

1998-1999-2000

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 109

WEDNESDAY, 10 MAY 2000



1 The House met, at 9.30 a.m., pursuant to adjournment. The Speaker (the Honourable Neil Andrew) took the Chair, and read Prayers.

2 **BROADCASTING SERVICES AMENDMENT (DIGITAL TELEVISION AND DATACASTING) BILL 2000**

Mr McGauran (Minister representing the Minister for Communications, Information Technology and the Arts), pursuant to notice, presented a Bill for an Act to amend the *Broadcasting Services Act 1992*, and for other purposes.

Bill read a first time.

Mr McGauran moved—That the Bill be now read a second time.

*Paper*

Mr McGauran presented an explanatory memorandum to the following Bills: Broadcasting Services Amendment (Digital Television and Datacasting) 2000; and

Datacasting Charge (Imposition) Amendment 2000.

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

3 **DATACASTING CHARGE (IMPOSITION) AMENDMENT BILL 2000**

Mr McGauran (Minister representing the Minister for Communications, Information Technology and the Arts) presented a Bill for an Act to amend the *Datacasting Charge (Imposition) Act 1998*, and for related purposes.

Bill read a first time.

Mr McGauran moved—That the Bill be now read a second time.

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

4 **TELECOMMUNICATIONS (CONSUMER PROTECTION AND SERVICE STANDARDS) AMENDMENT BILL (NO. 1) 2000**

Mr McGauran (Minister representing the Minister for Communications, Information Technology and the Arts), pursuant to notice, presented a Bill for

an Act to amend the *Telecommunications (Consumer Protection and Service Standards) Act 1999*, and for related purposes.

Bill read a first time.

Mr McGauran moved—That the Bill be now read a second time.

*Paper*

Mr McGauran presented an explanatory memorandum to the Bill.

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

#### **5 FINANCIAL MANAGEMENT AND ACCOUNTABILITY AMENDMENT BILL 2000**

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), for Mr Fahey (Minister for Finance and Administration), pursuant to notice, presented a Bill for an Act to amend the *Financial Management and Accountability Act 1997*, and for related purposes.

Bill read a first time.

Mr Slipper moved—That the Bill be now read a second time.

*Paper*

Mr Slipper presented an explanatory memorandum to the Bill.

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

#### **6 YOUTH ALLOWANCE CONSOLIDATION BILL 1999—SENATE'S REQUESTS**

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

Debate resumed on the motion moved by Mr Anthony (Minister for Community Services), viz.—That requested amendment No. 2 be not made (*see item No. 27, 6 April 2000, page 1383*).

Debate ensued.

Question—put and passed.

#### **7 FUEL SALES GRANTS BILL 2000**

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 K. J. Thomson 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 worsening the city/country fuel price differential by imposing a GST; and imposing a costly, complex, and uncertain new layer of compliance burden on fuel retailers”.

Debate continued.

It being 2 p.m., the debate was interrupted in accordance with standing order 101A, and the resumption of the debate made an order of the day for a later hour this day.

**8 JOINT SITTING OF THE VICTORIAN PARLIAMENT—STATEMENT BY SPEAKER**

The Speaker made a statement concerning today's joint sitting of both Houses of the Victorian Parliament at which it was agreed unanimously to invite both Houses of the Commonwealth Parliament to return to Melbourne on 9 and 10 May 2001 to commemorate and celebrate the centenary of the first meeting and sitting of the Commonwealth Parliament.

**9 MINISTERIAL ARRANGEMENTS**

Mr Howard (Prime Minister) informed the House that, during the absence of Mr Fahey (Minister for Finance and Administration), Mr Costello (Treasurer) would answer questions on his behalf.

**10 QUESTIONS**

Questions without notice were asked.

**11 PAPER**

Mr Crean (Deputy Leader of the Opposition), by leave, presented the following paper:

Australian Industrial Registry (New Directions) Agreement 2000—Agreement A3998.

