

2004-05

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 14

THURSDAY, 10 FEBRUARY 2005



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

2 **TAX LAWS AMENDMENT (2005 MEASURES NO. 1) BILL 2005**

Mr Brough (Minister for Revenue and Assistant Treasurer) presented a Bill for an Act to amend the law relating to taxation, and for related purposes.

Bill read a first time.

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

*Document*

Mr Brough presented an explanatory memorandum to the bill.

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

3 **AGED CARE AMENDMENT (TRANSITION CARE AND ASSETS TESTING) BILL 2005**

Ms J. Bishop (Minister for Ageing), pursuant to notice, presented a Bill for an Act to amend the *Aged Care Act 1997*, and for related purposes.

Bill read a first time.

Ms J. Bishop moved—That the bill be now read a second time.

*Document*

Ms J. Bishop presented an explanatory memorandum to the bill.

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

4 **DEFENCE AMENDMENT BILL 2005**

Mrs D. M. Kelly (Minister Assisting the Minister for Defence), pursuant to notice, presented a Bill for an Act to amend the *Defence Act 1903*, and for related purposes.

Bill read a first time.

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

*Document*

Mrs D. M. Kelly presented an explanatory memorandum to the bill.

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

5 **TELECOMMUNICATIONS (CONSUMER PROTECTION AND SERVICE STANDARDS) AMENDMENT (NATIONAL RELAY SERVICE) BILL 2005**

Mr McGauran (Minister representing the Minister for Communications, Information Technology and the Arts), pursuant to notice, presented a Bill for an Act to amend the *Telecommunications (Consumer Protection and Service Standards) Act 1999*, and for related purposes.

Bill read a first time.

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

*Document*

Mr McGauran presented an explanatory memorandum to the bill.

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

#### **6 AUSTRALIAN INSTITUTE OF MARINE SCIENCE AMENDMENT BILL 2005**

Mr McGauran (Minister representing the Minister for Communications, Information Technology and the Arts), pursuant to notice, presented a Bill for an Act to amend the *Australian Institute of Marine Science Act 1972*, and for related purposes.

Bill read a first time.

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

*Document*

Mr McGauran presented an explanatory memorandum to the bill.

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

#### **7 MESSAGE FROM THE GOVERNOR-GENERAL, PROPOSED ADDITIONAL EXPENDITURE AND APPROPRIATION FOR YEAR 2004-05—APPROPRIATION BILL (NO. 3) 2004-2005**

Message No. 28, 9 February 2005, from His Excellency the Governor-General was announced recommending, in accordance with the requirements of section 56 of the Constitution, an appropriation for the purposes of a Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for the ordinary annual services of the Government, and for related purposes.

Mr McGauran (Minister for Citizenship and Multicultural Affairs) presented a Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for the ordinary annual services of the Government, and for related purposes.

Bill read a first time.

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

*Document*

Mr McGauran, by leave, presented the following document:

Statement of savings expected in annual appropriations—Department of Finance and Administration information paper, 2004-05.

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

#### **8 SUSPENSION OF STANDING ORDERS MOVED**

Mr Beazley (Leader of the Opposition) moved—That so much of the standing orders be suspended as would prevent the Minister for Local Government, Territories and Roads from coming into the House and immediately tabling all documents, emails and notes held in his office and his department associated with the Tumbi Creek fiasco.

*Closure of Member*

Mr McGauran (Deputy Leader of the House) moved—That the Member be not further heard.

Question—put.

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

## AYES, 78

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

## NOES, 57

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

\* Tellers

And so it was resolved in the affirmative.

Mr K. J. Thomson (seconder) addressing the House—

*Closure of Member*

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

Question—put.

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

## AYES, 78

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

## NOES, 57

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

\* Tellers

And so it was resolved in the affirmative.

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

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

## AYES, 57

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

## NOES, 79

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

\* Tellers

And so it was negatived.

**9 MESSAGE FROM THE GOVERNOR-GENERAL, CERTAIN PROPOSED ADDITIONAL EXPENDITURE FOR YEAR 2004-05—APPROPRIATION BILL (NO. 4) 2004-2005**

Message No. 29, 9 February 2005, from His Excellency the Governor-General was announced recommending, in accordance with section 56 of the Constitution, an appropriation for the purposes of a Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for certain expenditure, and for related purposes.

Mr Pearce (Parliamentary Secretary to the Treasurer) presented a Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for certain expenditure, and for related purposes.

