

2002

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 11

THURSDAY, 14 MARCH 2002

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 TAXATION LAWS AMENDMENT (BABY BONUS) BILL 2002

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

Bill read a first time.

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

Paper

Mr Costello presented an explanatory memorandum to the Bill.

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

3 QUARANTINE AMENDMENT BILL 2002

Mr Truss (Minister for Agriculture, Fisheries and Forestry), pursuant to notice, presented a Bill for an Act to amend the *Quarantine Act 1908*, 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 Albanese), and the resumption of the debate made an order of the day for the next sitting.

4 HORTICULTURE MARKETING AND RESEARCH AND DEVELOPMENT SERVICES (AMENDMENT) BILL 2002

Mr Truss (Minister for Agriculture, Fisheries and Forestry), pursuant to notice, presented a Bill for an Act to amend the *Horticulture Marketing and Research and Development Services Act 2000*, 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 Albanese), and the resumption of the debate made an order of the day for the next sitting.

5 AVIATION LEGISLATION AMENDMENT BILL 2002

Mr Tuckey (Minister for Regional Services, Territories and Local Government), pursuant to notice, presented a Bill for an Act to amend or repeal certain legislation relating to aviation, and for related purposes.

Bill read a first time.

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

Paper

Mr Tuckey presented an explanatory memorandum to the Bill.

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

6 SOCIAL SECURITY AND VETERANS' ENTITLEMENTS LEGISLATION AMENDMENT (DISPOSAL OF ASSETS—INTEGRITY OF MEANS TESTING) BILL 2002

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 Act 1991* and the *Veterans' Entitlements Act 1986* in relation to the effect on social security and veterans' benefits of the disposal of assets, 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 Albanese), and the resumption of the debate made an order of the day for the next sitting.

7 VETERANS' ENTITLEMENTS AMENDMENT (GOLD CARD EXTENSION) BILL 2002

Mrs D. S. Vale (Minister for Veterans' Affairs), pursuant to notice, presented a Bill for an Act to amend the *Veterans' Entitlements Act 1986*, and for related purposes.

Bill read a first time.

Mrs D. S. Vale moved—That the Bill be now read a second time.

Paper

Mrs D. S. Vale presented an explanatory memorandum to the Bill.

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

8 COMMONWEALTH ELECTORAL AMENDMENT BILL (NO. 1) 2002

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, presented a Bill for an Act to amend the *Commonwealth Electoral Act 1918*, 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 Albanese), and the resumption of the debate made an order of the day for the next sitting.

9 ELECTORAL AND REFERENDUM AMENDMENT (ROLL INTEGRITY AND OTHER MEASURES) BILL 2002

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, presented a Bill for an Act to amend the law relating to elections and referendums, 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 Albanese), and the resumption of the debate made an order of the day for the next sitting.

10 TAXATION LAWS AMENDMENT BILL (NO. 2) 2002

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) presented a Bill for an Act to amend 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 the Bill.

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

11 MIGRATION LEGISLATION AMENDMENT (TRANSITIONAL MOVEMENT) BILL 2002

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 Crean (Leader of the Opposition) who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “the bill be withdrawn and redrafted to condemn the Howard Government:

- (1) for the haste with which this legislation has been introduced without the Government providing any policy justification for such haste, and for the apparent intention of the Government to prevent appropriate debate;
- (2) for deceiving the Australian people during the last election campaign by claiming that asylum seekers threw children overboard and that asylum seekers on the Tampa would not set foot on Australian soil;
- (3) for continuing the deceit by its failure to admit that its announcement of a 1,200 person detention centre on Australian soil at Christmas Island means the so-called Pacific Solution is a complete failure;
- (4) for pretending during the election campaign and since that its so-called Pacific Solution is a solution for Australia in relation to asylum seekers;
- (5) for wasting hundreds of millions of dollars of Australian taxpayers money on its so-called Pacific Solution and for failing to ever publicly disclose the amount so wasted; and
- (6) for enacting legislation to support the so-called Pacific Solution which is so flawed the Department of Immigration, Multicultural and Indigenous Affairs has had to manipulate visa arrangements to avoid Departmental officers being liable for people smuggling charges; and calls on the Government to disclose
 - (7) to Australians the cost of the so-called Pacific Solution;
 - (8) how many asylum seekers have been brought to Australia from Manus Island and Nauru already;
 - (9) how many of the asylum seekers the Government plans to bring to Australia;
 - (10) what is the maximum period any of the asylum seekers who are found not to be genuine refugees will be in Australia;
 - (11) how many countries have volunteered to resettle those found to be genuine refugees;
 - (12) how many of those found to be genuine refugees will be resettled in Australia and how many genuine refugees will be left without a resettlement place; and
 - (13) how many asylum seekers whose claims have not been upheld can realistically be returned to their home countries or third countries and, in particular, how many Afghans the Government will not be able to return until the situation in Afghanistan further stabilises;

