

2004

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 11

THURSDAY, 9 DECEMBER 2004

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

2 **AUSLINK (NATIONAL LAND TRANSPORT) BILL 2004**

Mr Anderson (Minister for Transport and Regional Services), pursuant to notice, presented a Bill for an Act to provide for the funding of projects related to land transport matters, and for related purposes.

Bill read a first time.

Mr Anderson moved—That the bill be now read a second time.

Document

Mr Anderson presented an explanatory memorandum to the bill.

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

3 **AUSLINK (NATIONAL LAND TRANSPORT—CONSEQUENTIAL AND TRANSITIONAL PROVISIONS) BILL 2004**

Mr Anderson (Minister for Transport and Regional Services), pursuant to notice, presented a Bill for an Act to amend laws, and to deal with transitional matters, in connection with the *AusLink (National Land Transport) Act 2004*, and for related purposes.

Bill read a first time.

Mr Anderson moved—That the bill be now read a second time.

Document

Mr Anderson presented an explanatory memorandum to the bill.

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

4 **NAVIGATION AMENDMENT BILL 2004**

Mr Anderson (Minister for Transport and Regional Services), pursuant to notice, presented a Bill for an Act to amend the *Navigation Act 1912*, and for related purposes.

Bill read a first time.

Mr Anderson moved—That the bill be now read a second time.

Document

Mr Anderson presented an explanatory memorandum to the bill.

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

5 **FINANCIAL INSTITUTIONS SUPERVISORY LEVIES COLLECTION AMENDMENT BILL 2004**

Mr Brough (Minister for Revenue and Assistant Treasurer) presented a Bill for an Act to amend the *Financial Institutions Supervisory Levies Collection Act 1998*, and for related purposes.

Bill read a first time.

Mr Brough moved—That the bill be now read a second time.

Document

Mr Brough presented an explanatory memorandum to the bill.

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

6 AUTHORISED NON-OPERATING HOLDING COMPANIES SUPERVISORY LEVY IMPOSITION AMENDMENT BILL 2004

Mr Brough (Minister for Revenue and Assistant Treasurer) presented a Bill for an Act to amend the *Authorised Non-operating Holding Companies Supervisory Levy Imposition Act 1998*, and for related purposes.

Bill read a first time.

Mr Brough moved—That the bill be now read a second time.

Document

Mr Brough presented an explanatory memorandum to the bill.

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

7 AUTHORISED DEPOSIT-TAKING INSTITUTIONS SUPERVISORY LEVY IMPOSITION AMENDMENT BILL 2004

Mr Brough (Minister for Revenue and Assistant Treasurer) presented a Bill for an Act to amend the *Authorised Deposit-taking Institutions Supervisory Levy Imposition Act 1998*, and for related purposes.

Bill read a first time.

Mr Brough moved—That the bill be now read a second time.

Document

Mr Brough presented an explanatory memorandum to the bill.

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

8 LIFE INSURANCE SUPERVISORY LEVY IMPOSITION AMENDMENT BILL 2004

Mr Brough (Minister for Revenue and Assistant Treasurer) presented a Bill for an Act to amend the *Life Insurance Supervisory Levy Imposition Act 1998*, and for related purposes.

Bill read a first time.

Mr Brough moved—That the bill be now read a second time.

Document

Mr Brough presented an explanatory memorandum to the bill.

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

9 GENERAL INSURANCE SUPERVISORY LEVY IMPOSITION AMENDMENT BILL 2004

Mr Brough (Minister for Revenue and Assistant Treasurer) presented a Bill for an Act to amend the *General Insurance Supervisory Levy Imposition Act 1998*, and for related purposes.

Bill read a first time.

Mr Brough moved—That the bill be now read a second time.

Document

Mr Brough presented an explanatory memorandum to the bill.

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

10 RETIREMENT SAVINGS ACCOUNT PROVIDERS SUPERVISORY LEVY IMPOSITION AMENDMENT BILL 2004

Mr Brough (Minister for Revenue and Assistant Treasurer) presented a Bill for an Act to amend the *Retirement Savings Account Providers Supervisory Levy Imposition Act 1998*, and for related purposes.

