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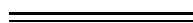
THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 125

THURSDAY, 9 OCTOBER 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 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 Minister for Health and Ageing from immediately coming into the Chamber to make a statement explaining the Government's role in creating the medical indemnity crisis, which has caused hundreds of doctors to lodge their resignations and may result in a shutdown of hospitals except for the provision of emergency services from 27 October and particularly addressing the following:

- (1) why the Government did nothing to address the medical indemnity crisis until the collapse of UMP;
- (2) why, following the collapse of UMP, the Government has sent levy notices to doctors which are based on incorrect calculations and are an attempt to get doctors to pay the wrong amount;
- (3) on what date the Government received a report from the Government Actuary which indicated the calculations may be wrong and need amendment over time;
- (4) why, in this House yesterday, the Minister for Health and Ageing claimed that the Government relied on UMP calculations when in fact the Government received the Government Actuary's report and was warned the calculations may be wrong and need amendment over time; and
- (5) why the Government is refusing to table the levy calculations claiming they are the property of UMP when in fact they are detailed in a Government Actuary's report that the Government has tried to hide.

*Closure of Member*

Mr McGauran (Deputy Leader of the House) moved—That the Member be not further heard.

Question—put.

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

## AYES, 75

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

## NOES, 60

Mr Adams	Mr Emerson	Mr Kerr	Mr Price
Mr Albanese	Mr Evans	Ms C. F. King	Mr Quick*
Mr Andren	Mr L. D. T. Ferguson	Mr Latham	Mr Ripoll
Mr Beazley	Mr M. J. Ferguson	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 Swan
Mrs Crosio	Ms Hoare	Mr Murphy	Mr Tanner
Mr Danby*	Mrs Irwin*	Mr B. P. O'Connor	Mr K. J. Thomson
Mr Edwards	Ms Jackson	Mr G. M. O'Connor	Mr Wilkie
Ms Ellis	Mr Jenkins	Ms Plibersek	Mr Windsor

\* Tellers

And so it was resolved in the affirmative.

Mr Latham (seconder) addressing the House—

*Closure of Member*

Mr McGauran moved—That the Member be not further heard.

Question—put.

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

## AYES, 75

Mr Abbott	Mr Costello	Mr Jull	Mr Ruddock
Mr Anderson	Mr Downer	Mrs D. M. Kelly	Mr Schultz
Mr K. J. Andrews	Mrs Draper	Jackie Kelly	Mr Scott
Mr Anthony	Mr Dutton	Dr Kemp	Mr Slipper
Fran Bailey	Mrs Elson	Mr P. E. King	Mr A. D. H. Smith
Mr Baird	Mr Entsch	Mrs Ley	Mr Somlyay
Mr Baldwin	Mr Farmer	Mr Lindsay	Dr Southcott
Mr Barresi	Mr Forrest*	Mr Lloyd	Dr Stone
Mr Bartlett	Mrs Gallus	Mr McArthur*	Mr Ticehurst
Mr Billson	Ms Gambaro	Mr I. E. Macfarlane	Mr Tollner
Mrs B. K. Bishop	Mrs Gash*	Mr McGauran	Mr Truss
Ms J. I. Bishop	Mr Haase	Mrs May	Mr Tuckey
Mr Brough	Mr Hardgrave	Mrs Moylan	Mr M. A. J. Vaile
Mr Cadman	Mr Hartsuyker*	Mr Nairn	Mrs D. S. Vale
Mr Cameron	Mr Hawker	Ms Panopoulos	Mr Wakelin
Mr Causley	Mr Hockey	Mr Pearce	Dr Washer
Mr Charles	Mrs Hull	Mr Prosser	Mr Williams
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## NOES, 60

Mr Adams	Mr Emerson	Mr Kerr	Mr Price
Mr Albanese	Mr Evans	Ms C. F. King	Mr Quick*
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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 Swan
Mrs Crosio	Ms Hoare	Mr Murphy	Mr Tanner
Mr Danby*	Mrs Irwin*	Mr B. P. O'Connor	Mr K. J. Thomson
Mr Edwards	Ms Jackson	Mr G. M. O'Connor	Mr Wilkie
Ms Ellis	Mr Jenkins	Ms Plibersek	Mr Windsor

\* Tellers

And so it was resolved in the affirmative.