**12 AUDITOR-GENERAL'S REPORT**

The Speaker presented the following paper:

Auditor-General—Audit report No. 42 of 1999-2000—Performance audit—Magnetic Resonance Imaging services: Effectiveness and probity of the policy development processes and implementation.

Mr Reith (Leader of the House) moved—That the report be printed.

Debate ensued.

Question—put and passed.

**13 PAPERS**

The following papers were presented:

Australian Competition and Consumer Commission—Reports—

Telecommunications charges in Australia 1995-99.

Telecommunications competitive safeguards 1998-99.

Department of Communications, Information Technology and the Arts—Digital television reviews—

Volume 1—Reports on the reviews.

Volume 2—Discussion papers.

Volume 3—Convergence review.

**14 SUSPENSION OF STANDING ORDER 48A**

Mr Reith (Leader of the House), by leave, moved—That standing order 48A (adjournment and next meeting) be suspended for the sitting on Thursday, 11 May 2000.

Question—put and passed.

**15 PARLIAMENTARY SECRETARIES—STATEMENT BY SPEAKER**

The Speaker made a statement in response to a question asked of him on 13 April 2000 by Mr Kerr concerning the status of Parliamentary Secretaries following the commencement of the *Ministers of State and Other Legislation Amendment Act 2000*.

**16 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—BUDGET**

The House was informed that Mr Crean (Deputy Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The failure of the Government’s Budget to deliver a believable surplus, low inflation, reduced wage pressures and lasting income tax cuts and therefore take pressure off Australian families”.

The proposed discussion having received the necessary support—

Mr Crean addressed the House.

Discussion ensued.

Discussion concluded.

**17 SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED**

Ms Macklin moved—That so much of the standing and sessional orders be suspended as would prevent the Shadow Minister for Health moving forthwith—That the Minister for Health and Aged Care immediately attend the House and explain why in light of the conclusions brought down this afternoon by the Auditor-General of the Commonwealth, he should not resign immediately.

*Closure of Member*

Ms Worth (Parliamentary Secretary to the Minister for Education, Training and Youth Affairs) moved—That the Member be not further heard.

Question—put.

The House divided (the Speaker, Mr J. N. Andrew, in the Chair)—

## AYES, 72

Mr Anderson	Mr Fischer	Mr Lloyd	Mr Scott
Mr K. J. Andrews	Mr Forrest*	Mr McArthur*	Mr Secker
Mr Anthony	Mrs Gallus	Mr I. E. Macfarlane	Mr Slipper
Fran Bailey	Ms Gambaro	Mr McGauran	Mr Somlyay
Mr Baird	Mrs Gash	Mrs May	Dr Southcott
Mr Barresi	Mr Georgiou	Mr Moore	Dr Stone
Mr Bartlett	Mr Haase	Mrs Moylan	Mrs Sullivan
Mr Billson	Mr Hardgrave	Mr Nairn	Mr C. P. Thompson
Mrs B. K. Bishop	Mr Hawker	Mr Nehl	Mr A. P. Thomson
Ms J. I. Bishop	Mr Howard	Dr Nelson	Mr Truss
Mr Brough	Mrs Hull	Mr Neville	Mr Tuckey
Mr Cadman	Mr Jull	Mr Nugent	Mr M. A. J. Vaile
Mr Causley	Mr Katter	Mr Prosser	Mrs D. S. Vale
Mr Charles	Mrs D. M. Kelly	Mr Pyne	Mr Wakelin
Mr Downer	Jackie Kelly	Mr Reith	Dr Washer
Mrs Draper	Mr Lawler	Mr Ronaldson	Mr Williams
Mrs Elson	Mr Lieberman	Mr Ruddock	Dr Wooldridge
Mr Entsch	Mr Lindsay	Mr St Clair	Ms Worth

