin.
Agriculture, Fisheries and Forestry	Mr M. D. Ferguson, Mr Forrest, Mr Lindsay, Mr Schultz, Mr Secker, Mr Tuckey.
Communications, Information Technology and the Arts	Jackie Kelly, Mr Ticehurst, Mr Johnson, Dr Laming, Mrs B. K. Bishop, Mr Keenan.
Economics, Finance and Public Administration	Mr Baird, Mr Ciobo, Mr McArthur, Mr Robb, Mr Somlyay, Mr Turnbull.
Education and Vocational Training	Mr Bartlett, Mr Fawcett, Mr M. D. Ferguson, Mr Hartsuyker, Mr Henry, Mrs Markus.
Employment, Workplace Relations and Workforce Participation	Mr Baker, Mr Barresi, Mr Henry, Mrs May, Mr Randall, Mr Vasta.
Environment and Heritage	Mr Broadbent, Jackie Kelly, Mr McArthur, Mr Turnbull, Dr Washer, Mr Wood.
Family and Human Services	Mrs B. K. Bishop, Mr Cadman, Mrs Elson, Mr Fawcett, Mrs Markus, Mr Ticehurst.
Health and Ageing	Mr Cadman, Mrs Elson, Mr Johnson, Mr Somlyay, Mr Turnbull, Mr Vasta.
House	Mr Baldwin, Mr Broadbent, Mr Somlyay.
Industry and Resources	Mrs B. K. Bishop, Mr Cadman, Mr Haase, Jackie Kelly, Mr Prosser, Mr Tollner.
Legal and Constitutional Affairs	Mrs Hull, Ms Panopoulos, Mr Secker, Mr Slipper, Mr Tollner, Mr Turnbull.
Library	Mr Broadbent, Mr Georgiou, Mrs Hull.
Members' Interests	Mr Baldwin, Mr Ciobo, Mr Neville, Mr C. P. Thompson.

Privileges	Mr Baldwin, Mrs Draper, Mrs Gash, Mr Hartsuyker, Mr C. P. Thompson.
Procedure	Mrs B. K. Bishop, Mrs Draper, Mrs May, Mr Neville
Publications	Mr Baker, Mr Baldwin, Mrs Draper, Mrs Hull.
Science and Innovation	Mr Georgiou, Dr Jensen, Jackie Kelly, Mr Tollner, Mrs D. S. Vale, Dr Washer.
Transport and Regional Services	Mr Haase, Dr Jensen, Mr McArthur, Mr Neville, Mr Richardson, Mr Schultz.
<b>JOINT STATUTORY</b>	
Australian Crime Commission	Mrs Gash, Mr Richardson, Mr Wood.
Broadcasting of Parliamentary Proceedings	Mr Baldwin, Mr Bartlett, Mr Lindsay.
Corporations and Financial Services	Mr Bartlett, Jackie Kelly, Mr McArthur.
Native Title and the Aboriginal and Torres Strait Islander Land Fund	Mr Randall, Mr Slipper, Mr Tollner.
Public Accounts and Audit	Mr Baldwin, Mr Broadbent, Jackie Kelly, Dr Laming, Mr Somlyay, Mr Ticehurst.
Public Works	Mr Forrest, Mrs Moylan, Mr Wakelin.
<b>JOINT STANDING</b>	
Electoral Matters	Mr Ciobo, Ms Panopoulos, Mr A. D. H. Smith.
Foreign Affairs, Defence and Trade	Mr Baldwin, Mr Baird, Mr Barresi, Mrs Draper, Mrs Gash, Mr Haase, Mr Jull, Mrs Moylan, Mr Prosser, Mr Scott, Mr Wakelin, Mr Turnbull.
Migration	Mr Keenan, Mr Randall, Dr Southcott.
National Capital and External Territories	Mr Neville, Ms Panopoulos, Mr Secker.
Treaties	Mr Johnson, Mrs May, Ms Panopoulos, Mr Scott, Dr Southcott, Mr Turnbull.

Question—put and passed.

#### 26 PARLIAMENTARY RETIRING ALLOWANCES TRUST

Mrs Ley (Parliamentary Secretary—Children and Youth Affairs), by leave, moved—That, in accordance with the provisions of the *Parliamentary Contributory Superannuation Act 1948*, Mr Price be appointed a trustee to serve on the Parliamentary Retiring Allowances Trust.

Question—put and passed.

#### 27 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) (see item No. 11, page 62)—*

Debate resumed.

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

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

## AYES, 77

Mr Abbott	Mr M. D. Ferguson	Mr Lloyd	Mr Slipper
Mr Andrews	Mr Forrest*	Mr McArthur*	Mr A. D. H. Smith
Mr Baird	Ms Gambaro	Mr Macfarlane	Mr Somlyay
Mr Baker	Mrs Gash	Mr McGauran	Dr Southcott
Mr Baldwin	Mr Georgiou	Mrs Markus	Dr Stone
Mr Barresi	Mr Haase	Mrs Moylan	Mr C. P. Thompson
Mr Bartlett	Mr Hardgrave	Mr Nairn	Mr Ticehurst
Mrs B. K. Bishop	Mr Hartsuyker	Dr Nelson	Mr Tollner
Ms J. Bishop	Mr Henry	Mr Neville	Mr Truss
Mr Broadbent	Mr Hockey	Ms Panopoulos	Mr Tuckey
Mr Brough	Mrs Hull	Mr Pearce	Mr Turnbull
Mr Cadman	Mr Hunt	Mr Prosser	Mr M. A. J. Vaile
Mr Ciobo	Dr Jensen	Mr Pyne	Mrs D. S. Vale
Mr Cobb	Mr Johnson	Mr Randall	Mr Vasta
Mrs Draper	Mr Jull	Mr Richardson	Mr Wakelin
Mr Dutton	Mr Keenan	Mr Robb	Dr Washer
Mrs Elson	Mrs D. M. Kelly	Mr Ruddock	Mr Wood
Mr Entsch	Dr Laming	Mr Schultz	
Mr Farmer	Mrs Ley	Mr Scott	
Mr Fawcett	Mr Lindsay	Mr Secker	

