

2002-03-04

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 161

WEDNESDAY, 24 MARCH 2004

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

2 PARLIAMENTARY LIBRARY MATTERS—STATEMENT BY SPEAKER

The Speaker made a statement concerning proposals intended to protect the independence of the Parliamentary Library, including the formal recognition of a Joint Parliamentary Library Committee and the creation of the position of Parliamentary Librarian.

3 AGRICULTURAL AND VETERINARY CHEMICALS LEGISLATION AMENDMENT (NAME CHANGE) BILL 2004

Mr Truss (Minister for Agriculture, Fisheries and Forestry), pursuant to notice, presented a Bill for an Act to amend legislation relating to agricultural and veterinary chemicals, and for related purposes.

Bill read a first time.

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

Paper

Mr Truss presented an explanatory memorandum to the Bill.

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

4 BANKRUPTCY LEGISLATION AMENDMENT BILL 2004

Mr Ruddock (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Bankruptcy Act 1966*, and for other 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 (Mr K. J. Thomson), and the resumption of the debate made an order of the day for the next sitting.

5 BANKRUPTCY (ESTATE CHARGES) AMENDMENT BILL 2004

Mr Ruddock (Attorney-General) presented a Bill for an Act to amend the *Bankruptcy (Estate Charges) Act 1997*, 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 (Mr K. J. Thomson), and the resumption of the debate made an order of the day for the next sitting.

6 CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) AMENDMENT BILL 2004

Mr Ruddock (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Classification (Publications, Films and Computer Games) Act 1995*, 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 (Mr K. J. Thomson), and the resumption of the debate made an order of the day for the next sitting.

7 LAW AND JUSTICE LEGISLATION AMENDMENT BILL 2004

Mr Ruddock (Attorney-General), pursuant to notice, presented a Bill for an Act to amend various Acts relating to law and justice, 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 (Mr McClelland), and the resumption of the debate made an order of the day for the next sitting.

8 SURVEILLANCE DEVICES BILL 2004

Mr Ruddock (Attorney-General), pursuant to notice, presented a Bill for an Act to set out the powers of Commonwealth law enforcement agencies with respect to surveillance devices, 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 (Mr McClelland), and the resumption of the debate made an order of the day for the next sitting.

9 SEX DISCRIMINATION AMENDMENT (TEACHING PROFESSION) BILL 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—

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.

10 QUESTIONS

Questions without notice being asked—

Paper

Mr Rudd, by leave, presented the following paper:

Transcript of press conference, The Pierre, New York—Mr Howard, Prime Minister, 4 May 2003.

Questions without notice continuing—

Papers

Mr Tanner, by leave, presented the following papers:

Regional telecommunications inquiry—

Australian Government community information campaign in response to inquiry—Draft media plan by Universal McCann, June-August 2004.

Campaign research summary brief—Paper by Quantum Market Research, December 2003.

Community information campaign 2004—Paper by Department of Communications, Information Technology and the Arts.

Questions without notice continuing—

Member ordered to withdraw

At 2.31 p.m. the Member for Grayndler (Mr Albanese) 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.

Member named and suspended

The Speaker named the Member for Grayndler (Mr Albanese) for disorderly behaviour in the process of withdrawing from the House.

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

Question—put.

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

AYES, 81

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

NOES, 60

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

* Tellers

And so it was resolved in the affirmative.

The Member was, therefore, suspended at 2.38 p.m. for 24 hours under standing order 305, and he accordingly withdrew from the Chamber.

Questions without notice continued.

11 AUDITOR-GENERAL'S REPORT

The Speaker presented the following paper:

Auditor-General—Audit report No. 35 of 2003–2004—Business support process audit—Compensation payments and debt relief in special circumstances.

Ordered to be printed.

12 PAPERS

The following papers were presented:

Customs Act—Customs (Prohibited Exports) Regulations—Permissions granted under regulation 7—2003—

March to 30 June.

1 July to 31 December.

13 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—AUSTRALIA'S HEALTH SYSTEM

The House was informed that Ms Gillard had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The urgent need to address the crisis in Australia's health system".

The proposed discussion having received the necessary support—

Ms Gillard addressed the House.

Discussion ensued.

Discussion concluded.

