

2002-03

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 119

MONDAY, 15 SEPTEMBER 2003

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—REPORT—STATEMENT BY MEMBER—MOTION TO TAKE NOTE OF PAPER

Mr Baird presented the following papers:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Expanding Australia's trade and investment relationship with the countries of Central Europe—

Report, August 2003.

Evidence received by the committee.

Ordered—That the report be printed.

Mr Baird made a statement in connection with the report.

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

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

Mr Baird 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.

3 INDUSTRY AND RESOURCES—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER

Mr Prosser (Chair) presented the following papers:

Industry and Resources—Standing Committee—Exploring: Australia's Future—impediments to increasing investment in minerals and petroleum exploration in Australia—

Report, August 2003.

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 Prosser moved—That the House take note of the report.

Mr Prosser 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.

4 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENTS BY MEMBERS

Mr Johnson presented the following paper:

Australian Parliamentary Delegation to Cambodian National Assembly Elections 2003: Election Observation Report, September 2003.

Statements in connection with the report were made.

5 FREE TRADE AGREEMENTS WITH CHINA AND JAPAN

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

- (1) supports the development of bilateral free trade agreements with both China and Japan;
- (2) acknowledges the close partnership that Australia has developed with both Japan and China;
- (3) notes the importance of trade with Japan, Australia's principal trading partner;
- (4) notes the importance of rapidly growing trade with China which has a real annual growth rate of 7 per cent;
- (5) acknowledges the massive economic and social benefits of a genuine free trade agreement with both China and Japan to all parties;
- (6) realises that the ASEAN Free Trade Area, the proposed China-ASEAN FTA and Japan's proposal for a comprehensive regional economic partnership reflect the fact that China and Japan recognise that free and open trade is the best guarantee of economic prosperity and growth;
- (7) commits to an international free trade agenda understanding that bilateral free trade agreements can complement and encourage wider free trade objectives in APEC and the WTO;
- (8) forcefully supports an international free trade agenda as a driver for global economic prosperity, improved living standards and greater opportunities for the developing world; and
- (9) commends the efforts of Japan and China to enhance global free trade, in particular, China's efforts to reduce average tariff rates from 40 per cent a decade ago to 11.5 per cent today.

Debate ensued.

At 1.45 p.m., the time allotted for the debate having expired, the debate was interrupted in accordance with standing order 106A, Mr Jenkins was granted leave to continue his speech when the debate is resumed, and the resumption of the debate was made an order of the day for the next sitting.

6 MEMBERS' STATEMENTS

Members' statements were made.

Papers

Mr Edwards, by leave, presented the following papers:

Behind the News—Out of order petitions (3).

Proposed funding cuts to ABC educational programs—Copy of letter from Denise White, President, Parents and Citizens Association, Halidon Primary School, to Mr G. Edwards, Member for Cowan, 1 September 2003.

7 MINISTERIAL ARRANGEMENTS

Mr Howard (Prime Minister) informed the House that, during the absence abroad of Mr Costello (Treasurer), he would answer questions on his behalf.

Mr Howard also informed the House that, during the absence abroad of Mr M. A. J. Vaile (Minister for Trade), Mr Anderson (Deputy Prime Minister) would answer questions on his behalf.

8 QUESTIONS

Questions without notice being asked—

Paper

Mr K. J. Thomson, in accordance with standing order 321, having called for documents quoted from by Mr Howard (Prime Minister)—

Mr Howard presented the following paper:

Foreign Affairs: Travel Advice—Extract from House *Hansard*, 24 March 2003.

Questions without notice continuing—

Suspension of standing and sessional orders moved

Mr Crean (Leader of the Opposition) moved—That so much of the standing and sessional orders be suspended as would prevent the Leader of the Opposition moving forthwith—That this House censure the Prime Minister for:

- (1) not telling the Australian Parliament and people the truth about the heightened threat of terrorism caused by the Government's decision to engage in military action in Iraq;
- (2) not telling the Australian Parliament and people the truth about the increased risk of chemical and biological weapons falling into the hands of terrorists caused by the Government's decision to engage in military action in Iraq; and
- (3) failing to take all the necessary steps to protect Australians from the threat of terrorism.

