1998-1999-2000-2001

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 185

THURSDAY, 24 MAY 2001

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 EXPORT MARKET DEVELOPMENT GRANTS AMENDMENT BILL 2001

Mr M. A. J. Vaile (Minister for Trade), pursuant to notice, presented a Bill for an Act to amend the *Export Market Development Grants Act 1997*, and for related purposes.

Bill read a first time.

Mr M. A. J. Vaile moved—That the Bill be now read a second time.

Paper

Mr M. A. J. Vaile presented an explanatory memorandum to the Bill.

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

3 DAIRY PRODUCE LEGISLATION AMENDMENT (SUPPLEMENTARY ASSISTANCE) BILL 2001

Mr Truss (Minister for Agriculture, Fisheries and Forestry), pursuant to notice, presented a Bill for an Act to amend the *Dairy Produce Act 1986*, 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 McClelland), and the resumption of the debate made an order of the day for the next sitting.

4 FAMILY AND COMMUNITY SERVICES LEGISLATION (SIMPLIFICATION AND OTHER MEASURES) BILL 2001

Mr Anthony (Minister representing the Minister for Family and Community Services), pursuant to notice, presented a Bill for an Act to amend the social security law and the family assistance law, and for other purposes.

Bill read a first time.

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

Paper

Mr Anthony presented an explanatory memorandum to the Bill.

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

5 CORPORATIONS (FEES) BILL 2001

Mr Anthony (Minister for Community Services) presented a Bill for an Act to impose, as taxes, fees for things done under the *Corporations Act 2001*, and for related matters.

Bill read a first time.

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

Paper

Mr Anthony presented an explanatory memorandum to the Bill.

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

6 CORPORATIONS (FUTURES ORGANISATIONS LEVIES) BILL 2001

Mr Anthony (Minister for Community Services) presented a Bill for an Act to impose levies in respect of futures organisation fidelity funds, and for related matters.

Bill read a first time.

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

Paper

Mr Anthony presented an explanatory memorandum to the Bill.

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

7 CORPORATIONS (NATIONAL GUARANTEE FUND LEVIES) BILL 2001

Mr Anthony (Minister for Community Services) presented a Bill for an Act to impose levies in respect of the National Guarantee Fund, and for related purposes.

Bill read a first time.

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

Paper

Mr Anthony presented an explanatory memorandum to the Bill.

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

8 CORPORATIONS (SECURITIES EXCHANGES LEVIES) BILL 2001

Mr Anthony (Minister for Community Services) presented a Bill for an Act to impose levies in respect of securities exchange fidelity funds, and for related matters.

Bill read a first time.

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

Paper

Mr Anthony presented an explanatory memorandum to the Bill.

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

9 CORPORATIONS (REPEALS, CONSEQUENTIALS AND TRANSITIONALS) BILL 2001

Mr Anthony (Minister for Community Services), for Mr Hockey (Minister for Financial Services and Regulation), pursuant to notice, presented a Bill for an Act to deal with matters consequential on the enactment of the *Corporations Act 2001* and the *Australian Securities and Investments Commission Act 2001*, and for related purposes.

Bill read a first time.

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

Paper

Mr Anthony presented an explanatory memorandum to the Bill.

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

10 PATENTS AMENDMENT BILL 2001

Mr Entsch (Parliamentary Secretary to the Minister for Industry, Science and Resources), pursuant to notice, presented a Bill for an Act to amend the *Patents Act 1990*, 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 McClelland), and the resumption of the debate made an order of the day for the next sitting.

11 EXCISE TARIFF AMENDMENT BILL (NO. 2) 2001

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) presented a Bill for an Act to amend the *Excise Tariff Act 1921*, and for related purposes.

Bill read a first time.

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

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

12 CUSTOMS TARIFF AMENDMENT BILL (NO. 3) 2001

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) presented a Bill for an Act to amend the *Customs Tariff Act* 1995, 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 this Bill and to the Excise Tariff Amendment Bill (No. 2) 2001.

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

13 PASSENGER MOVEMENT CHARGE AMENDMENT BILL 2001

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) presented a Bill for an Act to amend the *Passenger Movement Charge Act 1978*, 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 McClelland), and the resumption of the debate made an order of the day for the next sitting.

