

2004-05

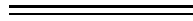
THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 70

THURSDAY, 10 NOVEMBER 2005



1 The House met, at 9 a.m., pursuant to adjournment. The Speaker (the Honourable David Hawker) took the Chair, and read Prayers.

2 SUSPENSION OF STANDING AND SESSIONAL ORDERS—CONSIDERATION OF WORKPLACE RELATIONS AMENDMENT (WORK CHOICES) BILL 2005

Mr Abbott (Leader of the House), pursuant to notice, moved—That, in relation to proceedings on the Workplace Relations Amendment (Work Choices) Bill 2005, so much of the standing and sessional orders be suspended to enable:

- (1) the order of the day relating to the bill to be called on immediately; and
- (2) a Minister to sum up the second reading debate without delay and thereafter the following occurring:
 - (a) the immediate question before the House to be put, then any question or questions necessary to complete the second reading stage of the bill to be put;
 - (b) the bill then to be taken as a whole during consideration in detail for a period not exceeding 60 minutes, immediately after which the question then before the House to be put, then the putting without amendment or debate of any question or questions necessary to complete the consideration of the bill; and
- (3) any variation to this arrangement to be made only by a Minister moving a motion without notice.

Ms Gillard addressing the House—

Closure

Mr Abbott moved—That the question be now put.

Question—put.

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

AYES, 78

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

NOES, 59

Mr Adams	Ms A. L. Ellis	Ms Hoare	Ms Plibersek
Mr Albanese	Ms K. M. Ellis	Mrs Irwin	Mr Price
Mr Andren	Mr Emerson	Mr Jenkins	Mr Quick
Mr Beazley	Mr M. J. Ferguson	Mr Kerr	Mr Ripoll
Mr Bevis	Mr Fitzgibbon	Ms C. King	Ms Roxon
Ms Bird	Mr Garrett	Dr Lawrence	Mr Rudd
Mr Bowen	Mr Georganas	Ms Livermore	Mr Sercombe
Ms A. E. Burke	Ms George	Mr McClelland	Mr S. F. Smith
Mr A. S. Burke	Mr Gibbons	Ms Macklin	Mr Snowdon
Mr Byrne	Ms Gillard	Mr McMullan	Mr Tanner
Ms Corcoran	Ms Grierson	Mr Melham	Mr K. J. Thomson
Mr Crean	Mr Griffin	Mr Murphy	Ms Vamvakinou
Mr Danby*	Ms Hall*	Mr B. P. O'Connor	Mr Wilkie
Mr Edwards	Mr Hatton	Mr G. M. O'Connor	Mr Windsor
Mrs Elliot	Mr Hayes	Ms Owens	

* Tellers

And so it was resolved in the affirmative.

And the question—That the motion be agreed to—being accordingly put—

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

AYES, 78

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

NOES, 61

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

* Tellers

And so it was resolved in the affirmative.

3 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.

Question—That the words proposed to be omitted stand part of the question—put.

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

AYES, 79

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

NOES, 60

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

* Tellers

And so it was resolved in the affirmative.

Question—That the bill be now read a second time—put.

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

AYES, 79

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

NOES, 61

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

* Tellers

And so it was resolved in the affirmative—bill read a second time.

Consideration in detail

Bill taken as a whole.

Mr S. F. Smith asked leave to move Opposition amendments (1) to (7) together.

Speaker's ruling

The Speaker ruled that amendment (6) was out of order as an ironical amendment.

Mr S. F. Smith, by leave, moved Opposition amendments (1) to (5) and (7) together.

Debate continued.

In accordance with the resolution agreed to this day, the debate was interrupted and the question—That amendments (1) to (5) and (7) be agreed to—put.

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

AYES, 59

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

NOES, 80

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

* Tellers

And so it was negatived.

Question—That the bill be agreed to and be now read a third time—put.

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

AYES, 80

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

NOES, 61

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

* Tellers

And so it was resolved in the affirmative—bill read a third time.

