

2004-05

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 30

MONDAY, 23 MAY 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 ECONOMICS, FINANCE AND PUBLIC ADMINISTRATION—STANDING COMMITTEE—REPORT—STATEMENT BY MEMBER

Mr Baird (Chair) presented the following documents (sent to the Speaker on 7 April 2005, pursuant to standing order 247):

Economics, Finance and Public Administration—Standing Committee—Review of the Reserve Bank of Australia annual report 2004 (first report)—

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 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 FLAGS AMENDMENT (FLYING THE AUSTRALIAN NATIONAL FLAG IN A HERITAGE PLACE) BILL 2005

Mr M. D. Ferguson, pursuant to notice, presented a Bill for an Act to amend the *Flags Act 1953* to enable the flying of the Australian National Flag in a heritage place without unnecessary encumbrance.

Mr M. D. Ferguson 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 VIETNAMESE REFUGEES

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

- (1) recognises the 30th anniversary of the arrival in Australia in May 1975 of Vietnamese refugees, the beginning of the flow of refugee families;
- (2) pays tribute to the courage, determination and commitment to freedom and democracy of those escaping the takeover of South Vietnam by the forces of the North;
- (3) expresses its appreciation to all those who came from Vietnam, men, women and children, for their contribution to Australia, the economy, our culture and our values; and
- (4) further pays tribute to the compassion and hospitality of the Australian people who so readily accepted the new arrivals.

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.

5 IRAQI ETHNIC GROUPS

Mr Bowen, pursuant to notice, moved—That this House calls on the Australian Government to make representations to the newly elected Transitional Government of Iraq to ensure that the Assyrian, Chaldaen, Syriac and Mandaean peoples of Iraq:

- (1) will be constitutionally guaranteed the right to freely exercise their customs, religion, language and traditions;
- (2) are given the same protection by law enforcement and international security forces as other ethnic groups; and
- (3) will be entitled to proper representation and participation in all levels of government.

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

6 MEMBERS' STATEMENTS

Members' statements were made and a petition was presented.

7 QUESTIONS

Questions without notice were asked.

8 PETITIONS

Petitions lodged for presentation were announced.

9 LEAVE OF ABSENCE TO MEMBER

Mr Abbott (Leader of the House) moved—That leave of absence for the remainder of the current period of sittings be given to Mr Jull on the ground of ill health.

Question—put and passed.

10 LAND AND VENDOR TAXES

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

- (1) notes the role of the housing sector in job generation and the traditional role that investment properties play in people's retirement incomes;
- (2) recognises the valuable assistance provided to first home owners by the Federal Government's First Home Owner Grant Scheme;
- (3) expresses its concern at the impact of the New South Wales Government's land tax increase and vendor tax on Australian investors, on the building industry and on property rents; and
- (4) calls on the New South Wales Government to overturn its inequitable and unproductive burden on the property sector and building industry.

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.

11 JOHN SIMPSON KIRKPATRICK

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

- (1) notes this is the 90th anniversary of the Gallipoli campaign and in doing so remembers our most famous Anzac, Private John Simpson Kirkpatrick;
- (2) recognises the extraordinary deeds of John Simpson Kirkpatrick who demonstrated courage above and beyond the call of duty when he and his donkeys rescued injured soldiers from the battle fields in Gallipoli;
- (3) calls for the Government to award a posthumous Victoria Cross to 'Simpson' in this year of the 90th anniversary of Gallipoli and in accordance with the wishes of his WW1 Commanding Officers

and the many thousands of Australians both young and old who demand this recognition for his acts of bravery;

- (4) believes it is a travesty of justice that he has been denied the award of the Victoria Cross for all these years; and
- (5) notes that all Australians would strongly support the posthumous awarding of this honour.

Debate ensued.

Documents

Ms Hall, by leave, presented the following documents:

Private John Simpson Kirkpatrick—Campaign to award the Victoria Cross—Letters and other documents in support (29).

Debate continued.

The time allotted for private Members' business having expired, the debate was interrupted, the resumption of the debate made an order of the day for the next sitting, and Mr Richardson was granted leave to continue his speech when the debate is resumed.

12 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.

13 APPROPRIATION BILL (NO. 1) 2005-2006—BUDGET DEBATE

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.

Mr Swan 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 a Budget which:

- (1) delivers grossly unfair tax relief which favours the highest income earners at the expense of ordinary Australian families;
- (2) ignores the crippling effect of punishingly high effective marginal tax rates on workforce participation;
- (3) imposes harsh conditions on the income of the most vulnerable members of the community;
- (4) fails to invest in skills and infrastructure disregarding repeated warnings from the RBA and OECD about skills shortages and infrastructure bottlenecks;
- (5) exposes Australians to the risk of higher interest rates as a result of capacity constraints and escalating economic imbalances;
- (6) predicts a significantly slowing rate of real GDP growth to below the Australian long-term average and considerably below world GDP growth;
- (7) confirms continuing unsustainable current account deficits into the future;
- (8) predicts a continuing increase in Australia's foreign debt;
- (9) predicts import growth to exceed export growth; and
- (10) contains a proposed Future Fund which is focused on offsetting the superannuation liability of Commonwealth employees at the expense of sensible long-term investment in vital infrastructure”.

Debate continued.

Document

Mr Fitzgibbon, by leave, presented the following document:

Preferred option adopted for Weakleys Drive—Copy of media release by Mr Baldwin, 9 May 2005.

Debate continued.

