

2002-03

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 106

THURSDAY, 26 JUNE 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 WORKPLACE RELATIONS AMENDMENT (CODIFYING CONTEMPT OFFENCES) BILL 2003

Mr Abbott (Minister for Employment and Workplace Relations), pursuant to notice, presented a Bill for an Act to amend laws relating to workplace relations, 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 (Mr McClelland), and the resumption of the debate made an order of the day for the next sitting.

3 POSTPONEMENT OF BUSINESS

Ordered—That business intervening before notice No. 18, government business, be postponed until a later hour this day.

4 SUSPENSION OF STANDING ORDERS 48A AND 103

Mr Abbott (Leader of the House), pursuant to notice, moved—That standing order 48A (adjournment and next meeting) and standing order 103 (new business) be suspended for this sitting.

Question—put and passed.

5 SPECIAL ADJOURNMENT

Mr Abbott (Leader of the House) moved—That the House, at its rising, adjourn until Monday, 11 August 2003, at 12.30 p.m., unless the Speaker fixes an alternative day or hour of meeting.

Question—put and passed.

6 LEAVE OF ABSENCE TO ALL MEMBERS

Mr Abbott (Leader of the House) moved—That leave of absence be given to every Member of the House of Representatives from the determination of this sitting of the House to the date of its next sitting.

Question—put and passed.

7 MIGRATION LEGISLATION AMENDMENT (IDENTIFICATION AND AUTHENTICATION) BILL 2003

Mr Ruddock (Minister for Immigration and Multicultural and Indigenous Affairs), pursuant to notice, presented a Bill for an Act to amend the *Migration Act 1958*, and for related purposes.

Bill read a first time.

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

Paper

Mr Ruddock 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.

8 AGE DISCRIMINATION BILL 2003

Mr Williams (Attorney-General), pursuant to notice, presented a Bill for an Act relating to discrimination on the ground of age.

Bill read a first time.

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

Paper

Mr Williams 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.

9 AGE DISCRIMINATION (CONSEQUENTIAL PROVISIONS) BILL 2003

Mr Williams (Attorney-General), pursuant to notice, presented a Bill for an Act to amend certain Acts as a consequence of the enactment of the *Age Discrimination Act 2003*, and for related purposes.

Bill read a first time.

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

Paper

Mr Williams 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.

10 LEGISLATIVE INSTRUMENTS BILL 2003

Mr Williams (Attorney-General), pursuant to notice, presented a Bill for an Act relating to the making, registration, Parliamentary scrutiny and periodic repeal of legislative instruments, and for related purposes.

Bill read a first time.

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

Paper

Mr Williams presented an explanatory memorandum to the Bill.

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

11 LEGISLATIVE INSTRUMENTS (TRANSITIONAL PROVISIONS AND CONSEQUENTIAL AMENDMENTS) BILL 2003

Mr Williams (Attorney-General), pursuant to notice, presented a Bill for an Act to deal with transitional and consequential matters arising from the enactment of the *Legislative Instruments Act 2003*, and for other purposes.

Bill read a first time.

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

Paper

Mr Williams presented an explanatory memorandum to the Bill.

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

12 EDUCATION SERVICES FOR OVERSEAS STUDENTS (REGISTRATION CHARGES) AMENDMENT BILL 2003

Dr Nelson (Minister for Education, Science and Training) presented a Bill for an Act to amend the *Education Services for Overseas Students (Registration Charges) Act 1997*, and for related purposes.

Bill read a first time.

Dr Nelson moved—That the Bill be now read a second time.

Paper

Dr Nelson presented an explanatory memorandum to the Bill.

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

13 HIGHER EDUCATION LEGISLATION AMENDMENT BILL 2003

Dr Nelson (Minister for Education, Science and Training), pursuant to notice, presented a Bill for an Act to amend legislation relating to higher education and the Australian Research Council, and for related purposes.

Bill read a first time.

Dr Nelson moved—That the Bill be now read a second time.

Paper

Dr Nelson presented an explanatory memorandum to the Bill.

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

14 VOCATIONAL EDUCATION AND TRAINING FUNDING AMENDMENT BILL 2003

Dr Nelson (Minister for Education, Science and Training), pursuant to notice, presented a Bill for an Act to amend the *Vocational Education and Training Funding Act 1992*, and for related purposes.

Bill read a first time.

Dr Nelson moved—That the Bill be now read a second time.

Paper

Dr Nelson presented an explanatory memorandum to the Bill.

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

15 STATES GRANTS (PRIMARY AND SECONDARY EDUCATION ASSISTANCE) AMENDMENT BILL 2003

Dr Nelson (Minister for Education, Science and Training), pursuant to notice, presented a Bill for an Act to amend the *States Grants (Primary and Secondary Education Assistance) Act 2000*, and for related purposes.

Bill read a first time.

Dr Nelson moved—That the Bill be now read a second time.

Paper

Dr Nelson presented an explanatory memorandum to the Bill.