4 SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED

Mr S. F. Smith moved—That so much of the standing and sessional orders be suspended as would prevent the Member for Perth from moving immediately that:

- (a) as these measures were not put before the Australian people in the run up to the 2004 election and are only now being pursued because the Government has total control of the Parliament;
- (b) as these proposals are based on a long standing ideological attachment by the Prime Minister and the Liberal Party to an un-Australian approach previously rejected by the Australian people and the Australian Parliament;
- (c) as the Government has made out no social or economic case for these changes; and
- (d) as the Government is arrogantly dismissive of the criticism and concerns expressed about the adverse consequences of the bill for the living standards of Australian families and for the Australian way of life;

should the Workplace Relations Amendment (Work Choices) Bill pass the Senate and receive assent, the Act and the actual operational impact of the extreme, unfair, and divisive industrial relations system it provides in practice be referred to the House of Representatives Standing Committee on Employment, Workplace Relations and Workforce Participation for inquiry and report by 30 June 2007.

Closure of Member

Mr Abbott (Leader of the House) moved—That the Member be no longer heard.

Question—put.

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

AYES, 80

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

NOES, 58

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 Tanner
Mr Crean	Ms Grierson	Mr Melham	Mr K. J. Thomson
Mr Danby*	Mr Griffin	Mr Murphy	Ms Vamvakinou
Mr Edwards	Ms Hall*	Mr B. P. O'Connor	Mr Wilkie
Mrs Elliot	Mr Hatton	Mr G. M. O'Connor	
Ms A. L. Ellis	Mr Hayes	Ms Owens	

* Tellers

And so it was resolved in the affirmative.

Ms Gillard (seconder) addressing the House—

Closure of Member

Mr Abbott moved—That the Member be no longer heard.

Question—put.

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

AYES, 80

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

NOES, 58

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 Tanner
Mr Crean	Ms Grierson	Mr Melham	Mr K. J. Thomson
Mr Danby*	Mr Griffin	Mr Murphy	Ms Vamvakinou
Mr Edwards	Ms Hall*	Mr B. P. O'Connor	Mr Wilkie
Mrs Elliot	Mr Hatton	Mr G. M. O'Connor	
Ms A. L. Ellis	Mr Hayes	Ms Owens	

* 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 Speaker, Mr Hawker, in the Chair)—

AYES, 57

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

NOES, 80

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

* Tellers

And so it was negatived.

5 TAX LAWS AMENDMENT (IMPROVEMENTS TO SELF ASSESSMENT) BILL (NO. 2) 2005

Mr Brough (Minister for Revenue and Assistant Treasurer) presented a Bill for an Act to amend the law relating to taxation, and for related purposes.

Bill read a first time.

Mr Brough moved—That the bill be now read a second time.

Document

Mr Brough presented an explanatory memorandum to the bill.

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

6 LAW AND JUSTICE LEGISLATION AMENDMENT (VIDEO LINK EVIDENCE AND OTHER MEASURES) BILL 2005—SENATE'S AMENDMENTS

The order of the day having been read for the consideration of the amendments made by the Senate—

On the motion of Mr Brough (Minister for Revenue and Assistant Treasurer), the amendments were agreed to.

7 FIT-OUT OF NEW LEASED PREMISES FOR AUSAID AT BLOCK 20, SECTION 10, KNOWN AS LONDON 11, ACT—APPROVAL OF WORK

Mr Brough (Minister for Revenue and Assistant Treasurer), for Dr Stone (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Fit-out of new leased premises for AusAID at Block 20, Section 10, known as London 11, ACT.

Question—put and passed.

