

2002

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 21

THURSDAY, 30 MAY 2002

1 The House met, at 9.30 a.m., pursuant to adjournment.

2 ABSENCE OF SPEAKER

The Clerk having informed the House that the Speaker (the Honourable Neil Andrew) was absent until later this day, the Deputy Speaker (Mr Causley) took the Chair as Acting Speaker, and read Prayers.

3 NEW BUSINESS TAX SYSTEM (IMPUTATION) BILL 2002

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) presented a Bill for an Act to amend the taxation law to implement a simplified imputation system, 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 following Bills:

New Business Tax System (Imputation) 2002.

New Business Tax System (Over-franking Tax) 2002.

New Business Tax System (Franking Deficit Tax) 2002.

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

4 NEW BUSINESS TAX SYSTEM (OVER-FRANKING TAX) BILL 2002

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) presented a Bill for an Act to impose over-franking tax, and for related purposes.

Bill read a first time.

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

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

5 NEW BUSINESS TAX SYSTEM (FRANKING DEFICIT TAX) BILL 2002

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) presented a Bill for an Act to impose franking deficit tax, and for related purposes.

Bill read a first time.

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

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

6 TAXATION LAWS AMENDMENT BILL (NO. 4) 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 (Ms Ellis), and the resumption of the debate made an order of the day for the next sitting.

7 FAMILY AND COMMUNITY SERVICES LEGISLATION AMENDMENT (AUSTRALIANS WORKING TOGETHER AND OTHER 2001 BUDGET MEASURES) 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.

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

Message from the Governor-General

Message No. 28, 14 May 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 Anthony (Minister for Children and Youth Affairs), the Bill was read a third time.

8 FAMILY AND COMMUNITY SERVICES LEGISLATION AMENDMENT (DISABILITY REFORM) 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 Swan who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words:

“the House declines to give the Bill a second reading, and:

- (1) condemns the Howard Government’s attempt to cut the pensions of 200,000 Australians living with a disability;
- (2) notes that the Government’s Budget assault on Disability Support Pensions runs contrary to the principles and proposals set down by the McClure Committee, which received the endorsement of the Australian Labor Party;
- (3) endorses the view of the ALP supporting the need for welfare reforms that offer the opportunity for people with disabilities to participate fully in the community, including to work, in preference to the Government’s proposals which cut the level of their income support, while forcing them to look for work;
- (4) refuses to support the Government in its naked cost cutting that entrenches people with disability on welfare; and
- (5) calls on the Government to work with the ALP on a bipartisan basis to achieve real welfare reform”.

Debate continued.

Debate adjourned (Mr Cameron—Parliamentary Secretary to the Minister for Family and Community Services), and the resumption of the debate made an order of the day for a later hour this day.

9 APPROPRIATION BILL (NO. 1) 2002-2003—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 by Ms Macklin (Deputy Leader of the Opposition) 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:

- (1) its failure to deliver a budget surplus in 2001-02 after a decade of growth;
- (2) its failure to deliver a budget surplus in 2002-03 without breaking previous commitments on defence, roads and working credits;
- (3) imposing the cost of a pre-election spending spree on families via higher interest rates and cuts in health and welfare spending;

- (4) falsely claiming that cuts to health and welfare payments are needed to fund the war against terrorism and border protection;
- (5) wasting \$5 billion of taxpayers money by gambling in foreign currency markets through cross currency derivatives;
- (6) wasting almost \$3.5 billion by failing to manage currency risk on defence spending despite warnings from the Auditor-General;
- (7) wasting \$31 million on maintenance services for 40 year old helicopters that are years overdue despite a \$800 million down payment;
- (8) its failure to recognise the GST as a Commonwealth tax and this Government as the highest taxing of all time;
- (9) its failure to consider the fairer options put forward by the Opposition to offset the harsh measures it intends to impose on families, the sick and disabled; and
- (10) the failure of its Intergenerational Report to recognise that investment in education, research and development is critical to our future prosperity and our capacity to generate the revenue and wealth required to support an ageing population”.

Debate continued.

It being 2.30 p.m., the debate was interrupted in accordance with the resolution agreed to on 29 May 2002, and the resumption of the debate made an order of the day for a later hour this day.

10 QUESTIONS

Questions without notice were asked.

11 MEMBERS ORDERED TO WITHDRAW—PERSONAL EXPLANATION—PAPER

Member ordered to withdraw

At 4.04 p.m. the Member for McMillan (Mr Zahra) was ordered, under standing order 304A, to withdraw from the House for one hour for continuing to reflect on the Chair, and he accordingly withdrew from the Chamber.

Member ordered to withdraw

At 4.05 p.m. the Member for Watson (Mr McLeay) 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.

Paper

Mr Brough (Minister for Employment Services), during a personal explanation, presented the following paper:

Rorters are scum, says ALP—Copy of article by Ashleigh Wilson and Sophie Morris, the *Australian*, 21 May 2002.

12 PAPERS

The following papers were presented:

Australian Competition and Consumer Commission—Telecommunications reports—2000-01—Report 1: Telecommunications competitive safeguards; Report 2: Changes in prices paid for telecommunications services in Australia; Report 3: Telstra’s compliance with price control arrangements.

Murray-Darling Basin Commission—Report for 2000-01.

13 PAPER—MOTION TO TAKE NOTE OF PAPER

Mr Abbott (Leader of the House) moved—That the House take note of the following paper:

Australian Competition and Consumer Commission—Telecommunications reports—2000-01—Report 1: Telecommunications competitive safeguards; Report 2: Changes in prices paid for telecommunications services in Australia; Report 3: Telstra’s compliance with price control arrangements.