and, having disclosed the full facts, calls on the Government to work in a bipartisan way with the Opposition to achieve a comprehensive long-term solution to the issue of asylum seekers; and to provide:

 - (a) for a proper time limited safe haven arrangement for Afghans, like the arrangement used for the Kosovars, and
 - (b) that those asylum-seekers from Manus Island and Nauru who the Government returns to Australia, holds in detention and fails to return to their home or third countries for a period

exceeding six months have the right of appeal to the Refugee Review Tribunal consistent with the process introduced by the Government last year, provided that during the six month period the asylum seeker has cooperated with the return process”.

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.

12 QUESTIONS

Questions without notice being asked—

Paper

Mr S. F. Smith, by leave, presented the following paper:

Matters relating to the “Co-location of national General Practice organisations”—Letter from Mr P J Barrett, Auditor General, to Mr Stephen Smith, Shadow Minister for Health and Ageing, 12 March 2002.

Questions without notice continuing—

Papers

Mr Hockey (Minister for Small Business and Tourism) presented the following papers:

Unfair dismissal and the restaurant industry—Copies of articles on Mini case studies by Restaurant and Catering Australia—

Restaurant Regional Victoria and Melbourne Restaurant.

Resort—Hunter Region and Summary of findings.

Questions without notice continued.

13 PAPER

Mr Costello (Treasurer), by indulgence, added to an answer given during question time yesterday and presented the following paper:

SES Performance Pay—List of all performance payments approved by Secretary to the Treasury, 1993 to 2001.

14 PAPER

Mr Snowdon, by leave, during a personal explanation, presented the following paper:

Minister flies to Christmas Island to deliver press release—Media release by Hon. Warren Snowdon MP, 12 March 2002.

15 PAPER

The Speaker presented the following paper:

House of Representatives—Schedule showing the allocation of annual reports of departments, agencies, authorities and companies to general purpose standing committees and certain joint committees.

16 PAPERS

The following papers were presented:

Airservices Australia—Sydney Airport—Maximum movement limit compliance statement for the period 1 July to 30 September 2001.

Department of Communications, Information Technology and the Arts—Report on the review of the spectrum allocation powers of the Australian Broadcasting Authority, March 2002.

Department of the Environment and Heritage—Report on the operation of the Environment Protection and Biodiversity Conservation Act 1999—16 July 2000 to 30 June 2001, December 2001.

Productivity Commission—Report No. 16—Cost recovery by government agencies, 16 August 2001.

17 SPECIAL ADJOURNMENT

Mr Abbott (Leader of the House) moved—That the House, at its rising, adjourn until Tuesday, 19 March 2002, at 2 p.m., unless the Speaker fixes an alternative day or hour of meeting.

Debate ensued.

Question—put and passed.

18 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—AGED CARE

The House was informed that Mr Albanese had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The need for the Government to address the crisis in aged care and provide appropriate services for an ageing Australia”.

The proposed discussion having received the necessary support—

Mr Albanese addressed the House.

Discussion ensued.

Discussion concluded.

19 MESSAGES FROM THE SENATE

Messages from the Senate, 14 March 2002, were reported returning the following Bills without amendment:

No. 5—Higher Education Legislation Amendment (No. 1) 2002.