8 ANTI-TERRORISM BILL (NO. 2) 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 Beazley (Leader of the Opposition) 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:

- (1) notes that securing the community from terrorism and ensuring our citizens live in freedom from fear is among the highest and most fundamental tasks of government;
- (2) condemns the Howard Government’s failure to take necessary and practical measures to adequately protect Australians from terrorist threats, in particular, its failure to:
 - (a) ensure aviation security as detailed in the recent report of Sir John Wheeler including:
 - (i) the x-ray examination of 100% of international checked baggage;
 - (ii) the upgrading of security at regional airports;
 - (iii) providing effective and coordinated security at Australian airports; and
 - (iv) ensuring the effective and accurate operation of Aviation Security Identity Cards;
 - (b) provide adequate maritime security including:
 - (i) allowing 90% of containers to transit ports without being x-rayed;
 - (ii) failing to enforce requirements that all inbound vessels identify their crew and cargo 48 hours before arriving in port; and
 - (iii) providing single voyage permits for foreign flagged ships of convenience to carry explosives and dangerous substances around the Australian coastline and into our ports;
 - (c) ensure security on our mass transit systems especially urban rail systems;
 - (d) provide a single co-ordinated response to terrorism through a Homeland Security Department;
 - (e) meet the international Financial Action Task Force’s 9 Special Recommendations on Terrorist Financing and the 40 general recommendations on Money Laundering—leaving Australia unprepared to deal with the estimated AUD \$2-3 billion laundered annually through the Australian economy by criminals and possibly terrorists;
 - (f) adequately secure Australia’s increasingly porous borders; and
 - (g) establish a Coastguard to properly protect our maritime approaches particularly in the north and north-west of Australia;
- (3) notes that:
 - (a) tough anti-terrorist laws need to be matched with strong safeguards;
 - (b) the struggle to defeat terrorism does not require us to surrender the basic rights and freedoms of the democratic and free society that we enjoy in Australia;
 - (c) the requirement for effective safeguards is highlighted by the Howard Government’s record of incompetence in immigration detention, which has led to the wrongful detention of at least 220 people; and

- (d) the counter-terrorist financing measures contained within this bill are a mere fraction of the measures required to bring Australia into compliance with the global standard;
- (4) condemns the heavy handed and arrogant tactics originally adopted by the Howard Government in planning to introduce this bill into the Parliament and have it debated immediately on Melbourne Cup day and also seeking to have Senate Committee scrutiny limited to just one day;
- (5) calls on the Government to:
 - (a) introduce legislation to establish a permanent independent oversight agency for the Australian Federal Police to oversight the operations of the AFP without delay;
 - (b) provide increased resources for the Inspector General of Intelligence and Security to enable improved scrutiny of the expanding intelligence community;
 - (c) expand the role of the Joint Standing Committee on Intelligence Services to include oversight of those aspects of the AFP associated with anti-terrorism activities and further adopt the recommendations of that Committee made last year in relation to the Committee's access to classified material;
 - (d) automatically refer all proposed laws relating to intelligence services or counter terrorism to the Standing Committee on Intelligence Services for report to both Houses of Parliament;
 - (e) recognise that a key safeguard against terrorism is the maintenance of a coherent and harmonious multicultural community and therefore:
 - (i) adopt Labor's plan to criminalise incitement to violence on racial or religious grounds by separate legislation; and
 - (ii) ensure the teaching of respect for Australian values in all schools;
 - (f) report to the Parliament on the question of constitutionality of the measures contained in the bill;
 - (g) report to the Parliament on whether the proposed laws are consistent with Australia's obligations under international law;
 - (h) ensure that fair commentary, artistic expression and criticism is not restricted by this bill;
 - (i) ensure that peaceful industrial, political and artistic protest is not restricted by this bill;
 - (j) excise schedule 7 on sedition and refer the sedition laws of Australia to an independent public review for consideration and recommendation to the Parliament prior to introducing amendments to the Parliament; and
 - (k) expedite the stalled Counter-Terrorist Financing and Anti-Money Laundering legislation, first promised by the Howard Government in December 2003 and yet to be brought before the Parliament;
- (6) calls on the Government to seek agreement with the States and Territories to alter the bill to give effect to the following:
 - (a) require the Attorney-General to report to Parliament on the use of control orders, preventative detention orders and prohibited contact orders every three months, to ensure sufficient parliamentary scrutiny as is the case in the UK;
 - (b) require the court to hear a control order confirmation hearing as soon as reasonably practicable after the interim hearing;
 - (c) permit a person held subject to a preventative detention order to inform an immediate family member about their detention in similar terms to that applying in the bill to a person under 18 years, subject to any prohibited contact order that may have been made (ie, a specific decision that that family member should not be informed for security reasons);
 - (d) subject the provisions of the Anti-Terrorism Acts (No.1) and (No.2) to a five year sunset clause, not the proposed ten years (noting that the ASIO 2002 Act is subject to a three year sunset clause and similar UK laws are subject to an effective one year sunset clause);
 - (e) subject the provisions of the Anti-Terrorism Acts (No 1) and (No 2) to a review after two and one half years, by a committee as is required by section 4 of the Security Legislation Amendment (Terrorism) Act 2002;
 - (f) establish a Federal Public Interest Monitor with similar powers and functions as the Queensland office; and