Mr Crean addressing the House—

14 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 23 May 2005:

Administrative Appeals Tribunal Amendment Act—Proclamation under subsection 2 (1) fixing 16 May 2005 as the day on which items 1 to 110, 112 to 180 and 182 to 236 of Schedule 1 to the Act commence [F2005L01029].

Air Services Act—Air Services Regulations—Instruments—

Class A Airspace—No. AERU-05-12 [F2005L01154].

Class C Airspace—No. AERU-05-13 [F2005L01156].

Class C Control Zones—No. AERU-05-14 [F2005L01163].

Class D Airspace—No. AERU-05-15 [F2005L01164].

Class D Control Zones—No. AERU-05-16 [F2005L01165].

Class E Airspace—No. AERU-05-17 [F2005L01166].

Class G Airspace—No. AERU-05-18 [F2005L01168].

Controlled Aerodromes—No. AERU-05-22 [F2005L01170].

Australian Prudential Regulation Authority Act—

Determination under section 57—2005 Non-Confidentiality No. 5, 13 May [F2005L01185].

Instrument fixing charges to be paid to APRA—2005 No. 1, 9 May [F2005L01128].

Civil Aviation Act—

Civil Aviation Regulations—Civil Aviation Amendment Orders—2005 Nos 5, 6 [F2005L01139], [F2005L01140].

Civil Aviation Safety Regulations 1998—Airworthiness Directives—

Part 39-105—2005 11, 12 May [F2005L01146], [F2005L01188].

Part 39-106—2005 11 May [F2005L01148].

Corporations Act—Order under paragraph 911A(2)(1)—Australian Securities and Investments Commission—Class Order CO 05/308 [F2005L01187].

Crimes Act—Regulations—2005 Select Legislative Instrument No. 81 [F2005L01124].

Customs Act—

Regulations—2005 Select Legislative Instruments Nos 77, 80 [F2005L01006], [F2005L01086].

Tariff Concession Order—2005 13 May [F2005L01177].

Tariff Concession Revocation Order—2005 16 May [F2005L01189].

Customs Legislation Amendment and Repeal (International Trade Modernisation) Act—Proclamation under subsection 2 (3A) fixing 18 May 2005 as the day on which item 43 of Schedule 3 to the Act commences [F2005L01087].

Defence Act—Determinations under section 58B—2005 Nos 12, 13.

Environment Protection and Biodiversity Conservation Act—

Declaration under section 184(1), 29 April 2005 [F2005L01134].

Management plan—Great Australian Bight Marine Park (Commonwealth Waters) 2005-2012 [F2005L01162].

Financial Management and Accountability Act—Net Appropriation Agreements under section 31—2005 7 March, 2 (2) May [F2005L01161], [F2005L01157], [F2005L01158].

Fisheries Administration Act—Regulations—2005 Select Legislative Instrument No. 79 [F2005L01104].

Health Insurance Act—Declaration—2005 QAA No. 1 [F2005L01173].

Higher Education Funding Act—Instrument—2005 Factor to index an accumulated higher education contribution debt, 11 May OPS/05/HECS [F2005L01176].

Higher Education Support Act—Higher education provider—Notice of approval—2005 No. 6 [F2005L01138].

Lands Acquisition Act—Statements under sub-section 40(3)—May 2005.

Migration Act—

Migration Agents Regulations—Notices—2005—

Migration Agents (Continuing professional development—Attendance at a seminar, workshop, conference or lecture) [F2005L01145].

Migration Agents (Continuing professional development—Preparation of material for presentation) [F2005L01143].

Migration Agents (Continuing professional development—Private study of audio, video or written material) [F2005L01144].

Regulations—2005 Select Legislative Instrument No. 76 [F2005L00858].

Motor Vehicle Standards Act—Regulations—2005 Select Legislative Instrument No. 78 [F2005L01125].

National Health Act—Determination under paragraph (bj) of Schedule 1—2005 No. HIB 10 [F2005L01153].

Remuneration Tribunal Act—Remuneration Tribunal—Determinations—2005 Nos 5, 6, 7, 8, 9, 10 [F2005L01141], [F2005L01142], [F2005L01130], [F2005L01131], [F2005L01132], [F2005L01137].

Social Security Act—

Declarations—Social Security (Means test treatment of private trusts—Excluded trusts)—2005—Department of Education, Science and Training, 17 May [F2005L01195].

Department of Employment and Workplace Relations, 29 April [F2005L01191].

Department of Family and Community Services, 26 April [F2005L01190].

Determination—2005 Social Security (Class of visas—Newly arrived resident's waiting period for special benefit) (No. 2) [F2005L01171].

Student Assistance Act—Instrument—2005 Factor to index financial supplement debts and accumulated financial supplement debts, 11 May OPS/05/SFSS [F2005L01174].

Superannuation (Financial Assistance Funding) Levy Act and Financial Institutions Supervisory Levies Collection Act—Regulations—2005 Select Legislative Instrument No. 82 [F2005L01103].

Taxation Administration Act—

Determinations—2005 Nos TD 14, TD 15.

Rulings—

1999—No. TR D21 (Withdrawal).

2000—No. GSTR 16 (Addendum).

2005—

Nos CR 29, CR 30, CR 31, CR 32.

Nos PR 74, PR 75, PR 76.

No. TR 6.

Trade Practices Act—Regulations—2005 Select Legislative Instrument No. 83 [F2005L01129].

ATTENDANCE

All Members attended (at some time during the sitting) except Mrs Draper, Ms Hoare, Mr Jull*, Mr Laming, Mr Nairn, Ms Roxon*, Mr Snowdon and Dr Southcott.

* On leave

I. C. HARRIS
Clerk of the House of Representatives