

2004-05

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 19

MONDAY, 7 MARCH 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 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—REPORT—STATEMENT BY MEMBER—MOTION TO TAKE NOTE OF DOCUMENT**

Mr Baird presented the following documents:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Expanding Australia's trade and investment relations with the Gulf States—

Report, February 2005.

Evidence received by the committee.

Ordered—That the report be made a Parliamentary Paper.

Mr Baird made a statement in connection with the report.

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

Mr Baird 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 HEALTH AND AGEING—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF DOCUMENT**

Mr Somlyay (Chair) presented the following documents:

Health and Ageing—Standing Committee—Future Ageing: Report on a draft report of the 40th Parliament: Inquiry into long-term strategies to address the ageing of the Australian population over the next 40 years—

Report, March 2005.

Minutes of proceedings.

Ordered—That the report be made a Parliamentary Paper.

Statements in connection with the report were made.

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

Mr Somlyay 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.

**4 ASIO, ASIS AND DSD—PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF DOCUMENT**

Mr McArthur presented the following document:

ASIO, ASIS and DSD—Parliamentary Joint Committee—Review of the listing of six terrorist organisations—Report, March 2005.

Ordered to be made a Parliamentary Paper.

Statements in connection with the report were made.

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

Mr McArthur 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.

## 5 MARITIME SALVAGE

Mr M. J. Ferguson, pursuant to notice, moved—That this House:

- (1) notes:
  - (a) the integral role that maritime salvage plays in the safety of Australia's mariners;
  - (b) the integral role that maritime salvage plays in the protection of Australia's pristine marine environment; and
  - (c) the recommendations of the House of Representatives Standing Committee on Transport and Regional Services in its report *Ship Salvage* tabled in the Parliament in June 2004; and
- (2) calls on the Government to:
  - (a) urgently respond to the recommendations of the *Ship Salvage* report;
  - (b) work with the industry and State Governments to develop a long-term plan to ensure that the Australian maritime sector is protected through adequate salvage capacity; and
  - (c) fund an interim solution to ensure that adequate salvage capacity exists at Australian ports.

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 ADOPTION

Mr M. D. Ferguson, pursuant to notice, moved—That this House:

- (1) recognises that many Australian couples want to offer their home to orphaned children from overseas countries and notes that in 2003-04 there were 370 inter-country placement adoptions in Australia;
- (2) understands that whilst adoptive couples are passionate to secure an overseas adoption, in general the main motivation is to give a secure and loving home to child in need;
- (3) affirms that state governments and the Federal Government have a duty to ensure that adoptive children are placed in responsible and loving homes;
- (4) recognises the enormous financial costs and emotional strain placed on adoptive couples in the course of applying for overseas adoption, receiving a child into their home, and the associated overseas travel;
- (5) urges the Australian Government to examine ways that it can better support families with children who have been adopted, whether through local or overseas adoptions; and
- (6) calls on the state governments to immediately review the excessive financial charges imposed on adoptive parents with a view to dramatically reducing them.

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.

## 7 MEMBERS' STATEMENTS

Members' statements were made.

## 8 DEATH OF FORMER MEMBER (JAMES CORBETT)

The Speaker informed the House of the death, on 3 March 2005, of Mr James Corbett, a Member of this House for the Division of Maranoa from 1966 to 1980.

As a mark of respect to the memory of the deceased all Members present stood, in silence.

## 9 QUESTIONS

Questions without notice being asked—

*Document*

Mr McClelland, in accordance with standing order 201, having called for a document quoted from by Mr Ruddock (Attorney-General)—

Mr Ruddock presented the following document:

Australia needs our emergency services volunteers—Copy of media release by Mr McClelland, Member for Barton and Shadow Minister for Defence and Homeland Security, 4 March 2005.

Questions without notice continued.