Bill read a first time.

Mr Brough moved—That the bill be now read a second time.

Document

Mr Brough presented an explanatory memorandum to the bill.

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

11 SUPERANNUATION SUPERVISORY LEVY IMPOSITION AMENDMENT BILL 2004

Mr Brough (Minister for Revenue and Assistant Treasurer) presented a Bill for an Act to amend the *Superannuation Supervisory Levy Imposition Act 1998*, and for related purposes.

Bill read a first time.

Mr Brough moved—That the bill be now read a second time.

Document

Mr Brough presented an explanatory memorandum to the bill.

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

12 TRADE PRACTICES AMENDMENT (PERSONAL INJURIES AND DEATH) BILL 2004

Mr Brough (Minister for Revenue and Assistant Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Trade Practices Act 1974*, and for related purposes.

Bill read a first time.

Mr Brough moved—That the bill be now read a second time.

Document

Mr Brough presented an explanatory memorandum to the bill.

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

13 DEVELOPMENT OF A NEW COLLECTION STORAGE FACILITY FOR THE NATIONAL LIBRARY OF AUSTRALIA, HUME, ACT—APPROVAL OF WORK

Dr Stone (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Development of a new collection storage facility for the National Library of Australia, Hume, ACT.

Question—put and passed.

14 PROPOSED DEVELOPMENT OF LAND AT LEE POINT, DARWIN, FOR DEFENCE AND PRIVATE HOUSING—APPROVAL OF WORK

Dr Stone (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Proposed development of land at Lee Point, Darwin, for Defence and private housing.

Question—put and passed.

15 PROPOSED FITOUT OF NEW LEASED PREMISES FOR THE ATTORNEY-GENERAL'S DEPARTMENT AT 3-5 NATIONAL CIRCUIT, BARTON, ACT—APPROVAL OF WORK

Dr Stone (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is

expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Proposed fitout of new leased premises for the Attorney-General's Department at 3-5 National Circuit, Barton, ACT.

Question—put and passed.

16 PROPOSED FITOUT OF NEW LEASED PREMISES FOR THE DEPARTMENT OF THE PRIME MINISTER AND CABINET AT 1 NATIONAL CIRCUIT, BARTON, ACT—APPROVAL OF WORK

Dr Stone (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Proposed fitout of new leased premises for the Department of the Prime Minister and Cabinet at 1 National Circuit, Barton ACT.

Question—put and passed.

17 PROPOSED NEW EAST BUILDING FOR THE AUSTRALIAN WAR MEMORIAL, CANBERRA, ACT—APPROVAL OF WORK

Dr Stone (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Proposed new East Building for the Australian War Memorial, Canberra, ACT.

Question—put and passed.

18 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—MARIBYRNONG IMMIGRATION DETENTION CENTRE (MIDC)—ADDITIONAL ACCOMMODATION AND RELATED WORKS

Dr Stone (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Maribyrnong Immigration Detention Centre (MIDC)—Additional accommodation and related works.

Question—put and passed.

19 FISHERIES (VALIDATION OF PLANS OF MANAGEMENT) BILL 2004—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 Mr McGauran (Minister for Citizenship and Multicultural Affairs), by leave, the bill was read a third time.

20 FAMILY LAW AMENDMENT (ANNUITIES) BILL 2004—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 Mr McGauran (Minister for Citizenship and Multicultural Affairs), by leave, the bill was read a third time.

21 WORKPLACE RELATIONS AMENDMENT (AGREEMENT VALIDATION) 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.

Leave granted for third reading to be moved immediately.

On the motion of Mr Andrews (Minister for Employment and Workplace Relations), the bill was read a third time.

22 MESSAGE FROM THE SENATE—COPYRIGHT LEGISLATION AMENDMENT BILL 2004

Message No. 33, 7 December 2004, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend the law relating to copyright, and for related purposes.

Bill read a first time.

Mr Ruddock (Attorney-General) moved—That the bill be now read a second time.