- (g) define an issuing court for the purposes of control orders to be the Federal Court; and
- (7) urges the Senate committee to look closely at the issues outlined above as well as:
 - (a) the breadth and reach of the provisions relating to advocacy of terrorism and financing of terrorism; and
 - (b) any retrospective effect of the bill”.

Debate continued.

At being 2 p.m., the debate was interrupted in accordance with standing order 97, and the resumption of the debate made an order of the day for a later hour this day.

9 QUESTIONS

Questions without notice being asked—

Member directed to leave

At 2.54 p.m. the Member for Hunter (Mr Fitzgibbon) was directed, under standing order 94, to leave the Chamber for one hour for disorderly behaviour, and he accordingly left the Chamber.

Questions without notice continuing—

Member directed to leave

At 3.08 p.m. the Member for Denison (Mr Kerr) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a warning had been given from the Chair, and he accordingly left the Chamber.

Questions without notice continued.

10 DOCUMENT

Mr Emerson, by leave, during a personal explanation, presented the following document:

Iraq ‘Kickback’ claims must be investigated—Copy of media release by Senator O’Brien and Mr Emerson, 6 June 2003.

11 DOCUMENT

The following document was presented:

Privacy Commissioner—Report for 2004-05.

12 DOCUMENTS

Mr Abbott (Leader of the House) presented the following documents:

Petitions not in accord with standing and sessional orders of the House.

13 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—DEBATE OF INDUSTRIAL RELATIONS CHANGES

The House was informed that both Mr Beazley (Leader of the Opposition) 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 Beazley, namely, “The Government’s total disregard for the interests and wellbeing of working Australians and their families by denying the opportunity for a proper debate of its extreme industrial relations changes”.

The proposed discussion having received the necessary support—

Mr Beazley addressed the House.

Discussion ensued.

Discussion concluded.

14 TAX LAWS AMENDMENT (SUPERANNUATION CONTRIBUTIONS SPLITTING) BILL 2005—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the bill had been fully considered by the Main Committee and agreed to without amendment, and presented a certified copy of the bill.

Bill agreed to.

On the motion of Mrs Ley (Parliamentary Secretary—Children and Youth Affairs), by leave, the bill was read a third time.

15 PUBLICATIONS COMMITTEE—REPORT

Mrs Draper (Chair) presented the following document:

PUBLICATIONS COMMITTEE REPORT

The Publications Committee reports that it has met in conference with the Publications Committee of the Senate.

The Committee, having considered documents presented to Parliament since 13 October 2005, recommends that the following be made Parliamentary Papers:

Aboriginal Hostels Limited—Report for 2004-05.

Aboriginals Benefit Account—Report for 2004-05.

Administrative Review Council—Report for 2004-05.

Aged Care Standards and Accreditation Agency Limited—Report for 2004-05.

Airservices Australia—Report for 2004-05.

Albury-Wodonga Development Corporation—Report for 2004-05.

Australian Broadcasting Authority—Report for 2004-05.

Australian Broadcasting Corporation—Report for 2004-05.

Australian Centre for International Agricultural Research—Report for 2004-05.

Australian Communications Authority—Report for 2004-05.

Australian Fisheries Management Authority—Report for 2004-05.

Australian Government Solicitor—Report for 2004-05.

Australian Hearing—Report for 2004-05.