14 MESSAGE FROM THE GOVERNOR-GENERAL—ASSENT TO BILL

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 Bill:

18 March 2004—Message No. 231—Health Legislation Amendment (Medicare) 2004.

15 AUSTRALIAN CRIME COMMISSION AMENDMENT BILL 2003—REPORT FROM MAIN COMMITTEE

The 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 Hardgrave (Minister for Citizenship and Multicultural Affairs), by leave, the Bill was read a third time.

16 MIGRATION LEGISLATION AMENDMENT (MIGRATION AGENTS INTEGRITY MEASURES) BILL 2003—SENATE'S AMENDMENTS

The order of the day having been read for the consideration of the amendments made by the Senate—

On the motion of Mr Hardgrave (Minister representing the Minister for Immigration and Multicultural and Indigenous Affairs), the amendments were agreed to, after debate.

17 AUSTRALIAN CRIME COMMISSION—PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENT BY MEMBER

Mr Baird (Chair) presented the following papers:

Australian Crime Commission—Parliamentary Joint Committee—Cybercrime—

Report, March 2004.

Evidence received by the committee.

Ordered—That the report be printed.

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

18 SEX DISCRIMINATION AMENDMENT (TEACHING PROFESSION) BILL 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—

Debate resumed.

Papers

Mr Ruddock (Attorney-General), by leave, presented the following papers:

Final year teaching scholarships for 2003 and 2004—Information guide, Department of Education and Training, Western Australia.

Teachers set for start of new school year—Media release by Alan Carpenter, Minister for Education and Training, Western Australia, 31 January 2004.

Question—put.

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

AYES, 75

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

NOES, 58

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

* Tellers

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

19 ADJOURNMENT

It being past 7.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

Papers

Mr C. P. Thompson, by leave, presented the following papers:

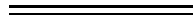
Lots 1 and 2, Hynes Street, North Brisbane—

Certificate of registered owners or lessees, 13 November 2003.

Plans (2 pages).

Debate continued.

The House continuing to sit until 8 p.m.—The Speaker adjourned the House until tomorrow at 9 a.m.

**PAPERS**

The following papers were deemed to have been presented on 24 March 2004:

Corporations Act—Declaration under subsections 926A(2), 951B(1), 992B(1) and 1020F(1)—
Australian Securities and Investments Commission, 23 February 2004.

Defence Act—Defence Force Remuneration Tribunal—Determination—2004 No. 1.

Federal Court of Australia Act—Rules of Court—Statutory Rules 2004 No. 38.

Great Barrier Reef Marine Park Act—Regulations—Statutory Rules 2004 No. 39.

Lands Acquisition Act—

Statement under section 125(5)—March 2004.

Statement under sub-section 40(3)—March 2004.

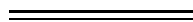
Quarantine Act—Guidelines for the use of national emergency response powers.

Superannuation Act 1990—Twentieth amending deed to the deed to establish an occupational superannuation scheme for Commonwealth employees and certain other persons, pursuant to section 5, 23 March 2004.

**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Beazley*, Mrs Draper, Ms Ellis*, Mrs Hull*, Mr Katter, Ms J. S. McFarlane* and Mr Sawford.

* On leave



I. C. HARRIS

Clerk of the House of Representatives

2002-03-04

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 161

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

WEDNESDAY, 24 MARCH 2004

1 The Main Committee met at 9.40 a.m.

2 MEMBERS' STATEMENTS

Members' statements were made.

3 AUSTRALIAN CRIME COMMISSION AMENDMENT BILL 2003

The order of the day having been read for the second reading—Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) moved—That the Bill be now read a second time.

Paper

Mr Slipper presented an explanatory memorandum to the Bill and a correction to the explanatory memorandum.

Debate ensued.

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 ASIO, ASIS AND DSD—PARLIAMENTARY JOINT 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 Mr Jull—That the House take note of the paper (*presented on 1 March 2004*), viz.:

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

Debate resumed.

Mr B. P. J. O'Connor 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.

5 ADJOURNMENT

On the motion of Mrs Elson, the Main Committee adjourned at 1 p.m.

The Deputy Speaker fixed tomorrow at 9.40 a.m. for the next meeting of the Main Committee.

B. C. WRIGHT
Clerk of the Main Committee