Document

Mr Ruddock presented an explanatory memorandum to the bill.

Debate, by leave, ensued.

Documents

Mr Crean, by leave, presented the following documents:

Copyright Amendment Bill—Copies of letters from—

Mr Crean to Mr M. A. J. Vaile (Minister for Trade), 24 November 2004.

Mr Crean to Mr M. A. J. Vaile (Minister for Trade), 2 December 2004.

Mr M. A. J. Vaile (Minister for Trade) to Mr Crean, 7 December 2004.

Mr Crean 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) notes:

- (a) with concern, the failure of the Government to previously correctly implement its obligations under the United States Free Trade Agreement Implementation (USFTAI) Act;
- (b) with concern, that this bill has the potential to enable persons other than copyright owners or exclusive licencees to force an internet service provider to take down allegedly infringing copyright material from their system and that this potential new ground for ISP liability is not contained in the USFTAI Act;
- (c) that this bill was sent to the Legal and Constitutional Committee which heard evidence that the bill may disrupt the balance of interests between copyright owners, users and internet service providers;
- (d) that the Government intends to respond to these concerns through Regulations that will flesh out legislative safe harbour provisions and will consult with stakeholders in the preparation of these provisions;
- (e) the commitment by the Government to keep implementation of the safe harbour scheme under close review and, as necessary, consult with stakeholders on any issues that may arise, including appropriate responses;
- (f) that Labor’s amendments to the Australia-US FTA are not contrary to the terms of the FTA, our international obligations under WTO TRIPs and are not referred to in this bill;
- (g) with concern, that the diplomatic note of exchange from the US refers to Labor’s amendments and the House of Representatives therefore calls on the Government not to weaken in response to US pressure and to reaffirm its commitment to Labor’s amendments to protect the pharmaceutical benefits scheme and local Australian content for television; and

(2) calls on the Government to restate its view that Australia has a different approach to the US on the criminalisation of pirated satellite signals in the home and to therefore give an explanation of its commitment to the US to undertake a review of Australia’s domestic policy relating to criminalisation of all forms of satellite signal piracy, including unauthorised distribution or receipt of signals by commercial establishments and within the home, that shall conclude no later than 1 July 2005”.

Debate continued.

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 immediately.

On the motion of Mr Ruddock, the bill was read a third time.

23 ASIO, ASIS AND DSD—PARLIAMENTARY JOINT COMMITTEE

The House was informed that the Speaker had received advice from Mr Howard (Prime Minister) nominating Members to be members of the Parliamentary Joint Committee on ASIO, ASIS and DSD.

Mr Ruddock (Attorney-General), by leave, moved—That, in accordance with the provisions of the *Intelligence Services Act 2001*, Mr Beazley, Mr Jull, Mr Kerr and Mr McArthur be appointed members of the Parliamentary Joint Committee on ASIO, ASIS and DSD.

Question—put and passed.

24 MESSAGE FROM THE SENATE—CUSTOMS AMENDMENT BILL 2004

Message No. 36, 8 December 2004, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend the *Customs Act 1901*, and for related purposes.

Bill read a first time.

Mr Ruddock (Attorney-General) moved—That the bill be now read a second time.

Document

Mr Ruddock presented a revised explanatory memorandum to the bill.

Debate, by leave, ensued.

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

Leave granted for third reading to be moved immediately.

On the motion of Mr Ruddock, the bill was read a third time.

25 PRIVATE HEALTH INSURANCE INCENTIVES 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 Gillard 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, this Parliament condemns the Government for failing to:

- (1) ensure that private health insurance provides real choice in health care;
- (2) ensure that private health insurance delivers real value for money;
- (3) adequately address the health care needs of all older Australians; and
- (4) provide modelling and data about the impact of the provisions of this bill on the cost of private health insurance for all Australians, thus necessitating the referral of this bill to a Senate committee”.

Debate continued.

Debate adjourned (Mr Cobb—Parliamentary Secretary to the Minister for Transport and Regional Services), and the resumption of the debate made an order of the day for a later hour this day.

