

2002-03-04

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 179

WEDNESDAY, 16 JUNE 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 **TEXTILE, CLOTHING AND FOOTWEAR STRATEGIC INVESTMENT PROGRAM AMENDMENT (POST-2005 SCHEME) BILL 2004**

Mr I. E. Macfarlane (Minister for Industry, Tourism and Resources), pursuant to notice, presented a Bill for an Act to amend the *Textile, Clothing and Footwear Strategic Investment Program Act 1999*, and for related purposes.

Bill read a first time.

Mr I. E. Macfarlane moved—That the Bill be now read a second time.

Paper

Mr I. E. Macfarlane presented an explanatory memorandum to the Bill.

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

3 **CUSTOMS TARIFF AMENDMENT (TEXTILE, CLOTHING AND FOOTWEAR POST-2005 ARRANGEMENTS) BILL 2004**

Mr I. E. Macfarlane (Minister for Industry, Tourism and Resources) presented a Bill for an Act to amend the *Customs Tariff Act 1995*, and for related purposes.

Bill read a first time.

Mr I. E. Macfarlane moved—That the Bill be now read a second time.

Paper

Mr I. E. Macfarlane presented an explanatory memorandum to the Bill.

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

4 **AGRICULTURE, FISHERIES AND FORESTRY LEGISLATION AMENDMENT (EXPORT CONTROL) 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—*And on the amendment moved thereto by Mr G. M. O'Connor, 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:*

- (1) condemns the Government for failing to respond to a series of independent reports that recommended significant reforms to the administration of the live-stock export trade; and
- (2) further condemns the Government for allowing Australia’s reputation as a country that demands a high standard of animal welfare practices to be badly damaged in the international community because of its failure to resolve the Cormo Express fiasco in a timely fashion”—

Debate resumed.

Amendment negatived.

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 Truss (Minister for Agriculture, Fisheries and Forestry), the Bill was read a third time.

5 NEW INTERNATIONAL TAX ARRANGEMENTS (PARTICIPATION EXEMPTION AND OTHER MEASURES) 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.

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

Consideration in detail

Bill, by leave, taken as a whole.

Paper

Mr Cameron (Parliamentary Secretary to the Treasurer) presented a supplementary explanatory memorandum to the Bill.

On the motion of Mr Cameron, by leave, Government amendments (1) to (5) were made together, after debate.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Mr Cameron, by leave, the Bill was read a third time.

6 TREASURY LEGISLATION AMENDMENT (PROFESSIONAL STANDARDS) 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.

Consideration in detail

Bill, by leave, taken as a whole.

Paper

Mr Cameron (Parliamentary Secretary to the Treasurer) presented a supplementary explanatory memorandum to the Bill.

On the motion of Mr Cameron, by leave, Government amendments (1) to (3) were made together.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Mr Cameron, by leave, the Bill was read a third time.

7 EXTENSION OF CHARITABLE PURPOSE 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 by Mr Cox who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words:

“while not declining to give the Bill a second reading, the House notes with concern that the Government has failed to adequately fund long day care and to relieve the resulting financial pressure on community based child care centres has, as a poor substitute to proper funding, offered charity status”.

Debate continued.

Amendment negatived.

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

Message from the Governor-General

Message No. 270, 26 May 2004, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

Consideration in detail

Bill, by leave, taken as a whole.

Mr Cox moved the Opposition amendment.

Debate continued.

Question—That the amendment be agreed to—put.

The House divided (the Deputy Speaker, Ms Corcoran, in the Chair)—

AYES, 57

Mr Adams	Ms George	Mr McClelland	Mr Sawford
Mr Albanese	Mr Gibbons	Ms Macklin	Mr Sciacca
Mr Bevis	Ms Gillard	Mr McLeay	Mr Sercombe
Mr Brereton	Ms Grierson	Mr McMullan	Mr Sidebottom
Ms Burke	Mr Griffin	Mr Melham	Mr S. F. Smith
Mr Byrne	Ms Hall	Mr Mossfield	Mr Snowdon
Mr Cox	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
Mr Emerson	Mr Jenkins	Ms Plibersek	Mr Wilkie
Mr Evans	Mr Kerr	Mr Price	Mr Zahra
Mr L. D. T. Ferguson	Ms C. F. King	Mr Quick*	
Mr M. J. Ferguson	Dr Lawrence	Mr Ripoll	
Mr Fitzgibbon	Ms Livermore	Ms Roxon	

NOES, 80

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

* Tellers

And so it was negatived.