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

14 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—JOB SEEKERS

The House was informed that Mr Cox had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The failure of the Howard Government to ensure that disadvantaged job seekers receive appropriate training and support to give them a real opportunity to get a real job”.

The proposed discussion having received the necessary support—

Mr Cox addressed the House.

Discussion ensued.

Discussion concluded.

15 MEMBERS’ INTERESTS COMMITTEE—REPORT

Mr Haase (Chair) presented the following report:

Committee of Members’ Interests—Report on the operations of the committee, including the minutes of proceedings, for 2001.

Ordered to be printed.

16 BANKRUPTCY LEGISLATION AMENDMENT BILL 2002—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 Ms Worth (Parliamentary Secretary to the Minister for Health and Ageing), by leave, the Bill was read a third time.

17 BANKRUPTCY (ESTATE CHARGES) AMENDMENT BILL 2002—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 Ms Worth (Parliamentary Secretary to the Minister for Health and Ageing), by leave, the Bill was read a third time.

18 CUSTOMS TARIFF AMENDMENT BILL (NO. 1) 2002—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 Ms Worth (Parliamentary Secretary to the Minister for Health and Ageing), by leave, the Bill was read a third time.

19 FAMILY AND COMMUNITY SERVICES LEGISLATION AMENDMENT (DISABILITY REFORM) 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 Swan (see item No. 8, page 216)*—

Debate resumed.

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

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

AYES, 71

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

NOES, 56

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

* 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.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Anthony (Minister for Children and Youth Affairs), the Bill was read a third time.

20 ADJOURNMENT

Mr Anthony (Minister for Children and Youth Affairs) moved—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 6 p.m.—The Speaker adjourned the House until Monday next at 12.30 p.m.

PAPERS

The following papers were deemed to have been presented on 30 May 2002:

Australian Prudential Regulation Authority Act—Determination—2002 Australian Prudential Regulation Authority (Commonwealth Costs).

Authorised Deposit-taking Institutions Supervisory Levy Imposition Act—Determination—2002
Authorised Deposit-taking Institutions Supervisory Levy Imposition.

Authorised Non-operating Holding Companies Supervisory Levy Imposition Act—Determination—
2002 Authorised Non-operating Holding Companies Supervisory Levy Imposition.

Environment Protection and Biodiversity Conservation Act—Notice under section 33—Proposed
accreditation of a management plan, 14 May 2002.

Fisheries Management Act—Management Plan—2002 Heard Island and McDonald Island Fishery.

General Insurance Supervisory Levy Imposition Act—Determination—2002 General Insurance
Supervisory Levy Imposition.

Lands Acquisition Act—

Statements under sub-section 40(3)—May 2002.

Statements under section 125—May 2002.

Life Insurance Supervisory Levy Imposition Act—Determination—2002 Life Insurance Supervisory
Levy Imposition.

Migration Act—Notice under section 501C(8), 28 May 2002.

Radiocommunications Act—

Class Licence—2002 Radiocommunications (Cellular Mobile Telecommunications Devices).

Notice—2002 Radiocommunications Devices (Compliance Labelling) Amendment (No. 1).

Standards—2002—

Radiocommunications (118MHz to 137MHz Amplitude Modulated Equipment—Aeronautical Radio
Service).

Radiocommunications (MF and HF Radiotelephone Equipment—International Maritime Mobile
Service).

Radiocommunications (Paging Service Equipment).

Radiocommunications (Receiver Licence Tax) Act—Determination—2002 Radiocommunications
(Receiver Licence Tax).

Radiocommunications (Transmitter Licence Tax) Act—Determination—2002 Radiocommunications
(Transmitter Licence Tax).

Retirement Savings Account Providers Supervisory Levy Imposition Act—Determination—2002
Retirement Savings Account Providers Supervisory Levy Imposition.

Superannuation Supervisory Levy Imposition Act—Determination—2002 Superannuation Supervisory
Levy Imposition.

Taxation Administration Act—

Determination—2002 No. GSTD 2.

Rulings—2002 Nos CR 28, PR 26 (Addendum), PR 67, PR 68, PR 69, PR 70, PR 71, PR 72.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Albanese, Ms Burke*, Mrs Elson,
Jackie Kelly*, Ms O'Byrne, Mr Schultz, Mr Sciacca, Mr Snowdon, Dr Stone and Mr M. A. J. Vaile.

* On leave

I. C. HARRIS
Clerk of the House of Representatives

2002

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 21

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 30 MAY 2002

1 The Main Committee met at 9.40 a.m.

2 MEMBERS' STATEMENTS

Members' statements were made and a petition was presented.

3 BANKRUPTCY LEGISLATION AMENDMENT 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 McClelland 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 introducing bankruptcy reforms which crack down on low income bankrupts while leaving loop holes for the rich to exploit”.

Debate continued.

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.

Mr McClelland, by leave, moved Opposition amendments (1) to (9) together.

Debate continued.

Amendments negatived.

Consideration in detail concluded.

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 BANKRUPTCY (ESTATE CHARGES) AMENDMENT 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—

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 CUSTOMS TARIFF AMENDMENT BILL (NO. 1) 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.

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 EAST TIMOR—MINISTERIAL STATEMENT—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 I. E. Macfarlane (Minister for Industry, Tourism and Resources)—That the House take note of the paper (*presented on 15 May 2002*), viz.:

East Timor—Ministerial Statement—

Debate resumed.

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

7 ADJOURNMENT

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

Debate ensued.

Paper

Ms Hoare, by leave, presented the following paper:

A commitment by Lake Macquarie City Council to Aboriginal people of the City of Lake Macquarie.

Debate continued.

At 11.59 a.m. the Deputy Speaker adjourned the Main Committee.

B. C. WRIGHT
Clerk of the Main Committee