Debate ensued.

Question—put.

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

AYES, 60

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

NOES, 76

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

* Tellers

And so it was negatived.

Questions without notice concluded.

9 PETITIONS

Petitions lodged for presentation were announced.

10 OSTEOPOROSIS

Ms Burke, pursuant to notice, moved—That this House:

- (1) notes that a study commissioned by Osteoporosis Australia and a subsequent report titled *The Burden of Brittle Bones* indicated that osteoporosis is a disease that is becoming increasingly prevalent in our communities;
- (2) notes that this report further indicated that it should be recognised that osteoporosis is a preventable and treatable disease and with more research the current trend could be reversed;
- (3) notes with concern the statistics in this report that indicate the projected increase in numbers of patients within the population diagnosed with osteoporosis—in 2001, 1.9 million Australians, 10% of the population, were diagnosed as suffering from osteoporosis and by 2021 this figure is expected to rise to 13.2%;
- (4) recognises the enormous cost to the health services, the community, to individual sufferers and their carers; and
- (5) calls on the Government to recognise osteoporosis as a national health priority.

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.

11 FEDERAL MAGISTRATES SERVICE

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

- (1) recognises the success of the Federal Magistrates Service since its establishment by the Commonwealth Government in 2000;
- (2) in particular, recognises the contribution of the Federal Magistrates Service to:
 - (a) providing a quick and accessible forum for litigants involved in less complex family law and other general federal law disputes;
 - (b) increasing access to justice for Australian families, particularly those going through relationship breakdown; and
 - (c) providing an alternative and less formal court option for litigants and encouraging the use of conciliation, counselling, arbitration and mediation in appropriate cases; and
- (3) notes the Government's recent announcement that four new Federal Magistrates are to be appointed in South-east Queensland, Newcastle, Adelaide and Melbourne to further enhance the operation of the Federal Magistrates Service.

Debate ensued.

The time allotted for private Members' business having expired, the debate was interrupted, the resumption of the debate made an order of the day for the next sitting, and Ms Hoare was granted leave to continue her speech when the debate is resumed.

12 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.

13 NATIONAL RESIDUE SURVEY (CUSTOMS) LEVY AMENDMENT BILL 2002—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the Bill had been fully considered by the Main Committee and agreed to without amendment, and presented a certified copy of the Bill.

Bill agreed to.

On the motion of Jackie Kelly (Parliamentary Secretary to the Prime Minister), by leave, the Bill was read a third time.

14 NATIONAL RESIDUE SURVEY (EXCISE) LEVY AMENDMENT BILL 2002—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the Bill had been fully considered by the Main Committee and agreed to without amendment, and presented a certified copy of the Bill.

Bill agreed to.

On the motion of Jackie Kelly (Parliamentary Secretary to the Prime Minister), by leave, the Bill was read a third time.

15 NATIONAL RESIDUE SURVEY (CUSTOMS) LEVY AMENDMENT BILL (NO. 2) 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.

16 NATIONAL RESIDUE SURVEY (EXCISE) LEVY AMENDMENT BILL (NO. 2) 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.

17 MESSAGES FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS

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

6 September 2003—Message No. 163—

National Transport Commission 2003.

National Transport Commission (Consequential Amendments and Transitional Provisions) 2003.

Civil Aviation Legislation Amendment 2003.

18 MESSAGE FROM THE SENATE

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

11 September 2003—Message No. 328—Vocational Education and Training Funding Amendment 2003.

19 MESSAGE FROM THE SENATE—HEALTH LEGISLATION AMENDMENT (PRIVATE HEALTH INSURANCE REFORM) BILL 2003

Message No. 322, 10 September 2003, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend legislation relating to private health insurance, 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.

