

2004-05

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 34

MONDAY, 30 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 ASIO, ASIS AND DSD—PARLIAMENTARY JOINT COMMITTEE—REPORT**

Mr McArthur presented the following document:

ASIO, ASIS and DSD—Parliamentary Joint Committee—Annual report of committee activities 2004-05, May 2005.

Ordered to be made a Parliamentary Paper.

**3 FUEL QUALITY STANDARDS (ETHANOL CONTENT) AMENDMENT BILL 2005**

Mr Windsor, pursuant to notice, presented a Bill for an Act concerning ethanol content in fuel.

Mr Windsor 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 COMMONWEALTH ELECTORAL AMENDMENT (PREVENTING SMOKING RELATED DEATHS) BILL 2005**

Mr Kerr, pursuant to notice, presented a Bill for an Act to amend the *Commonwealth Electoral Act 1918* to deny election funding to political candidates accepting gifts derived from tobacco smoking, and for related purposes.

Mr Kerr made a statement in relation to the bill.

*Document*

Mr Kerr 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 HIV/AIDS**

Mrs Moylan, pursuant to notice, moved—That this House:

- (1) acknowledges concern for the global incidence and impact of HIV/Aids, particularly in the Asia/Pacific area;
- (2) notes that UNAIDS expects that Asia will overtake Africa in absolute numbers of HIV infection by the year 2010 and that 40% of new infections will be in Asia/Pacific by 2010 if the region is unsuccessful in turning the epidemic around;
- (3) recognises the strong link between injecting drug use and HIV transmission in parts of Asia;
- (4) commends the Australian Government for the programs funded through AusAID in Asia and acknowledges the co-operation of countries and agencies working with AusAID staff abroad;
- (5) commends the tremendous work carried out in the field by staff of AusAID and the difficult conditions under which they often work;

- (6) recognises that HIV/Aids epidemics among injecting drug users can be prevented, stabilised and reversed, through timely and vigorous interventions;
- (7) whilst not condoning illicit drug use, endorses support for continuing to fund harm reductions strategies; and
- (8) acknowledges the Australian Government's strong and longstanding support of international efforts to expand the response to the HIV/Aids epidemic through increased resources and political commitment.

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 TOBACCO RELATED DISEASES

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

- (1) recognises that tomorrow, 31 May 2005, is World No Tobacco Day;
- (2) recognises that 19,000 Australians die each year due to tobacco related diseases;
- (3) acknowledges the untold trauma of these diseases and the impact they have on families and communities; and
- (4) recognises that tobacco use kills more Australians every year than alcohol, illicit drugs and the yearly Australian road toll combined.

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 QUESTIONS

Questions without notice were asked.

#### 9 PETITIONS

Petitions lodged for presentation were announced.

#### 10 INDOOR AIR POLLUTION

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

- (1) notes the results of research which indicates that indoor air pollution can represent a significant threat to the health of Australians;
- (2) notes that levels of indoor air pollution can be up to ten times greater than acceptable standards for outside air quality;
- (3) notes that unflued gas heaters are responsible for high levels of nitrogen dioxide, carbon monoxide, formaldehyde and carbon dioxide in the home or school; and
- (4) recognises the need for Government to establish standards in relation to indoor air quality and products which can generate pollutants within an indoor environment.

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 TAX CUTS

Mr Beazley (Leader of the Opposition), pursuant to notice, moved—That this House:

- (1) notes the statement by the Treasurer that families who are paying off a mortgage and have children would be struggling on \$40,000 to \$50,000;
- (2) notes that the 2005-06 budget offers a tax cut of only \$6 to those struggling families;
- (3) notes that the alternative tax package proposed by the Opposition would provide these same families a tax cut of \$12; and

(4) calls on the House to adopt Labor's tax package as the best means of helping Australian families.  
Debate ensued.

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 Robb 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.

The time allotted for the debate having expired—

Question—That grievances be noted—put and passed.

## 13 MAIN COMMITTEE BUSINESS

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

- (1) for each of the Main Committee meetings on Tuesday, 31 May, Wednesday, 1 June, and Thursday, 2 June 2005, the first item of business shall be Members' statements for a period not exceeding 30 minutes, and;
- (2) at the adjournment of the House for this sitting the following bills stand referred to the Main Committee for further consideration:
  - Appropriation (No. 1) 2005-2006;
  - Appropriation (No. 2) 2005-2006;
  - Appropriation (Parliamentary Departments) (No. 1) 2005-2006;
  - Appropriation (No. 5) 2004-2005; and
  - Appropriation (No. 6) 2004-2005.

Question—put and passed.

## 14 SUSPENSION OF STANDING ORDERS 31 AND 33

Mrs D. M. Kelly (Minister for Veterans' Affairs), for Mr McGauran (Deputy Leader of the House), pursuant to notice, moved—That standing order 31 (adjournment and next meeting) and standing order 33 (new business) be suspended for the sitting on Monday, 30 May, and Tuesday, 31 May 2005.