## NOES, 63

Mr Adams	Mr M. J. Ferguson	Mr Lee	Mr Price
Mr Albanese	Mr Fitzgibbon	Ms Livermore	Mr Quick
Mr Andren	Ms Gerick	Mr McClelland	Mr Ripoll
Mr Beazley	Mr Gibbons	Ms J. S. McFarlane	Ms Roxon
Mr Bevis	Ms Gillard	Ms Macklin	Mr Rudd
Mr Breton	Mr Griffin	Mr McLeay	Mr Sawford*
Ms Burke	Mr Hatton	Mr McMullan	Mr Sciacca
Mr Byrne	Ms Hoare	Mr Martin	Mr Sercombe*
Mr Cox	Mr Hollis	Mr Melham	Mr Sidebottom
Mr Crean	Mr Horne	Mr Morris	Mr Smith
Mr Danby	Mrs Irwin	Mr Mossfield	Mr Snowdon
Mr Edwards	Mr Jenkins	Mr Murphy	Mr Swan
Ms Ellis	Ms Kernot	Ms O'Byrne	Mr K. J. Thomson
Mr Emerson	Mr Kerr	Mr O'Connor	Mr Wilkie
Mr M. J. Evans	Mr Latham	Mr O'Keefe	Mr Zahra
Mr L. D. T. Ferguson	Dr Lawrence	Ms Plibersek	

\* Tellers

*Pairs*

Mr Fahey	Ms Hall
Mr Schultz	Mrs Crosio

And so it was resolved in the affirmative.

Mr Beazley (Leader of the Opposition) (seconder) addressing the House—

*Closure of Member*

Mr Reith (Leader of the House) moved—That the Member be not further heard.

Question—put.

The House divided (the Speaker, Mr J. N. Andrew, in the Chair)—

AYES, 71

Mr Anderson	Mr Fischer	Mr Lloyd	Mr Scott
Mr K. J. Andrews	Mr Forrest*	Mr McArthur*	Mr Secker
Mr Anthony	Mrs Gallus	Mr I. E. Macfarlane	Mr Slipper
Fran Bailey	Ms Gambaro	Mr McGauran	Mr Somlyay
Mr Baird	Mrs Gash	Mrs May	Dr Southcott
Mr Barresi	Mr Georgiou	Mr Moore	Dr Stone
Mr Bartlett	Mr Haase	Mrs Moylan	Mrs Sullivan
Mr Billson	Mr Hardgrave	Mr Nairn	Mr C. P. Thompson
Mrs B. K. Bishop	Mr Hawker	Mr Nehl	Mr A. P. Thomson
Ms J. I. Bishop	Mr Howard	Dr Nelson	Mr Truss
Mr Brough	Mrs Hull	Mr Neville	Mr Tuckey
Mr Cadman	Mr Jull	Mr Nugent	Mr M. A. J. Vaile
Mr Causley	Mr Katter	Mr Prosser	Mrs D. S. Vale
Mr Charles	Mrs D. M. Kelly	Mr Pyne	Mr Wakelin
Mr Downer	Jackie Kelly	Mr Reith	Dr Washer
Mrs Draper	Mr Lawler	Mr Ronaldson	Mr Williams
Mrs Elson	Mr Lieberman	Mr Ruddock	Ms Worth
Mr Entsch	Mr Lindsay	Mr St Clair	

