

2002

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 66

MONDAY, 9 DECEMBER 2002

1 The House met, at 12.30 p.m., pursuant to adjournment. The Speaker (the Honourable Neil Andrew) took the Chair, and read Prayers.

2 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—STATEMENT BY MEMBER AND PAPERS

Mr Price (Acting Deputy Chair) made a statement concerning Australia's relations with the United Nations and presented the following papers:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Annual Review of Australia's relations with the United Nations—

Copy of statement, 9 December 2002.

Evidence received by the committee.

3 POSTPONEMENT OF BUSINESS

Ordered—That item No. 2, committee and delegation reports, be postponed until a later hour this day and when called on, be allotted 10 minutes consideration.

4 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENTS BY MEMBERS

Mr Latham presented the following paper:

Australian Parliamentary Delegation to Indonesia and the 23rd AIPO General Assembly, Vietnam, 1 to 13 September 2002—Report, October 2002.

Mr Latham and Mr Lindsay made statements in connection with the report.

5 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENT BY MEMBER

Mr Sciacca presented the following paper:

Australian Parliamentary Delegation to 171st Session of the Council of the Inter-Parliamentary Union, Geneva, Switzerland, 23 to 27 September 2002—Report, December 2002.

Mr Sciacca made a statement in connection with the report.

6 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENT BY MEMBER

Mr Mossfield presented the following paper:

Australian Parliamentary Delegation to 48th Commonwealth Parliamentary Conference, Namibia, September 2002—Report.

Mr Mossfield made a statement in connection with the report.

7 TRANSPORT AND REGIONAL SERVICES—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER

Mr Neville (Chair) presented the following papers:

Transport and Regional Services—Standing Committee—Moving on intelligent transport systems—Report, December 2002.

Evidence received by the committee.

Minutes of proceedings.

Ordered—That the report be printed.

Statements in connection with the report were made.

The time allotted for making statements on the report having expired—

Mr Neville moved—That the House take note of the report.

Mr Neville was granted leave to continue his speech when the debate is resumed.

In accordance with standing order 102B, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting.

8 GOVERNOR-GENERAL AMENDMENT BILL 2002

Mr Albanese, pursuant to notice, presented a Bill for an Act to amend the *Governor-General Act 1974* in relation to the annual report prepared under section 19 of the Act, and for related purposes.

Mr Albanese made a statement in relation to the Bill.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting, in accordance with standing order 104A.

9 FOREIGN CREWED VESSELS

Ms O'Byrne, pursuant to notice, moved—That this House:

- (1) notes the increased risk of illegal entry into Australia from foreign crewed vessels that are now able to spend extended periods on the Australian coast;
- (2) calls upon the Government to act immediately to review the current security arrangements in relation to foreign seafarers; and
- (3) further notes the threats posed to our coastal environment by flag of convenience vessels.

Debate ensued.

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

10 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—STATEMENT BY MEMBER AND PAPERS

Mr Prosser made a statement concerning Australia and the World Trade Organisation and presented the following paper:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Annual Review of Australia and the World Trade Organisation—

Copy of statement, 9 December 2002.

Evidence received by the committee.

11 MEMBERS' STATEMENTS

Members' statements were made.

12 QUESTIONS

Questions without notice being asked—

Member ordered to withdraw

At 2.03 p.m. the Member for McMillan (Mr Zahra) was ordered, under standing order 304A, to withdraw from the House for one hour for equivocating when asked to withdraw an unparliamentary expression, and he accordingly withdrew from the Chamber.

Questions without notice continuing—

Paper

Mr Anderson (Minister for Transport and Regional Services) presented the following paper:

Tool kit for getting through the drought—Lifeline, November 2002.

Questions without notice continuing—

Papers

Mr Melham, by leave, presented the following papers:

Ethanol in petrol—

Facsimile from constituent to D. Melham MP, 5 November 2002.

Analysis report—Oilcheck Pty Ltd, 27 November 2002.

Questions without notice continuing—

Paper

Mr M. A. J. Vaile (Minister for Trade) presented the following paper:

Exports of primary and manufactured products Australia 2001-2002—Department of Foreign Affairs and Trade, December 2002.

Questions without notice continued.

13 SUSPENSION OF STANDING AND SESSIONAL ORDERS—ROUTINE OF BUSINESS FOR NEXT SITTING

Mr Abbott (Leader of the House), by leave, moved—That:

- (a) the House, at its rising, adjourn until tomorrow at 2.30 p.m., and
- (b) so much of the standing and sessional orders be suspended as would prevent the routine of business for the sitting tomorrow being as follows, unless otherwise ordered:
 - (1) Questions without notice (at 2.30 p.m.).
 - (2) Presentation of papers.
 - (3) Ministerial statements, by leave.
 - (4) Matter of public importance.
 - (5) Notices and orders of the day, government business.

Question—put and passed.

14 PETITIONS

Petitions lodged for presentation were announced.