**10 IRAQ—AUSTRALIAN TASK GROUP DEPLOYMENT—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF DOCUMENT**

Mr Howard (Prime Minister), by leave, made a ministerial statement on the deployment of an Australian task group to Iraq and presented the following document:

Iraq: Australian Task Group Deployment—Ministerial Statement, 7 March 2005.

Mr Abbott (Leader of the House) moved—That the House take note of the document.

*Suspension of standing orders—Time for speech*

Mr Abbott, by leave, moved—That so much of the standing orders be suspended as would prevent Mr Beazley (Leader of the Opposition) speaking for a period not exceeding 18 minutes.

Question—put and passed.

Mr Beazley addressed the House.

Debate adjourned (Mr Downer—Minister for Foreign Affairs), and the resumption of the debate made an order of the day for the next sitting.

**11 PETITIONS**

Petitions lodged for presentation were announced.

**12 LANGUAGE**

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

- (1) recognises that the English language is the most common and unifying language amongst Australians;
- (2) recognises and supports immigrants and indigenous Australians who speak languages other than English and encourages them to retain these languages as they acquire English;
- (3) recognises the profound and lasting benefits of second language learning for individuals and for the nation: intellectual development, cultural sensitivity, greater equality and enhancement in trade and diplomacy;
- (4) recognises that despite successive government policies on the matter of language learning we have not really succeeded in reaping the maximum benefits of the multilingual resources of the Australian people;
- (5) recognises that Australia should base its national policy on languages on the principles of ‘English Plus’ which can be expressed as the four ‘E’s: enrichment, economics, equality and external; and
- (6) recognises that Australia needs to elevate the recognition of the importance of language as a skill and resource, both for individuals and as a nation in domestic and international domains.

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.

**13 AUSTRALIA-CHINA TRADE**

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

- (1) acknowledges the importance and value of free trade agreements in strengthening bilateral relations between countries and producing international trade benefits;
- (2) recognises the enormous opportunities for Australia in furthering trade arrangements with the world’s fastest growing economy, China; and

- (3) supports the Government's Australia-China Free Trade Agreement Joint Feasibility Study currently under way into the viability of a free trade agreement between Australia and China.

Debate ensued.

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

#### 14 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.

Question—That grievances be noted—put and passed.

#### 15 MESSAGES FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS

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

18 February 2005—Message—

No. 36—

A New Tax System (Goods and Services Tax Imposition (Recipients)—Customs) 2005.

A New Tax System (Goods and Services Tax Imposition (Recipients)—Excise) 2005.

A New Tax System (Goods and Services Tax Imposition (Recipients)—General) 2005.

Water Efficiency Labelling and Standards 2005.

No. 37—

Australian Passports 2005.

Australian Passports (Application Fees) 2005.

Australian Passports (Transitionals and Consequentials) 2005.

22 February 2005—Message—

No. 38—

Authorised Deposit-taking Institutions Supervisory Levy Imposition Amendment 2005.

Authorised Non-operating Holding Companies Supervisory Levy Imposition Amendment 2005.

Financial Institutions Supervisory Levies Collection Amendment 2005.

General Insurance Supervisory Levy Imposition Amendment 2005.

Life Insurance Supervisory Levy Imposition Amendment 2005.

Retirement Savings Account Providers Supervisory Levy Imposition Amendment 2005.

Superannuation Supervisory Levy Imposition Amendment 2005.

No. 39—

Financial Framework Legislation Amendment 2005.

Private Health Insurance Incentives Amendment 2005.

Tax Laws Amendment (Long-term Non-reviewable Contracts) 2005.

Family Assistance Legislation Amendment (Adjustment of Certain FTB Child Rates) 2005.

1 March 2005—Message—No. 40—Disability Discrimination Amendment (Education Standards) 2005.

#### 16 MESSAGE FROM THE SENATE

A message from the Senate was reported returning the following bill without amendment:

7 March 2005—Message No. 67—Telecommunications (Consumer Protection and Service Standards) Amendment (National Relay Service) 2005.