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

16 TELSTRA (TRANSITION TO FULL PRIVATE OWNERSHIP) BILL 2003

Dr Nelson (Minister for Education, Science and Training), pursuant to notice, presented a Bill for an Act to amend the *Telstra Corporation Act 1991*, and for other purposes.

Bill read a first time.

Dr Nelson moved—That the Bill be now read a second time.

Paper

Dr Nelson presented an explanatory memorandum to the Bill.

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

17 COMMUNICATIONS LEGISLATION AMENDMENT BILL (NO. 2) 2003

Dr Nelson (Minister for Education, Science and Training), pursuant to notice, presented a Bill for an Act to amend legislation related to communications, and for related purposes.

Bill read a first time.

Dr Nelson moved—That the Bill be now read a second time.

Paper

Dr Nelson presented an explanatory memorandum to the Bill.

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

18 FUEL QUALITY STANDARDS AMENDMENT BILL 2003

Dr Stone (Parliamentary Secretary to the Minister for the Environment and Heritage), for Dr Kemp (Minister for the Environment and Heritage), pursuant to notice, presented a Bill for an Act to amend the *Fuel Quality Standards Act 2000*, and for related purposes.

Bill read a first time.

Dr Stone moved—That the Bill be now read a second time.

Paper

Dr Stone presented an explanatory memorandum to the Bill.

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

19 FAMILY AND COMMUNITY SERVICES (CLOSURE OF STUDENT FINANCIAL SUPPLEMENT SCHEME) BILL 2003

Mr Anthony (Minister for Children and Youth Affairs), pursuant to notice, presented a Bill for an Act to close the Student Financial Supplement Scheme to applications from 1 January 2004.

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

20 STUDENT ASSISTANCE AMENDMENT BILL 2003

Mr Anthony (Minister for Children and Youth Affairs), pursuant to notice, presented a Bill for an Act to close the Student Financial Supplement Scheme to applications from 1 January 2004, and for other 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 (Mr Snowdon), and the resumption of the debate made an order of the day for the next sitting.

21 STATISTICS LEGISLATION AMENDMENT BILL 2003

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, presented a Bill for an Act to amend the law relating to statistics, 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 (Mr Snowdon), and the resumption of the debate made an order of the day for the next sitting.

22 FINANCIAL SERVICES REFORM AMENDMENT BILL 2003

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, presented a Bill for an Act to amend the law relating to financial services and markets, and for other 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 (Mr Snowdon), and the resumption of the debate made an order of the day for the next sitting.

23 TAXATION LAWS AMENDMENT BILL (NO. 7) 2003

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

24 NON-PROLIFERATION LEGISLATION AMENDMENT BILL 2003

Ms Gallus (Parliamentary Secretary to the Minister for Foreign Affairs), for Mr Downer (Minister for Foreign Affairs), pursuant to notice, presented a Bill for an Act to amend laws about non-proliferation of nuclear and chemical weapons, and for related purposes.

Bill read a first time.

Ms Gallus moved—That the Bill be now read a second time.

Paper

Ms Gallus presented an explanatory memorandum to the Bill.

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

25 PARLIAMENTARY ZONE—OLD PARLIAMENT HOUSE GARDENS RECONSTRUCTION ADDITIONAL WORKS—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 25 June 2003, namely: Old Parliament House gardens reconstruction additional works.

Question—put and passed.

26 PROVISION OF FACILITIES FOR THE ACT MULTI USER DEPOT, HMAS HARMAN, ACT—APPROVAL OF WORK

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), by leave, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Provision of facilities for the ACT multi user depot, HMAS Harman.

Question—put and passed.

27 TREATIES—JOINT STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS

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

Treaties—Joint Standing Committee—Report 52: Treaties tabled in March 2003; Singapore-Australia Free Trade Agreement; Amendments to the Convention on International Trade in Endangered Species

of Wild Fauna and Flora; Regulations for the prevention of pollution by sewage from ships (revised); Convention on the control of harmful anti-fouling systems on ships—

Report, June 2003.

Evidence received by the committee.

Minutes of proceedings.

Ordered—That the report be printed.

Ms J. I. Bishop and Mr Wilkie, by leave, made statements in connection with the report.

Ms J. I. Bishop, by leave, moved—That the House take note of the report.

Ms J. I. Bishop was granted leave to continue her speech when the debate is resumed.

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

28 MEMBERS' INTERESTS COMMITTEE—PAPER

Mr Haase (Chair) presented the following paper:

Committee of Members' Interests—Register of Members' Interests for the 40th Parliament—Notifications of alterations of interests received during the period 26 March to 25 June 2003.

29 PUBLICATIONS COMMITTEE—REPORT

Mr Randall (Chair) presented the following paper:

PUBLICATIONS COMMITTEE REPORT

The Publications Committee reports that it has met in conference with the Publications Committee of the Senate. The Committee, having considered documents presented to Parliament since 15 May 2003, recommends that the following be printed:

Aboriginal Land Commissioner—Report No. 64—Garrwa (Wearyan and Robinson River Beds and Banks) Land Claim No. 178.

