

2002-03

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 83

THURSDAY, 20 MARCH 2003

1 The House met, at 9 a.m., pursuant to adjournment. The Speaker (the Honourable Neil Andrew) took the Chair, and read Prayers.

2 **IRAQ—COMMITMENT TO COALITION IN THE GULF**

The order of the day having been read for the resumption of the debate on the motion of Mr Howard (Prime Minister)—That this House:

- (1) condemns Iraq's refusal, over more than 12 years, to abide by 17 resolutions of the United Nations Security Council regarding the threat it poses to international peace and security;
- (2) recognises:
 - (a) that Iraq's continued possession and pursuit of weapons of mass destruction, in defiance of its mandatory obligations under numerous resolutions of the United Nations Security Council, represents a real and unacceptable threat to international peace and security;
 - (b) that Iraq's behaviour weakens the global prohibitions on the spread of weapons of mass destruction, with the potential to damage Australia's security; and
 - (c) that, as more rogue states acquire them, the risk of weapons of mass destruction falling into the hands of terrorists multiplies, thereby presenting a real and direct threat to the security of Australia and the entire international community;
- (3) abhors:
 - (a) Iraq's continued support for international terrorism; and
 - (b) the institutionalised widespread and grave abuse of the human rights of the Iraqi people over many years;
- (4) notes that United Nations Security Council resolutions adopted under Chapter VII of the United Nations Charter, in particular resolutions 678, 687 and 1441, provide clear authority for the use of force against Iraq for the purposes of disarming Iraq of weapons of mass destruction and restoring international peace and security to the region;
- (5) endorses the Government's decision to commit Australian Defence Force elements in the region to the international coalition of military forces prepared to enforce Iraq's compliance with its international obligations under successive resolutions of the United Nations Security Council, with a view to restoring international peace and security in the Middle East region;
- (6) expresses its unequivocal support for the Australian service men and women, and other personnel serving with the international coalition, our full confidence in them and the hope that all will return safely to their homes;
- (7) extends to the innocent people of Iraq its support and sympathy during the military action to disarm Iraq of its weapons of mass destruction and the reconstruction period that will follow; and
- (8) notes that the Government is committed to helping the Iraqi people, including through humanitarian assistance, to build a new Iraq at peace with itself and its neighbours—

And on the amendment moved thereto by Mr Crean (Leader of the Opposition), viz.—That all words after "That" be omitted with a view to substituting the following words: "This House:

- (1) insists that Iraq must disarm under the authority of the United Nations;

- (2) believes that, in the absence of an agreed UN Security Council resolution authorising military action against Iraq, there is no basis for military action to disarm Iraq, including action involving the Australian Defence Force;
- (3) insists that there should be no commitment of Australian troops to a war in Iraq outside the authority of the United Nations;
- (4) concludes that Australian involvement in a war in Iraq without UN authorisation is not in Australia's national interests or in the interests of maintaining international peace and security; and
- (5) expresses its confidence in our servicemen and women and our full support for them and their families"—

Debate resumed.

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.

3 QUESTIONS

Questions without notice being asked—

Member named and suspended

The Speaker named the Member for Rankin (Mr Emerson) for defying the Chair.

Mr Abbott (Leader of the House) moved—That the Member for Rankin be suspended from the service of the House.

Question—put.

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

AYES, 79

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

NOES, 62

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

* Tellers

And so it was resolved in the affirmative.

The Member was, therefore, suspended at 3.07 p.m. for 24 hours under standing order 305, and he accordingly withdrew from the Chamber.

Questions without notice concluded.

4 IRAQ—COMMITMENT TO COALITION IN THE GULF

The order of the day having been read for the resumption of the debate on the motion of Mr Howard (Prime Minister)—*And on the amendment moved thereto by Mr Crean (Leader of the Opposition), (see item 2, page 803)*—

Debate resumed.

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

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

AYES, 80

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

NOES, 63

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

* Tellers

And so it was resolved in the affirmative.

Question—That the motion be agreed to—put.