#### 17 ASIO, ASIS AND DSD—PARLIAMENTARY JOINT COMMITTEE

The House was informed that the Speaker had received advice from Mr Howard (Prime Minister) nominating a Member to be a member of the Parliamentary Joint Committee on ASIO, ASIS and DSD.

Ms Gambaro (Parliamentary Secretary to the Minister for Defence), by leave, moved—That, in accordance with the provisions of the *Intelligence Services Act 2001*, Mr Byrne be appointed a member of the Parliamentary Joint Committee on ASIO, ASIS and DSD in place of Mr Beazley (Leader of the Opposition).

Question—put and passed.

#### 18 MAIN COMMITTEE—DAY OF NEXT MEETING

The Speaker reported that the Deputy Speaker had fixed Tuesday, 8 March 2005, at 4 p.m., for the next meeting of the Main Committee.

#### 19 MATTERS REFERRED TO MAIN COMMITTEE

Mr Bartlett (Chief Government Whip), by leave, moved—That:

- (1) the order of the day for the resumption of debate on the motion to take note of the report of the Standing Committee on Health and Ageing entitled “Future ageing”, be referred to the Main Committee for debate; and
- (2) unless otherwise ordered, at the adjournment of the House for this sitting the following bills stand referred to the Main Committee for further consideration:
  - Appropriation (No. 3) 2004-2005;
  - Appropriation (No. 4) 2004-2005; and
  - Appropriation (Parliamentary Departments) (No. 2) 2004-2005.

Question—put and passed.

#### 20 APPROPRIATION BILL (NO. 3) 2004-2005

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 Swan, 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 condemns the Government for its:

- (1) dishonest promises during the 2004 election campaign that it would keep interest rates low;
- (2) short-term, reckless spending during the lead up to the 2004 election, which is adding to inflationary and interest rate pressures;
- (3) gross neglect of Australia’s education and training needs, leaving Australia with a skills crisis which is adding to inflationary and interest rate pressures; and
- (4) failure to secure Australia’s economic future by making the long term policy commitments that will improve the productivity and competitiveness of the Australian economy”—

Debate resumed.

#### *Document*

Mr Jenkins, by leave, presented the following document:

Epping Valley Railway—Map of proposed railway service.

Debate continued.

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#### 21 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 2 p.m.

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**DOCUMENTS**

The following documents were deemed to have been presented on 7 March 2005:

A New Tax System (Goods and Services Tax) Act—Determination—2004 A New Tax System (Goods and Services Tax) (Exempt Taxes, Fees and Charges) (No. 2).

Aged Care Act—

Determination under section 44-16—2005 Conditional adjustment payment [F2005L00333].

Principle under section 96-1—2005 Residential Care Subsidy Amendment (No. 1) [F2005L00330].

Air Services Act—Regulations—2005 Declaration of prohibited, restricted or danger areas, 17 (5) February [F2005L00329], [F2005L00349], [F2005L00350], [F2005L00352], [F2005L00354].

*Appropriation Act (No. 1) 2004-2005*—Advance to the Finance Minister, 1 March 2005 [F2005L00497].

Australian Communications Authority Act—Determination—2005 Radiocommunications (Charges) Amendment (No. 1) [F2005L00321].

Australian Communications Authority Act and Radiocommunications Act—Determination—2005 Radiocommunications (Interpretation) Amendment (No. 1) [F2005L00322].

Australian National University Act—

Order under Section 2 of the Academic and Ceremonial Dress Statute 2005—2005 Academic and Ceremonial Dress [F2005L00549].

Statutes—2005—

Academic and Ceremonial Dress [F2005L00548].

Parking and Traffic [F2005L00533].

Australian Prudential Regulation Authority Act—Determination under Section 57—2005 Non-Confidentiality No. 2, 16 February [F2005L00365].

Australian Research Council Act—Determination—2005 No. 25.

