

1998-1999-2000

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 125

WEDNESDAY, 28 JUNE 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 AGRICULTURE, FISHERIES AND FORESTRY LEGISLATION AMENDMENT BILL (NO. 1) 2000

Mr Truss (Minister for Agriculture, Fisheries and Forestry), pursuant to notice, presented a Bill for an Act to amend legislation relating to agriculture, fisheries and forestry, and for related purposes.

Bill read a first time.

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

Paper

Mr Truss presented an explanatory memorandum to the Bill.

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

3 PROTECTION OF THE SEA (CIVIL LIABILITY) AMENDMENT BILL 2000

Mr Truss (Minister for Agriculture, Fisheries and Forestry), for Mr Anderson (Minister for Transport and Regional Services), pursuant to notice, presented a Bill for an Act to amend the law relating to civil liability for pollution damage, and for related purposes.

Bill read a first time.

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

Paper

Mr Truss presented an explanatory memorandum to the Bill.

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

4 TRADE PRACTICES AMENDMENT (INTERNATIONAL LINER CARGO SHIPPING) BILL 2000

Mr Truss (Minister for Agriculture, Fisheries and Forestry), for Mr Anderson (Minister for Transport and Regional Services), pursuant to notice, presented a Bill for an Act to amend the *Trade Practices Act 1974*, and for other purposes.

Bill read a first time.

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

Paper

Mr Truss presented an explanatory memorandum to the Bill.

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

5 POSTPONEMENT OF NOTICES

Ordered—That notices Nos 4 to 7, government business, be postponed until a later hour this day.

6 COAL INDUSTRY REPEAL BILL 2000

Mr Entsch (Parliamentary Secretary to the Minister for Industry, Science and Resources), pursuant to notice, presented a Bill for an Act to repeal the *Coal Industry Act 1946*, and for related purposes.

Bill read a first time.

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

Paper

Mr Entsch presented an explanatory memorandum to the Bill.

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

7 TRADE MARKS AMENDMENT (MADRID PROTOCOL) BILL 2000

Mr Entsch (Parliamentary Secretary to the Minister for Industry, Science and Resources), pursuant to notice, presented a Bill for an Act to amend the *Trade Marks Act 1995*, and for related purposes.

Bill read a first time.

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

Paper

Mr Entsch presented an explanatory memorandum to the Bill.

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

8 WORKPLACE RELATIONS AMENDMENT (AUSTRALIAN WORKPLACE AGREEMENTS PROCEDURES) BILL 2000

Mr Reith (Minister for Employment, Workplace Relations and Small Business), pursuant to notice, presented a Bill for an act to amend the *Workplace Relations*

Act 1996 in relation to procedures for Australian Workplace Agreements, and for related purposes.

Bill read a first time.

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

Paper

Mr Reith presented an explanatory memorandum to the Bill.

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

9 ADMINISTRATIVE REVIEW TRIBUNAL BILL 2000

Mr Williams (Attorney-General), pursuant to notice, presented a Bill for an Act to establish an Administrative Review Tribunal, and for other purposes.

Bill read a first time.

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

Paper

Mr Williams presented an explanatory memorandum to the Bill.

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

10 CRIMINAL CODE AMENDMENT (UNITED NATIONS AND ASSOCIATED PERSONNEL) BILL 2000

Mr Williams (Attorney-General), pursuant to notice, presented a Bill for an Act to protect United Nations and associated personnel, and for related purposes.

Bill read a first time.

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

Paper

Mr Williams presented an explanatory memorandum to the Bill.

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

11 INDIGENOUS EDUCATION (TARGETED ASSISTANCE) BILL 2000

Dr Kemp (Minister for Education, Training and Youth Affairs), pursuant to notice, presented a Bill for an Act to provide targeted financial assistance to advance the education of Indigenous persons, and for related purposes.

Bill read a first time.

Dr Kemp moved—That the Bill be now read a second time.

Paper

Dr Kemp presented an explanatory memorandum to the Bill.

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

**12 DEFENCE LEGISLATION AMENDMENT (AID TO CIVILIAN AUTHORITIES)
BILL 2000**

Dr Stone (Parliamentary Secretary to the Minister for the Environment and Heritage), pursuant to notice, presented a Bill for an Act to amend the *Defence Act 1903*, and for related purposes.

Bill read a first time.

Dr Stone moved—That the Bill be now read a second time.

Paper

Dr Stone presented an explanatory memorandum to the Bill.

Debate, by leave, ensued.

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

Leave granted for third reading to be moved forthwith.

On the motion of Dr Stone, the Bill was read a third time.

**13 MESSAGE FROM THE SENATE—YOUTH ALLOWANCE CONSOLIDATION
BILL 1999**

Message No. 408, 27 June 2000, from the Senate was reported returning the Youth Allowance Consolidation Bill 1999 and acquainting the House that the Senate had agreed to the bill as amended by the House at the request of the Senate, with the amendments indicated by the annexed schedule.