20 MESSAGE FROM THE SENATE—MIGRATION LEGISLATION AMENDMENT (SPONSORSHIP MEASURES) BILL 2003

Message No. 326, 11 September 2003, from the Senate was reported returning the Migration Legislation Amendment (Sponsorship Measures) Bill 2003 with an amendment.

Ordered—That the amendment be considered forthwith.

On the motion of Mr Ruddock (Minister for Immigration and Multicultural and Indigenous Affairs), the amendment was agreed to.

21 MESSAGE FROM THE SENATE—AUSTRALIAN NATIONAL TRAINING AUTHORITY AMENDMENT BILL 2003

Message No. 327, 11 September 2003, from the Senate was reported returning the Australian National Training Authority Amendment Bill 2003 with an amendment.

Ordered—That the amendment be considered forthwith.

On the motion of Dr Nelson (Minister for Education, Science and Training), the amendment was agreed to, after debate.

22 QUARANTINE AMENDMENT (HEALTH) BILL 2003

The order of the day having been read for the second reading—Ms Worth (Parliamentary Secretary to the Minister for Health and Ageing) moved—That the Bill be now read a second time.

Paper

Ms Worth presented an explanatory memorandum to the Bill.

Debate ensued.

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

Leave granted for third reading to be moved forthwith.

On the motion of Ms Worth, the Bill was read a third time.

23 FUEL QUALITY STANDARDS 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—*And on the amendment moved thereto by Mr Griffin, viz.*—That all words after “That” be omitted with a view to substituting the following words: “whilst not denying the Bill a second reading, the House:

- (1) notes the failure of the Federal Government to protect Australian consumers by delaying the implementation of a mandatory national labelling regime for ethanol blended fuel despite the repeated public assurances of the Minister for Environment and Heritage;
- (2) notes the decision by the Howard Government to continue to protect the interests of the ethanol industry by continuing to subsidise the industry while failing to provide adequate protection for consumers;
- (3) notes the inadequacy of the proposed labelling regime to provide consumers with a sufficiently informed choice when purchasing ethanol blended fuel;
- (4) notes the failure of the Federal Government to release the proposed regulations that will determine what labelling information consumers will be given;
- (5) notes the Government’s general conduct in developing its ethanol policy behind closed doors in a clandestine manner; and
- (6) calls on the Government to release the regulations immediately to ensure public scrutiny of their proposals”—

Debate resumed.

Amendment negatived.

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

Consideration in detail

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

Consideration in detail concluded.

On the motion of Dr Kemp (Minister for the Environment and Heritage), by leave, the Bill was read a third time.

24 ADJOURNMENT

It being 9 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 9.30 p.m., adjourned until tomorrow at 2 p.m.

PAPERS

The following papers were deemed to have been presented on 15 September 2003:

Australian Capital Territory (Planning and Land Management) Act—National Capital Plan—Amendment No. 46 (Gungahlin Drive Extension—Black Mountain Nature Reserve).

Civil Aviation Act—Civil Aviation Regulations—Airworthiness Directives—

Part 39-105—2003 8(3), 9(4), 16, 17, 22(6), 23(2), 25(10), 28, 29(3) July, 1(6), 6, 7(5), 8, 12(9), 14(2), 19(8), 20(6), 21(2), 22(2) August.

Part 39-106—2003 7(2), 8, 11, 24, 25 July, 1, 19(5), 20(3), 22 August.

Part 39-107—2003 22, 25(3) July, 6, 8, 20, 22 August.

Parliamentary Service Act—Determination—2003 No. 1.

Trade Practices Act—National Competition Council—Statement relating to extension of time for presentation of report for 2002-03.

Veterans' Entitlements Act—Instrument under subsection 105(2)—2003 No. 10.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Anthony, Fran Bailey, Mr Beazley, Mr Brereton, Ms Corcoran, Mr Costello, Mr Downer, Mr Sciacca, Mr Snowdon*, Mr Somlyay, Dr Stone and Mr M. A. J. Vaile.

* On leave

I. C. HARRIS
Clerk of the House of Representatives