14 NEW BUSINESS TAX SYSTEM (CAPITAL ALLOWANCES) BILL 2001

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) presented a Bill for an Act to implement the New Business Tax System by amending the law relating to taxation, and for related purposes.

Bill read a first time.

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

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

15 NEW BUSINESS TAX SYSTEM (CAPITAL ALLOWANCES—TRANSITIONAL AND CONSEQUENTIAL) BILL 2001

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) presented a Bill for an Act to implement the New Business Tax System by amending the law relating to taxation, 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 this Bill and to the New Business Tax System (Capital Allowances) Bill 2001.

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

16 FAMILY LAW LEGISLATION AMENDMENT (SUPERANNUATION) 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.

Consideration in detail

Bill, by leave, taken as a whole.

Paper

Mr Williams (Attorney-General) presented a supplementary explanatory memorandum to the Bill.

On the motion of Mr Williams, by leave, Government amendments (1) to (41) were made together.

Bill, as amended, agreed to.

Consideration in detail concluded.

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

17 HEALTH LEGISLATION AMENDMENT BILL (NO. 2) 2001

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.

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.

18 ASTON ELECTORAL DIVISION—ISSUE OF WRIT

The Speaker informed the House that it was his intention to issue a writ on Friday, 1 June 2001 for the election of a Member to serve for the electoral division of Aston, in the State of Victoria, in the place of Mr Peter Edward Nugent. The dates in connection with the election would be fixed as follows:

Close of rolls Friday, 8 June 2001.

Date of nominations Thursday, 14 June 2001.

Date of polling Saturday, 14 July 2001.

Return of writ...... On or before Sunday, 9 September 2001.

19 QUESTIONS

Questions without notice being asked—

Member ordered to withdraw

At 2.36 p.m. the Member for Reid (Mr L. D. T. Ferguson) was ordered, under standing order 304A, to withdraw from the House for one hour for continuing to interject after a warning had been given from the Chair, and he accordingly withdrew from the Chamber.

Questions without notice continuing-

Paper

Mr M. J. Evans, by leave, presented the following paper:

Staffing level—Extract from Budget Paper No. 1, 2001-02, page 10-28, Table A5—Estimates of average staffing level (ASL) of agencies in the Commonwealth general government sector, 2000-2002.

Questions without notice continuing-

Member ordered to withdraw

At 3.23 p.m. the Member for Paterson (Mr Horne) was ordered, under standing order 304A, to withdraw from the House for one hour for continuing to interject after a warning had been given from the Chair, and he accordingly withdrew from the Chamber.

Questions without notice continued.

20 AUDITOR-GENERAL'S REPORT

The Speaker presented the following paper:

Auditor-General—Audit report No. 38 of 2000-2001—Performance audit—The use of confidentiality provisions in Commonwealth contracts.

Ordered to be printed.

21 papers

The following papers were presented:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Report— Building Australia's trade and investment relationship with South America— Government response.

Treaties—Joint Standing Committee—32nd Report—Six treaties tabled on 7 March 2000—Government response.

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

Calls on the Prime Minister to repeal any legislation that would increase the role and power of the military in relation to civilians (Mr Reith, 145 petitioners).

Calls on the Government to review its procedures in relation to public income support and permission to work for certain people seeking political asylum (Mr Reith, 9 petitioners).

22 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 this sitting.

Question—put and passed.

23 SPECIAL ADJOURNMENT

Mr Reith (Leader of the House) moved—That the House, at its rising, adjourn until Monday, 4 June 2001, at 12.30 p.m., unless the Speaker fixes an alternative day or hour of meeting.

Question—put and passed.

24 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—INSURANCE INDUSTRY REGULATION

The House was informed that Mr K. J. Thomson had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The Government's handling of regulation of the insurance industry and the collapse of HIH, the largest insurance company collapse in Australia's history".

The proposed discussion having received the necessary support-

Mr K. J. Thomson addressed the House.

Discussion ensued.

Discussion concluded.

25 MESSAGE FROM THE SENATE—AUSTRALIA NEW ZEALAND FOOD AUTHORITY AMENDMENT BILL 2001

Message No. 602, 23 May 2001, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend the *Australia New Zealand Food Authority Act 1991*, and for other purposes.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting.

26 MESSAGE FROM THE SENATE—PRIME MINISTER AND CABINET LEGISLATION AMENDMENT (APPLICATION OF CRIMINAL CODE) BILL 2001

Message No. 611, 24 May 2001, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act relating to the application of the *Criminal Code* to certain offences, and for other purposes.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting.