Australian Land Transport Development Program—Progress reports for 2001-02.

Australian Law Reform Commission—Report No. 96—Essentially yours: The protection of human genetic information in Australia—Vols 1 and 2, March 2003

Australian Maritime College—Report for 2002.

Australian National University—Report for 2002.

Department of Agriculture, Fisheries and Forestry—Report for 2001-02—Corrigendum.

National Crime Authority—Report for 2001-02.

Native Title Act 1993—Native title representative bodies—Carpentaria Land Council Aboriginal Corporation—Report for 2001-02.

Telecommunications (Interception) Act 1979—Report for 2001-02.

Western Australian Fisheries Joint Authority—Report for 2000-01.

DON RANDALL

Chair

26 June 2003

On the motion of Mr Randall, by leave, the report was agreed to.

30 MIGRATION AMENDMENT (DURATION OF DETENTION) BILL 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—

Debate resumed by Ms Gillard 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 Howard Government for keeping children in detention and calls on the Howard Government to:

- (1) immediately ensure that children and their families are taken out of high security detention centres and housed in alternative detention arrangements;

- (2) immediately ensure that all unaccompanied children are placed into foster or community care arrangements;
- (3) honour the Prime Minister's statements that contact with fathers is vital for children by allowing complete family units to be together in alternative detention arrangements; and
- (4) acknowledge the numerous reports from mental health professionals that life behind razor wire is fundamentally damaging to children".

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

31 MESSAGE FROM THE SENATE—AUSTRALIAN SECURITY INTELLIGENCE ORGANISATION LEGISLATION AMENDMENT (TERRORISM) BILL 2002 [NO. 2]

Message No. 279, 25 June 2003, from the Senate was reported returning the Australian Security Intelligence Organisation Legislation Amendment (Terrorism) Bill 2002 [No. 2] with amendments.

Ordered—That the amendments be considered forthwith.

On the motion of Mr Williams (Attorney-General), amendments Nos 1 to 15, 17 to 22, 24 to 29, 31, 35, 36, 38 to 56 and 59 to 77 were agreed to, after debate.

Mr Williams moved—That amendments Nos 30, 33, 34, 37, 57 and 58 be disagreed to.

Question—That the amendments be disagreed to—put and passed—Mr Organ dissenting.

Mr Williams presented reasons, which were circulated, and are as follows:

Reasons of the House of Representatives for disagreeing to the amendments of the Senate

Senate Amendment Number (30)—Rights while in detention

This amendment inserts a new provision that requires the prescribed authority to inform a person of their right to contact a lawyer at any time.

The House of Representatives does not accept this amendment as it adds nothing to the provision. The Bill already makes clear a person's entitlement to contact a lawyer of their choice subject to conditions set out in section 34TA. The amendment merely repeats what is apparent on the face of the legislation.

Accordingly, the House of Representatives does not accept this amendment.

Senate Amendment Numbers (33) and (34)—Onus of proof

These amendments remove notes to subsections 34G(4) and (7).

The House of Representatives does not accept these amendments as the notes explain that the defendant bears an evidential burden of proof in relation to these matters in accordance with Commonwealth criminal law policy. This is not the same as reversing the onus of proof. The prosecution still has to prove the offence beyond reasonable doubt. It is an evidential burden only.

Commonwealth criminal law policy is that this should only be allowed in cases where the matters to be proved are peculiarly within the knowledge of the defendant and are difficult and costly for the prosecution to disprove beyond a reasonable doubt, as is the case in respect of these provisions.

Accordingly, the House of Representatives does not accept these amendments.

Senate Amendment Number (37)—Questioning Regime

This amendment amends Government amendments to reduce the period of questioning from a maximum of 168 hours to 72 hours.

The amendment reduces the effectiveness of the questioning regime. Under the Government's proposal a warrant would allow a total of 24 hours of questioning in 8 hour blocks, over a maximum period of 7 days (168 hours).

The Opposition's proposal does not afford any greater protection to a subject of a warrant, it simply reduces the period of time in which important information can be obtained. The Government has already put in place strong safeguards that protect the rights and well-being of persons detained under the Bill for questioning.

Accordingly, the House of Representatives does not accept this amendment.

Senate Amendment Number (57) and (58)—Lawyer of choice

These amendments would require the prescribed authority to make an assessment of whether there is a real possibility that, in contacting a particular lawyer, a person involved in a terrorism offence may be

alerted that the offence is being investigated or that a relevant record or thing may be destroyed, damaged or altered.

The House of Representatives does not accept these amendments as the Bill already provides for the provision of a lawyer of choice, with a range of safeguards to protect the disclosure of sensitive information. Under these arrangements, while the prescribed authority may direct that the subject not have access to their lawyer of choice, the subject of a warrant can then choose another lawyer.