No. 6—Road Transport Charges (Australian Capital Territory) Amendment 2002.

No. 7—Interstate Road Transport Charge Amendment 2002.

No. 8—Transport and Regional Services Legislation Amendment (Application of Criminal Code) 2002.

No. 9—Coal Industry Repeal (Validation of Proclamation) 2002.

No. 10—Commonwealth Inscribed Stock Amendment 2002.

No. 12—Protection of the Sea (Prevention of Pollution from Ships) Amendment 2002.

No. 13—Human Rights and Equal Opportunity Commission Amendment 2002.

No. 14—Taxation Laws Amendment (Film Incentives) 2002.

No. 15—Australian Citizenship Legislation Amendment 2002.

No. 16—Radiocommunications (Transmitter Licence Tax) Amendment 2002 (*without requests*).

20 MIGRATION LEGISLATION AMENDMENT (TRANSITIONAL MOVEMENT) BILL 2002

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 Crean (Leader of the Opposition) (see item 11, page 111)—*

Debate resumed.

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

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

AYES, 77

Mr Abbott	Mrs Draper	Dr Kemp	Mr Scott
Mr Anderson	Mr Dutton	Mr P. E. King	Mr Secker
Mr K. J. Andrews	Mrs Elson	Mrs Ley	Mr Slipper
Mr Anthony	Mr Entsch	Mr Lindsay	Mr A. D. H. Smith
Fran Bailey	Mr Farmer	Mr Lloyd	Mr Somlyay
Mr Baird	Mr Forrest*	Mr McArthur*	Dr Southcott
Mr Baldwin	Mrs Gallus	Mr I. E. Macfarlane	Mr C. P. Thompson
Mr Barresi	Ms Gambaro	Mr McGauran	Mr Ticehurst
Mr Bartlett	Mrs Gash	Mrs May	Mr Tollner
Mr Billson	Mr Georgiou	Mrs Moylan	Mr Truss
Mrs B. K. Bishop	Mr Hardgrave	Mr Nairn	Mr Tuckey
Mr Brough	Mr Hartsuyker	Dr Nelson	Mrs D. S. Vale
Mr Cadman	Mr Hawker	Mr Neville	Mr Wakelin
Mr Cameron	Mr Hockey	Ms Panopoulos	Dr Washer
Mr Causley	Mrs Hull	Mr Pearce	Mr Williams
Mr Charles	Mr Hunt	Mr Prosser	Mr Windsor
Mr Ciobo	Mr Johnson	Mr Pyne	Ms Worth
Mr Cobb	Mr Jull	Mr Randall	
Mr Costello	Mrs D. M. Kelly	Mr Ruddock	
Mr Downer	Jackie Kelly	Mr Schultz	

NOES, 59

Mr Adams	Mr Evans	Dr Lawrence	Mr Quick*
Mr Albanese	Mr L. D. T. Ferguson	Ms Livermore	Mr Ripoll
Mr Andren	Mr M. J. Ferguson	Mr McClelland	Ms Roxon
Mr Beazley	Ms George	Ms J. S. McFarlane	Mr Sawford
Mr Bevis	Mr Gibbons	Ms Macklin	Mr Sercombe
Mr Brereton	Ms Gillard	Mr McLeay	Mr Sidebottom
Mr Byrne	Ms Grierson	Mr McMullan	Mr S. F. Smith
Ms Corcoran	Mr Griffin	Dr Martin	Mr Snowdon
Mr Cox	Ms Hall	Mr Melham	Mr Swan
Mr Crean	Mr Hatton	Mr Mossfield	Mr Tanner
Mrs Crosio	Ms Hoare	Mr Murphy	Mr K. J. Thomson
Mr Danby*	Mrs Irwin	Mr B. P. O'Connor	Ms Vamvakinou
Mr Edwards	Ms Jackson	Mr G. M. O'Connor	Mr Wilkie
Ms Ellis	Ms C. F. King	Ms Plibersek	Mr Zahra
Mr Emerson	Mr Latham	Mr Price	

* Tellers

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.

Consideration in detail

Bill, by leave, taken as a whole.