Bill read a first time.

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

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

**10 MESSAGE FROM THE GOVERNOR-GENERAL, PROPOSED ADDITIONAL EXPENDITURE IN RELATION TO THE PARLIAMENTARY DEPARTMENTS FOR YEAR 2004-05—APPROPRIATION (PARLIAMENTARY DEPARTMENTS) BILL (NO. 2) 2004-2005**

Message No. 30, 9 February 2005, from His Excellency the Governor-General was announced recommending, in accordance with section 56 of the Constitution, an appropriation for the purposes of a Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for expenditure in relation to the Parliamentary Departments, and for related purposes.

Mr Pearce (Parliamentary Secretary to the Treasurer) presented a Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for expenditure in relation to the Parliamentary Departments, and for related purposes.

Bill read a first time.

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

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

**11 AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY 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.

Leave granted for third reading to be moved immediately.

On the motion of Mr McGauran (Minister for Citizenship and Multicultural Affairs), the bill was read a third time.

**12 AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY (CONSEQUENTIAL AND TRANSITIONAL PROVISIONS) 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. 31, 8 December 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 McGauran (Minister for Citizenship and Multicultural Affairs), the bill was read a third time.

**13 TELECOMMUNICATIONS (CARRIER LICENCE CHARGES) 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.

Leave granted for third reading to be moved immediately.

On the motion of Mr McGauran (Minister for Citizenship and Multicultural Affairs), the bill was read a third time.

**14 TELECOMMUNICATIONS (NUMBERING CHARGES) 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.

Leave granted for third reading to be moved immediately.

On the motion of Mr McGauran (Minister for Citizenship and Multicultural Affairs), the bill was read a third time.

**15 TELEVISION LICENCE FEES 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.

Leave granted for third reading to be moved immediately.

On the motion of Mr McGauran (Minister for Citizenship and Multicultural Affairs), the bill was read a third time.

**16 DATACASTING CHARGE (IMPOSITION) 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.

Leave granted for third reading to be moved immediately.

On the motion of Mr McGauran (Minister for Citizenship and Multicultural Affairs), the bill was read a third time.

**17 RADIOCOMMUNICATIONS (RECEIVER LICENCE TAX) 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.

Leave granted for third reading to be moved immediately.

On the motion of Mr McGauran (Minister for Citizenship and Multicultural Affairs), the bill was read a third time.

**18 RADIOCOMMUNICATIONS (SPECTRUM LICENCE TAX) 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.

Leave granted for third reading to be moved immediately.

On the motion of Mr McGauran (Minister for Citizenship and Multicultural Affairs), the bill was read a third time.

**19 RADIOCOMMUNICATIONS (TRANSMITTER LICENCE TAX) 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.

Leave granted for third reading to be moved immediately.

On the motion of Mr McGauran (Minister for Citizenship and Multicultural Affairs), the bill was read a third time.

**20 RADIO LICENCE FEES 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.

Leave granted for third reading to be moved immediately.

On the motion of Mr McGauran (Minister for Citizenship and Multicultural Affairs), the bill was read a third time.

**21 TAX LAWS AMENDMENT (2004 MEASURES NO. 6) 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.

Leave granted for third reading to be moved immediately.

On the motion of Mr Brough (Minister for Revenue and Assistant Treasurer), the bill was read a third time.

## 22 MEMBERS' INTERESTS COMMITTEE—DOCUMENTS

Mr Ciobo (Chair) presented the following document:

Committee of Members' Interests—Register of Members' Interests for the 41st Parliament including notifications of alterations of interests to 8 February 2005, 10 February 2005; and, by leave, presented the following document:

Notifications of alterations of interests received during the period 23 June 2004 to 30 August 2004 (40<sup>th</sup> Parliament).

## 23 CORPORATIONS AND FINANCIAL SERVICES—JOINT PARLIAMENTARY COMMITTEE—REPORT

Ms A. E. Burke presented the following document:

Corporations and Financial Services—Joint Parliamentary Committee—Australian Accounting Standards tabled in compliance with the *Corporations Act 2001* on 30 August and 16 November 2004—Report, incorporating a dissenting report, February 2005.

Evidence received by the committee.

Ordered to be made a Parliamentary Paper.

## 24 MESSAGES FROM THE SENATE

Messages from the Senate, 9 February 2005, were reported returning the following bills without amendment:

No. 56—Superannuation Supervisory Levy Imposition Amendment 2004.