Australian Industrial Relations Commission and the Australian Industrial Registry—Reports for 2004-05.

Australian Institute of Criminology and the Criminology Research Council—Reports for 2004-05.

Australian Institute of Family Studies—Report for 2004-05.

Australian Institute of Health and Welfare—Report for 2004-05.

Australian Institute of Marine Science—Report for 2004-05.

Australian Law Reform Commission—Report No. 101—Report for 2004-05.

Australian Maritime Safety Authority—Report for 2004-05.

Australian National Maritime Museum—Report for 2004-05.

Australian National Training Authority—

Australian vocational education and training system—Report for 2004.
Report for 2004-05.

Australian Nuclear Science and Technology Organisation—Report for 2004-05.

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

Australian Prudential Regulation Authority—Report for 2004-05.

Australian Radiation Protection and Nuclear Safety Agency—Report for 2004-05.

Australian Research Council—Report for 2004-05.

Australian Safeguards and Non-Proliferation Office—Report for 2004-05.

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

Report for 2004-05—Corrigendum.

Australian Security Intelligence Organisation—Report for 2004-05.

Australian Sports Drug Agency—Report for 2004-05.

Australian Trade Commission (AUSTRADE)—Report for 2004-05.

Australian Wine and Brandy Corporation—Report for 2004-05.

Bankruptcy Act 1966—Inspector-General in Bankruptcy—Report for 2004-05.
Centrelink—Report for 2004-05.
Comcare—Report for 2004-05.
Commissioner for Complaints—Report for 2004-05 (including erratum).
Commissioner for Superannuation—Report for 2004-05.
Commissioner of Taxation—Report for 2004-05.
Commonwealth Director of Public Prosecutions—Report for 2004-05.
Commonwealth Ombudsman—Report for 2004-05.
Commonwealth Scientific and Industrial Research Organisation (CSIRO)—Report for 2004-05.
Cotton Research and Development Corporation—Report for 2004-05.
CrimTrac Agency—Report for 2004-05.
CSS Board—Commonwealth Superannuation Scheme—Report for 2004-05.
Defence Force Retirement and Death Benefits Authority—Report for 2004-05.
Defence Housing Authority—Report for 2004-05.
Department of Agriculture, Fisheries and Forestry—Report for 2004-05.
Department of Communications, Information Technology and the Arts—Report for 2004-05.
Department of Education, Science and Training—Report for 2004-05.
Department of Employment and Workplace Relations—Report for 2004-05.
Department of Family and Community Services—Report for 2004-05.
Department of Finance and Administration—Report for 2004-05.
Department of Foreign Affairs and Trade—Report for 2004-05.—
Volume 1—Foreign Affairs and Trade.
Volume 2—Australian Agency for International Development (AusAID).
Department of Health and Ageing—Report for 2004-05.
Department of Immigration and Multicultural and Indigenous Affairs—Report for 2004-05.
Department of Parliamentary Services—Report for 2004-05.
Department of the Environment and Heritage—
Legislation reports for 2004-05.
Report for 2004-05.
Department of the Treasury—Report for 2004-05.
Department of Transport and Regional Services—Report for 2004-05.
Director of National Parks—Report for 2004-05.
Family Court of Australia—Report for 2004-05.
Financial Reporting Council, Australian Accounting Standards Board and Auditing and Assurance Standards Board—Reports for 2004-05, together with Financial Reporting Council—Report for 2004-05 on auditor independence.
Food Standards Australia New Zealand—Report for 2004-05.
Forest and Wood Products Research and Development Corporation—Report for 2004-05.
Grains Research and Development Corporation—Report for 2004-05.
Grape and Wine Research and Development Corporation—Report for 2004-05.
Great Barrier Reef Marine Park Authority—Report for 2004-05.
Health Services Australia—Report for 2004-05.
Industrial Relations Court of Australia—Report for 2004-05.
Inspector-General of Intelligence and Security—Report for 2004-05.
Inspector-General of Taxation—Report for 2004-05.
International Air Services Commission—Report for 2004-05.