NOES, 62

Mr Adams	Mr Fitzgibbon	Ms Livermore	Mr Quick
Mr Albanese	Ms Gerick	Mr McClelland	Mr Ripoll
Mr Beazley	Mr Gibbons	Ms J. S. McFarlane	Ms Roxon
Mr Bevis	Ms Gillard	Ms Macklin	Mr Rudd
Mr Brereton	Mr Griffin	Mr McLeay	Mr Sawford*
Ms Burke	Mr Hatton	Mr McMullan	Mr Sciacca
Mr Byrne	Ms Hoare	Mr Martin	Mr Sercombe*
Mr Cox	Mr Hollis	Mr Melham	Mr Sidebottom
Mr Crean	Mr Horne	Mr Morris	Mr Smith
Mr Danby	Mrs Irwin	Mr Mossfield	Mr Snowdon
Mr Edwards	Mr Jenkins	Mr Murphy	Mr Swan
Ms Ellis	Ms Kernot	Ms O'Byrne	Mr K. J. Thomson
Mr Emerson	Mr Kerr	Mr O'Connor	Mr Wilkie
Mr M. J. Evans	Mr Latham	Mr O'Keefe	Mr Zahra
Mr L. D. T. Ferguson	Dr Lawrence	Ms Plibersek	
Mr M. J. Ferguson	Mr Lee	Mr Price	

\* Tellers

*Pairs*

Mr Fahey	Ms Hall
Mr Schultz	Mrs Crosio

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 J. N. Andrew, in the Chair)—

## AYES, 61

Mr Adams	Mr Fitzgibbon	Ms Livermore	Mr Ripoll
Mr Albanese	Ms Gerick	Mr McClelland	Ms Roxon
Mr Beazley	Mr Gibbons	Ms J. S. McFarlane	Mr Rudd
Mr Bevis	Ms Gillard	Mr McLeay	Mr Sawford*
Mr Brereton	Mr Griffin	Mr McMullan	Mr Sciacca
Ms Burke	Mr Hatton	Mr Martin	Mr Sercombe*
Mr Byrne	Ms Hoare	Mr Melham	Mr Sidebottom
Mr Cox	Mr Hollis	Mr Morris	Mr Smith
Mr Crean	Mr Horne	Mr Mossfield	Mr Snowdon
Mr Danby	Mrs Irwin	Mr Murphy	Mr Swan
Mr Edwards	Mr Jenkins	Ms O'Byrne	Mr K. J. Thomson
Ms Ellis	Ms Kernot	Mr O'Connor	Mr Wilkie
Mr Emerson	Mr Kerr	Mr O'Keefe	Mr Zahra
Mr M. J. Evans	Mr Latham	Ms Plibersek	
Mr L. D. T. Ferguson	Dr Lawrence	Mr Price	
Mr M. J. Ferguson	Mr Lee	Mr Quick	

## NOES, 72

Mr Anderson	Mr Entsch	Mr Lindsay	Mr St Clair
Mr K. J. Andrews	Mr Fischer	Mr Lloyd	Mr Scott
Mr Anthony	Mr Forrest*	Mr McArthur*	Mr Secker
Fran Bailey	Mrs Gallus	Mr I. E. Macfarlane	Mr Slipper
Mr Baird	Ms Gambaro	Mr McGauran	Mr Somlyay
Mr Barresi	Mrs Gash	Mrs May	Dr Southcott
Mr Bartlett	Mr Georgiou	Mr Moore	Dr Stone
Mr Billson	Mr Haase	Mrs Moylan	Mrs Sullivan
Mrs B. K. Bishop	Mr Hardgrave	Mr Nairn	Mr C. P. Thompson
Ms J. I. Bishop	Mr Hawker	Mr Nehl	Mr A. P. Thomson
Mr Brough	Mr Howard	Dr Nelson	Mr Truss
Mr Cadman	Mrs Hull	Mr Neville	Mr Tuckey
Mr Cameron	Mr Jull	Mr Nugent	Mr M. A. J. Vaile
Mr Causley	Mr Katter	Mr Prosser	Mrs D. S. Vale
Mr Charles	Mrs D. M. Kelly	Mr Pyne	Mr Wakelin
Mr Downer	Jackie Kelly	Mr Reith	Dr Washer
Mrs Draper	Mr Lawler	Mr Ronaldson	Mr Williams
Mr Elson	Mr Lieberman	Mr Ruddock	Ms Worth

\* Tellers

*Pairs*

Mr Fahey	Ms Hall
Mr Schultz	Mrs Crosio

And so it was negatived.