Aviation Transport Security Act and Aviation Transport Security (Consequential Amendments and Transitional Provisions) Act—Regulations—2005 Select Legislative Instrument No. 18 [F2005L00366].

Broadcasting Services Act—Variations—2005—

Licence area plan for Rockhampton-Gladstone radio—No. 1 [F2005L00555].

Licence area plan for Sydney analog television—No. 1 [F2005L00347].

Licence area plan for Wagga Wagga radio—No. 1 [F2005L00552].

Civil Aviation Act—

Civil Aviation Regulations—Civil Aviation Amendment Order—2005 No. 2 [F2005L00324].

Civil Aviation Safety Regulations—Airworthiness Directives—Part 39-105—2005—

17 (2) February [F2005L00326], [F2005L00327].

18 February [F2005L00351].

21 February [F2005L00361].

24 February [F2005L00488].

3 March [F2005L00537].

Commonwealth Electoral Act—Instrument pursuant to subsection 200D(2)—Appointment of pre-poll voting offices for the division of Werriwa, 18 February 2005 [F2005L00360].

Copyright Act—Regulations—2005 Select Legislative Instrument No. 15 [F2005L00311].

Criminal Code Act—Regulations—2005 Select Legislative Instrument No. 23 [F2005L00384].

Currency Act—Determination—2005 Currency (Royal Australian Mint) (No. 1) [F2005L00325].

Customs Act—

Instruments of approval—2005 Nos CEO 3, CEO 4, CEO 5, CEO 6, CEO 7, CEO 8, CEO 9, CEO 10, CEO 11, CEO 12, CEO 13, CEO 14, CEO 15 [F2005L00334], [F2005L00335], [F2005L00336], [F2005L00337], [F2005L00338], [F2005L00339], [F2005L00340], [F2005L00356], [F2005L00342], [F2005L00343], [F2005L00344], [F2005L00345], [F2005L00346].

Orders—Tariff Concession—2005—

4 (7) February [F2005L00367], [F2005L00368], [F2005L00369], [F2005L00370], [F2005L00371], [F2005L00373], [F2005L00374].

11 (14) February [F2005L00387], [F2005L00388], [F2005L00389], [F2005L00390], [F2005L00391], [F2005L00392], [F2005L00393], [F2005L00418], [F2005L00420], [F2005L00421], [F2005L00422], [F2005L00423], [F2005L00424], [F2005L00425].

21 (5) February [F2005L00447], [F2005L00448], [F2005L00449], [F2005L00450], [F2005L00451]

25 (2) February [F2005L00452], [F2005L00453].

Regulations—2005 Select Legislative Instruments Nos 16, 17 [F2005L00375], [F2005L00376].

Defence Act—Determination under section 58B—2005 No. 5.

Diplomatic Privileges and Immunities Act—Diplomatic Privileges and Immunities Regulations—Certificates—2005 16 (2) February.

Environment Protection and Biodiversity Conservation Act—

Instrument under section 178—21 February 2005 [F2005L00430].

Instruments under subsection 303DC(1)—18, 29 (2), 30 November 2004.

Instruments under paragraph 303EC(1)(a)—25 January, 11 February 2005 [F2005L00303], [F2005L00363].

Instruments under paragraph 303EC(1)(c)—9 February, 3 March 2005 [F2005L00300], [F2005L00526].

Notice under section 33—Accreditation of a plan for a declaration—Northern Prawn Fishery Management Plan, 18 November 2004.

Export Control Act—Export Control (Orders) Regulations—2005—

Export Control (Hay and Straw) [F2005L00433].

Export Control (Plants and Plant Products) [F2005L00523].

Game, Poultry and Rabbit Meat Amendment (No. 1) [F2005L00332].

Family Law Act—Family Law (Superannuation) Regulations—Approvals—2005—

Family Law (Superannuation) (Methods and factors for valuing particular superannuation interests) Amendment (No. 1) [F2005L00413].

