

2002-03-04

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 151

MONDAY, 1 MARCH 2004

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 ASIO, ASIS AND DSD—PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER

Mr Jull (Chair) presented the following paper:

ASIO, ASIS and DSD—Parliamentary Joint Committee—Intelligence on Iraq's weapons of mass destruction—Report, December 2003.

Ordered to be printed.

Statements in connection with the report were made.

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

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

Mr Jull 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 EMPLOYEE SHARE OWNERSHIP

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

- (1) supports the wider spread, across every category of company and to all their employees, of substantial employee share ownership exercised through the agency of Employee Share Ownership Plans (ESOPs);
- (2) notes that the existing legislative and regulatory regime inhibits the spread of employee ownership especially to unlisted and private companies chiefly on account of the failure of Corporations Law to provide a disclosure regime proper to ESOPs;
- (3) notes that those employees who do benefit from ESOPs are actively discouraged from developing substantial holdings in the employers' companies by tax provisions which favour token employee ownership (through a tax exempt share plan) over the acquisitions of larger share holding (through a tax deferred share plan);
- (4) acknowledges that properly designed ESOPs provide, importantly, a mechanism by means of which employees become co-owners of the businesses for which they work and, thereby, more deeply engaged in, and committed to, the free enterprise system of wealth creation and distribution;
- (5) acknowledges that ESOPs also provide an important pre-retirement savings vehicle through which families and individuals can save for obligations which arise prior to their retirement;
- (6) recognises that ESOPs belong to a spectrum of pre-retirement savings vehicles so far undeveloped in Australia yet urgently called for by national demographic and social realities;
- (7) calls for targeted reforms of tax and corporate law to ensure that ESOPs can easily spread to all employees in all companies and provide these employees with a mechanism capable of delivering them substantial (rather than token) ownership of the companies in which they work;

- (8) calls for the development of practical regulations to ensure adequate disclosure and investor protection measures for all ESOPs; and
- (9) calls for the introduction of a new pre-retirement savings vehicle modelled on the United Kingdom *Individual Savings Account* to provide a comparable means of making medium-term savings for those employees who cannot benefit from an ESOP.

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 Edwards 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.

4 MEMBERS' STATEMENTS

Members' statements were made and a petition was presented.

5 QUESTIONS

Questions without notice being asked—

Paper

Dr Nelson (Minister for Education, Science and Training) presented the following paper:

School funding—The facts—Australian Government.

Questions without notice continuing—

Member ordered to withdraw

At 3.20 p.m. the Member for Sydney (Ms Plibersek) 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 she accordingly withdrew from the Chamber.

Questions without notice continued.

6 PETITIONS

Petitions lodged for presentation were announced.

7 CENTENARY HOUSE

Mr P. E. King, pursuant to notice, moved—That this House:

- (1) calls on the Leader of the Opposition to renegotiate the lease in relation to Centenary House; and
- (2) calls on the Australian Labor Party to return to the Australian people the moneys paid in respect of rent income on Centenary House over and above the market rate since 1993.

Debate ensued.

Papers

Mrs B. K. Bishop, by leave, presented the following papers:

John Curtin House Limited—Notes to the financial statements for the year ended 30 June 2003, pages 21 and 22.

Debate continued.

The time allotted for the debate having expired, the debate was interrupted, the resumption of the debate made an order of the day for the next sitting, and Mr B. P. J. O'Connor was granted leave to continue his speech when the debate is resumed.

8 BATTLE OF VINEGAR HILL—200TH ANNIVERSARY

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

- (1) notes that on 5 March 1804 the Battle of Vinegar Hill took place at what is today known as Rouse Hill, New South Wales;
- (2) notes that some 200 mainly Irish convicts, led by Phillip Cunningham, took part in Australia's first known armed rebellion against authorities, largely over the treatment of Irish convicts in both Britain and the colonies;
- (3) notes that next year marks the 200th anniversary of this battle;

- (4) notes that a steering committee of 5 Western Sydney Councils has been formed to stage a re-enactment and associated celebrations;
- (5) recognises that this Battle is a significant chapter in Australia's early convict history;
- (6) recognises that the Battle and its outcome helped shape the Australian character; and therefore:
- (7) urges the Government to provide whatever additional assistance is necessary to ensure a successful re-enactment of this historic battle; and
- (8) calls on the Government to commemorate this significant event by issuing a commemorative coin and stamp.

Debate ensued.

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

9 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.

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:

27 February 2004—

Message No. 216—

Migration Legislation Amendment (Identification and Authentication) 2004.

National Residue Survey Customs Levy Rate Correction (Lamb Exports) 2004.

National Residue Survey Excise Levy Rate Correction (Lamb Transactions) 2004.

Primary Industries (Excise) Levies Amendment (Wine Grapes) 2004.

Message No. 217—Health Legislation Amendment (Private Health Insurance Reform) 2004.

11 MAIN COMMITTEE—DAY OF NEXT MEETING

The Deputy Speaker reported that Tuesday, 2 March 2004, at 4 p.m., had been fixed for the next meeting of the Main Committee.

12 BILLS REFERRED TO MAIN COMMITTEE

Mr Lloyd (Chief Government Whip), by leave, moved—That, unless otherwise ordered, at the adjournment of the House for this sitting the following Bills stand referred to the Main Committee for further consideration:

Appropriation (No. 3) 2003-2004;

Appropriation (No. 4) 2003-2004; and

Appropriation (Parliamentary Departments) (No. 2) 2003-2004.