Bill agreed to.

Consideration in detail concluded.

On the motion of Mr Cameron (Parliamentary Secretary to the Treasurer), by leave, the Bill was read a third time.

8 MARRIAGE LEGISLATION AMENDMENT 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 by Ms Roxon 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:

- (1) opposes the proposals related to inter-country adoption as unwarranted and unjust interference by the Commonwealth into an area already tightly regulated by States and Territories and within their legislative responsibility;
- (2) notes Labor’s strong stance against discrimination on the grounds of sexuality, and, in particular, Labor’s:
 - (a) recognition and acknowledgement of same sex couples and their right to be full and active members of our community, free from discrimination and vilification; and
 - (b) commitment to an audit of all Commonwealth legislation following which legislative measures that are discriminatory on the basis of sexuality will be removed, thus ensuring equivalent status for same sex couples and de facto heterosexual couples; and
- (3) particularly notes Labor’s long-standing commitment to removing discrimination against same sex couples by implementing measures already proposed by Labor to remove discrimination in the area of superannuation”.

Debate continued.

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.

9 QUESTIONS

Questions without notice were asked.

10 PAPERS

The following papers were presented:

Australia-Korea Foundation—Report for 2002-03.

Australian Maritime College—Report for 2003.

Sydney Airport Demand Management Act—Quarterly report on movement cap for Sydney airport—1 January to 31 March 2004.

11 PAPERS—MOTION TO TAKE NOTE OF PAPERS

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

Australian Maritime College—Report for 2003.

Sydney Airport Demand Management Act—Quarterly report on movement cap for Sydney airport—1 January to 31 March 2004.

Debate adjourned (Ms Gillard), and the resumption of each debate made an order of the day for the next sitting.

12 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—NURSING STAFF

The House was informed that Ms Macklin (Deputy Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The closure of the undergraduate nursing degree at the University of Sydney and its impact on the shortage of nurses facing the Australian health system”.

The proposed discussion having received the necessary support—

Ms Macklin addressed the House.

Discussion ensued.

Paper

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

University of Sydney nursing changes—Copy of article, *Obiter Dicta* column, University bulletin.

Discussion continued.

Discussion concluded.

13 SELECTION COMMITTEE—REPORT

Mr Causley (Chair) presented the following paper:

Selection Committee—Report relating to the consideration of committee and delegation reports and private Members' business on Monday, 21 June 2004.

14 ASIO, ASIS AND DSD—PARLIAMENTARY JOINT COMMITTEE—REPORTS

Mr Jull (Chair) presented the following papers:

ASIO, ASIS and DSD—Parliamentary Joint Committee—Reports—

Review of the listing of the Palestinian Islamic Jihad (PIJ), June 2004.

Annual report of committee's activities 2002-2003, June 2004.

Ordered—That the reports be printed.

15 TREATIES—JOINT STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER

Dr Southcott (Chair) presented the following papers:

Treaties—Joint Standing Committee—Report 60: Treaties tabled on 2 March 2004—Consular agreement with Vietnam; World Tourism Organization; Constitution and convention of the International Telecommunications Union; Withdrawal from the International Fund for Agricultural Development—Report, incorporating dissenting report and additional comments, May 2004.

Evidence received by the committee.

Minutes of proceedings.

Ordered—That the report be printed.

Dr Southcott and Mr Wilkie, by leave, made statements in connection with the report.

Dr Southcott, by leave, moved—That the House take note of the report.

Dr Southcott 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.

16 MESSAGES FROM THE SENATE

Messages from the Senate, 15 June 2004, were reported:

- (a) returning the Age Discrimination Bill 2003 and acquainting the House that the Senate does not insist on its amendments disagreed to by the House—Message No. 486;
- (b) acquainting the House that the Senate has agreed to the amendment made by the House to the Australian Federal Police and Other Legislation Amendment Bill 2004—Message No. 487;
- (c) returning the following Bills without amendment:
 - No. 488—Tax Laws Amendment (Personal Income Tax Reduction) 2004;
 - No. 489—Customs Tariff Amendment (Fuels) 2004 (*without requests*);
 - No. 490—Excise Tariff Amendment (Fuels) 2004 (*without requests*); and
- (d) returning the Postal Services Legislation Amendment Bill 2003 and acquainting the House that the Senate does not insist on its amendments Nos 6 to 9 disagreed to by the House and has agreed to the amendment made by the House in place of Senate amendment No. 9—Message No. 491.