Land and Water Resources Research and Development Corporation (Land & Water Australia)—Report for 2004-05.

Migration Review Tribunal—Report for 2004-05.

Military Superannuation and Benefits Board of Trustees—Report for 2004-05.

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

National Archives of Australia and National Archives of Australia Advisory Council—Reports for 2004-05.

National Gallery of Australia—Report for 2004-05.

National Museum of Australia—Report for 2004-05—Erratum.

National Residue Survey—Report for 2004-05.

National Transport Commission—Report for 2004-05.

Native Title Act—Native title representative bodies—Reports for 2004-05—

Central Queensland Land Council Aboriginal Corporation.

Goldfields Land and Sea Council.

Gurang Land Council Aboriginal Corporation.

Kimberley Land Council.

South West Aboriginal Land and Sea Council.

Yamatji Marlpa Barna Baba Maaja Aboriginal Corporation.

Office of Parliamentary Counsel—Report for 2004-05.

Productivity Commission—

Report—No. 36—Private cost effectiveness of improving energy efficiency, 31 August 2005.

Report for 2004-05.

Professional Services Review—Report for 2004-05.

PSS Board—Public Sector Superannuation Scheme—Report for 2004-05.

Refugee Review Tribunal—Report for 2004-05.

Remuneration Tribunal—Report for 2004-05.

Rural Industries Research and Development Corporation—Report for 2004-05.

Safety, Rehabilitation and Compensation Commission—Report for 2004-05.

Screenrights—Report for 2004-05.

Seafarers Safety, Rehabilitation and Compensation Authority—Report for 2004-05.

Services Trust Funds—Report for 2004-05.

Social Security Appeals Tribunal—Report for 2004-05.

States Grants (Primary and Secondary Education Assistance) Act 2000—Report on financial assistance granted to each State in respect of 2004.

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

Supervising Scientist—Report for 2004-05.

Telstra Corporation Limited—Report for 2004-05.

Tourism Australia—Report for 2004-05.

Veterans' Review Board—Report for 2004-05.

TRISH DRAPER MP

Chair

10 November 2005

On the motion of Mrs Draper, by leave, the report was agreed to.

16 MESSAGES FROM THE SENATE

Messages from the Senate, 9 November 2005, were reported informing the House that:

- (a) Senator Forshaw had been discharged from attendance on the Joint Standing Committee on Electoral Matters, and Senator Hogg had been appointed a member of the committee—Message No. 220.

- (b) Senator Wortley had been discharged from attendance on the Parliamentary Standing Committee on Public Works, and Senator Forshaw had been appointed a member of the committee—Message No. 221.

17 ANTI-TERRORISM BILL (NO. 2) 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 Beazley (see item No. 8, page 774)*—

Debate resumed.

Mr Turnbull addressing the House—

18 ADJOURNMENT

It being 4.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 5 p.m.—The Speaker adjourned the House until 12.30 p.m. on Monday, 28 November 2005.

DOCUMENTS

The following documents were deemed to have been presented on 10 November 2005:

Acts Interpretation Act—Instrument under subsection 33 (3)—Repealing *Grevillea williamsonii* (Williamson's Grevillea) Recovery Plan adopted under section 269A of the *Environment Protection Biodiversity Conservation Act 1999* [F2005L03454].

AusLink (National Land Transport—Consequential and Transitional Provisions) Act—Determination under Schedule 2—Transitional provisions [F2005L03437].

Australian Meat and Live-stock Industry Act—Order—2005 Australian Meat and Live-stock Industry (Sheepmeat and goatmeat export to the European Union—Quota year 2006) [F2005L03341].

Civil Aviation Act—

Civil Aviation Regulations—Instruments—2005 Nos CASA 404, CASA 456 [F2005L03432], [F2005L03462].

Civil Aviation Safety Regulations—Airworthiness Directives—Part 39-105—2005—4 November [F2005L03435].

7 (2) November [F2005L03459], [F2005L03460].

Customs Act—Tariff Concession Orders—2005 28 (8) October [F2005L03438], [F2005L03439], [F2005L03440], [F2005L03441], [F2005L03442], [F2005L03443], [F2005L03444], [F2005L03445].