This means that, subject to section 34TA which allows the prescribed authority to refuse access to a lawyer of choice in certain circumstances, a person may have access to a lawyer at any stage of the proceedings.

Accordingly, the House of Representatives does not accept these amendments.

On the motion of Mr Williams, the reasons were adopted.

On the motion of Mr Williams, amendments Nos 16, 23 and 32 were disagreed to and Government amendments Nos 1 to 3 were made in place thereof.

32 MIGRATION AMENDMENT (DURATION OF DETENTION) BILL 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 Ms Gillard (see item No. 30, page 1034)*—

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.

33 QUESTIONS

Questions without notice being asked—

Paper

Mr Abbott (Minister representing the Special Minister of State) presented the following paper:

Application for ALP membership, Ahmad El Dirani, 5 May 1999.

Questions without notice continuing—

Papers

Mr Latham, in accordance with standing order 321, having called for documents quoted from by Mr Abbott—

Mr Abbott presented the following papers:

Campaign donation—Letter from Laurie Ferguson, MP, to Karim Kisrwni, 25 September 1998.

A street brawl among Left's men of letters—Copy of article by Alan Ramsey, *The Sydney Morning Herald*, 31 March 2001.

Questions without notice continuing—

Suspension of standing and sessional orders moved

Ms Gillard moved—That so much of the standing and sessional orders be suspended as would prevent the Member for Lalor moving forthwith—That this House censures the Howard Government and the Minister for Immigration, Multicultural and Indigenous Affairs for:

- (1) failing to refer to the Federal Police for investigation the allegation that Dante Tan paid Mr Kisrwni the sum of \$220,000 in exchange for Mr Kisrwni using his influence to stop the cancellation of Mr Dante Tan's visa;
- (2) failing to properly explain the awarding of permanent residency and citizenship to Dante Tan, the Philippines most-wanted corporate fugitive, following a donation of \$10,000 to the Liberal Party from Mr Tan;
- (3) failing to properly explain the inappropriate and recurring involvement of Mr Karim Kisrwni in a large number of migration cases where applicants have sought Ministerial intervention in the awarding of a visa and most especially that of Dante Tan and Bedweny Hbeiche; and

- (4) for continuing to undermine the integrity and honesty of Australia's migration system via his awarding of visas following donations to the Liberal Party.

Debate ensued.

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

Question—That the motion for the suspension of standing and sessional orders be agreed to—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 Quick*
Mr Albanese	Mr M. J. Ferguson	Dr Lawrence	Mr Ripoll
Mr Beazley	Mr Fitzgibbon	Ms Livermore	Ms Roxon
Mr Bevis	Ms George	Mr McClelland	Mr Rudd
Mr Brereton	Mr Gibbons	Ms J. S. McFarlane	Mr Sawford
Ms Burke	Ms Gillard	Ms Macklin	Mr Sciacca
Mr Byrne	Ms Grierson	Mr McLeay	Mr Sercombe
Ms Corcoran	Mr Griffin	Mr McMullan	Mr Sidebottom
Mr Cox	Ms Hall	Mr Melham	Mr S. F. Smith
Mr Crean	Mr Hatton	Mr Mossfield	Mr Snowdon
Mrs Crosio	Ms Hoare	Mr Murphy	Mr Swan
Mr Danby*	Mrs Irwin	Ms O'Byrne	Mr Tanner
Mr Edwards	Ms Jackson	Mr B. P. O'Connor	Mr K. J. Thomson
Ms Ellis	Mr Jenkins	Mr G. M. O'Connor	Ms Vamvakinou
Mr Emerson	Mr Kerr	Ms Plibersek	Mr Wilkie
Mr Evans	Ms C. F. King	Mr Price	Mr Zahra

NOES, 79

Mr Abbott	Mrs Draper	Mrs D. M. Kelly	Mr Scott
Mr Anderson	Mr Dutton	Jackie Kelly	Mr Secker
Mr K. J. Andrews	Mrs Elson	Dr Kemp	Mr Slipper
Mr Anthony	Mr Entsch	Mr P. E. King	Mr A. D. H. Smith
Fran Bailey	Mr Farmer	Mrs Ley	Mr Somlyay
Mr Baird	Mr Forrest*	Mr Lindsay	Dr Southcott
Mr Baldwin	Mrs Gallus	Mr Lloyd	Dr Stone
Mr Barresi	Ms Gambaro	Mr McArthur*	Mr C. P. Thompson
Mr Bartlett	Mrs Gash	Mrs May	Mr Ticehurst
Mr Billson	Mr Georgiou	Mrs Moylan	Mr Tollner
Mrs B. K. Bishop	Mr Haase	Mr Nairn	Mr Truss
Ms J. I. Bishop	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	Mrs Hull	Mr Pyne	Mr Williams
Mr Cobb	Mr Hunt	Mr Randall	Mr Windsor
Mr Costello	Mr Johnson	Mr Ruddock	Ms Worth
Mr Downer	Mr Jull	Mr Schultz	

* Tellers

And so it was negatived.