Ordered—That the amendments be considered forthwith.

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the amendments were agreed to, after debate.

**14 MESSAGE FROM THE SENATE—SOCIAL SECURITY AND VETERANS'
ENTITLEMENTS LEGISLATION AMENDMENT (MISCELLANEOUS MATTERS)
BILL 2000**

Message No. 410, 27 June 2000, from the Senate was reported returning the Social Security and Veterans' Entitlements Legislation Amendment (Miscellaneous Matters) Bill 2000 and acquainting the House that the Senate did not press its request for an amendment which the House had not made and further requested the House to amend the Bill as indicated by schedule C annexed.

Ordered—That the further requested amendment be considered forthwith.

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the further requested amendment was not made, after debate.

15 POSTPONEMENT OF BUSINESS

Ordered—That business intervening before order of the day No. 32, government business, be postponed until a later hour this day.

16 MESSAGE FROM THE GOVERNOR-GENERAL—INDIRECT TAX LEGISLATION AMENDMENT BILL 2000

Message No. 211, 20 June 2000, from His Excellency the Governor-General was announced recommending an appropriation for the purpose of amendments of a Bill for an Act to implement A New Tax System by amending legislation relating to indirect tax, and by amending other legislation consequential on indirect tax reform, and for related purposes.

17 INDIRECT TAX LEGISLATION AMENDMENT BILL 2000—SENATE'S REQUESTS

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

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the requested amendments were made.

18 MESSAGE FROM THE SENATE

A message from the Senate was reported returning the following Bill without amendment:

27 June 2000—Message No. 409—Diesel and Alternative Fuels Grants Scheme Amendment 2000.

19 COMPENSATION MEASURES LEGISLATION AMENDMENT (RENT ASSISTANCE INCREASE) 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 Swan 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 discriminating against caravan park, mobile home and boarding house renters by singling them out to pay upfront GST on their rents when it had promised prior to the last election that all rent would be GST free and again calls on the Government to honour its pre-election commitment and exempt such renters from the GST”.

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.

20 QUESTIONS

Questions without notice being asked—

Prime Minister—Motion of censure

Mr Beazley (Leader of the Opposition), by leave, moved—That this House censures the Prime Minister for:

- (1) deceiving the Australian community on tax – most recently exposed in relation to the impact of the GST on petrol prices;
- (2) imposing a tax system on the Australian community from next Saturday which will result in higher prices, less compensation and more complexity than he promised at the 1998 election, and whose adverse impacts will be felt in the days, weeks and months to come; and
- (3) wasting the opportunity, because of his personal obsession with the introduction of an old-fashioned tax, to help build the knowledge nation Australia requires for the new century.

Debate ensued.

Closure

Mr Ronaldson (Chief Government Whip) moved—That the question be now put.

Question—That the question be now put—put and passed.

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

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

AYES, 61

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

NOES, 75

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

* Tellers

Pairs

Mr Costello	Ms O'Byrne
Mr M. A. J. Vaile	Ms Macklin

And so it was negatived.

Questions without notice concluded.

21 DEFENCE LEGISLATION AMENDMENT (FLEXIBLE CAREER PRACTICES) BILL 2000—REPORT FROM MAIN COMMITTEE

The 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 Mr Reith (Leader of the House), by leave, the Bill was read a third time.

22 PAPERS

The following papers were presented:

Australia and the Asian Development Bank—Report for 1998-99.

Australia and the IMF—Report for 1998-99.

Australia and the World Bank—Report for 1998-99.

Committee reports—Government responses to parliamentary committee reports—Response to the schedule tabled by the Speaker of the House of Representatives on 8 December 1999, 28 June 2000.

Department of Agriculture, Fisheries and Forestry—Report of the Black and Blue Marlin Working Group—Assessment of the black marlin and blue marlin in the Australian fishing zone, June 2000.

Economics, Finance and Public Administration—House of Representatives Standing Committee—Review of the Reserve Bank of Australia Annual Report 1997-98—Government response.

Human Rights and Equal Opportunity Commission—Reports—Age Matters: a report on age discrimination, May 2000.

Recommendations—National Inquiry into Rural and Remote Education, May 2000.

Treaties—List of multilateral treaty action under negotiation or consideration by the Australian Government, or expected to be within the next twelve months, June 2000.

23 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENT BY MEMBER

Mr Brough (Parliamentary Secretary to the Minister for Employment, Workplace Relations and Small Business), by leave, presented the following paper:

Australian Parliamentary Delegation to the Kingdom of Cambodia and the 20th General Assembly of the ASEAN Inter-Parliamentary Organisation (AIPO), Manila, Philippines, September 1999—Report.

