

2004-05

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 15

MONDAY, 14 FEBRUARY 2005



1 The House met, at 12.30 p.m., pursuant to adjournment. The Speaker (the Honourable David Hawker) took the Chair, and read Prayers.

2 TREATIES—JOINT STANDING COMMITTEE—REPORT—STATEMENT BY MEMBER

Dr Southcott (Chair) presented the following paper (sent to the Speaker on 14 December 2004, pursuant to standing order 247):

Treaties—Joint Standing Committee—63rd report—Treaties tabled on 7 December 2004, December 2004—

Report, December 2004.

Minutes of proceedings.

Ordered—That the report be made a Parliamentary Paper.

Dr Southcott and Mr Wilkie made statements in connection with the report.

The time allotted for making statements on the report having expired—

Dr Southcott moved—That the House take note of the report.

In accordance with standing order 39 the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting.

3 GREAT BARRIER REEF MARINE PARK (PROTECTING THE GREAT BARRIER REEF FROM OIL DRILLING AND EXPLORATION) AMENDMENT BILL 2005

Mr Albanese, pursuant to notice, presented a Bill for an Act to amend the *Great Barrier Reef Marine Park Act 1975* to provide for an extension of the boundaries of the Great Barrier Reef Region.

Mr Albanese made a statement in relation to the bill.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting, in accordance with standing order 41.

4 AVOIDING DANGEROUS CLIMATE CHANGE (KYOTO PROTOCOL RATIFICATION) BILL 2005

Mr Albanese, pursuant to notice, presented a Bill for an Act to ratify the Kyoto Protocol to the United Nations Framework Convention on Climate Change.

Mr Albanese made a statement in relation to the bill.

Document

Mr Albanese presented an explanatory memorandum to the bill.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting, in accordance with standing order 41.

5 PARENTS RAISING DISABLED CHILDREN

Mr Neville, pursuant to notice, moved—That this House:

(1) recognises the role of parents raising profoundly disabled children;

- (2) acknowledges the challenges faced by these parents in respect of caring, respite and funding of special equipment and services;
- (3) calls for a comprehensive re-assessment of the eligibility of parents (generally, though not exclusively, the mother) to a Carer's Allowance or Payment according to the level of disability and dependence; and
- (4) requests an examination of respite services and medical requisites available to parents and their disabled charges.

Debate ensued.

The time allotted for the debate having expired, the debate was interrupted, and the resumption of the debate made an order of the day for the next sitting.

6 KYOTO PROTOCOL

Ms George, pursuant to notice, moved—That this House:

- (1) recognises that global warming is one of the greatest threats to the health of the planet, requiring international action to safeguard the environment for future generations;
- (2) recognises that Australia is exposed to a range of negative social, economic and environmental impacts due to climate change;
- (3) notes the Government's claim that Australia is on track to achieving its target of limiting greenhouse emissions;
- (4) recognises the Kyoto Protocol provides Australia with future economic opportunities through carbon trading schemes and new markets for 'green' technologies; and
- (5) urges the Government, on both environmental and economic grounds, to ratify the Kyoto Protocol which comes into force on 16 February 2005.

Debate ensued.

At 1.45 p.m., the time allotted for the debate having expired, the debate was interrupted in accordance with standing order 43, Mrs Elliot was granted leave to continue her speech when the debate is resumed, and the resumption of the debate was made an order of the day for the next sitting.

7 MEMBERS' STATEMENTS

Members' statements were made.

8 QUESTIONS

Questions without notice were asked.

9 DOCUMENT

Mr Macfarlane (Minister for Industry, Tourism and Resources) presented the following document:
Biofuels Capital Grants Program—Round 2 Guidelines—Invest Australia.

10 WERRIWA ELECTORAL DIVISION—ISSUE OF WRIT

The Speaker informed the House that he had issued a writ today for the election of a Member to serve for the Electoral Division of Werriwa, and the dates fixed were those announced to the House on Tuesday, 8 February 2005 (*see item No. 3, page 139*).

11 LEAVE OF ABSENCE TO MEMBER

Mr Beazley (Leader of the Opposition) moved—That leave of absence from 14 to 17 February 2005 be given to Mr Edwards on the ground of ill health.

Question—put and passed.

12 PETITIONS

Petitions lodged for presentation were announced.

13 HUMAN RIGHTS IN DARFUR

Mr Baird, pursuant to notice, moved—That this House:

- (1) notes with concern;

- (a) the ongoing humanitarian and human rights crisis in the Darfur region of Western Sudan; and
 - (b) the decimation of this area and the south of the country by Janjaweed and the ongoing civil war;
- (2) commends the Government for its:
- (a) recent commitment to provide a further \$12 million in aid to the region in addition to the \$8 million committed in May and June of this year; and
 - (b) continued support for the establishment of a United Nations intervention in the area to ensure the delivery of aid; and
- (3) urges the United Nations to emphasise to the al-Bashir Government the importance of intervention to the safety of Darfuris and the provision of assistance throughout the country.

Debate ensued.

