

1998-1999-2000-2001

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 188

WEDNESDAY, 6 JUNE 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 GOVERNOR-GENERAL LEGISLATION AMENDMENT BILL 2001**

Mr Reith (Minister for Defence), pursuant to notice, presented a Bill for an Act to amend legislation in respect of the Governor-General, 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.

**3 RECONCILIATION AND ABORIGINAL AND TORRES STRAIT ISLANDER AFFAIRS LEGISLATION AMENDMENT (APPLICATION OF CRIMINAL CODE) BILL 2001**

Mr Ruddock (Minister for Reconciliation and Aboriginal and Torres Strait Islander Affairs), pursuant to notice, presented 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.

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

*Paper*

Mr Ruddock 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 SPACE ACTIVITIES AMENDMENT (BILATERAL AGREEMENT) BILL 2001**

Mr Anthony (Minister for Community Services), for Mr Entsch (Parliamentary Secretary to the Minister for Industry, Science and Resources), pursuant to

notice, presented a Bill for an Act to amend the *Space Activities Act 1998*, 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 Horne), and the resumption of the debate made an order of the day for the next sitting.

#### **5 HEALTH LEGISLATION AMENDMENT (MEDICAL PRACTITIONERS' QUALIFICATIONS AND OTHER MEASURES) BILL 2001**

Dr Wooldridge (Minister for Health and Aged Care), pursuant to notice, presented a Bill for an Act to amend legislation relating to health, and for related purposes.

Bill read a first time.

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

*Paper*

Dr Wooldridge 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.

#### **6 CUSTOMS TARIFF PROPOSAL**

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) moved Customs Tariff Proposal No. 4 (2001).

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

#### **7 EXPORT MARKET DEVELOPMENT GRANTS AMENDMENT 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 by Mr Brereton 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 deplores the Government’s neglect of export promotion, noting that:

- (1) the Government has not taken the measures necessary to improve the Export Market Development Grants (EMDG) scheme’s effectiveness in encouraging small and medium sized Australian businesses to develop global markets;
- (2) the real level of funding available to exporters under the EMDG scheme has declined over 35% since 1996-97; and
- (3) the number of applicants and recipients of grants under the EMDG scheme has fallen steadily since the Howard Government came to office”.

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 QUESTIONS

Questions without notice being asked—

*Member ordered to withdraw*

At 3.09 p.m. the Member for Melbourne (Mr Tanner) 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 McMullan, by leave, presented the following paper:

National Textiles—Chairman defends bonuses for board—Copy of article published in *The Australian*, 1 February 2000.

Questions without notice continued.

*Paper*

Mr Fischer, in accordance with standing order 321, having called for documents quoted from by Dr Kemp (Minister for Education, Training and Youth Affairs)—

Dr Kemp presented the following paper:

Former Category 1 Schools—List compiled by the Office of the Minister for Education, Training and Youth Affairs.

## 9 MEMBERS ORDERED TO WITHDRAW—MEMBER NAMED AND SUSPENDED—PAPER

Mr Kerr making a personal explanation—

*Member ordered to withdraw*

At 3.22 p.m. the Member for Dobell (Mr Lee) 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.

Mr Kerr addressing the House—

*Member named and suspended*

The Speaker named the Member for Lyons (Mr Adams) for defying the Chair.

Mr Reith (Leader of the House) moved—That the Member for Lyons be suspended from the service of the House.

Question—put.

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

## AYES, 73

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

## NOES, 63

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

\* Tellers

*Pairs*

|                   |           |
|-------------------|-----------|
| Mr M. A. J. Vaile | Ms Gerick |
| Mrs Draper        | Mr Price  |

And so it was resolved in the affirmative.

The Member was, therefore, suspended at 3.36 p.m. for 24 hours under standing order 305, and he accordingly withdrew from the Chamber.

