

2004-05

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 68

TUESDAY, 8 NOVEMBER 2005

1 The House met, at 2 p.m., pursuant to adjournment. The Speaker (the Honourable David Hawker) took the Chair, and read Prayers.

2 QUESTIONS

Questions without notice were asked.

3 DOCUMENT

Mr Costello (Treasurer) added to an answer to a question without notice and presented the following document:

Unemployment rate falls to 3.7 percent—Household Labour Force Survey (June 2005 quarter)—Copy of media release, Brian Pink, Government Statistician, New Zealand, 11 August 2005.

4 SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED

Mr Beazley (Leader of the Opposition) moved—That so much of the standing and sessional orders be suspended as would prevent the Prime Minister from being required to provide this House with a full and proper explanation of:

- (a) his refusal to agree to a televised national debate with the Leader of the Opposition on his extreme industrial relations changes;
- (b) his decision to waste more than \$50 million of taxpayers' money on a Liberal Party propaganda campaign;
- (c) his role in the decision to pulp nearly half a million copies of the 16 page WorkChoices booklet at a cost of over \$152,000;
- (d) his role in the decision not to distribute some 5.8 million copies of the WorkChoices booklet but dump them in warehouses around the country because market research now shows his propaganda is not fooling the Australian public; and
- (e) his knowledge of the granting of contracts for the production and distribution of the WorkChoices booklet to companies who are donors to the Liberal and National Parties.

Debate ensued.

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

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

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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 Jenkins	Mr Quick
Mr Bevis	Mr M. J. Ferguson	Mr Kerr	Mr Ripoll
Ms Bird	Mr Fitzgibbon	Ms C. King	Ms Roxon
Mr Bowen	Mr Garrett	Dr Lawrence	Mr Rudd
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
Mrs Elliot	Mr Hatton	Mr G. M. O'Connor	Mr Wilkie
Ms A. L. Ellis	Mr Hayes	Ms Owens	

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Mr Abbott	Mrs Elson	Mrs D. M. Kelly	Mr Robb
Mr Andrews	Mr Entsch	Jackie Kelly	Mr Ruddock
Mr Baird	Mr Fawcett	Mr Laming	Mr Schultz
Mr Baker	Mr M. D. Ferguson	Mrs Ley	Mr Scott
Mr Baldwin	Mr Forrest*	Mr Lindsay	Mr Secker
Mr Barresi	Ms Gambaro	Mr Lloyd	Mr Slipper
Mr Bartlett	Mrs Gash	Mr McArthur*	Mr A. D. H. Smith
Mr Billson	Mr Georgiou	Mr Macfarlane	Mr Somlyay
Mrs B. K. Bishop	Mr Haase	Mr McGauran	Dr Stone
Ms J. Bishop	Mr Hardgrave	Mrs May	Mr C. P. Thompson
Mr Broadbent	Mr Hartsuyker	Mrs Moylan	Mr Ticehurst
Mr Brough	Mr Henry	Mr Nairn	Mr Tollner
Mr Cadman	Mr Hockey	Dr Nelson	Mr Truss
Mr Causley	Mr Howard	Mr Neville	Mr Tuckey
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	Dr Washer
Mrs Draper	Mr Jull	Mr Randall	Mr Wood
Mr Dutton	Mr Keenan	Mr Richardson	

* Tellers

And so it was negatived.

5 DOCUMENTS

The following documents were presented:

ASC Pty Ltd—Report for 2004-05.

Australian Fisheries Management Authority—Report for 2004-05.

Australian Government Solicitor—Report for 2004-05.

Australian Pesticides and Veterinary Medicines Authority—Report for 2004-05.

Australian Securities and Investments Commission—Report for 2004-05—Corrigendum.

Family Court of Australia—Report for 2004-05.

Grains Research and Development Corporation—Report for 2004-05.

Industrial Relations Court of Australia—Report for 2004-05.

Murray-Darling Basin Commission—Report for 2004-05.

Screenrights—Report for 2004-05.

Sugar Research and Development Corporation—Report for 2004-05.

Sydney Harbour Federation Trust—Report for 2004-05.