## NOES, 58

Mr Adams	Ms K. M. Ellis	Mr Jenkins	Mr Price
Mr Albanese	Mr Emerson	Mr Kerr	Mr Quick
Mr Andren	Mr L. Ferguson	Ms C. King	Mr Ripoll
Mr Beazley	Mr M. J. Ferguson	Mr Latham	Ms Roxon
Mr Bevis	Mr Fitzgibbon	Dr Lawrence	Mr Rudd
Ms Bird	Mr Georganas	Ms Livermore	Mr Sercombe
Mr Bowen	Ms George	Mr McClelland	Mr S. F. Smith
Ms A. E. Burke	Mr Gibbons	Ms Macklin	Mr Snowdon
Mr A. S. Burke	Ms Gillard	Mr McMullan	Mr Swan
Mr Byrne	Ms Grierson	Mr Melham	Mr Tanner
Ms Corcoran	Mr Griffin	Mr Murphy	Mr K. J. Thomson
Mr Crean	Ms Hall*	Mr B. P. O'Connor	Ms Vamvakinou
Mr Danby*	Mr Hatton	Mr G. M. O'Connor	Mr Wilkie
Mr Edwards	Ms Hoare	Ms Owens	
Mrs Elliot	Mrs Irwin	Ms Plibersek	

\* 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. 8, 19 November 2004, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the bill.

*Consideration in detail*

Bill, by leave, taken as a whole.

Ms Macklin, by leave, moved Opposition amendments (1) to (9) together.

Debate continued.

Amendments negatived.

Bill agreed to.

Consideration in detail concluded.

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

**28 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. 9, 19 November 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 immediately.

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

**29 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—

**30 ADJOURNMENT**

It being 7.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 8 p.m.—The Speaker adjourned the House until tomorrow at 9 a.m.

**DOCUMENTS**

The following documents were deemed to have been presented on 1 December 2004:

A New Tax System (Goods and Services Tax) Act—Determination—2004 A New Tax System (Goods and Services Tax) (Language Other Than English – LOTE – courses offered by ethnic schools).

Environment Protection and Biodiversity Conservation Act—

Instrument under Section 303EB, 30 November 2004.

Notice under section 33—Accreditation of a plan for a declaration.

Export Control Act—Export Control (Orders) Regulations—2004—

Export Control (Animals) Order.

Prescribed Goods (General) Amendment Orders (No. 4).

Finance and Administration—Statement relating to delay in provision of consolidated financial statements for the year ended 30 June 2004 to the Auditor-General.

Higher Education Support Act—2004—

Determination under subsection 36-15(2), 19 August.

Higher education provider—Notice of approval, 26 November 2004.

**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Anderson, Mr Billson, Mr Howard, Mr Katter, Jackie Kelly, Mrs May and Mr Sawford.

**I. C. HARRIS**

Clerk of the House of Representatives

2004

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

No. 6

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

WEDNESDAY, 1 DECEMBER 2004

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1 Due to divisions having been called in the House, the Main Committee met at 9.55 a.m.

**2 MEMBERS' STATEMENTS**

Members' statements were made.

**3 AGRICULTURE, FISHERIES AND FORESTRY LEGISLATION AMENDMENT BILL (NO. 2) 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.

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

*Message from the Governor-General*

Message No. 3, 19 November 2004, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the bill.

Leave granted for the question on the report to be put immediately.

Question—That the bill be reported to the House without amendment—put and passed.

**4 SUPERANNUATION 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—

Debate resumed.

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

*Message from the Governor-General*

Message No. 4, 30 November 2004, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the bill.

Leave granted for the question on the report to be put immediately.

Question—That the bill be reported to the House without amendment—put and passed.

**5 CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) AMENDMENT BILL (NO. 2) 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.

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

Leave granted for the question on the report to be put immediately.

Question—That the bill be reported to the House without amendment—put and passed.

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*Suspension of sitting*

At 12 noon, the Deputy Speaker left the Chair.

*Resumption of sitting*

At 4.30 p.m., the Deputy Speaker resumed the Chair.

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**6 NATIONAL WATER COMMISSION 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 K. J. Thomson 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) its failure to take the threat of climate change to ongoing water supplies for both our farmers and our rivers seriously;
- (2) its failure to deal with water issues with an appropriate sense of urgency—allowing the COAG water reform process of 1994 to stall, and failing to provide any environmental flows for the Murray in over 8 years;
- (3) its failure to adopt Labor’s National Water Policy Framework, and ensure that Commonwealth funds are directed towards securing environmental flows; and
- (4) its plan to fund the Australian Water Fund by taking money which the States have earmarked for essential services such as schools and hospitals”.

Debate continued.

*Document*

Mr Tuckey, by leave, presented the following document:

Copy of photograph of Murray River taken from Berri Hotel, December 1914.

Debate continued.

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*Suspension of sitting*

At 6.36 p.m., a division having been called in the House, the proceedings were suspended.

*Resumption of sitting*

At 6.49 p.m., the proceedings were resumed.

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Debate continued.

Mr G. M. O’Connor 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.

**7 ADJOURNMENT**

On the motion of Mr Ticehurst, the Main Committee adjourned at 7.30 p.m.

The Deputy Speaker fixed tomorrow at 9.40 a.m. for the next meeting of the Main Committee.

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**B. C. WRIGHT**  
Clerk of the Main Committee