No. 57—Authorised Deposit-taking Institutions Supervisory Levy Imposition Amendment 2004.

No. 58—Life Insurance Supervisory Levy Imposition Amendment 2004.

No. 59—General Insurance Supervisory Levy Imposition Amendment 2004.

No. 60—Retirement Savings Account Providers Supervisory Levy Imposition Amendment 2004.

No. 61—Authorised Non-operating Holding Companies Supervisory Levy Imposition Amendment 2004 (*without requests*).

No. 62—Financial Institutions Supervisory Levies Collection Amendment 2004.

## 25 TAX LAWS AMENDMENT (2004 MEASURES NO. 7) 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.

*Messages from the Governor-General*

The following messages from His Excellency the Governor-General were announced:

No. 32, 13 December 2004, recommending an appropriation for the purposes of the bill; and

No. 33, 8 February 2005, recommending an appropriation for the purposes of amendments to the bill.

*Consideration in detail*

Bill, by leave, taken as a whole.

*Document*

Mr Brough (Minister for Revenue and Assistant Treasurer) presented a supplementary explanatory memorandum to the bill.

On the motion of Mr Brough, the Government amendment was made, after debate.

Bill, as amended, agreed to.

Consideration in detail concluded.



On the motion of Mr Brough, by leave, the bill was read a third time.

**26 MESSAGE FROM THE SENATE—BANKRUPTCY AND FAMILY LAW LEGISLATION AMENDMENT BILL 2005**

Message No. 55, 9 February 2005, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend the *Bankruptcy Act 1966*, and for other purposes.

Bill read a first time.

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

**27 WORKPLACE RELATIONS AMENDMENT (FAIR DISMISSAL REFORM) 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) confirms that the protection from being unfairly dismissed is a fundamental issue for Australian workers and their families irrespective of the size of the business in which they are employed; and
- (2) calls on the Government to work with small business, employees and peak bodies to make unfair dismissal laws more effective by addressing procedural complexities and costs”.

Debate continued.

It being 2 p.m., the debate was interrupted in accordance with standing order 97, and the resumption of the debate made an order of the day for a later hour this day.

**28 QUESTIONS**

Questions without notice being asked—

*Documents*

Mr Lloyd (Minister for Local Government, Territories and Roads) presented the following documents:

Tumbi Creek—

Statement by Graeme Hallett on Tumbi Creek and the Regional Partnerships Grant.

Letters from Brenton Pavier, Mayor, Wyong Shire Council, to Mr Lloyd, Minister for Local Government, Territories and Roads, 10 February 2005 (2).

Questions without notice continuing—

*Document*

Mr Lloyd presented the following document:

Tumbi Creek—Grants rorting claims engulf new minister—Extract from article in *Courier Mail*, 10 February 2005.

Questions without notice continuing—

*Document*

Mr Lloyd presented the following document:

Tumbi Creek—Memorandum from K. Yates, General Manager, to Mayor Brenton Pavier, 10 February 2005.

Questions without notice continuing—

*Document*

Mr K. J. Thomson, by leave, presented the following document:

Tumbi Creek—McBride is urged to commit to dredging—Copy of article by Ben Sharkey, *The Daily Telegraph*, 9 June 2004.

Questions without notice continuing—

*Document*

Mr Dutton (Minister for Workforce Participation) presented the following document:

Work for the Dole—Copy of letter from T. Sheehy, Curator, North Queensland Military Museum, to Mr Lindsay, Member for Herbert, 13 October 2003.

Questions without notice continuing—

*Minister for Local Government, Territories and Roads—Motion of censure*

Mr Beazley (Leader of the Opposition), by leave, moved that this House censure the Minister for Local Government, Territories and Roads for:

- (1) failing to abide by the Ministerial code of conduct;
- (2) failing to give any full and satisfactory explanation of his conduct;
- (3) failing to disclose documents relevant to the Tumbi Creek affair; and
- (4) putting grossly improper pressure on others to cover up facts material to the proposed expenditure of \$1.5 million of taxpayers' money.

Debate ensued.

*Member directed to leave*

At 3.32 p.m. the Member for Grayndler (Mr Albanese) 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.

*Member directed to leave*

At 3.33 p.m. the Member for Denison (Mr Kerr) 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.

Debate continued.

*Document*

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

Federal funds available for Tumbi Creek dredging—Copy of media release by Mr Ticehurst, Member for Dobell, 8 June 2004.

