

2002

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 12

TUESDAY, 19 MARCH 2002

1 The House met, at 2 p.m., pursuant to adjournment. The Speaker (the Honourable Neil Andrew) took the Chair, and read Prayers.

2 MINISTERIAL ARRANGEMENTS

Mr Anderson (Acting Prime Minister) informed the House that, during the absence abroad of Mr Howard (Prime Minister), he would answer questions on his behalf.

3 QUESTIONS

Questions without notice being asked—

Suspension of standing orders moved—Motion without notice

Mr Crean (Leader of the Opposition) moved—That so much of the standing orders be suspended as would prevent the Leader of the Opposition moving forthwith—That this House censures the Prime Minister's former Parliamentary Secretary to Cabinet, Senator Heffernan, for his:

- (1) persistent denigration of institutions fundamental to Australian democracy, including the public service, the defence forces, the Parliament and the courts;
- (2) failure to defend the reputation of a judge and the High Court of Australia;
- (3) failure to prevent the deliberate, cowardly, false and unjustified attack by the Prime Minister's former Parliamentary Secretary to the Cabinet, Senator Heffernan, which sought to damage the reputation of a justice of the High Court of Australia;
- (4) failure to ensure that all the alleged evidence in Senator Heffernan's possession was referred to the proper authorities for investigation prior to the Senator making his allegations in the Parliament;
- (5) continued use of the media and the Parliament to repeat and expand upon Senator Heffernan's allegations in relation to the judge;
- (6) failure to adequately inquire into the veracity of the alleged evidence in Senator Heffernan's possession;
- (7) failure to prevent the raising of allegations in the Parliament that had repeatedly been found by the proper authorities not to have any substance and for which the Senator had no new credible or substantive evidence; and
- (8) blatant disregard for the truth, particularly the Government's willingness to propagate and rely on a document that contains falsehoods to substantiate the Senator's allegations.

Debate ensued.

Member ordered to withdraw

At 3.29 p.m. the Member for Oxley (Mr Ripoll) 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.

Debate continued.

The time allowed by standing order 91 for debate on the motion having expired—

Question—put.

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

AYES, 64

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

NOES, 78

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

* Tellers

And so it was negatived.

Questions without notice concluded.

4 AUDITOR-GENERAL'S REPORTS

The Speaker presented the following papers:

Auditor-General—Audit reports of 2001-2002—Performance audits—

No. 37—Purchase of hospital services from State Governments—Follow up audit—Department of Veterans' Affairs.

No. 38—Management of Australian Defence Force deployments to East Timor—Department of Defence.

Severally ordered to be printed.

5 PAPER

The Speaker presented the following paper:

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

6 PAPERS

The following papers were presented:

Airservices Australia—Equity and Diversity Program 1998-2001—Progress report for 2000-01.

Department of the Environment and Heritage—Reports—

Product stewardship arrangements for waste oil—For the period 1 January to 30 June 2001, December 2001.

Australia—State of the environment 2001, December 2001.

7 MAIN COMMITTEE—DAY OF NEXT MEETING

The Speaker reported that the Deputy Speaker had fixed today, at 4 p.m., for the next meeting of the Main Committee.

8 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—INSTITUTIONS FUNDAMENTAL TO AUSTRALIAN DEMOCRACY

The House was informed that both Mr Crean (Leader of the Opposition) and Mr Windsor had proposed that definite matters of public importance be submitted to the House for discussion today. In accordance with the provisions of standing order 107, the Speaker had given priority to the matter proposed by Mr Crean, namely, “The persistent denigration by the Government of institutions fundamental to Australian democracy, including the public service, the defence forces, the Parliament and the courts”.

The proposed discussion having received the necessary support—

Mr Crean rising to address the House—

Mr Abbott (Leader of the House) moved—That the business of the day be called on.

Question—put.

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

AYES, 77

Mr Abbott	Mr Downer	Dr Kemp	Mr Scott
Mr Anderson	Mrs Draper	Mr P. E. King	Mr Secker
Mr K. J. Andrews	Mr Dutton	Mrs Ley	Mr Slipper
Mr Anthony	Mrs Elson	Mr Lindsay	Mr A. D. H. Smith
Fran Bailey	Mr Entsch	Mr Lloyd	Dr Southcott
Mr Baird	Mr Farmer	Mr McArthur*	Dr Stone
Mr Baldwin	Mr Forrest*	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 Haase	Mr Nairn	Mr Tuckey
Ms J. I. Bishop	Mr Hardgrave	Dr Nelson	Mr M. A. J. Vaile
Mr Brough	Mr Hartsuyker	Mr Neville	Mrs D. S. Vale
Mr Cadman	Mr Hawker	Ms Panopoulos	Mr Wakelin
Mr Cameron	Mr Hockey	Mr Pearce	Dr Washer
Mr Causley	Mrs Hull	Mr Prosser	Mr Williams
Mr Charles	Mr Hunt	Mr Pyne	Ms Worth
Mr Ciobo	Mr Johnson	Mr Randall	
Mr Cobb	Mr Jull	Mr Ruddock	
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Mr Adams	Mr L. D. T. Ferguson	Mr Latham	Mr Price
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Mr Brereton	Ms Gillard	Ms Macklin	Mr Sercombe
Mr Byrne	Ms Grierson	Mr McLeay	Mr Sidebottom
Ms Corcoran	Mr Griffin	Mr McMullan	Mr S. F. Smith
Mr Cox	Ms Hall	Dr Martin	Mr Snowden
Mr Crean	Mr Hatton	Mr Melham	Mr Swan
Mrs Crosio	Ms Hoare	Mr Mossfield	Mr Tanner
Mr Danby*	Mrs Irwin	Mr Murphy	Mr K. J. Thomson
Mr Edwards	Ms Jackson	Ms O'Byrne	Ms Vamvakinou
Ms Ellis	Mr Jenkins	Mr B. P. O'Connor	Mr Wilkie
Mr Emerson	Mr Kerr	Mr G. M. O'Connor	Mr Windsor
Mr Evans	Ms C. F. King	Ms Plibersek	Mr Zahra