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

AYES, 80

Mr Abbott	Mr Downer	Mr Katter	Mr Ruddock
Mr Anderson	Mrs Draper	Mrs D. M. Kelly	Mr Schultz
Mr K. J. Andrews	Mr Dutton	Jackie Kelly	Mr Scott
Mr Anthony	Mrs Elson	Dr Kemp	Mr Secker
Fran Bailey	Mr Entsch	Mr P. E. King	Mr Slipper
Mr Baird	Mr Farmer	Mrs Ley	Mr A. D. H. Smith
Mr Baldwin	Mr Forrest*	Mr Lindsay	Mr Somlyay
Mr Barresi	Mrs Gallus	Mr McArthur*	Dr Southcott
Mr Bartlett	Ms Gambaro	Mr I. E. Macfarlane	Dr Stone
Mr Billson	Mrs Gash	Mr McGauran	Mr C. P. Thompson
Mrs B. K. Bishop	Mr Georgiou	Mrs May	Mr Ticehurst
Ms J. I. Bishop	Mr Haase	Mrs Moylan	Mr Tollner
Mr Brough	Mr Hardgrave	Mr Nairn	Mr Truss
Mr Cadman	Mr Hartsuyker	Dr Nelson	Mr Tuckey
Mr Cameron	Mr Hawker	Mr Neville	Mr M. A. J. Vaile
Mr Causley	Mr Hockey	Ms Panopoulos	Mrs D. S. Vale
Mr Charles	Mr Howard	Mr Pearce	Mr Wakelin
Mr Ciobo	Mr Hunt	Mr Prosser	Dr Washer
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NOES, 63

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

* Tellers

And so it was resolved in the affirmative.

5 AUSTRALIAN SECURITY INTELLIGENCE ORGANISATION LEGISLATION AMENDMENT (TERRORISM) BILL 2002 [NO. 2]

Mr Williams (Attorney-General), pursuant to notice, presented a Bill for an Act to amend legislation relating to the Australian Security Intelligence Organisation to enhance the Commonwealth's ability to combat terrorism, and for related purposes.

Bill read a first time.

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

Mr Williams addressing the House—

Adjournment negatived

It being 4.30 p.m.—The question was proposed—That the House do now adjourn.

Mr Abbott (Leader of the House) requiring the question to be put forthwith without debate—

Question—put and negatived.

Mr Williams continued his speech.

Paper

Mr Williams presented an explanatory memorandum to the Bill.

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

6 AUDITOR-GENERAL'S REPORT

The Speaker presented the following paper:

Auditor-General—Audit report No. 33 of 2002-2003—Performance audit—Management of e-business in the Department of Education, Science and Training.

Ordered to be printed.

7 PAPERS

The following papers were presented:

Aboriginal and Torres Strait Islander Social Justice Commissioner—Reports for 2002—Native title.

Social justice.

Aboriginal Land Commissioner—Reports and explanatory statements by the Minister for Immigration and Multicultural and Indigenous Affairs—

No. 61—Maria Island and Limmen Bight River land claim no. 71 and part of Maria Island Region land claim no. 198.

No. 62—McArthur River Region land claim no. 184 and part of Manangoora Region land claim no. 185.

No. 63—Lorella Region land claim no. 199 and part of Maria Island Region land claim no. 198.

Advisory panel on the marketing of infant formula in Australia—Report for 2001-02.

Australian Law Reform Commission—Report No. 95—Principled regulation: Federal civil and administrative penalties in Australia, December 2002.

Department of Health and Ageing—Private Health Insurance—Report on premium increases for quarter beginning 1 January 2003.

Native Title Act—Native title representative bodies—Reports for 2001-02—

Aboriginal Legal Rights Movement Inc.

Mirimbiak Nations Aboriginal Corporation.

United Nations—

International Covenant on Civil and Political Rights—Human Rights Committee—Communications—

No. 881/1999—Recommendation.

No. 900/1999—Views.

Optional Protocol to the International Covenant on Civil and Political Rights—Communication—

No. 1127/2002—Outline.

8 PAPERS—MOTION TO TAKE NOTE OF PAPERS

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

Advisory panel on the marketing of infant formula in Australia—Report for 2001-02.

Department of Health and Ageing—Private Health Insurance—Report on premium increases for quarter beginning 1 January 2003.