Debate continued.

Question—put.

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

AYES, 53

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

## NOES, 82

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

\* Tellers

And so it was negatived.

Questions without notice concluded.

### 29 AUDITOR-GENERAL'S REPORT

The Speaker presented the following document:

Auditor-General—Audit report No. 26 of 2004–2005—Performance audit—Measuring the efficiency and effectiveness of E-Government.

Ordered to be made a Parliamentary Paper.

### 30 DOCUMENT

The following document was presented:

Wheat Export Authority—Report for 2003-04.

### 31 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—REGIONAL PARTNERSHIPS PROGRAM

The House was informed that Mr K. J. Thomson had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The maladministration of \$1.5 million in Regional Partnerships money to dredge the mouth of the Tumbi Creek”.

The proposed discussion having received the necessary support—

Mr Abbott (Leader of the House) moved—That the business of the day be called on.

Question—put and passed.

### 32 WORKPLACE RELATIONS AMENDMENT (FAIR DISMISSAL REFORM) 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 S. F. Smith (see item No. 27, page 169)*—

Debate resumed.

Mr Slipper 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.

### 33 DOCUMENT

Mr Lloyd (Minister for Local Government, Territories and Roads) presented the following document:  
Tumbi Creek—Revised statement by Mr Lloyd, Minister for Local Government, Territories and Roads, 10 February 2005.

### 34 ADJOURNMENT

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

Debate ensued.

Question—put and passed.

And then the House, at 4.59 p.m., adjourned until Monday next at 12.30 p.m.

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### DOCUMENTS

The following documents were deemed to have been presented on 10 February 2005:

Civil Aviation Act—Civil Aviation Regulations—Amendment Orders—2004—

Nos R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13, R14, R14, R15, R16, R17, R18, R19, R20, R21, R22, R23, R24, R25, R26, R27, R28, R29, R30, R31, R32, R33, R34, R35, R36, R37, R38, R39, R40, R41, R42, R43, R44, R45, R46, R47, R48, R49, R50, R51, R52, R53, R54, R55, R56, R57, R58, R59, R60, R61, R62, R63, R64, R65, R66, R67, R68, R69, R70, R71, R72, R73, R74, R75, R76, R77, R78, R79, R80, R81, R82, R83, R84, R85, R86, R87, R88, R89, R90, R91, R92, R93, R94, R95.

Customs Act—Orders—Tariff Concession—2005—1 February (12) [F2005L00186], [F2005L00187], [F2005L00189], [F2005L00192], [F2005L00194], [F2005L00243], [F2005L00245], [F2005L00247], [F2005L00248], [F2005L00249], [F2005L00251], [F2005L00252].

Environment Protection and Biodiversity Conservation Act—Instrument under subsection 303DC(1)—26 November 2004.

Quarantine Act—Proclamations—2004—

Quarantine (Christmas Island).

Quarantine (Cocos Islands).

Quarantine Amendment—Nos 5, 6.

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### ATTENDANCE

All Members attended (at some time during the sitting) except Mr Billson, Mr Bowen\*, Mr Katter, Ms Plibersek\* and Dr Stone.

\* On leave

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**I. C. HARRIS**  
Clerk of the House of Representatives

2004-2005

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

No. 14

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

**THURSDAY, 10 FEBRUARY 2005**

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1 Due to divisions having been called in the House, the Main Committee met at 10.05 a.m.

**2 ADDRESS IN REPLY TO THE GOVERNOR-GENERAL'S SPEECH**

The order of the day having been read for the resumption of the debate on the question—That the following Address in Reply to the speech of His Excellency the Governor-General be agreed to:

May it please Your Excellency:

We, the House of Representatives of the Commonwealth of Australia, in Parliament assembled, desire to express our loyalty to our Most Gracious Sovereign, and to thank Your Excellency for the speech which you have been pleased to address to the Parliament—

Debate resumed.

*Documents*

Mr Randall, by leave, presented the following documents:

*Taxation—*

Further remission of interest—Letter from Gary Marizza, Assistant Commissioner of Taxation, Australian Taxation Office, 18 January 2005.

Settlement offer—Letter from Jolanta Kowalewska, Senior Lawyer, Australian Government Solicitor, 3 February 2005.

Debate continued.

Mr Wakelin 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.

**3 ADJOURNMENT**

Mr Neville 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, 16 February 2005.

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