Question—put and passed.

## 15 SUPERANNUATION BILL 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—

Debate resumed by Mr Murphy 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) failing to publicly release updated costs of unfunded sector superannuation costs expressed in terms of both monetary and percentage of GDP; and
- (2) scaremongering about the level of unfunded public sector superannuation debt by highlighting raw cost figures only rather than providing percentage of GDP figures over time which show costs declining; and

requests the Government to remove the choice of fund override mechanism, AWA, which will impose inferior provisions on public sector employees".

Debate continued.

Amendment negatived.

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. 67, 16 May 2005, 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 Stone (Parliamentary Secretary to the Minister for Finance and Administration), the bill was read a third time.

**16 SUPERANNUATION (CONSEQUENTIAL AMENDMENTS) BILL 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—

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

*Message from the Governor-General*

Message No. 69, 16 May 2005, 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 Stone (Parliamentary Secretary to the Minister for Finance and Administration), the bill was read a third time.

**17 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—*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 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 resumed.

*Suspension of standing and sessional orders moved*

Ms Plibersek moved—That so much of the standing and sessional orders be suspended as would prevent the Member for Sydney moving forthwith—That each Member of the Government be required to provide an explanation to the House of why they support cutting the incomes and living standards of the poorest and most vulnerable Australians, including cutting their welfare payments, increasing their marginal tax rates if they get work and failing to adequately fund training and childcare places to enable Australians to move from welfare to work.

*Closure of Member*

Ms J. Bishop (Minister for Ageing) moved—That the Member be no longer heard.

Question—put.

The House divided (the Deputy Speaker, Mrs B. K. Bishop, in the Chair)—

AYES, 77

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

NOES, 54

Mr Adams	Ms K. M. Ellis	Mrs Irwin	Mr Price
Mr Albanese	Mr Emerson	Mr Kerr	Mr Quick
Mr Beazley	Mr L. D. T. Ferguson	Ms C. King	Mr Ripoll
Mr Bevis	Mr M. J. Ferguson	Dr Lawrence	Mr Sawford
Ms Bird	Mr Fitzgibbon	Ms Livermore	Mr Sercombe
Ms A. E. Burke	Mr Georganas	Mr McClelland	Mr S. F. Smith
Mr A. S. Burke	Mr Gibbons	Ms Macklin	Mr Snowdon
Mr Byrne	Ms Gillard	Mr McMullan	Mr Swan
Ms Corcoran	Ms Grierson	Mr Melham	Mr Tanner
Mr Crean	Mr Griffin	Mr Murphy	Mr K. J. Thomson
Mr Danby*	Ms Hall*	Mr B. P. O'Connor	Ms Vamvakinou
Mr Edwards	Mr Hatton	Mr G. M. O'Connor	Mr Wilkie
Mrs Elliot	Mr Hayes	Ms Owens	
Ms A. L. Ellis	Ms Hoare	Ms Plibersek	

\* Tellers

And so it was resolved in the affirmative.

Ms Livermore (seconder) addressing the House—

*Closure of Member*

Ms J. Bishop moved—That the Member be no longer heard.

Question—put.

The House divided (the Deputy Speaker, Mrs B. K. Bishop, in the Chair)—

## AYES, 77

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

## NOES, 54

Mr Adams	Ms K. M. Ellis	Mrs Irwin	Mr Price
Mr Albanese	Mr Emerson	Mr Kerr	Mr Quick
Mr Beazley	Mr L. D. T. Ferguson	Ms C. King	Mr Ripoll
Mr Bevis	Mr M. J. Ferguson	Dr Lawrence	Mr Sawford
Ms Bird	Mr Fitzgibbon	Ms Livermore	Mr Sercombe
Ms A. E. Burke	Mr Georganas	Mr McClelland	Mr S. F. Smith
Mr A. S. Burke	Mr Gibbons	Ms Macklin	Mr Snowdon
Mr Byrne	Ms Gillard	Mr McMullan	Mr Swan
Ms Corcoran	Ms Grierson	Mr Melham	Mr Tanner
Mr Crean	Mr Griffin	Mr Murphy	Mr K. J. Thomson
Mr Danby*	Ms Hall*	Mr B. P. O'Connor	Ms Vamvakinou
Mr Edwards	Mr Hatton	Mr G. M. O'Connor	Mr Wilkie
Mrs Elliot	Mr Hayes	Ms Owens	
Ms A. L. Ellis	Ms Hoare	Ms Plibersek	

\* 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, Mrs B. K. Bishop, 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. D. T. Ferguson	Mr Kerr	Mr Quick
Mr Bevis	Mr M. J. Ferguson	Ms C. King	Mr Ripoll
Ms Bird	Mr Fitzgibbon	Dr Lawrence	Mr Sawford
Ms A. E. Burke	Mr Georganas	Ms Livermore	Mr Sercombe
Mr A. S. Burke	Ms George	Mr McClelland	Mr S. F. Smith
Mr Byrne	Mr Gibbons	Ms Macklin	Mr Snowdon
Ms Corcoran	Ms Gillard	Mr McMullan	Mr Swan
Mr Crean	Ms Grierson	Mr Melham	Mr Tanner
Mr Danby*	Mr Griffin	Mr Murphy	Mr K. J. Thomson
Mr Edwards	Ms Hall*	Mr B. P. O'Connor	Ms Vamvakinou
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Ms A. L. Ellis	Mr Hayes	Ms Owens	