* Tellers

And so it was resolved in the affirmative.

9 MESSAGE FROM THE SENATE—FINANCIAL SERVICES REFORM (CONSEQUENTIAL PROVISIONS) BILL 2002

Message No. 11, 14 March 2002, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend the *Retirement Savings Accounts Act 1997* and the *Corporations Act 2001*, 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.

10 TAXATION LAWS AMENDMENT (BABY BONUS) 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 Latham 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:

- (1) notes that the Government’s proposal is unfair and a poor instrument for supporting families because, even though families face similar costs in raising children, the Baby Bonus provides greater support to high income families and, as a result women earning \$50,000 will receive five times more assistance than those earning \$25,000, and
- (2) in addition to being unfair, the House further notes that the Baby Bonus is:
 - (a) ineffective in meeting its stated objectives, because it is paid as a lump sum at the end of the financial year, not during the year when families need it;
 - (b) contradictory to the claimed aim of the New Tax System of simplifying payments to families, because it introduces a separate rebate; and
 - (c) complex, and therefore it is likely that many women will miss out on their entitlement’.

Debate continued.

Debate adjourned (Mr Pearce), and the resumption of the debate made an order of the day for a later hour this day.

11 THE HONOURABLE JUSTICE KIRBY—STATEMENT BY SPEAKER

The Speaker presented the following papers:

The Honourable Justice Kirby—

Letter to the Speaker, House of Representatives, 19 March 2002;

Statement by Justice Michael Kirby—

and read Justice Kirby's statement.

12 TAXATION LAWS AMENDMENT (BABY BONUS) 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 Latham (see item 10, page 122)*—

Debate resumed.

Amendment negatived.

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. 10, 7 March 2002, 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.

13 MESSAGE FROM THE SENATE—REGIONAL FOREST AGREEMENTS BILL 2002

Message No. 17, 15 March 2002, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act relating to Regional Forest Agreements, 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.

14 POSTPONEMENT OF BUSINESS

Ordered—That business intervening before order of the day No. 8, government business, be postponed until a later hour this day.

15 VETERANS' ENTITLEMENTS AMENDMENT (GOLD CARD EXTENSION) 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.

16 ADJOURNMENT

It being 10.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 11 p.m., adjourned until tomorrow at 9.30 a.m.

PAPERS

The following papers were deemed to have been presented on 19 March 2002:

Airports Act—

Determination pursuant to section 192—Australian Competition and Consumer Commission, 13 February 2002.

Regulations—Statutory Rules 2002 No. 49.

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposal—2002 No. 7.

Civil Aviation Act—Civil Aviation Regulations—Airworthiness Directives—Part 39-105—2002—27(5), 28 February, 6, 7(2) March.

Commonwealth Services Delivery Agency Act—Directions—2001.

Environment Protection and Biodiversity Conservation Act—Instruments under Section 303DC(1), 5(3) February 2002.

Native Title Act—Recognition of representative Aboriginal/Torres Strait Islander body—2001 No. 4.

Renewable Energy (Electricity) Act—Regulations—Statutory Rules 2002 No. 48.

Taxation Administration Act—Rulings—2002 Nos CR 12, PR 24 (Addendum), TR 5, TR 6.

ATTENDANCE

All Members attended (at some time during the sitting) except Ms Burke*, Mrs Gallus, Mr Howard, Jackie Kelly, Mr Sciacca and Mr Somlyay.

* On leave

B. C. WRIGHT

Acting Clerk of the House of Representatives

2002

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 12

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

TUESDAY, 19 MARCH 2002

1 Due to a division having been called in the House, the Main Committee met at 4.08 p.m.

2 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: 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.

Suspension of sitting

At 6.30 p.m., the Deputy Speaker left the Chair.

Resumption of sitting

At 8 p.m., the Deputy Speaker resumed the Chair.

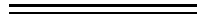
Debate continued.

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

3 ADJOURNMENT

On the motion of Mr Neville, the Main Committee adjourned at 10.30 p.m.

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



J. W. PENDER
Clerk of the Main Committee