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

9 COMMITTEES—MEMBERSHIP

The House was informed that the Opposition Whip had nominated Members to be members of certain committees.

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

(1) Mr Danby be discharged from the Standing Committee on Aboriginal and Torres Strait Islander Affairs and that, in his place, Ms Gillard be appointed a member of the committee; and

(2) Dr Lawrence be discharged from the Parliamentary Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Fund and that, in her place, Ms Gillard be appointed a member of the committee.

Question—put and passed.

10 MESSAGE FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS

A message from His Excellency the Governor-General was announced informing the House that His Excellency, in the name of Her Majesty, had assented to the following Bills:

19 March 2003—Message No. 111—

Migration Legislation Amendment (Contributory Parents Migration Scheme) 2003.

Migration (Visa Application) Charge Amendment 2003.

Maritime Legislation Amendment 2003.

Snowy Hydro Corporatisation Amendment 2003.

11 BILLS REFERRED TO MAIN COMMITTEE

Mr McArthur (Acting Chief Government Whip), by leave, moved—That the following Bills be referred to the Main Committee for further consideration:

Corporations Legislation Amendment 2002;

Corporations (Fees) Amendment 2002;

Corporations (Review Fees) 2002;

National Blood Authority 2002;

Veterans' Affairs Legislation Amendment (No. 3) 2002; and

National Gallery Amendment 2002.

Question—put and passed.

12 ADJOURNMENT

Jackie Kelly (Parliamentary Secretary to the Prime Minister) moved—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 5 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 20 March 2003:

Currency Act—Determination—2003 Currency (Royal Australian Mint) (No. 1).

Fisheries Management Act—Temporary Order—2003 No. 1.

Lands Acquisition Act—

Statement under sub-section 125(5), February 2003.

Statement under sub-section 40(3), February 2003.

Parliament Act—Parliamentary Zone—Proposal, together with supporting documentation, for pedestrian lighting.

ATTENDANCE

All Members attended (at some time during the sitting) except Mrs Crosio*, Mrs Hull, Dr Lawrence, Ms Livermore* and Mr Lloyd*.

* On leave

I. C. HARRIS
Clerk of the House of Representatives

2002-03

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 83

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 20 MARCH 2003

1 The Main Committee met at 9.40 a.m.

2 **MEMBERS' STATEMENTS**

Members' statements were made.

3 **APPROPRIATION BILL (NO. 3) 2002-2003**

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 failures in economic management, and in particular its failings in relation to both income and expenditure policies because:

- (1) it is the highest taxing Government in Australian history, and:
 - (a) has imposed the highest level ever of income tax;
 - (b) is responsible for introducing the biggest new tax in our history; and
 - (c) is addicted to imposing ever more taxes and special levies;
- (2) it has failed to deliver on its basic responsibilities to the Australian people, for example:
 - (a) bulk billing has collapsed;
 - (b) there is chronic under-investment in our public schools, TAFE colleges and universities;
 - (c) the struggle to balance work and family life continues to get harder; and
 - (d) entry level housing is becoming even less affordable for struggling Australian families; and
- (3) despite the record tax take, and in spite of declining Government services, the Government has failed to keep the Budget in surplus after nearly a decade of strong economic growth, in that:
 - (a) it broke its unequivocal promise to keep the Budget in surplus in 2001-02;
 - (b) future surpluses are dependent on the additional revenue provided by bracket creep;
 - (c) it has presided over enormous waste and mismanagement including billions of dollars of foreign exchange losses and defence procurement losses; and
 - (d) it has lost control over expenditure necessitating wholesale changes to the budgetary management system”—

Debate resumed.

Amendment negatived.

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 **APPROPRIATION BILL (NO. 4) 2002-2003**

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 ADJOURNMENT

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) moved—That the Main Committee do now adjourn.

Debate ensued.

Papers

Ms C. F. King, by leave, presented the following papers:

“Let’s look out for Australia: Protecting our way of life from a possible terrorist threat”—Returned packs (27) from constituents of the electorate of Ballarat.

Debate continued.

Question—put and passed.

At 1.14 p.m. the Deputy Speaker adjourned the Main Committee.



B. C. WRIGHT
Clerk of the Main Committee