

2002

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 64

WEDNESDAY, 4 DECEMBER 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 CRIMES LEGISLATION AMENDMENT (PEOPLE SMUGGLING, FIREARMS TRAFFICKING AND OTHER MEASURES) BILL 2002

Mr Anthony (Minister for Children and Youth Affairs), for Mr Williams (Minister representing the Minister for Justice and Customs), pursuant to notice, presented a Bill for an Act to amend various Acts relating to law and justice, 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 (Dr Lawrence), and the resumption of the debate made an order of the day for the next sitting.

3 WORKPLACE RELATIONS AMENDMENT (PROHIBITION OF COMPULSORY UNION FEES) BILL 2002 [NO. 2]

Mr Abbott (Minister for Employment and Workplace Relations), pursuant to notice, presented a Bill for an Act to amend the *Workplace Relations Act 1996*, and for related purposes.

Bill read a first time.

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

Paper

Mr Abbott presented an explanatory memorandum to the Bill.

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

4 FAMILY AND COMMUNITY SERVICES LEGISLATION AMENDMENT 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 law and the family assistance law, to amend certain other Acts, and to repeal the *First Home Owners Act 1983*, 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 (Dr Lawrence), and the resumption of the debate made an order of the day for the next sitting.

5 NATIONAL HEALTH AMENDMENT (PHARMACEUTICAL BENEFITS—BUDGET MEASURES) BILL 2002 [NO. 2]

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 S. F. Smith, viz.*—That all words after “That” be omitted with a view to substituting the following words: “the House rejects this Bill for the following reasons:

- (1) it will increase by nearly 30% the cost of essential medicines, hitting the sickest and poorest in our society;
- (2) Australian pensioners and concession cardholders will go without almost five million prescriptions, and Australian families will also go without almost half a million prescriptions as a result of the proposed increase;
- (3) by depriving sick and elderly Australians of the medicines they need, there will be an increased need for greater medical interventions in public hospitals and nursing homes at even greater cost to taxpayers;
- (4) there are other, more effective, means by which the long term sustainability of the Pharmaceutical Benefits Scheme could be assured, means which would put appropriate responsibility on the pharmaceutical industry and the medical profession rather than on those least able to bear the burden, and on which the Government has been silent since the Leader of the Opposition’s Budget reply; and
- (4) the true rationale for the bill is to restore the budget bottom line and has nothing to do with the long term sustainability of the Pharmaceutical Benefits Scheme or with genuine health outcomes for Australians”—

Debate resumed.

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

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

AYES, 77

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

NOES, 59

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

* Tellers

And so it was resolved in the affirmative.

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

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

AYES, 77

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

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Mr Adams	Mr M. J. Ferguson	Ms C. F. King	Mr Quick*
Mr Albanese	Mr Fitzgibbon	Mr Latham	Mr Ripoll
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Mr Crean	Ms Hall	Mr McMullan	Mr S. F. Smith
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Mr Danby*	Ms Hoare	Mr Mossfield	Mr Swan
Mr Edwards	Mrs Irwin	Mr Murphy	Mr Tanner
Ms Ellis	Ms Jackson	Ms O'Byrne	Mr K. J. Thomson
Mr Emerson	Mr Jenkins	Mr B. P. O'Connor	Mr Wilkie
Mr Evans	Mr Katter	Mr G. M. O'Connor	Mr Zahra
Mr L. D. T. Ferguson	Mr Kerr	Mr Organ	

* Tellers

And so it was resolved in the affirmative—Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Mr K. J. Andrews (Minister for Ageing), the Bill was read a third time.

6 CHARTER OF THE UNITED NATIONS 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.

Paper

Mr Danby, by leave, presented the following paper:

Osama bin Laden's 'Letter to the American people'—Copy of article on crikey.com.au website, 29 November 2002.

Debate continued.

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

Leave granted for third reading to be moved forthwith.

On the motion of Ms Gallus (Parliamentary Secretary to the Minister for Foreign Affairs), the Bill was read a third time.

7 PARLIAMENTARY ZONE—CONSTRUCTION OF MINISTERIAL ENTRY SECURITY BARRIERS AT PARLIAMENT HOUSE—APPROVAL OF PROPOSAL

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 proposal for work in the Parliamentary Zone which was presented to the House on Monday, 2 December 2002, namely: Construction of Ministerial entry security barriers at Parliament House.

Question—put and passed.