*Paper*

Mr Kerr, by leave, presented the following paper:

Solomons coup—Canberra is colluding in the Solomons' demise—Copy of article published in *The Australian*, 6 June 2001.

*Member ordered to withdraw*

At 3.27 p.m. the Member for Mayo (Mr Downer—Minister for Foreign Affairs) 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.

**10 AUDITOR-GENERAL'S REPORT**

The Speaker presented the following paper:

Auditor-General—Audit report No. 46 of 2000-2001—Performance audit—ATO performance reporting under the outcomes and outputs framework: Australian Taxation Office.

Ordered to be printed.

**11 PAPER**

The following paper was presented:

Centrelink—Report—Compliance activity for Family and Community Services, half yearly, July to December 2000.

**12 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—NURSING HOME ACCREDITATION STANDARDS**

The House was informed that Ms Macklin had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The failure of the Government to enforce its accreditation standards in nursing homes resulting in older people being exposed to unacceptable standards of care”.

The proposed discussion having received the necessary support—

Ms Macklin addressed the House.

Discussion ensued.

Discussion concluded.

**13 CORPORATIONS BILL 2001—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the Bill had been fully considered by the Main Committee, a Governor-General's message recommending an appropriation had been reported, and the Bill had been agreed to without amendment, and presented a certified copy of the Bill.

Bill agreed to.

On the motion of Mr Fahey (Minister for Finance and Administration), by leave, the Bill was read a third time.

**14 AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION 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 Mr Fahey (Minister for Finance and Administration), by leave, the Bill was read a third time.

**15 CORPORATIONS (FEES) 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 Mr Fahey (Minister for Finance and Administration), by leave, the Bill was read a third time.

**16 CORPORATIONS (FUTURES ORGANISATIONS LEVIES) 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 Mr Fahey (Minister for Finance and Administration), by leave, the Bill was read a third time.

**17 CORPORATIONS (NATIONAL GUARANTEE FUND LEVIES) 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 Mr Fahey (Minister for Finance and Administration), by leave, the Bill was read a third time.

**18 CORPORATIONS (SECURITIES EXCHANGES LEVIES) 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 Mr Fahey (Minister for Finance and Administration), by leave, the Bill was read a third time.

**19 CORPORATIONS (REPEALS, CONSEQUENTIALS AND TRANSITIONALS) 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 Mr Fahey (Minister for Finance and Administration), by leave, the Bill was read a third time.

**20 MIGRATION LEGISLATION AMENDMENT (ELECTRONIC TRANSACTIONS AND METHODS OF NOTIFICATION) 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 Mr Fahey (Minister for Finance and Administration), by leave, the Bill was read a third time.

**21 MIGRATION LEGISLATION AMENDMENT (APPLICATION OF CRIMINAL CODE) 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 Mr Fahey (Minister for Finance and Administration), by leave, the Bill was read a third time.

**22 EXPORT MARKET DEVELOPMENT GRANTS AMENDMENT 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—*And on the amendment moved thereto by Mr Brereton (see item 7, page 2326)*—

Debate resumed.

Amendment negatived.

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

*Consideration in detail*

Bill, by leave, taken as a whole.

*Paper*

Mr I. E. Macfarlane (Minister for Small Business) presented a supplementary explanatory memorandum to the Bill.

On the motion of Mr I. E. Macfarlane, by leave, Government amendments (1) to (3) were made together.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Mr I. E. Macfarlane, by leave, the Bill was read a third time.