Mr Brough, by leave, made a statement in connection with the report.

24 NATIVE TITLE AND THE ABORIGINAL AND TORRES STRAIT ISLANDER LAND FUND—PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER

Mr Snowdon presented the following papers:

Native Title and the Aboriginal and Torres Strait Islander Land Fund—Parliamentary Joint Committee—16th report—CERD and the *Native Title Amendment Act 1988*—

Report, incorporating a dissenting report, June 2000.

Evidence received by the committee.

Ordered—That the report be printed.

Mr Snowdon, Mr Melham and Mr Ruddock (Minister Assisting the Prime Minister for Reconciliation), by leave, made statements in connection with the report.

Mr Snowdon, by leave, moved—That the House take note of the report.

Mr Snowdon 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.

25 COMPENSATION MEASURES LEGISLATION AMENDMENT (RENT ASSISTANCE INCREASE) 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 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 discriminating against caravan park, mobile home and boarding house renters by singling them out to pay upfront GST on their rents when it had promised prior to the last election that all rent would be GST free and again calls on the Government to honour its pre-election commitment and exempt such renters from the GST”—

Debate resumed.

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

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

AYES, 72

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

NOES, 61

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

* Tellers

Pairs

Mr Howard	Mr Beazley
Mr Costello	Ms O'Byrne
Mr M. A. J. Vaile	Mr Ripoll

And so it was resolved in the affirmative.

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. 212, 27 June 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 Anthony (Minister for Community Services), the Bill was read a third time.

26 MATTER REFERRED TO MAIN COMMITTEE

Mr Ronaldson (Chief Government Whip), by leave, moved—That the following order of the day, committee and delegation reports, be referred to the Main Committee for debate:

Family and Community Affairs—Standing Committee—Report on Indigenous health—Motion to take note of paper: Resumption of debate.

Question—put and passed.

27 COPYRIGHT AMENDMENT (DIGITAL AGENDA) BILL 1999

The order of the day having been read for the further consideration in detail of the Bill—

Bill, as a whole—

Mr McClelland, by leave, moved Opposition amendments (1) and (2) together.

Debate continued.

Amendments agreed to.

Mr McClelland, by leave, moved Opposition amendments (3) to (7) together.

Debate continued.

Amendments agreed to.

Mr McClelland moved Opposition amendment (8).

Debate continued.

Amendment negatived.

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), by leave, moved Government amendments (1) to (40) together.

Paper

Mr Slipper presented a supplementary explanatory memorandum to the Bill.

Debate continued.

Amendments agreed to.

Mr Slipper moved Government amendment (41).

Mr McClelland, by leave, moved Opposition amendments (1) to (3) to Government amendment (41).

Debate continued.

Question—That Opposition amendments (1) to (3) to Government amendment (41) be agreed to—put and passed.

Question—That Government amendment (41), as amended, be agreed to—put and passed.

Mr Slipper, by leave, moved Government amendments (42) to (102) together.

Mr McClelland moved Opposition amendment (4) to Government amendment (44).

Debate continued.

Question—That Opposition amendment (4) to Government amendment (44) be agreed to—put and passed.

Question—That Government amendments (42) to (102), as amended, be agreed to—put and passed.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Mr Slipper, by leave, the Bill was read a third time.

28 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 28 June 2000:

Defence Act—Defence Force Remuneration Tribunal—Determinations—2000 Nos 4, 5.

**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Costello, Ms O'Byrne, Mr Ripoll, Mr Schultz and Mr Wilkie.



I. C. HARRIS

Clerk of the House of Representatives

1998-1999-2000

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 125

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

WEDNESDAY, 28 JUNE 2000

1 The Main Committee met at 9.40 a.m.

2 MEMBERS' STATEMENTS

Members' statements were made.

3 DEFENCE LEGISLATION AMENDMENT (FLEXIBLE CAREER PRACTICES) 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.

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

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

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

4 ROAD AND RAIL—GOVERNMENT RESPONSES TO REPORTS—MOTION TO TAKE NOTE OF PAPER

The order of the day having been read for the resumption of the debate on the motion of Mr Reith (Leader of the House)—That the House take note of the paper (*presented on 13 April 2000*), viz.:

Road and Rail—Reports—Communications, Transport and Microeconomic Reform—House of Representatives Standing Committee—Planning not Patching, and Tracking Australia; Rail Projects Taskforce—Revitalising Rail; Productivity Commission—Progress in Rail Reform—Government response, April 2000—

Debate resumed.

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

5 ADJOURNMENT

On the motion of Mr McArthur, the Main Committee adjourned at 11.53 a.m.
The Deputy Speaker fixed tomorrow at 9.40 a.m. for the next meeting of the Main Committee.



B. C. WRIGHT
Clerk of the Main Committee