6 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS

Mr Abbott (Leader of the House) moved—That the House take note of the following documents:

Industrial Relations Court of Australia—Report for 2004-05.

Murray-Darling Basin Commission—Report for 2004-05.

Debate adjourned (Ms Gillard), and the resumption of each debate made an order of the day for the next sitting.

7 RESOLUTION FROM THE LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

The Speaker presented the following document:

Proposed Commonwealth legislation to make provision for a radioactive waste management facility in the Northern Territory—Letter from the Speaker of the Legislative Assembly of the Northern Territory forwarding a resolution of the Assembly and record of debate, 13 October 2005.

8 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—SUSTAINABLE REGIONS AND REGIONAL PARTNERSHIPS PROGRAMMES

The House was informed that both Mr Hartsuyker and Mr Katter had proposed that definite matters of public importance be submitted to the House for discussion today. In accordance with the provisions of standing order 46, the Speaker had given priority to the matter proposed by Mr Hartsuyker, namely, “The urgent need to support the Sustainable Regions and Regional Partnerships programmes for the benefit of rural and regional Australia”.

The proposed discussion having received the necessary support—

Mr Hartsuyker addressed the House.

Discussion ensued.

Document

Mr Crean, by leave, presented the following document:

Regional Partnerships Grant Approvals—Pre-2004 election—Graph, Senate Finance and Public Administration References Committee Report into Regional Funding, October 2005.

Discussion continued.

Discussion concluded.

9 MESSAGE FROM THE GOVERNOR-GENERAL—ASSENT TO BILL

Message No. 117, 4 November 2005, from His Excellency the Governor-General was announced informing the House that His Excellency, in the name of Her Majesty, had assented to the Intelligence Services Legislation Amendment Bill 2005.

10 MESSAGE FROM THE SENATE

Message No. 214, 7 November 2005, from the Senate was reported returning the Migration Litigation Reform Bill 2005 without amendment.

11 MESSAGE FROM THE SENATE—LAW AND JUSTICE LEGISLATION AMENDMENT (VIDEO LINK EVIDENCE AND OTHER MEASURES) BILL 2005

Message No. 215, 7 November 2005, from the Senate was reported returning the Law and Justice Legislation Amendment (Video Link Evidence and Other Measures) Bill 2005 with amendments.

Ordered—That the amendments be considered at the next sitting.

12 SELECTION COMMITTEE—REPORT

Mr Causley (Chair) presented the following document:

Selection Committee—Report relating to the consideration of committee and delegation reports and private Members’ business on Monday, 28 November 2005.

13 WORKPLACE RELATIONS AMENDMENT (WORK CHOICES) 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—*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: “the House declines to give the bill a second reading, because the House condemns the Government:

- (a) for failing to allow the House of Representatives and the Australian people proper scrutiny of the bill prior to the debate in the House;
- (b) for spending over \$55 million dollars of taxpayers’ money advertising Liberal Party policy proposals before the *Work Choices* legislation has entered the Parliament;
- (c) for misleading the Australian people in those advertisements by making unsubstantiated assertions about the benefits of these changes and misrepresenting the extent to which employees will lose their rights under the *Work Choices* legislation;
- (d) for creating an industrial relations system that is extreme, unfair and divisive;
- (e) for failing to put working families first in developing its plans to dramatically change Australia’s industrial relations laws;
- (f) specifically, for failing to commission and publish a Family Impact Statement as promised during the election for all family related legislation;
- (g) for failing to provide a guarantee that no individual Australian employee will be worse off under the extreme industrial relations changes;
- (h) for attacking the living standards of Australian employees and their families by removing the ‘no disadvantage test’ from collective and individual agreements;
- (i) by allowing employees to be forced onto unfair Australian Workplace Agreements as a condition of employment;
- (j) for abolishing annual wage increases made by the Australian Industrial Relations Commission for workers under Awards with the objective of reducing the Minimum Wage in real terms, and by removing the requirement that fairness be taken into account in the calculation of the Minimum Wage;
- (k) for delaying the next National Wage Case by a period of six months, so that at least 1.7 million workers under Awards will not receive a wage increase for a period of 18 months or longer;
- (l) for undermining family life by proposing to give employers the power to change employees’ work hours without reasonable notice;
- (m) for destroying rights achieved through the hard work of generations of Australian workers;
- (n) for undermining the principles of fairness that underpinned the Australian industrial relations system for the past hundred years;
- (o) for gutting the Australian Industrial Relations Commission and eliminating the role of an independent umpire to ensure fair wages and conditions and resolve disputes;
- (p) for developing proposals that will deliberately distort the workplace bargaining relationship in favour of employers and against employees;
- (q) for denying Australian employees the capacity to bargain collectively with their employer for decent wages and conditions;
- (r) for denying individuals the right to reject individual contracts which cut pay and conditions and undermine collective bargaining and union representation;
- (s) for allowing individual contracts to undermine the rights of Australian workers under collective agreements and Awards, for instance by eliminating penalty rates, shift loadings, overtime and holiday pay and other Award conditions;
- (t) for removing from almost 4 million employees any protection from unfair dismissal;
- (u) for refusing to consult with State Governments in developing a unitary industrial relations system resulting in an inadequate and incomplete national system;
- (v) for launching an unprovoked attack on responsible trade unions and asserting that those unions have no role in the economic and social future of Australia;