Environment Protection and Biodiversity Conservation Act—Instrument under section 269A—21 October 2005 [F2005L03453].

Financial Management and Accountability Act—Net appropriation agreement variations under subsection 31 (4)—2005 28 (2) October [F2005L03366], [F2005L03367].

Therapeutic Goods Act—Notice—2005 Therapeutic Goods (Listing) (No.6) [F2005L03451].

ATTENDANCE

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

* On leave

I. C. HARRIS
Clerk of the House of Representatives

2004-05

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 70

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 10 NOVEMBER 2005

1 The Main Committee met at 9.30 a.m.

2 MEMBERS' STATEMENTS

Members' statements being made—

Suspension of sitting

At 9.34 a.m., a division having been called in the House, the proceedings were suspended.

Resumption of sitting

At 9.51 a.m., the proceedings were resumed.

Members' statements continued.

3 TAX LAWS AMENDMENT (SUPERANNUATION CONTRIBUTIONS SPLITTING) 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 Ms Hall 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:

- (1) notes that this legislation is yet another example of piecemeal and ad hoc reform to our taxation and superannuation system; and
- (2) calls on the Government to initiate fundamental reform of our superannuation system that deals with major issues such as:
 - (a) improving the incentive to save by reducing the tax burden on superannuation contributions particularly for middle income Australians who miss out on the co-contribution and surcharge tax abolition;
 - (b) lifting the compensation and coverage for fund members whose savings are lost as a result of theft and fraud and/or non-payment of entitlements;
 - (c) funding and consolidating the more than 5.4 million lost accounts containing \$8.2 billion; and
 - (d) reducing the costly new paperwork, red tape burden and so-called choice on the financial services industry and employers”.

Debate continued.

Amendment negatived.

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

Consideration in detail

Bill, by leave, taken as a whole.

Consideration in detail concluded.

Leave granted for the question on the report to be put immediately.

Question—That the bill be reported to the House without amendment—put and passed.

4 MIGRATION AND OMBUDSMAN LEGISLATION AMENDMENT 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 A. S. Burke, 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) notes that, for the bill to be effective in delivering more humane treatment of detainees, it is essential that the culture within the Department of Immigration, Multicultural and Indigenous Affairs needs to change;
- (2) recognises that the independent reports produced by Mr Mick Palmer AO APM and by the Commonwealth Ombudsman, Prof. John McMillan, of an inquiry undertaken by Mr Neil Comrie AO APM, each conclude that the cultural problems became entrenched in the years leading up to 2001;
- (3) condemns the refusal by the then Minister for Immigration and current Attorney-General to take responsibility for that culture;
- (4) condemns the refusal by the current Minister for Immigration to take responsibility for the continuation of that culture;
- (5) agrees with the finding of Mr Palmer’s report that “Reform must come from the top” and therefore calls on the Prime Minister to dismiss the Attorney-General and the Minister for Immigration;
- (6) calls on the Government to take action to terminate the contracts which outsource the management of detention centres to Global Solutions Ltd; and
- (7) calls on the Government to return the management of detention centres to the Commonwealth and locate all detention centres on Commonwealth Territory”—

Debate resumed.

Suspension of sitting

At 10.49 a.m., a division having been called in the House, the proceedings were suspended.

Resumption of sitting

At 11.35 a.m., the proceedings were resumed.

Debate continued.

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

5 ADJOURNMENT

Mrs Gash moved—That the Main Committee do now adjourn.

Debate ensued.

Document

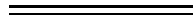
Mr M. D. Ferguson, by leave, presented the following document:

Woodheaters in Launceston—Impacts on air quality—Copy of a study funded by the Natural Heritage Trust and undertaken by CSIRO Atmospheric Research, September 2005.

Debate continued.

Question—put and passed.

At 1.03 p.m., the Deputy Speaker adjourned the Main Committee until 9.30 a.m. on Wednesday, 30 November 2005.



B. C. WRIGHT
Clerk of the Main Committee