Questions without notice concluded.

34 MEMBER ORDERED TO WITHDRAW

At 3.59 p.m. the Member for Dunkley (Mr Billson) 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.

35 AUDITOR-GENERAL'S REPORT

The Speaker presented the following paper:

Auditor-General—Audit report No. 58 of 2002–2003—Performance audit—Veterans' appeals against disability compensation decisions—Follow-up audit: Department of Veterans' Affairs; Veterans' Review Board.

Ordered to be printed.

36 PAPERS

The following papers were presented:

Looking to the future: A review of Commonwealth fisheries policy—

Department of Agriculture, Fisheries and Forestry—Report, June 2003.

Policy Statement by the Hon Ian Macdonald, Federal Minister for Fisheries, Forestry and Conservation.

Department of Defence—Special purpose flights—Schedule for period July to December 2002.

Department of Finance and Administration—Reports—

Former Parliamentarians' travel paid by the department for the period July to December 2002, June 2003.

Parliamentarians' travel paid by the department for the period July to December 2002, June 2003.

Department of the Prime Minister and Cabinet—Expenditure on travel by former Governors-General paid by the department for the period 1 July to 31 December 2002.

Education and Training—Standing Committee—Report—Boys—Getting it right: The education of boys—Government response.

Legal and Constitutional Affairs—Standing Committee—Report—Cracking down on copycats: enforcement of copyright in Australia—Government response.

37 PAPERS—MOTION TO TAKE NOTE OF PAPER

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

Legal and Constitutional Affairs—Standing Committee—Report—Cracking down on copycats: enforcement of copyright in Australia—Government response.

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

38 PAPERS

Mr Abbott (Leader of the House) presented the following papers:

Petitions not in accord with standing and sessional orders of the House.

39 PAPER

The Speaker presented the following paper:

Committee reports—Schedule of outstanding Government responses to reports of House of Representatives and joint committees, incorporating reports tabled and details of Government responses made in the period between 11 December 2002, the date of the last schedule, and 26 June 2003.

40 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—TELSTRA

The House was informed that both Mr Neville and Ms Macklin 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 Neville, namely, "The Government's ongoing commitment to regional telecommunications regardless of the future ownership of Telstra".

The proposed discussion having received the necessary support—

Mr Neville addressed the House.

Discussion ensued.

Papers

Mr Tuckey (Minister for Regional Services, Territories and Local Government), by leave, presented the following papers:

Commonwealth Bank Sale Bill—Extract from *Hansard*—Speech by Mr Willis (Treasurer), 1995.

Tuckey pushes total Telstra sell off—Copy of article by Daniel Newell, *The Geraldton Guardian*, 19 February 2001.

Discussion continuing—

Suspension of standing and sessional orders moved

Ms O’Byrne moved—That so much of the standing and sessional orders be suspended as would prevent the terms of the matter of public importance, namely “The Government’s ongoing commitment to regional telecommunications regardless of the future ownership of Telstra”, being proposed from the Chair as a question for determination by the House, so that Members may indicate in the subsequent division their individual position in relation to the proposed full privatisation of Telstra.

Mr Tanner (second) addressing the House—

Closure of Member

Jackie Kelly (Parliamentary Secretary to the Prime Minister) moved—That the Member be not further heard.

Question—put and negatived.

Mr Tanner continued his speech.

Question—That the motion for the suspension of standing and sessional orders be agreed to—put.

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

AYES, 64

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

NOES, 72

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

* Tellers

And so it was negatived.

Discussion concluded.

41 CIVIL AVIATION LEGISLATION AMENDMENT BILL 2003—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.

42 EXPORT CONTROL AMENDMENT BILL 2003—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 Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), by leave, the Bill was read a third time.

43 MESSAGES FROM THE SENATE

Messages from the Senate, 25 June 2003, were reported acquainting the House that the Senate had agreed to resolutions concerning capital works within the Parliamentary Zone:

No. 277—Landscape and lighting works at the Treasury Building.

No. 278—Design for the Commonwealth Place Forecourt.

44 CORPORATIONS AND FINANCIAL SERVICES—JOINT STATUTORY COMMITTEE—REPORT—STATEMENT BY MEMBER

Mr Griffin presented the following papers:

Corporations and Financial Services—Joint Statutory Committee—Regulation 7.1.29 in Corporations Amendment Regulations 2003 (No. 3), Statutory Rules 2003 No. 85—

Report, June 2003.

Evidence received by the committee.

Ordered—That the report be printed.

Mr Griffin, by leave, made a statement in connection with the report.

45 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENTS BY MEMBERS

Mr Sercombe, by leave, presented the following paper:

Australian Parliamentary Delegation to the Eleventh Annual Meeting of the Asia Pacific Parliamentary Forum, Kuala Lumpur, 13 to 15 January 2003—Report, June 2003.

Mr Sercombe and Ms J. S. McFarlane, by leave, made statements in connection with the report.