27 MESSAGE FROM THE SENATE—AGRICULTURAL AND VETERINARY CHEMICALS LEGISLATION AMENDMENT BILL 2001

Message No. 613, 24 May 2001, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend legislation relating to agricultural and veterinary chemicals, and for related purposes.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting.

28 MESSAGES FROM THE SENATE

Messages from the Senate were reported:

- (a) 23 May 2001—transmitting resolutions agreed to by the Senate acquainting the House:
 - (i) that the time for the presentation of the report of the Parliamentary Joint Committee on Corporations and Securities on the provisions of the Corporate Code of Conduct Bill 2000 be extended to 21 June 2001—Message No. 603; and
 - (ii) that the time for the presentation of the report of the Joint Standing Committee on the National Capital and External Territories on the sale of the Christmas Island resort be extended to 9 August 2001— Message No. 605; and
- (b) returning the following Bills without amendment:

23 May 2001—No. 604—Sydney Airport Demand Management Amendment 2001.

24 May 2001—

No. 606—Compensation (Japanese Internment) 2001.

No. 607—Family and Community Services Legislation Amendment (One-off Payment to the Aged) 2001.

No. 608—Family and Community Services and Veterans' Affairs Legislation Amendment (Further Assistance for Older Australians) 2001.

No. 609—Taxation Laws Amendment (Changes for Senior Australians) 2001.

No. 612—Communications and the Arts Legislation Amendment 2000.

29 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—LAVARACK BARRACKS REDEVELOPMENT STAGE 3, TOWNSVILLE

Mr Slipper (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*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Lavarack Barracks redevelopment Stage 3, Townsville.

Debate ensued.

Question—put and passed.

30 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—RAAF BASE TOWNSVILLE REDEVELOPMENT STAGE 2, TOWNSVILLE

Mr Slipper (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*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for

consideration and report: RAAF Base Townsville redevelopment Stage 2, Townsville.

Debate ensued.

Question—put and passed.

31 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—REDEVELOPMENT OF RESIDENTIAL AREAS AT ROYAL MILITARY COLLEGE, DUNTROON, ACT

Mr Slipper (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*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Redevelopment of residential areas at Royal Military College, Duntroon, ACT.

Question—put and passed.

32 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—REDEVELOPMENT OF THE ARMY AVIATION CENTRE, OAKEY, QLD

Mr Slipper (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*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Redevelopment of the Army Aviation Centre, Oakey, Qld.

Debate ensued.

Question—put and passed.

33 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—DEFENCE INTELLIGENCE TRAINING CENTRE AT CANUNGRA, QLD

Mr Slipper (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*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Defence Intelligence Training Centre at Canungra, Qld.

Debate ensued.

Question—put and passed.

34 SITE FILLING, STABILISATION AND CONSTRUCTION OF INFRASTRUCTURE AT THE DEFENCE SITE AT ERMINGTON—APPROVAL OF WORK

Mr Slipper (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: Site filling, stabilisation and construction of infrastructure at the Defence site at Ermington, NSW.

Debate ensued.

Question—put and passed.

35 PUBLICATIONS COMMITTEE-26TH REPORT

Mr Lieberman (Chair) presented the following paper:

PUBLICATIONS COMMITTEE 26TH 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 5 April 2001, recommends that the following be printed:

Australian Law Reform Commission—Report No. 91—Review of the Marine Insurance Act 1909.

Australian Maritime College-Report for 2000.

Australian National Residue Survey Program-Report for 1999-2000.

Finance-Budget 2001-2002-

Australia's overseas aid program.

Investing in our natural and cultural heritage: The Commonwealth environmental expenditure.

Our path together.

Regional Australia: partners in growth.

Safeguarding our Rural Resources.

Women's budget statement.

Report on Committee activities

Included in the Publications Committee's 1997 report on the future of the Parliamentary Papers series was an undertaking to report regularly to the House in relation to agencies in default of their obligation to Parliament.

The Committee is pleased to report that at this time no agencies are in default of their Parliamentary Papers series obligations for the papers included in the 2000 series.

LOU LIEBERMAN Chair

24 May 2001

On the motion of Mr Lieberman, by leave, the report was agreed to.