26 FINANCIAL FRAMEWORK LEGISLATION AMENDMENT BILL 2004—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the bill had been fully considered by the Main Committee, a Governor-General’s message recommending an appropriation had been reported, and the bill had been agreed to without amendment, and presented a certified copy of the bill.

Bill agreed to.

On the motion of Mr Cobb (Parliamentary Secretary to the Minister for Transport and Regional Services), by leave, the bill was read a third time.

27 WATER EFFICIENCY LABELLING AND STANDARDS BILL 2004—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 Mr Cobb (Parliamentary Secretary to the Minister for Transport and Regional Services), by leave, the bill was read a third time.

28 PRIVATE HEALTH INSURANCE INCENTIVES 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 Gillard (see item No. 25, page 126)*—

Debate resumed.

It being 2 p.m., the debate was interrupted in accordance with standing order 97, and the resumption of the debate made an order of the day for a later hour this day.

29 DEATH OF MR ALAN ROBERT BROWNING

The Speaker informed the House of the death, on 7 December 2004, of Mr Alan Robert Browning, Clerk of the House of Representatives from 1985 to 1991.

As a mark of respect to the memory of the deceased all Members present stood, in silence.

30 QUESTIONS

Questions without notice being asked—

Suspension of standing and sessional orders moved

Mr Latham (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 Minister for Veterans' Affairs for:

- (1) her maladministration and roting of the Regional Partnerships Program;
- (2) repeatedly misleading the House of Representatives and failing to provide accurate information to the Parliament; and
- (3) failing to deal with clear conflicts of interest in the allocation of grants and breaching the Ministerial Code of Conduct in relation to the employment of Mr Ken Croke.

Debate ensued.

Question—put.

The House divided (the Speaker, Mr Hawker, in the Chair)—

AYES, 57

Mr Adams	Mr Emerson	Mr Jenkins	Mr Ripoll
Mr Albanese	Mr L. Ferguson	Mr Kerr	Ms Roxon
Mr Beazley	Mr M. J. Ferguson	Ms C. King	Mr Rudd
Mr Bevis	Mr Fitzgibbon	Mr Latham	Mr Sawford
Ms Bird	Mr Garrett	Dr Lawrence	Mr Sercombe
Mr Bowen	Mr Georganas	Ms Livermore	Mr S. F. Smith
Ms A. E. Burke	Ms George	Mr McClelland	Mr Snowdon
Mr A. S. Burke	Mr Gibbons	Mr Melham	Mr Swan
Mr Byrne	Ms Gillard	Mr Murphy	Mr K. J. Thomson
Ms Corcoran	Ms Grierson	Mr B. P. O'Connor	Ms Vamvakinou
Mr Crean	Mr Griffin	Mr G. M. O'Connor	Mr Wilkie
Mr Edwards	Ms Hall*	Ms Owens	Mr Windsor
Mrs Elliot	Mr Hatton	Ms Plibersek	
Ms A. L. Ellis	Ms Hoare	Mr Price*	
Ms K. M. Ellis	Mrs Irwin	Mr Quick	

NOES, 85

Mr Abbott	Mrs Elson	Jackie Kelly	Mr Scott
Mr Anderson	Mr Entsch	Mr Laming	Mr Secker
Mr Andrews	Mr Farmer	Mrs Ley	Mr Slipper
Fran Bailey	Mr Fawcett	Mr Lindsay	Mr A. D. H. Smith
Mr Baird	Mr M. D. Ferguson	Mr Lloyd	Mr Somlyay
Mr Baker	Mr Forrest*	Mr McArthur*	Dr Southcott
Mr Baldwin	Ms Gambaro	Mr Macfarlane	Dr Stone
Mr Barresi	Mrs Gash	Mr McGauran	Mr C. P. Thompson
Mr Bartlett	Mr Georgiou	Mrs Markus	Mr Ticehurst
Mr Billson	Mr Haase	Mrs Moylan	Mr Tollner
Mrs B. K. Bishop	Mr Hardgrave	Mr Nairn	Mr Truss
Ms J. Bishop	Mr Hartsuyker	Dr Nelson	Mr Tuckey
Mr Broadbent	Mr Henry	Mr Neville	Mr Turnbull
Mr Brough	Mr Hockey	Ms Panopoulos	Mr M. A. J. Vaile
Mr Cadman	Mr Howard	Mr Pearce	Mrs D. S. Vale
Mr Causley	Mrs Hull	Mr Prosser	Mr Vasta
Mr Ciobo	Mr Hunt	Mr Pyne	Mr Wakelin
Mr Cobb	Dr Jensen	Mr Randall	Dr Washer
Mr Costello	Mr Johnson	Mr Richardson	Mr Wood
Mr Downer	Mr Jull	Mr Robb	
Mrs Draper	Mr Keenan	Mr Ruddock	
Mr Dutton	Mrs D. M. Kelly	Mr Schultz	