17 MESSAGE FROM THE SENATE—TAX LAWS AMENDMENT (2004 MEASURES NO. 1) BILL 2004

A message from the Senate was reported returning the following Bill with amendments:

15 June 2004—Message No. 492—Tax Laws Amendment (2004 Measures No. 1) 2004.

Ordered—That the amendments be considered at the next sitting.

18 MARRIAGE LEGISLATION AMENDMENT 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—*And on the amendment moved thereto by Ms Roxon (see item No. 8, page 1694)*—

Debate resumed.

19 ADJOURNMENT

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

Debate ensued.

Question—put and passed.

And then the House, at 8 p.m., adjourned until tomorrow at 9 a.m.

PAPERS

The following papers were deemed to have been presented on 16 June 2004:

Defence Act—Determination under section 58B—2004 No. 22.

Financial Management and Accountability Act—Determinations—

Establishment of a special account—2004 Nos 3, 5, 6, 7, 8.

Variation of a special account—2004 Nos 2, 4, 9.

National Health Act—Declaration under subsection 85(2)—2004 No. PB 9.

Telecommunications (Carrier Licence Charges) Act—Determination under paragraph 15(1)(e)—2004 No. 1.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Beazley, Ms Ellis*, Ms J. S. McFarlane* and Mr M. A. J. Vaile.

* On leave

I. C. HARRIS

Clerk of the House of Representatives

2002-03-04

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 179

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

WEDNESDAY, 16 JUNE 2004

1 The Main Committee met at 9.40 a.m.

2 MEMBERS' STATEMENTS

Members' statements were made.

3 APPROPRIATION BILL (NO. 1) 2004-2005—BUDGET DEBATE

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 Crean, 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:

- (1) condemns the Government for its cynical election driven spending spree which—while spending a record \$52 billion over the forward estimates—failed to deliver crucial services to Australians, including:
 - (a) funding the pneumococcal vaccine for children;
 - (b) funding VET in schools so young Australians can either Earn or Learn;
 - (c) ensuring access to Higher Education without excessive fees or increasing student debt levels;
 - (d) ensuring all Australians can access bulkbilling services; and
 - (e) ensuring adequate measures to respond to Australia's skill shortage; and
- (2) also condemns the Government for failing to present a strategy to adequately address the long term fiscal challenges facing the nation”—

Debate resumed.

Suspension of sitting

At 1.21 p.m., a division having been called in the House, the proceedings were suspended.

Resumption of sitting

At 1.32 p.m., the proceedings were resumed.

Debate continued.

Amendment negatived.

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

Consideration in detail

Schedule—

Ordered—That the proposed expenditure for the purposes and services in the Schedule be considered in the following order:

Department of Immigration and Multicultural and Indigenous Affairs

Department of Family and Community Services
 Department of Education, Science and Training
 Department of Veterans' Affairs
 Attorney-General's Department
 Department of Transport and Regional Services
 Department of Agriculture, Fisheries and Forestry
 Department of Communications, Information Technology and the Arts
 Department of Employment and Workplace Relations
 Department of Defence
 Department of Environment and Heritage
 Department of Foreign Affairs and Trade
 Department of Health and Ageing
 Department of Industry, Tourism and Resources
 Department of Finance and Administration
 Department of the Prime Minister and Cabinet
 Department of the Treasury.

Suspension of sitting

At 1.58 p.m., the Deputy Speaker left the Chair.

Resumption of sitting

At 4 p.m., the Deputy Speaker resumed the Chair.

Proposed expenditure—Department of Immigration and Multicultural and Indigenous Affairs, \$2 439 682 000—

Debate ensued.

Paper

Mr Snowdon, by leave, tabled the following paper:

Aboriginal and Torres Strait Islander Commission (ATSIC)—Notice of termination, 14 June 2004.

Proposed expenditure agreed to.

Proposed expenditures—

Department of Family and Community Services, \$3 701 647 000—debated and agreed to.

Department of Education, Science and Training, \$2 283 346 000—debated and agreed to.

Department of Veterans' Affairs, \$410 614 000—agreed to.

Attorney-General's Department, \$2 392 872 000—debated and agreed to.

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

4 ADJOURNMENT

On the motion of Mr Bartlett, the Main Committee adjourned at 7.28 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