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, 59

Mr Adams	Mr Evans	Ms C. F. King	Mr Quick*
Mr Albanese	Mr L. D. T. Ferguson	Mr Latham	Mr Ripoll
Mr Beazley	Mr M. J. Ferguson	Ms Livermore	Ms Roxon
Mr Bevis	Ms George	Mr McClelland	Mr Rudd
Mr Brereton	Mr Gibbons	Ms J. S. McFarlane	Mr Sawford
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Mr Danby*	Mrs Irwin*	Mr B. P. O'Connor	Mr K. J. Thomson
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Mr Abbott	Mr Costello	Mr Jull	Mr Ruddock
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Mr Cadman	Mr Hartsuyker*	Mr Nairn	Mrs D. S. Vale
Mr Cameron	Mr Hawker	Ms Panopoulos	Mr Wakelin
Mr Causley	Mr Hockey	Mr Pearce	Dr Washer
Mr Charles	Mrs Hull	Mr Prosser	Mr Williams
Mr Ciobo	Mr Hunt	Mr Pyne	Ms Worth
Mr Cobb	Mr Johnson	Mr Randall	

\* Tellers

And so it was negatived.

**3 SPAM 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 third reading to be moved forthwith.

On the motion of Mr Williams (Minister For Communications, Information Technology and the Arts), the Bill was read a third time.

**4 SPAM (CONSEQUENTIAL AMENDMENTS) 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—

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

Leave granted for third reading to be moved forthwith.

On the motion of Mr Williams (Minister for Communications, Information Technology and the Arts), the Bill was read a third time.

**5 HIGHER EDUCATION SUPPORT 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.

Mrs Crosio 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 a later hour this day.

**6 SUSPENSION OF STANDING AND SESSIONAL ORDERS**

Mr McGauran (Deputy Leader of the House), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent:

- (a) the Prime Minister moving forthwith a motion to observe the anniversary of the Bali tragedy; and
- (b) debate on the motion ensuing with speech time limits being as follows:  
Prime Minister—not specified;  
Leader of the Opposition—a period of time equal to that taken by the Prime Minister; and  
Other Members—10 minutes each.

Question—put and passed.

**7 ANNIVERSARY OF THE BALI TRAGEDY**

Mr Howard (Prime Minister) moved—That this House:

- (1) marks the first anniversary of the Bali tragedy by honouring those who lost their lives or were injured in the horrific terrorist attacks of 12 October 2002;
- (2) offers its continuing support and compassion to all those who have been hurt by this terrible event, especially the bereaved and the injured;
- (3) sends its heartfelt sympathy to the people and Government of Indonesia and the other nations whose citizens were killed or injured in the attacks;
- (4) conveys its deep appreciation to those who volunteered to assist in the terrible aftermath of the attacks;
- (5) expresses its gratitude to the Indonesian Government and authorities for their cooperation and support in bringing those who perpetrated this horrendous crime to justice;
- (6) reiterates its condemnation of those who employ terror and indiscriminate violence against innocent people; and
- (7) reaffirms Australia's commitment to continue the fight against terrorism in our region and in the rest of the world.

Mr Crean (Leader of the Opposition) seconded the motion.

Debate continued.

All Members present having risen, in silence—

Question—passed.

**8 ANNIVERSARY OF THE BALI TRAGEDY—MOTION TO TAKE NOTE OF PAPER**

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

Anniversary of the Bali tragedy—Copy of motion by the Prime Minister—  
and moved—That the House take note of the paper.