15 OPERATION JAYWICK—COMMEMORATIVE STAMP ISSUES

Mr Lloyd, pursuant to notice, moved—That this House:

- (1) acknowledges the service and bravery of all Australian veterans involved with the Z Special Unit Forces, including Operation Jaywick during WWII;
- (2) notes:
 - (a) the upcoming 60th anniversary of Operation Jaywick on 26-27 September 2003;
 - (b) Australia Post's successful and popular policy of producing special issue commemorative stamps; and
 - (c) Australia Post's policy to recognise only anniversaries of 50 years or multiples of 50 years in such commemorative stamp issues; and
- (3) urges Australia Post to review this policy to enable the issue of a 60th anniversary commemorative stamp series in honour of the veterans of Operation Jaywick.

Debate ensued.

The time allotted for the debate having expired, the debate was interrupted, and the resumption of the debate made an order of the day for the next sitting.

16 INSTITUTIONALISED CHILDREN

Mrs Irwin, pursuant to notice, moved—That this House:

- (1) acknowledges the ongoing effects of emotional deprivation suffered by children placed in institutions prior to the mid 1970s;
- (2) applauds the public exposure of the misguided policies under which British migrant children and the "stolen generation" of indigenous children were treated and the effects of their treatment in children's institutions evident in adulthood;

- (3) recognises that Australian children raised in institutions were denied love and affection, that they were separated from siblings, subjected to harsh discipline and suffered physical and sexual abuse;
- (4) recognises that they were conditioned to perform manual work rather than to pursue higher education or develop high level skills and that they were subjected to a deliberate policy to erase any awareness of their biological parents and family; and
- (5) calls on the Government to facilitate the full disclosure of the forgotten history of institutionalised children and to respond to the present needs of those generations still suffering the effects of their time in children's institutions.

Debate ensued.

The time allotted for private Members' business having expired, the debate was interrupted, and the resumption of the debate made an order of the day for the next sitting.

17 GRIEVANCE DEBATE

Pursuant to the provisions of standing order 106, the order of the day having been read—

Question proposed—That grievances be noted.

Debate ensued.

Question—That grievances be noted—put and passed.

18 MESSAGE FROM THE SENATE

Message No. 179, 5 December 2002, from the Senate was reported acquainting the House that Senator Stott Despoja had been discharged from attendance on the Joint Standing Committee on Treaties.

19 MESSAGE FROM THE SENATE—TAXATION LAWS AMENDMENT (STRUCTURED SETTLEMENTS) BILL 2002

A message from the Senate was reported returning the following Bill with amendments:

5 December 2002—Message No. 180—Taxation Laws Amendment (Structured Settlements) Bill 2002.

Ordered—That the amendments be considered at the next sitting.

20 COPYRIGHT AMENDMENT (PARALLEL IMPORTATION) 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 McClelland, viz.*—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 condemns the Government for proposing to further remove protections against the parallel importation of software products, books, periodicals and print music in circumstances where the Government has failed to:

- (a) address concerns about increased piracy by responding to the House of Representatives Standing Committee on Legal and Constitutional Affairs 2000 report on copyright enforcement *Cracking down on copycats*;
- (b) adduce properly researched and credible evidence that the removal of parallel importation restrictions has resulted in lower music CD prices for consumers; and
- (c) reform and simplify technical and regulatory guidelines that place strictures on the development of Australia's computer software and computer games industries”—

Debate resumed.

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

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

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

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Williams (Attorney-General), the Bill was read a third time.

21 RENEWABLE ENERGY (ELECTRICITY) 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.

Debate adjourned (Fran Bailey—Parliamentary Secretary to the Minister for Defence), and the resumption of the debate made an order of the day for the next sitting.

22 TREATIES—JOINT STANDING COMMITTEE—REPORT—STATEMENT BY MEMBER

Ms J. I. Bishop (Chair) presented the following paper:

Treaties—Joint Standing Committee—50th report: Treaties tabled 15 October 2002—

Report, December 2002.

Evidence received by the committee.

Minutes of proceedings.

Ordered—That the report be printed.

Ms J. I. Bishop, by leave, made a statement in connection with the report.

23 ADJOURNMENT

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

Debate ensued.

Paper

Mr Albanese, by leave, presented the following paper:

Targeting citizens in western countries is legitimate—Extracts from an article by Abu Aiman Al-Hilali, 4 December 2002.

Debate continued.

Question—put and passed.

And then the House, at 10.59 p.m., adjourned until tomorrow at 2.30 p.m., in accordance with the resolution agreed to this sitting.

PAPERS

The following papers were deemed to have been presented on 9 December 2002:

Aboriginal and Torres Strait Islander Commission Act—Rules—2002 Regional Council Election (Casual Vacancies) Amendment (No. 1).

Diplomatic Privileges and Immunities Regulations—Certificates, 28 November (2) 2002.

Radiocommunications Act—Determination—2002 Radiocommunications Licence Conditions (Amateur Licence) Amendment (No. 1).

Taxation Administration Act—
Determination—2002 No. TD 26.

Rulings—2002 Nos CR 55 (Addendum), CR 78 (Addendum), CR 81 (Addendum), CR 84, CR 85, FGRR 1, PR 137, PR 138, PR 139, PR 140.

Telecommunications Act 1997—Declaration—2002 Carrier Licence Conditions (Telstra Corporation Limited) 1997 Amendment (No. 4).

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