- (w) for proposing to jail union representatives or fine them up to \$33,000 if they negotiate to include health and safety, training and other clauses in agreements;
- (x) for ignoring the concerns of the Australian community and Churches about the adverse impact these changes will have on Australian employees and their families;
- (y) for failing to guarantee that wages will be sustained or increased in real terms under these changes; and
- (z) for seeking to justify these measures by asserting that slashing wages will somehow make Australia more competitive, more productive, and increase employment”—

Debate resumed.

Mr Schultz 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.

14 ADJOURNMENT

Mr Nairn (Parliamentary Secretary to the Prime Minister) moved—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 11 p.m., adjourned until 9 a.m. tomorrow.

DOCUMENTS

The following documents were deemed to have been presented on 8 November 2005:

Australian Meat and Live-stock Industry Act—Order—2005 Australian Meat and Live-stock (Beef export to the USA—Quota year 2006) [F2005L03425].

Civil Aviation Act—

Amendment Order—2005 (No. 1) [F2005L03362].

Civil Aviation Regulations—Instrument—2005 No. CASA 383 [F2005L03426].

Civil Aviation Safety Regulations—Airworthiness Directives—Part 39-105—2005—
2 November [F2005L03396].

3 November [F2005L03433].

4 November [F2005L03436].

Customs Act—Tariff Concession Orders—2005—

21 (10) October [F2005L03369], [F2005L03370], [F2005L03373], [F2005L03374], [F2005L03376], [F2005L03377], [F2005L03378], [F2005L03379], [F2005L03388], [F2005L03390].

28 (20) October [F2005L03401], [F2005L03402], [F2005L03403], [F2005L03404], [F2005L03405], [F2005L03406], [F2005L03407], [F2005L03408], [F2005L03409], [F2005L03410], [F2005L03413], [F2005L03415], [F2005L03416], [F2005L03417], [F2005L03418], [F2005L03419], [F2005L03421], [F2005L03422], [F2005L03423], [F2005L03424].

Diplomatic Privileges and Immunities Act—Diplomatic Privileges and Immunities Regulations—Certificates—2005—

16 September (2).

14 October (2).

Environment Protection and Biodiversity Conservation Act—Instrument under paragraph 303EC(1)(c)—24 October 2005 [F2005L03324].

Financial Management and Accountability Act—Determinations to establish a special account—2005 Nos 42, 43, 44, 45, 46 [F2005L03430], [F2005L03427], [F2005L03429], [F2005L03431], [F2005L03428].

Industry Research and Development Act—Directions—2005—

Industry cooperative innovation program Ministerial No. 1 [F2005L03360].

Renewable energy development initiative program No. 1 [F2005L03359].

Veterans' Entitlements Act—Determination under subsection 46L(1)—2005 29 May [F2005L03357].

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Anderson, Fran Bailey, Mr Farmer, Mr Sawford, Dr Southcott* and Mr Turnbull.

* On leave

I. C. HARRIS

Clerk of the House of Representatives