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

**9 MATTER REFERRED TO MAIN COMMITTEE**

Mr Abbott (Leader of the House), by leave, moved—That the following order of the day be referred to the Main Committee for debate:

Anniversary of the Bali tragedy—Copy of motion by the Prime Minister—Motion to take note of paper: Resumption of debate.

Question—put and passed.

**10 QUESTIONS**

Questions without notice being asked—

*Paper*

Mrs D. S. Vale (Minister for Veterans' Affairs) presented the following paper:

Awarding of medals—Copy of letter from Mrs Danna Vale, Minister for Veterans' Affairs, to Editor, *The Australian*.

Questions without notice continued.

**11 PAPERS**

The following papers were presented:

Aboriginal Land Commissioner—Report for 2002-03.

Australia-Indonesia Institute—Report for 2002-03.

Australian Institute of Aboriginal and Torres Strait Islander Studies—Report for 2002-03.

Crimes Act—Report on authorisations for the acquisition and use of assumed identities under Part 1AC by the Australian Customs Service—2002-03.

Foreign Affairs, Defence and Trade—Joint Standing Committee—Report—Visit to Australian forces deployed in the International Coalition against Terrorism—Government response, October 2003.

Gene Technology Regulator—Quarterly report for the period 1 April to 30 June 2003.

**12 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ACCOMMODATION BONDS OF RESIDENTS OF AGED CARE FACILITIES**

The House was informed that Ms Ellis had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The failure of the government to adequately protect the accommodation bonds of residents of aged care facilities".

The proposed discussion having received the necessary support—

Ms Ellis addressing the House—

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**13 ADJOURNMENT**

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

Debate ensued.

The House continuing to sit until 5 p.m.—The Deputy Speaker adjourned the House until Monday next at 12.30 p.m.

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**PAPERS**

The following papers were deemed to have been presented on 9 October 2003:

Health Insurance Act—Determination under paragraph 3GC(3)(a), 25 September 2003.

Remuneration Tribunal Act—Remuneration Tribunal—Report—Members of Parliament resettlement grant: Response to Government request to inquire into a redundancy-type benefit for new Senators and Members.

Veterans' Entitlements Act—Instruments under section 196B—2003 Nos 41, 42, 43, 44, 45, 46, 47, 48, 49, 50.

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**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Fitzgibbon, Mr Georgiou, Dr Lawrence, Ms O'Byrne, Mr Secker, Mr Snowdon\*, Mr C. P. Thompson, Ms Vamvakinou and Mr Zahra.

\* On leave

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**I. C. HARRIS**  
Clerk of the House of Representatives

2002-03

**HOUSE OF REPRESENTATIVES**  
**SUPPLEMENT TO VOTES AND PROCEEDINGS**

No. 125

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

THURSDAY, 9 OCTOBER 2003

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1 The Main Committee met at 9.40 a.m.

2 **MEMBERS' STATEMENTS**

Members' statements were made.

3 **PETROLEUM (SUBMERGED LANDS) 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.

*Message from the Governor-General*

Message No. 175, 17 September 2003, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

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 **OFFSHORE PETROLEUM (SAFETY LEVIES) 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—

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 **FARM HOUSEHOLD SUPPORT 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.

*Paper*

Mr Scott, by leave, presented the following paper:

Regional Business—a plan for action.

Debate continued.

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

Leave granted for the question on the report to be put forthwith.

Question—That the Bill be reported to the House without amendment—put and passed.



**6 TELECOMMUNICATIONS INTERCEPTION AND OTHER 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 Ciobo 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.

**7 ADJOURNMENT**

Mrs Elson moved—That the Main Committee do now adjourn.

Debate ensued.

Question—put and passed.

At 1.01 p.m. the Deputy Speaker adjourned the Main Committee until a date and time to be fixed.



**B. C. WRIGHT**  
Clerk of the Main Committee