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

14 HUMAN RIGHTS IN BURMA

Mr Rudd, pursuant to notice, moved—That this House:

- (1) notes:
- (a) with deep concern widely circulated reports of the further extension of the detention of the leader of the Burmese opposition party, Daw Aung San Suu Kyi until September 2005;
 - (b) that Daw Aung San Suu Kyi is being detained without charge; and
 - (c) continued widespread human rights abuses by the Burmese military regime, including the suppression of pro-democracy supporters;
- (2) calls on:
- (a) the Burmese military regime to immediately release Daw Aung San Suu Kyi and other members of her party who are being held without charge;
 - (b) the Government to examine urgently its options for demonstrating to the Burmese authorities how seriously it views this situation;
 - (c) the Government to amend its policy of ‘constructive engagement’ with the current State Peace and Democracy Council (SPDC) regime in light of ongoing human rights abuses; and
 - (d) the Government to consider targeted sanctions against members of the SPDC regime, including restrictions on their international financial transactions, a freeze on assets overseas, and travel restrictions against senior members of the regime travelling to Australia; and
- (3) condemns the failure of Prime Minister Howard to use the opportunities presented at the ASEAN summit in Vientiane to raise Australia’s ongoing concerns about the Burmese military regime’s continued human rights abuses.

Debate ensued.

The time allotted for the debate having expired, the debate was interrupted, and the resumption of the debate made an order of the day for the next sitting.

15 GRIEVANCE DEBATE

Pursuant to the provisions of standing order 44, the order of the day having been read—

Question proposed—That grievances be noted.

Debate ensued.

The time allotted for the debate having expired—

Question—That grievances be noted—put and passed.

16 MESSAGES FROM THE SENATE

Messages from the Senate, 10 February 2005, were reported returning the following bills without amendment:

Message—

No. 63—Private Health Insurance Incentives Amendment 2004.

No. 65—Financial Framework Legislation Amendment 2004.

No. 66—Family Assistance Legislation Amendment (Adjustment of Certain FTB Child Rates) 2004.

17 MESSAGE FROM THE SENATE—AUSTRALIAN SPORTS COMMISSION AMENDMENT BILL 2004

Message No. 64, 10 February 2005, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend the *Australian Sports Commission Act 1989*, 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.

18 NATIONAL HEALTH AMENDMENT (PROSTHESES) 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.

Consideration in detail

Bill, by leave, taken as a whole.

On the motion of Ms Gillard, the Opposition amendment was made.

Bill, as amended, agreed to.

Consideration in detail concluded.

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

19 BROADCASTING SERVICES AMENDMENT (ANTI-SIPHONING) 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 Farmer (Parliamentary Secretary to the Minister for Education, Science and Training), the bill was read a third time.

20 POSTPONEMENT OF ORDERS OF THE DAY

Ordered—That orders of the day Nos 4 to 17, government business, be postponed until the next sitting.

21 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, 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) 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 resumed.

Ms Bird addressing the House—

22 ADJOURNMENT

It being 9 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 9.29 p.m., adjourned until tomorrow at 2 p.m.

DOCUMENTS

The following documents were deemed to have been presented on 14 February 2005:

Australian Nuclear Science and Technology Organisation Act—Australian Nuclear Science and Technology Organisation—Statement under subsection 7(3)—February 2005.

Civil Aviation Act—

Civil Aviation Regulations—

Exemption—2004 No. CASA EX46.

Instruments—

2004 No. CASA 603.

2005 No. CASA 55 [F2005L00177].

Civil Aviation Safety Regulations—Airworthiness Directives—

Part 39-105—2005 4 February (5) [F2005L00196], [F2005L00204], [F2005L00212], [F2005L00225], [F2005L00240].

Part 39-106—2005 4 February (4) [F2005L00198], [F2005L00201], [F2005L00232], [F2005L00237].

Commonwealth Electoral Act—Instrument pursuant to subsection 80(1)—Appointment of polling places for the division of Werriwa—10 February 2005 [F2005L00275].

Customs Act—Tariff Concession Orders—2005 1 February (4) [F2005L00188], [F2005L00191], [F2005L00246], [F2005L00250].

Environment Protection and Biodiversity Conservation Act—Instrument under subsection 303DC(1)—12 November 2004.

HIH Royal Commission (Transfer of Records) Act—Regulations—Select Legislative Instrument 2005 No. 11 [F2005L00228].

Privacy Act—

Determination under section 80A—Temporary Public Interest Determination—2005 No. 1 [F2005L00274].

Determination under section 80B—Temporary Public Interest Determination—2005 No. 1A [F2005L00278].

Taxation Administration Act—Rulings—

2004—No. PR 14 (Withdrawal).

2005—Nos CR 5, CR 6, PR 10, PR 11, TR 2, TR 3.

Telecommunications Act 1997—Determination under subsection 51(1)—Telecommunications (Carrier Licence Exemption) 2004 No. 1.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Bowen*, Mr Cobb, Mr Edwards*, Mr Katter, Ms Plibersek* and Mr Tollner.

* On leave

I. C. HARRIS
Clerk of the House of Representatives