Mr Sercombe, by leave, moved—That the House take note of the report.

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

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

46 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENT BY MEMBER

Ms Ellis, by leave, presented the following paper:

Australian Parliamentary Delegation to Nigeria and South Africa, 27 October to 8 November 2002—Report, June 2003.

Ms Ellis, by leave, made a statement in connection with the report.

47 MESSAGE FROM THE SENATE—AUSTRALIAN FILM COMMISSION AMENDMENT BILL 2003

Message No. 290, 26 June 2003, from the Senate was reported returning the Australian Film Commission Amendment Bill 2003 with an amendment.

Ordered—That the amendment be considered forthwith.

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the amendment was agreed to, after debate.

48 MESSAGES FROM THE SENATE

Messages from the Senate, 26 June 2003, were reported:

(a) returning the following Bills without amendment:

No. 282—HIH Royal Commission (Transfer of Records) 2003;

No. 283—National Health Amendment (Private Health Insurance Levies) 2003;

No. 284—Private Health Insurance (ACAC Review Levy) 2003 (*without requests*);

No. 285—Private Health Insurance (Collapsed Organization Levy) 2003 (*without requests*);

No. 286—Private Health Insurance (Council Administration Levy) 2003 (*without requests*);

No. 287—Private Health Insurance (Reinsurance Trust Fund Levy) 2003 (*without requests*);

No. 288—Governor-General Amendment 2003;

No. 289—Workplace Relations Amendment (Protection for Emergency Management Volunteers) 2003; and

(b) acquainting the House that the Senate had agreed to a resolution concerning capital works within the Parliamentary Zone, being additional works connected with the reconstruction of the Old Parliament House gardens—Message No. 280.

49 MIGRATION AMENDMENT (DURATION OF DETENTION) BILL 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 Ms Gillard (see item No. 30, page 1034)*—

Debate resumed.

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

50 MESSAGE FROM THE SENATE—BROADCASTING SERVICES AMENDMENT (MEDIA OWNERSHIP) BILL 2002

disagreed to; Message No. 281, 26 June 2003, from the Senate was reported returning the Broadcasting Services Amendment (Media Ownership) Bill 2002 with amendments.

Ordered—That the amendments be considered forthwith.

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), amendments Nos 1 to 15, 17 to 19, 21, 22, 25 to 41 and 44 to 48 were agreed to, after debate.

Mr Slipper moved—That amendments Nos 16, 20, 23, 24, 42 and 43 be disagreed to.

Debate ensued.

Question—put.

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

AYES, 73

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

NOES, 62

Mr Adams	Mr L. D. T. Ferguson	Mr McClelland	Ms Roxon
Mr Albanese	Mr M. J. Ferguson	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 Sidebottom
Mr Brereton	Ms Grierson	Mr Melham	Mr S. F. Smith
Ms Burke	Mr Griffin	Mr Mossfield	Mr Snowden
Mr Byrne	Ms Hall	Mr Murphy	Mr Swan
Ms Corcoran	Mr Hatton	Ms O'Byrne	Mr Tanner
Mr Cox	Ms Hoare	Mr B. P. O'Connor	Mr K. J. Thomson
Mrs Crosio	Mrs Irwin	Mr G. M. O'Connor	Ms Vamvakinou
Mr Danby*	Ms Jackson	Mr Organ	Mr Wilkie
Mr Edwards	Mr Kerr	Ms Plibersek	Mr Windsor
Ms Ellis	Ms C. F. King	Mr Price	Mr Zahra
Mr Emerson	Mr Latham	Mr Quick*	
Mr Evans	Ms Livermore	Mr Ripoll	

* Tellers

Pairs

Mr Anderson	Mr Sercombe
Mr K. J. Andrews	Mr Fitzgibbon

And so it was resolved in the affirmative.

Mr Slipper presented reasons, which were circulated, and are as follows:

*Reasons of the House of Representatives for disagreeing to the amendments of the Senate
Senate Amendments (16), (20) and (23)*

These amendments prevent a cross-media exemption certificate being issued in a metropolitan licence area where the set of media operations includes a television broadcasting licence and a newspaper associated with that licence area.

These amendments will curtail the competitiveness of smaller sized media firms and new entrants, who will not be able to attain the necessary economies of scale and scope to compete effectively against the larger incumbents. They therefore perversely deny small and new players the key advantages of cross-media reform in the very markets where the range of voices is greatest.

Accordingly, the House of Representatives does not accept these amendments.

Senate Amendment (24)

The amendment requires commercial television broadcasters operating under an exemption certificate that includes a newspaper to establish an editorial oversight board. This is an intrusion on the freedom of commercial broadcasters to make legitimate decisions about editorial content and staffing, such as the key position of the news editor.

This amendment also imposes highly intrusive obligations on the proprietor to seek Australian Broadcasting Authority (ABA) approval of their commercial objectives. This has the potential to severely hamper the ability of commercial broadcasters to run a sound and workable business.