Paper

Mr Ruddock (Minister for Immigration and Multicultural and Indigenous Affairs) presented a supplementary explanatory memorandum to the Bill.

On the motion of Mr Ruddock, the Government amendment was made.

Bill, as amended, agreed to.

Consideration in detail concluded.

Mr Ruddock, by leave, moved—That the Bill be now read a third time.

Debate ensued.

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

21 POSTPONEMENT OF ORDERS OF THE DAY

Ordered—That orders of the day Nos 2 to 4, government business, be postponed until a later hour this day.

22 PARLIAMENTARY ZONE—CONSTRUCTION OF CHILDCARE CENTRE PLAYGROUNDS, TREASURY BUILDING AND REFURBISHMENT OF COMMUNICATIONS CENTRE, JOHN GORTON BUILDING—APPROVAL OF PROPOSALS

Mr Tuckey (Minister for Regional Services, Territories and Local Government), pursuant to notice, moved—That, in accordance with section 5 of the *Parliament Act 1974*, the House approves the following proposals for works in the Parliamentary Zone which were presented to the House on 11 March 2002, namely: Construction of childcare centre playgrounds, Treasury Building and Refurbishment of Communications Centre, John Gorton Building.

Debate ensued.

Question—put and passed.

23 ADJOURNMENT

Mr Tuckey (Minister for Regional Services, Territories and Local Government) moved—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 6 p.m., adjourned until Tuesday, 19 March 2002, at 2 p.m., in accordance with the resolution agreed to this sitting.

PAPERS

The following papers were deemed to have been presented on 14 March 2002:

Commonwealth Authorities and Companies Act—Notice under section 45—Formation of a company by the Commonwealth—PSMA Australia Limited.

Fisheries Management Act—

Northern Prawn Fishery Management Plan 1995—Directions—Nos NPDF 57, NPDF 58, NPDF 59, NPDF 60, NPDF 61, NPDF 62, NPDF 63.

Southern Bluefin Tuna Fishery Management Plan 1995—Amendment—2002 No. SBT 04.

Ozone Protection Act—Exemptions under section 40—20 February 2002.

Parliamentary Entitlements Act—Advice under paragraph 18(a), 1 March 2002.

ATTENDANCE

All Members attended (at some time during the sitting) except Ms J. I. Bishop, Ms Burke, Mr Fitzgibbon, Mr Katter, Mr Rudd, Mr Sciacca and Mr M. A. J. Vaile.

B. C. WRIGHT
Acting Clerk of the House of Representatives

2002

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 11

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 14 MARCH 2002

1 The Main Committee met at 9.40 a.m.

2 MEMBERS' STATEMENTS

Members' statements were made.

3 APPROPRIATION BILL (NO. 3) 2001-2002

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 McMullan, 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 its:

- (1) pre-election spending spree;
- (2) speculation in currency derivatives at a cost of nearly \$5 billion over the life of this Government;
- (3) blatant disregard for the application of Australian accounting standards in compiling its own accounts;
- (4) failure to recognise the GST as a Commonwealth tax and this Government as the highest taxing Government of all time;
- (5) complete lack of disclosure and accountability in relation to the escalating costs of the so-called ‘Pacific Solution’;
- (6) breaking its election promise to make health insurance affordable by approving a premium increase at twice the rate of inflation;
- (7) misleading the public about the real cost of its defence commitments prior to the election;
- (8) woefully inadequate support for the development of the broadband infrastructure integral to Australia’s participation in the information economy;
- (9) inadequate attempts to remedy chronic under funding of research and innovation; and
- (10) failure to address the significant investment needs in the areas of education and the provision of social services”—

Debate resumed.

Adjournment negatived

It being 12.30 p.m.—The question was proposed—That the Main Committee do now adjourn.

Mr Neville requiring the question to be put forthwith without debate—

Question—put and negatived.

Debate continued.

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

4 ADJOURNMENT

Mr Neville moved—That the Main Committee do now adjourn.

Debate ensued.

Question—put and passed.

At 1.30 p.m. the Deputy Speaker adjourned the Main Committee.



J. W. PENDER
Clerk of the Main Committee