Family Law (Superannuation) (Retirement age—S.A. Metropolitan Fire Service Superannuation Fund) [F2005L00353].

Financial Management and Accountability Act—Net Appropriation Agreements under section 31—

2005— 1 (2) [F2005L00509], [F2005L00510], 7 [F2005L00514], 8 [F2005L00513], 14

[F2005L00515], 18 [F2005L00522], 24 [F2005L00519], 25 [F2005L00520] February, 2

[F2005L00521] March.

Financial Sector (Transfers of Business) Act—Transfer Rules Variation Determination—2005 No. 1 [F2005L00364].

Fisheries Management Act—

Determination under subsection 42(1), 15 February 2005 [F2005L00380].

Northern Prawn Fishery Management Plan 1995—2005 Amendment No. NPF 05 [F2005L00378].

Regulations—2005 Select Legislative Instrument No. 19 [F2005L00357].

Food Standards Australia New Zealand Act—Variations to the Australia New Zealand Food Standards Code—2005 Amendment No. 76 [F2005L00323].

Hazardous Waste (Regulation of Exports and Imports) Act—Regulations—2005 Select Legislative Instrument No. 20 [F2005L00156].

Higher Education Support Act—

Higher education provider—Notice of approval—2005 No. 4 [F2005L00419].

List of programmes and funding under division 41, 21 December 2004 [F2005L00518].

*Income Tax Assessment Act 1997*—Regulations—2005 Select Legislative Instrument No. 22 [F2005L00314].

Legislative Instruments Act—Regulations—2005 Select Legislative Instrument No. 14 [F2005L00362].

Life Insurance Act—Determination—2005 Life insurance (prudential rules) No. 1 [F2005L00414].

National Health Act—

Determination under paragraph 91(2)(c), 16 February 2005 [F2005L00358].

Determination under paragraph (bj) of Schedule 1—2005 No. HIB 3 [F2005L00396].

Radiocommunications (Receiver Licence Tax) Act—Determination—2005 Radiocommunications (Receiver Licence Tax) Amendment (No. 1) [F2005L00320].

Radiocommunications (Transmitter Licence Tax) Act—Determination—2005 Radiocommunications (Transmitter Licence Tax) Amendment (No. 1) [F2005L00319].

Remuneration Tribunal Act—Determination—2005 No. 2 [F2005L00299].

Social Security (International Agreements) Act—Regulations—2005 Select Legislative Instrument No. 21 [F2005L00355].

Superannuation Industry (Supervision) Act—Determination of requirements for an approved guarantee, 25 February 2005 [F2005L00415].

Taxation Administration Act—Rulings—

2000—No. TR 14 (Withdrawal).

2003—No. PR 43 (Withdrawal).

2004—No. PR 102 (Addendum).

2005—Nos CR 7, CR 8, GSTR 1, PGBR 1, PR 12, PR 13, PR 14, PR 15, PR 16, PR 17, PR 18, PR 19, PR 20, PR 21, PR 22, SGR 1.

*Telecommunications Act 1997*—Determinations under section 463—2005—

Telecommunications (Freephone and local rate numbers) Allocation (No. 1) [F2005L00469].

Telecommunications (Freephone and local rate numbers—Charities) Allocation (No. 1) [F2005L00479].

Veterans' Entitlements Act and Military Rehabilitation and Compensation Act—Instruments under section 196B—2005 Nos 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 [F2005L0397], [F2005L00398], [F2005L00399], [F2005L00400], [F2005L00401], [F2005L00406], [F2005L00407], [F2005L00409], [F2005L00410], [F2005L00412].



#### ATTENDANCE

All Members attended (at some time during the sitting) except Mr Edwards, Mr Jull, Mr Katter, Ms Plibersek\* and Ms Roxon.

\* On leave



**I. C. HARRIS**

Clerk of the House of Representatives