* Tellers

And so it was negatived.

Questions without notice concluded.

31 PARLIAMENTARY SERVICE COMMISSIONER

The Speaker presented the following document:

Parliamentary Service Commissioner—Copy of instrument of appointment of Ms Lynelle Briggs as Parliamentary Service Commissioner until 5 November 2007, 8 December 2004.

32 DOCUMENT

The Speaker presented the following document:

Committee reports—Schedule of outstanding Government responses to reports of House of Representatives and joint committees, for period 23 June to 9 December 2004.

33 DOCUMENTS

The following documents were presented:

Australian Communications Authority—Telecommunications performance—Report for 2003-04.

Australian Rail Track Corporation Limited—
Report for 2003-04.

Statement of corporate intent—2004-05.

Centrelink—Report for 2003-04.

Committee reports—Government responses to parliamentary committee reports—Response to the schedule tabled by the Speaker on 24 June 2004, 9 December 2004.

Defence Force Retirement and Death Benefits Authority—Report for 2003-04.

Department of Defence—Special purpose flights—Schedule for period January to June 2004.

Department of Finance and Administration—Reports—

Former parliamentarians' travel paid by the department for period January to June 2004, December 2004.

Parliamentarians' travel paid by the department for period January to June 2004, December 2004.

Export Market Development Grants—List of grant recipients 2003-04.

Gene Technology Regulator—Quarterly report for period 1 January to 31 March 2004.

Migration Review Tribunal—Report for 2003-04.

National Security Information (Criminal Proceedings) Bill 2004—Supplementary explanatory memorandum.

Refugee Review Tribunal—Report for 2003-04.

34 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS

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

Australian Rail Track Corporation Limited—

Report for 2003-04.

Statement of corporate intent—2004-05.

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

35 DOCUMENTS

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

Petitions not in accord with standing orders of the House.

36 REPORT OF THE INQUIRY INTO THE CENTENARY HOUSE LEASE—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF DOCUMENTS

Mr Ruddock (Attorney-General), by leave, made a ministerial statement on the report of the Inquiry into the Centenary House Lease and presented the following documents:

Centenary House—Graph of Fair Market Value vs Actual Rent.

Ministerial Statement to Parliament on the Report of the Inquiry into the Centenary House lease—Mr Ruddock (Attorney-General), 9 December 2004.

Report of the Inquiry into the Centenary House Lease—The Hon. David Hunt AO QC, Royal Commissioner, December 2004.

Summary of findings of 1994 and 2004 Centenary House Lease Inquiries.

Mr Abbott (Leader of the House) moved—That the House take note of the documents.

Suspension of standing orders—Time for speech

Mr Abbott, by leave, moved—That so much of the standing orders be suspended as would prevent Ms Roxon speaking for a period not exceeding 15 minutes and for two other Members to speak for 10 minutes each.

Question—put and passed.

Ms Roxon addressing the House—

Member directed to leave

At 4.10 p.m. the Member for Canning (Mr Randall) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a warning had been given from the Chair, and he accordingly left the Chamber.

Debate continued.

Debate adjourned (Mr Pyne—Parliamentary Secretary to the Minister for Health and Ageing), and the resumption of the debate made an order of the day for the next sitting.