**18 PUBLIC ACCOUNTS AND AUDIT—JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS**

Mr Charles (Chair) presented the following paper:

Public Accounts and Audit—Joint Committee—Report 375—Annual report 1998-99, April 2000.

Ordered to be printed.

Mr Charles and Mr Cox, by leave, made statements in connection with the report.

**19 PUBLIC ACCOUNTS AND AUDIT—JOINT COMMITTEE—EXECUTIVE MINUTES—STATEMENT BY MEMBER**

Mr Charles (Chair), by leave, presented the following papers:

Public Accounts and Audit—Joint Committee—Executive minutes on—  
Report 366—Review of Auditor-General's reports 1997-98: second quarter.

Report 367—Review of Auditor-General's reports 1997-98: third quarter.

Report 368—Review of audit report No. 34 1997-98—New Submarine Project: Department of Defence.

Report 369—Australian Government procurement.

Report 371—Review of Auditor-General's reports 1998-99: first half.

Mr Charles, by leave, made a statement in connection with the minutes.

**20 MESSAGES FROM THE SENATE**

Messages from the Senate were reported:

- (a) acquainting the House that Senator Sandy Macdonald had been appointed a member of the Joint Standing Committee on Foreign Affairs, Defence and Trade—9 May 2000—Message No. 369;
- (b) acquainting the House that the Senate had agreed to a resolution approving the proposal by the National Capital Authority to refurbish the south-west wing of Old Parliament House—10 May 2000—Message No. 370; and
- (c) returning the A New Tax System (Medicare Levy Surcharge—Fringe Benefits) Amendment Bill 2000 without amendment—10 May 2000—Message No. 371.

**21 MESSAGE FROM THE SENATE—A NEW TAX SYSTEM (FRINGE BENEFITS) BILL 2000**

A message from the Senate was reported returning the following Bill with requests for amendments:

10 May 2000—Message No. 372—A New Tax System (Fringe Benefits) 2000.

Ordered—That the amendments requested by the Senate be considered at a later hour this day.



**22 FUEL SALES GRANTS BILL 2000**

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 K. J. Thomson, 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 worsening the city/country fuel price differential by imposing a GST; and imposing a costly, complex, and uncertain new layer of compliance burden on fuel retailers”—

Debate resumed.

Amendment negatived.

Question—That the Bill be now read a second time—put and passed—Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the Bill was read a third time.

**23 PRODUCT GRANTS AND BENEFITS ADMINISTRATION BILL 2000**

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. 195, 12 April 2000, 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 forthwith.

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the Bill was read a third time.

**24 FUEL SALES GRANTS (CONSEQUENTIAL AMENDMENTS) BILL 2000**

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.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the Bill was read a third time.

**25 MESSAGE FROM THE SENATE**

Message No. 373, 10 May 2000, from the Senate was reported returning the Jurisdiction of Courts Legislation Amendment Bill 2000 and acquainting the House that the Senate agrees to the amendments made by the House to Senate amendments Nos 2, 4 and 7.

**26 ADJOURNMENT**

It being 7.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 8 p.m.—The Speaker adjourned the House until tomorrow at 9.30 a.m.

**PAPERS**

The following papers were deemed to have been presented on 10 May 2000:

Civil Aviation Act—Civil Aviation Regulations—Instruments—2000—Nos CASA 110, CASA 176, CASA 177, CASA 178, CASA 179, CASA 180, CASA 181, CASA 182, CASA 183.

Defence Act—Determinations under section 58B 2000 No. 9.

Taxation Administration Act—Rulings—2000—Nos GSTR 10, MT 1, PR 51, PR 52, PR 53, PR 54, TD 19, TD 20, TD 21, TD 22.

**ATTENDANCE**

All Members attended (at some time during the sitting) except Mrs Crosio, Mr Fahey, Mr Schultz and Dr Theophanous.



**I. C. HARRIS**

Clerk of the House of Representatives