### 23 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—*And on the amendment moved thereto by Mr Tanner, 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 this Government for its:

- (1) reduction in the projected Budget cash surplus from \$14.6 billion when the 2001-02 Budget year first appeared in the 1998-99 Budget Papers to a surplus of \$1.5 billion and an accrual deficit of \$0.8 billion in this Budget;
- (2) failure to address the significant investment needs in the areas of education and health provision;
- (3) string of policy backflips and wasteful, panic driven spending across almost all program areas;
- (4) commitment to sell the rest of Telstra if re-elected;
- (5) failure to provide relief for Australian families under financial pressure;
- (6) failure to address the hardship, and red tape nightmare faced by small business arising from the introduction of the GST;
- (7) deception of self-funded retirees and pensioners through misleading taxation claims;
- (8) failure to provide a comprehensive retirement incomes policy which addresses the needs of the new century;
- (9) lax approach to corporate governance issues which has contributed to the recent spate of corporate failures;
- (10) lack of an ongoing commitment to the protection of employee entitlements;
- (11) misuse of taxpayers’ money on its politically partisan GST advertising campaign;
- (12) provision of complex, confusing and uninformative budget documents;
- (13) failure to identify in the Budget papers the true cost of GST collection and implementation; and
- (14) failure to deliver its guarantee that no Australian will be worse off as a result of the GST package”—

Debate resumed.

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

### 24 BILLS REFERRED TO MAIN COMMITTEE

Mr Ronaldson (Chief Government Whip), by leave, moved—That the following Bills be referred to the Main Committee for further consideration:



Appropriation (No. 1) 2001-2002;  
Appropriation (No. 2) 2001-2002; and  
Appropriation (Parliamentary Departments) (No. 1) 2001-2002.  
Question—put and passed.

**25 ADJOURNMENT**

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

Debate ensued.

Question—put and passed.

And then the House, at 8 p.m., adjourned until tomorrow at 9.30 a.m.

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**PAPERS**

The following papers were deemed to have been presented on 6 June 2001:

Defence Act—Determination under section 58B—2001 No. 14.

Environment Protection and Biodiversity Conservation Act—  
Instruments under Section 178—9 and 29 March 2001.

Instrument under Section 181—9 March 2001.

Instrument under Section 183—9 March 2001.

Higher Education Funding Act—Determinations—  
2000 No. T21.  
2001 No. T14.

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**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Anderson, Mrs Draper, Ms Gerick\* and Mr M. A. J. Vaile.

\* On leave

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**I. C. HARRIS**  
Clerk of the House of Representatives

1998-1999-2000-2001

**HOUSE OF REPRESENTATIVES**  
**SUPPLEMENT TO VOTES AND PROCEEDINGS**

No. 188

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

WEDNESDAY, 6 JUNE 2001

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1 The Main Committee met at 9.40 a.m.

**2 MEMBERS' STATEMENTS**

Members' statements were made.

**3 CORPORATIONS 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.

*Message from the Governor-General*

Message No. 311, 6 April 2001, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

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 AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION 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 CORPORATIONS (FEES) 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.

**6 CORPORATIONS (FUTURES ORGANISATIONS LEVIES) 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.

**7 CORPORATIONS (NATIONAL GUARANTEE FUND LEVIES) 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.

**8 CORPORATIONS (SECURITIES EXCHANGES LEVIES) 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.

**9 CORPORATIONS (REPEALS, CONSEQUENTIALS AND TRANSITIONALS) 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.

**10 MIGRATION LEGISLATION AMENDMENT (ELECTRONIC TRANSACTIONS AND METHODS OF NOTIFICATION) 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.

The debate having been closed by Mr Ruddock (Minister for Immigration and Multicultural Affairs) having spoken in reply—

Dr Theophanous, by leave, again addressed the Main Committee.

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.

**11 MIGRATION LEGISLATION AMENDMENT (APPLICATION OF CRIMINAL CODE) 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.

*Consideration in detail*

Bill, by leave, taken as a whole and agreed to after debate.

Consideration in detail concluded.

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

**12 ADJOURNMENT**

On the motion of Mr Ruddock (Minister for Immigration and Multicultural Affairs), the Main Committee adjourned at 12.24 p.m.

The Deputy Speaker fixed tomorrow at 9.40 a.m. for the next meeting of the Main Committee.

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**B. C. WRIGHT**  
Clerk of the Main Committee