36 DRIED VINE FRUITS (RATE OF PRIMARY INDUSTRY (CUSTOMS) CHARGE) VALIDATION BILL 2001—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 Gallus (Parliamentary Secretary to the Minister for Reconciliation and Aboriginal and Torres Strait Islander Affairs), by leave, the Bill was read a third time.

37 DRIED VINE FRUITS (RATE OF PRIMARY INDUSTRY (EXCISE) LEVY) VALIDATION BILL 2001—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 Gallus (Parliamentary Secretary to the Minister for Reconciliation and Aboriginal and Torres Strait Islander Affairs), by leave, the Bill was read a third time.

38 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE

The House was informed that the Government Whip had nominated Mr Somlyay to be a member of the Joint Standing Committee on Foreign Affairs, Defence and Trade.

Mrs Gallus (Parliamentary Secretary to the Minister for Reconciliation and Aboriginal and Torres Strait Islander Affairs), by leave, moved—That Mr Somlyay be appointed a member of the Joint Standing Committee on Foreign Affairs, Defence and Trade.

Question—put and passed.

39 HEALTH LEGISLATION AMENDMENT BILL (NO. 2) 2001

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.

Message from the Governor-General

Message No. 309, 5 April 2001, 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 Mrs Gallus (Parliamentary Secretary to the Minister for Reconciliation and Aboriginal and Torres Strait Islander Affairs), the Bill was read a third time.

40 POSTPONEMENT OF ORDERS OF THE DAY

Ordered—That orders of the day Nos 3, 4 and 5, government business, be postponed until a later hour this day.

41 COPYRIGHT AMENDMENT (PARALLEL IMPORTATION) BILL 2001

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.

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

42 APPROPRIATION BILL (NO. 1) 2001-2002-BUDGET DEBATE

The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—

Debate resumed.

Debate adjourned (Ms Worth—Parliamentary Secretary to the Minister for Education, Training and Youth Affairs), and the resumption of the debate made an order of the day for the next sitting.

43 ADJOURNMENT

Ms Worth (Parliamentary Secretary to the Minister for Education, Training and Youth Affairs) moved—That the House do now adjourn.

Question—put and passed.

And then the House, at 8.01 p.m., adjourned until Monday, 4 June 2001, at 12.30 p.m., in accordance with the resolution agreed to this sitting.

PAPERS

The following papers were deemed to have been presented on 24 May 2001:

Civil Aviation Act—Civil Aviation Regulations—Airworthiness Directives— Part 39-105—2001 16 May (4).

Part 39-106-2001 16 May.

Designs Act—Regulations—Statutory Rules 2001 No. 97.

Education Services for Overseas Students Act and the Education Services for Overseas Students (Consequential and Transitional) Act—Regulations— Statutory Rules 2001 No. 96.

Export Inspection (Establishment Registration Charges) Act—Regulations— Statutory Rules 2001 No. 93.

Income Tax Assessment Act 1936—Regulations—Statutory Rules 2001 No. 100.

Patents Act and the Patents Amendment (Innovation Patents) Act-Regulations—Statutory Rules 2001 No. 98.

Primary Industries (Excise) Levies Act—Regulations—Statutory Rules 2001 No. 95.

Public Employment (Consequential and Transitional) Amendment Act— Regulations—Statutory Rules 2001 No. 99.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Bevis, Mrs Elson, Ms Gerick and Mr Katter.

I. C. HARRIS Clerk of the House of Representatives 1998-1999-2000-2001

HOUSE OF REPRESENTATIVES

SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 185

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 24 MAY 2001

1 The Main Committee met at 9.40 a.m.

2 MEMBERS' STATEMENTS

Members' statements were made.

3 DRIED VINE FRUITS (RATE OF PRIMARY INDUSTRY (CUSTOMS) CHARGE) VALIDATION BILL 2001

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 DRIED VINE FRUITS (RATE OF PRIMARY INDUSTRY (EXCISE) LEVY) VALIDATION BILL 2001

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 the question on the report to be put forthwith.

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

5 ADJOURNMENT

Mr Truss (Minister for Agriculture, Fisheries and Forestry) moved—That the Main Committee do now adjourn.

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Debate ensued.

At 11.10 a.m. the Deputy Speaker adjourned the Main Committee.

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B. C. WRIGHT Clerk of the Main Committee

By authority of the House of Representatives