Accordingly, the House of Representatives does not accept this amendment.

Senate Amendment (42)

This amendment would introduce new powers for the ABA to recommend that commercial media outlets publish apologies or provide a right of reply where it upholds a complaint that the outlet has acted contrary to a relevant code of practice.

The *Broadcasting Services Act 1992* (BSA) already requires broadcasting industry sectors to have in place codes of practice, which must be registered by the ABA. Where the ABA finds that a broadcaster has breached a code of practice, its normal practice is to work with the broadcaster or the appropriate industry organisation to ensure that systems are in place to ensure that the breach will not re-occur.

The results of an investigation by the ABA are also published thereby causing embarrassment and criticism of the broadcaster concerned.

The ABA has the power, if necessary, to impose binding industry standards. This is a framework which works effectively.

Accordingly, the House of Representatives does not accept this amendment.

Senate Amendment (43)

This amendment would add a further example of action the ABA can recommend that the Australian Broadcasting Corporation and Special Broadcasting Service undertake where it upholds a complaint that the broadcaster has acted contrary to a relevant code of practice.

This amendment is unnecessary. The ABA already has adequate powers to investigate complaints and make appropriate recommendations to the national broadcasters.

Accordingly, the House of Representatives does not accept this amendment.

On the motion of Mr Slipper, the reasons were adopted.

51 MESSAGE FROM THE SENATE—TAXATION LAWS AMENDMENT BILL (NO. 4) 2003

Message No. 294, 26 June 2003, from the Senate was reported returning the Taxation Laws Amendment Bill (No. 4) 2003 with an amendment.

Ordered—That the amendment be considered forthwith.

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the amendment was agreed to, after debate.

52 MESSAGE FROM THE SENATE—TAXATION LAWS AMENDMENT BILL (NO. 6) 2003

Message No. 295, 26 June 2003, from the Senate was reported returning the Taxation Laws Amendment Bill (No. 6) 2003 with amendments.

Ordered—That the amendments be considered forthwith.

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the amendments were agreed to, after debate.

53 MESSAGE FROM THE SENATE—HEALTH AND AGEING LEGISLATION AMENDMENT BILL 2003

Message No. 291, 26 June 2003, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend legislation about health and ageing, 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.

54 MESSAGE FROM THE SENATE—HEALTH LEGISLATION AMENDMENT BILL (NO. 1) 2003

Message No. 292, 26 June 2003, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend legislation relating to health, 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.

55 MESSAGE FROM THE SENATE

A message from the Senate was reported returning the following Bill without amendment:

26 June 2003—Message No. 293—Export Market Development Grants Amendment 2003.

56 MIGRATION AMENDMENT (DURATION OF DETENTION) BILL 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 Ms Gillard (see item No. 30, page 1034)*—

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, 74

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

NOES, 63

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

* Tellers

Pairs

Mr Anderson Mr Sercombe
Mr K. J. Andrews Mr Fitzgibbon

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 Ruddock (Minister for Immigration and Multicultural and Indigenous Affairs), the Bill was read a third time.

57 AUSTRALIAN HUMAN RIGHTS COMMISSION LEGISLATION BILL 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—

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:

“the House declines to give the Bill a second reading and condemns the Government for:

- (1) attempting to weaken the independence of the Human Rights and Equal Opportunity Commission by requiring the Commission to seek the permission of the Attorney-General before intervening in court proceedings;
- (2) attempting to reduce the effectiveness of the Commission by abolishing specialist Commissioners; and
- (3) denigrating the valuable work undertaken by the Commission over its lifetime to strengthen the human rights of Australians”.

Debate continued.

The House continuing to sit until after midnight—

FRIDAY, 27 JUNE 2003

Debate adjourned (Mr Abbott (Minister for Employment and Workplace Relations), and the resumption of the debate made an order of the day for a later hour this day.

58 MESSAGE FROM THE SENATE—BROADCASTING SERVICES AMENDMENT (MEDIA OWNERSHIP) BILL 2002

Message No. 298, 26 June 2003, from the Senate was reported returning the Broadcasting Services Amendment (Media Ownership) Bill 2002 and acquainting the House that the Senate has considered message No. 353 and insists on its amendments Nos 16, 20, 23, 24, 42 and 43 disagreed to by the House and desires the reconsideration of the Bill by the House in respect of the amendments.

Ordered—That the amendments be considered forthwith.

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the House insisted on disagreeing to the amendments insisted upon by the Senate.

On the motion of Mr Slipper, the Bill was laid aside.

59 MESSAGES FROM THE SENATE

Messages from the Senate, 26 June 2003, were reported returning:

- (a) the Australian Security Intelligence Organisation Legislation Amendment (Terrorism) Bill 2002 [No. 2] and acquainting the House that the Senate does not insist upon its amendments Nos 30, 33, 34, 37, 57 and 58 disagreed to by the House of Representatives; and does not insist on its amendments Nos 16, 23 and 32 disagreed to by the House and has agreed to the amendments made by the House in place of those amendments—Message No. 296; and
- (b) the National Handgun Buyback Bill 2003 without amendment—Message No. 297.