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Mr Abbott	Mr Entsch	Mrs Ley	Mr Secker
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Mr Downer	Mr Keenan	Mr Ruddock	
Mr Dutton	Mrs D. M. Kelly	Mr Schultz	
Mrs Elson	Jackie Kelly	Mr Scott	

\* Tellers

And so it was negatived.

Debate continued.

Debate adjourned (Mr Pearce—Parliamentary Secretary to the Treasurer), and the resumption of the debate made an order of the day for the next sitting.

## 18 ADJOURNMENT

Mr Pearce (Parliamentary Secretary to the Treasurer) moved—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 11.04 p.m., adjourned until tomorrow at 2 p.m.

**DOCUMENTS**

The following documents were deemed to have been presented on 30 May 2005:

- Air Services Act—Air Services Regulations—Instruments—  
Flight information regions—No. AERU-05-11 [F2005L01155].  
General aviation aerodrome procedures (GAAP) control zones—No. AERU-05-19 [F2005L01169].  
Australian Capital Territory (Planning and Land Management) Act—National Capital Plan—  
Amendment No. 39—Deakin/Forrest residential area [F2005L01290].  
Charter of the United Nations Act—Regulations—2005 Select Legislative Instruments Nos 98, 99  
[F2005L01233], [F2005L01235].  
Civil Aviation Act—Civil Aviation Safety Regulations—Airworthiness Directives—Part 39-105—2005  
25 May [F2005L01267].  
Customs Act—  
Orders—Tariff Concession—2005—19, 20 (10), 23 May [F2005L01251], [F2005L01252],  
[F2005L01253], [F2005L01254], [F2005L01255], [F2005L01256], [F2005L01257], [F2005L01258],  
[F2005L01259], [F2005L01260], [F2005L0261], [F2005L0262].  
Regulations—2005 Select Legislative Instrument No. 95 [F2005L01003].  
Defence Act—Determinations under section 58B—2005 Nos 14, 15, 16.  
Diplomatic Privileges and Immunities Act—Diplomatic Privileges and Immunities Regulations—  
Certificates—2005 10 May (2).  
Environment Protection and Biodiversity Conservation Act—Instrument under subsection 303DC(1)—  
23 May 2005 [F2005L01248].  
Family Law Act—Regulations—2005 Select Legislative Instrument No. 89 [F2005L01197].  
Federal Court of Australia Act—Regulations—2005 Select Legislative Instrument No. 84  
[F2005L01219].  
Financial Management and Accountability Act—Net Appropriation Agreements under section 31—  
2005 10 February [F2005L01193].  
Fisheries Management Act—Regulations—2005 Select Legislative Instrument No. 91 [F2005L01149].  
*Income Tax Assessment Act 1997*—Regulations—2005 Select Legislative Instrument No. 102  
[F2005L01200].  
Migration Act—Migration Regulations—Notice—2005 Specification of organisations [F2005L01223].  
National Health Act—  
Arrangements under subparagraph 100(1)(b)(i)—2005 No. PB 12 [F2005L01265].  
Declaration under subsection 85(2)—2005 No. PB 10 [F2005L01263].  
Determination under sections 85, 85A and 88—2005 No. PB 11 [F2005L01264].  
Ozone Protection and Synthetic Greenhouse Gas Management Act—Regulations—2005 Select  
Legislative Instrument No. 90 [F2005L01205].  
Taxation Administration Act—  
Instruments made under section 15-15 of Schedule 1—2005 13 (2) May [F2005L01215],  
[F2005L01216].  
Regulations—2005 Select Legislative Instrument No. 103 [F2005L01199].  
*Telecommunications Act 1997*—Technical standards—2005—  
Telecommunications Technical Standard (Customer access equipment for connection to a  
telecommunications network—AS/ACIF S003:2005) [F2005L01231].  
Telecommunications Technical Standard (Requirements for customer equipment for connection to a  
metallic local loop interface of a telecommunications network—Part 2: Broadband—AS/ACIF  
S043.2:2005) [F2005L01229].  
Therapeutic Goods Act—Order under subsection 3(1)—2005 Definition of British Pharmacopoeia  
[F2005L01237].  
Workplace Relations Act—Direction—2005 Revocation of directions and directions to inspectors, 16  
May [F2005L01213].
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**ATTENDANCE**

All Members attended (at some time during the sitting) except Mrs Draper, Mr Garrett, Mr Jenkins, Mr Jull\*, Mr Nairn and Ms Roxon\*.

\* On leave



**I. C. HARRIS**

Clerk of the House of Representatives