8 QUESTIONS

Questions without notice being asked—

Papers

Mr Ruddock (Minister for Immigration and Multicultural and Indigenous Affairs) presented the following papers:

List of countries detailing citizenship of failed asylum seekers in the year—

2000-01.

2001-02.

Questions without notice continuing—

Paper

Mr Latham, by leave, presented the following paper:

Ministerial code of conduct—Extract, page 10.

Questions without notice continuing—

Paper

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

New rules hit cafes—Copy of article by Katie Findley, *Albany Advertiser*, October 2002.

Prices up as shops face new pay law—Copy of article by Ben Harvey, *The West Australian* website, 2 December 2002.

Small business unhappy—Copy of article by Ben Harvey, *The West Australian*, 29 November 2002.

Questions without notice continued.

9 MEMBER ORDERED TO WITHDRAW

At 3.34 p.m. the Member for Werriwa (Mr Latham) 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 PAPERS

The following papers were presented:

Administrative Review Council—Report for 2001-02.

Australian Rail Track Corporation Limited—Report for 2001-02.

Bankstown Airport Limited—

Report for 2001-02.

Statement of corporate intent 2002.

Camden Airport Limited—

Report for 2001-02.

Statement of corporate intent 2002.

Commissioner of Taxation—Data-matching program—ATO's interaction with the program—Report for 2001-02.

Hoxton Park Airport Limited—

Report for 2001-02.

Statement of corporate intent 2002.

Productivity Commission—Report No. 15—Cost recovery by government agencies—Government response.

11 COMMISSIONER OF TAXATION—DATA MATCHING PROGRAM—REPORT—MOTION TO TAKE NOTE OF PAPER

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

Commissioner of Taxation—Data-matching program—ATO's interaction with the program—Report for 2001-02.

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

12 MOTION TO TAKE NOTE OF PAPER

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

States Grants (Primary and Secondary Education Assistance) Act 2000—Report on financial assistance granted to each State in respect of 2001.

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

13 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—HEALTH CARE

The House was informed that Mr S. F. Smith had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The rising cost of health care for Australian families”.

The proposed discussion having received the necessary support—

Mr S. F. Smith addressed the House.

Discussion ensued.

Discussion concluded.

14 COMMONWEALTH VOLUNTEERS PROTECTION 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 Jackie Kelly (Parliamentary Secretary to the Prime Minister), by leave, the Bill was read a third time.

15 POSTPONEMENT OF BUSINESS

Ordered—That business intervening before order of the day No. 16, government business, be postponed until a later hour this day.

16 AVIATION 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 M. J. Ferguson 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) condemns the Howard Government for their tardiness on transport security policy thereby putting the travelling public at higher risk; and
- (2) calls on the Government to release a comprehensive statement of policy to assure the travelling public that their safety and security is being appropriately attended to by our national government”.

Debate adjourned (Mrs D. S. Vale—Minister for Veterans’ Affairs), and the resumption of the debate made an order of the day for the next sitting.

17 BILL REFERRED TO MAIN COMMITTEE

Mr Lloyd (Chief Government Whip), by leave, moved—That the Aviation Legislation Amendment Bill 2002 be referred to the Main Committee for further consideration.

Question—put and passed.

18 TRADE PRACTICES 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 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.

19 TAXATION LAWS AMENDMENT (VENTURE CAPITAL) 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.

Mrs Ley addressing the House—

20 ADJOURNMENT

It being 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.

PAPERS

The following papers were deemed to have been presented on 4 December 2002:

Defence Act—Determination under section 58B—2002 No. 26.

Sydney Airport Curfew Act—Dispensation—2002 No. 12.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Brereton*, Mr Causley*, Mr Scott* and Ms Vamvakinou.

* On leave

I. C. HARRIS
Clerk of the House of Representatives

2002

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 64

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

WEDNESDAY, 4 DECEMBER 2002

1 The Main Committee met at 9.40 a.m.

2 **MEMBERS' STATEMENTS**

Members' statements were made.

3 **COMMONWEALTH VOLUNTEERS PROTECTION 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.

Paper

Ms Hoare, by leave, presented the following paper:

State Emergency Service (SES)—Lower Hunter Division—Presentation 2001, CD-ROM.

Debate continued.

Suspension of sitting

At 11.46 a.m., a division having been called in the House, the proceedings were suspended.

Resumption of sitting

At 12.03 p.m., the proceedings were resumed.

Debate continued.

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 **ADJOURNMENT**

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the Main Committee adjourned at 12.13 p.m.

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

D. R. ELDER
Clerk of the Main Committee