37 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—GOVERNMENT ADMINISTRATION

The House was informed that Mr Latham (Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The arrogance and maladministration of the Government, especially with regard to the Regional Partnership Program”.

Ms Gillard, by leave, withdrew the matter.

38 MESSAGES FROM THE SENATE

Messages from the Senate were reported:

- (a) returning the following bills and acquainting the House that the Senate does not insist on its amendments disagreed to by the House:
 - No. 39—Tax Laws Amendment (Superannuation Reporting) 2004—8 December 2004;
 - No. 40—Australian Security Intelligence Organisation Amendment 2004—8 December 2004;
 - No. 43—Tax Laws Amendment (Retirement Villages) 2004—9 December 2004;
- (b) informing the House that the Senate has agreed to the amendments made by the House to the National Security Information (Criminal Proceedings) 2004—8 December 2004—No. 41; and
- (c) returning the following bills without amendment:
 - No. 42—James Hardie (Investigations and Proceedings) 2004—9 December 2004.
 - No. 44—Classification (Publications, Films and Computer Games) Amendment (No. 2) 2004—9 December 2004.
 - No. 45—Higher Education Legislation Amendment (No. 3) 2004—9 December 2004.

39 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:

8 December 2004—Message No. 17—Family and Community Services and Veterans' Affairs Legislation Amendment (2004 Election Commitments) 2004.

40 ELECTION PETITION

The Clerk presented a copy of an election petition, dated 2 December 2004, which he had received from the Chief Executive and Principal Registrar of the High Court, sitting as the Court of Disputed Returns, under section 369 of the *Commonwealth Electoral Act 1918*, viz.: Petition of Anthony Joseph Hudson in the matter of the *Commonwealth Electoral Act 1918* and in the matter of the election of a member of the House of Representatives for the Division of Leichhardt (No. B71 of 2004).

41 PUBLICATIONS COMMITTEE—REPORT

Mrs Draper (Chair) presented the following document:

PUBLICATIONS COMMITTEE REPORT

The Publications Committee reports that it has met in conference with the Publications Committee of the Senate.

The Committee, having considered documents presented to Parliament since 16 November 2004, recommends that the following be made Parliamentary Papers:

Aboriginal and Torres Strait Islander Services—Report for 2003-04.

Aboriginal Hostels Limited—Report for 2003-04.

Aboriginal Land Commissioner—Report for 2003-04.

Administrative Appeals Tribunal—Report for 2003-04.

Administrative Review Council—Reports—
2003-04.

No. 46—Automated assistance in administrative decision making, November 2004.

Aged Care Standards and Accreditation Agency Limited—Report for 2003-04.

Airservices Australia—Report for 2003-04.

Albury-Wodonga Development Corporation—Report for 2003-04.

Attorney-General's Department—Report for 2003-04.

Audio-Visual Copyright Society Ltd (Screenrights)—
Report for 2003-04.

Report for 2003-04—Errata.

Australia Council—Report for 2003-04.

Australian Broadcasting Authority—Report for 2003-04.