Question—put and passed.

13 APPROPRIATION BILL (NO. 3) 2003-2004

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 budget waste and mismanagement, and wrong priorities which have resulted in:

- (1) a costly Medicare ‘safety net’ which does not protect families from increasing health costs and declining levels of bulk billing;
- (2) inadequate funding and higher fees for students seeking access to higher education;

- (3) a growing number of families who are financially squeezed and trying to balance work and family;
and
- (4) 500,000 Australians waiting up to five years to get their teeth fixed”—
Debate resumed.

14 ADJOURNMENT

It being approximately 9 p.m.—The question was proposed—That the House do now adjourn.
Debate ensued.
Question—put and passed.
And then the House, at 9.29 p.m., adjourned until tomorrow at 2 p.m.

PAPERS

The following papers were deemed to have been presented on 1 March 2004:

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposals—2004 Nos 1, 2.

Civil Aviation Act—Civil Aviation Safety Regulations—Airworthiness Directives—
Part 39-105—2004 15, 21(4), 22, 27 January, 4(14), 5(5), 6(4) February.

Part 39-106—2004 5(2) February.

Part 39-107—2004 5, 6 February.

Corporations Act—

Accounting standards—No. AASB 1046.

Regulations—Statutory Rules 2004 Nos 10, 25, 26.

Currency Act—Determinations—

2003 Currency (Royal Australian Mint) (No. 8).

2004 Currency (Perth Mint) (No. 1).

Defence Act—Determinations under section 58B—2004 Nos 6, 7.

Designs Act—Regulations—Statutory Rules 2004 No. 22.

Diplomatic Privileges and Immunities Act—Diplomatic Privileges and Immunities Regulations—
Certificate—22 January 2004.

Environment Protection and Biodiversity Conservation Act—Instrument under subsection 303DC(1),
31 October 2003.

Excise Act—Regulations—Statutory Rules 2004 No. 27.

Export Control Act—Export Control (Orders) Regulations—

Export Control (Fees) Amendment Orders—2003 Nos 2, 3.

Prescribed Goods (General) Amendment Order—2004 (No. 1).

Extradition Act—Regulations—Statutory Rules 2004 No. 14.

Financial Sector (Collection of Data) Act—Variation under subsection 13(1)—Reporting Standard
SRS 010.

Fisheries Levy Act—Regulations—Statutory Rules 2004 No. 7.

Fisheries Management Act—Temporary Orders—

2003 No. 4.

2004 No. 1.

Fringe Benefits Tax Assessment Act—Regulations—Statutory Rules 2004 No. 28.

Great Barrier Reef Marine Park Act—Regulations—Statutory Rules 2004 No. 15.

Lands Acquisition Act—Regulations—Statutory Rules 2004 No. 20.

Medical Indemnity Act—Regulations—Statutory Rules 2004 No. 8.

Medical Indemnity (IBNR Indemnity) Contribution Act—Regulations—Statutory Rules 2004 No. 9.

Migration Act—Regulations—Statutory Rules 2004 No. 21.

National Health Act—Determination under paragraph (bj) of Schedule 1—2004 No. PHB 1.
Ozone Protection and Synthetic Greenhouse Gas (Import Levy) Act—Regulations—Statutory Rules 2004 No. 17.
Ozone Protection and Synthetic Greenhouse Gas (Manufacture Levy) Act—Regulations—Statutory Rules 2004 No. 18.
Ozone Protection and Synthetic Greenhouse Gas Management Act—Regulations—Statutory Rules 2004 No. 16.
Patents Act—Regulations—Statutory Rules 2004 No. 23.
Quarantine Act—Determination—2003 Quarantine Service Fees Amendment (No. 1).
Retirement Savings Accounts Act—Regulations—Statutory Rules 2004 No. 11.
Social Security (International Agreements) Act—Regulations—Statutory Rules 2004 No. 19.
Superannuation (Government Co-contribution for Low Income Earners) Act—Regulations—Statutory Rules 2004 No. 13.
Superannuation Industry (Supervision) Act—
Statements under subsection 230A(1)—
Financial assistance for small APRA funds—Subsequent applications.
Goodyer Superannuation Fund.
Regulations—Statutory Rules 2004 No. 12.
Sydney Airport Curfew Act—Dispensation—2003 No. 11 (Addendum).
Taxation Administration Act—
Determination—2004 No. TD 2.
Rulings—
2002 Nos TR 13 (Withdrawal), GSTR 2 (Addendum).
2003 Nos PR 27 (Addendum), PR 31 (Addendum), PR 44 (Addendum).
2004 Nos CR 16, CR 17, CR 18, GSTR 1, PR 15, PR 16, PR 17, PR 18, PR 19, PR 20.
Telecommunications (Consumer Protection and Service Standards) Act—Instrument—2004
Telecommunications (Customer Service Guarantee) Amendment Standard (No. 1).
Telecommunications (Numbering Charges) Act—Determination—2004 Telecommunications (Date of
imposition of charge).
Trade Marks Act—Regulations—Statutory Rules 2004 No. 24.
Veterans' Entitlements Act—Instruments under section 196B—2004 Nos 1, 2, 3, 4.

ATTENDANCE

All Members attended (at some time during the sitting) except Mrs Elson, Mrs Hull, Jackie Kelly and Mr Tollner.

I. C. HARRIS
Clerk of the House of Representatives