60 AUSTRALIAN HUMAN RIGHTS COMMISSION LEGISLATION BILL 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 McClelland (see item No. 57, page 1045)*—

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, 69

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

NOES, 18

Mr Andren	Mr L. D. T. Ferguson	Mr Jenkins	Mr Ripoll
Mr Bevis	Mr M. J. Ferguson	Mr Latham	Mr S. F. Smith
Mr Cox	Ms Grierson	Mr B. P. O'Connor	Mr Wilkie
Mrs Crosio	Mr Griffin	Mr Organ	
Mr Danby*	Mrs Irwin	Mr Quick*	

* Tellers

Pairs

Mr Anderson	Mr Sercombe
Mr K. J. Andrews	Mr Fitzgibbon

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 Causley, in the Chair)—

AYES, 70

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

NOES, 18

Mr Andren	Mr L. D. T. Ferguson	Mr Jenkins	Mr Ripoll
Mr Bevis	Mr M. J. Ferguson	Mr Latham	Mr S. F. Smith
Mr Cox	Ms Grierson	Mr B. P. O'Connor	Mr Wilkie
Mrs Crosio	Mr Griffin	Mr Organ	
Mr Danby*	Mrs Irwin	Mr Quick*	

* Tellers

Pairs

Mr Anderson	Mr Sercombe
Mr K. J. Andrews	Mr Fitzgibbon

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

Consideration in detail

Schedule 1, by leave, taken as a whole, and agreed to, after debate.

Schedule 2 and clauses 1, 2 and 3, by leave, taken together, and agreed to.

Title agreed to.

Bill agreed to.

Consideration in detail concluded.

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

61 MESSAGE FROM THE SENATE—WHEAT MARKETING AMENDMENT BILL 2002

Message No. 299, 27 June 2003 a.m., from the Senate was reported returning the Wheat Marketing Amendment Bill 2002 with amendments.

Ordered—That the amendments be considered forthwith.

On the motion of Mr Truss (Minister for Agriculture, Fisheries and Forestry), the amendments were agreed to.

62 DEFENCE LEGISLATION AMENDMENT BILL 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—

Debate resumed.

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

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

63 MESSAGE FROM THE SENATE—SUPERANNUATION LEGISLATION (COMMONWEALTH EMPLOYMENT) REPEAL AND AMENDMENT BILL 2002

Message No. 300, 27 June 2003 a.m., from the Senate was reported returning the Superannuation Legislation (Commonwealth Employment) Repeal and Amendment Bill 2002 with amendments.

Ordered—That the amendments be considered forthwith.

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the amendments were agreed to.

64 ADJOURNMENT

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

Question—put and passed.

And then the House, at 2.52 a.m., adjourned until Monday, 11 August 2003 at 12.30 p.m., in accordance with the resolution agreed to this sitting.

PAPERS

The following papers were deemed to have been presented on 26 June 2003:

ACIS Administration Act—Guidelines—2003 ACIS Administration (Modulation) Amendment (No. 2).

Defence Act—

Defence Force Remuneration Tribunal—Determination—2003 No. 7.

Determination under section 58B—2003 No. 14.

Defence Force (Home Loans Assistance) Act—Declaration of warlike service (Operation Palate), 18 June 2003.

Financial Management and Accountability Act—

Determination—2003 Financial Management and Accountability (Special Accounts) No. 2.

Initial determinations under section 53 to establish components of the—

Commercial Activities Fund, December 1997.

Reserved Money Fund, December 1997.

National Health Act—Standards—2003 Health Benefits Organizations—

Capital Adequacy.

Interpretation.

Solvency.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Katter, Mr I. E. Macfarlane* and Mr McGauran.

* On leave

I. C. HARRIS
Clerk of the House of Representatives

2002-03

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 106

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 26 JUNE 2003

1 The Main Committee met at 9.40 a.m.

2 MEMBERS' STATEMENTS

Members' statements were made and petitions were presented.

3 CIVIL AVIATION LEGISLATION AMENDMENT BILL 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—

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.

4 EXPORT CONTROL AMENDMENT BILL 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—

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.

5 EMPLOYMENT AND WORKPLACE RELATIONS—STANDING COMMITTEE—MOTION TO TAKE NOTE OF PAPER

The order of the day having been read for the resumption of the debate on the motion of Mrs D. M. Kelly—That the House take note of the paper (*presented on 2 June 2003*), viz.:

Employment and Workplace Relations—Standing Committee—Report—Back on the Job: Inquiry into aspects of Australian workers' compensation schemes—

Debate resumed.

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

6 ADJOURNMENT

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

Debate ensued.

Question—put and passed.

At 1.14 p.m. the Deputy Speaker adjourned the Main Committee until 9.40 a.m. on Wednesday, 13 August 2003.

B. C. WRIGHT
Clerk of the Main Committee