Australian Broadcasting Corporation (ABC)—Report for 2003-04.
Australian Bureau of Statistics—Report for 2003-04.
Australian Centre for International Agricultural Research—Report for 2003-04.
Australian Communications Authority—Report for 2003-04.
Australian Competition and Consumer Commission—Report for 2003-04.
Australian Customs Service—Report for 2003-04.
Australian Electoral Commission—Report for 2003-04.
Australian Film Commission—Report for 2003-04.
Australian Film Television and Radio School—Report for 2003-04.
Australian Fisheries Management Authority—Report for 2003-04.
Australian Government Solicitor—Report for 2003-04.
Australian Greenhouse Office—Report for 2003-04.
Australian Industrial Relations Commission and the Australian Industrial Registry—
Report for 2003-04.
Australian Industry Development Corporation (AIDC)—Report for 2003-04.
Australian Institute of Aboriginal and Torres Strait Islander Studies—Report for 2003-04.
Australian Institute of Criminology and the Criminology Research Council—Report for 2003-04.
Australian Institute of Family Studies—Report for 2003-04.
Australian Institute of Marine Science—Report for 2003-04.
Australian Law Reform Commission—Reports—
No. 99—Genes and ingenuity: Gene patenting and human health, June 2004.
No. 100—Report for 2003-04
Australian Maritime Safety Authority—Report for 2003-04.
Australian National Maritime Museum—Report for 2003-04.
Australian National Training Authority—
Australian vocational education and training system—Report for 2003.
Report for 2003-04.
Australian Nuclear Science and Technology Organisation (ANSTO)—Report for 2003-04.
Australian Pesticides and Veterinary Medicines Authority—Report for 2003-04.
Australian Postal Corporation (Australia Post)—Report for 2003-04.
Australian Prudential Regulation Authority—Report for 2003-04.
Australian Radiation Protection and Nuclear Safety Agency—Report for 2003-04.
Australian Research Council—Report for 2003-04.
Australian Safeguards and Non-Proliferation Office—Report for 2003-04.
Australian Securities and Investments Commission—Report for 2003-04.
Australian Security Intelligence Organisation—Report for 2003-04.
Australian Sports Commission—Report for 2003-04.
Australian Sports Drug Agency—Report for 2003-04.
Australian Tourist Commission—Report for 2003-04.
Australian Trade Commission (Austrade)—Report for 2003-04.
Australian Transaction Reports and Analysis Centre (AUSTRAC)—Report for 2003-04.
Australian War Memorial—Report for 2003-04.
Australian Wine and Brandy Corporation—Report for 2003-04.
Bankruptcy Act 1966—Inspector-General in Bankruptcy—Report for 2003-04.
Bureau of Meteorology—Report for 2003-04.
Classification Board and Classification Review Board—Report for 2003-04 on the operation of the Act.
Comcare—Report for 2003-04.

- Commissioner for Complaints [Aged care]—Report for 2003-04.
- Commissioner for Superannuation (ComSuper)—Report for 2003-04.
- Commissioner of Taxation—Report for 2003-04.
- Commonwealth Director of Public Prosecutions—Report for 2003-04.
- Commonwealth Grants Commission—Report for 2003-04.
- Commonwealth Ombudsman—
Monitoring of controlled operations—Report for 2003-04, prepared pursuant to Part 1AB, Division 2A of the *Crimes Act 1914*, on the Ombudsman's activities in monitoring controlled operations conducted by the Australian Crime Commission and the Australian Federal Police, dated December 2004.
Report for 2003-04.
- Commonwealth Scientific and Industrial Research Organisation (CSIRO)—Report for 2003-04.
- Copyright Agency Limited—Report for 2003-04.
- Corporate governance—Review of the corporate governance of statutory authorities and office holders—Report, June 2003.
- Cotton Research and Development Corporation—
Report for 2003-04.
Report for 2003-04—Addendum.
- Crimes Act 1914*—Reports for 2003-04—
Assumed identities—Australian Federal Police.
Controlled operations.
- CrimTrac Agency—Report for 2003-04.
- CSS Board—Commonwealth Superannuation Scheme—Report for 2003-04.
- Defence Housing Authority—Report for 2003-04.
- Department of Agriculture, Fisheries and Forestry—Report for 2003-04.
- Department of Communications, Information Technology and the Arts—Report for 2003-04.
- Department of Defence—Report for 2003-04.
- Department of Education, Science and Training—Report for 2003-04.
- Department of Employment and Workplace Relations—Report for 2003-04.
- Department of Family and Community Services—Report for 2003-04—
Volume 1.
Volume 2.
- Department of Finance and Administration—Report for 2003-04.
- Department of Foreign Affairs and Trade—Reports for 2003-04—
Volume 1—Foreign Affairs and Trade.
Volume 2—Australian Agency for International Development (AusAID).
- Department of Immigration and Multicultural and Indigenous Affairs—Report for 2003-04.
- Department of Industry, Tourism and Resources—Report for 2003-04.
- Department of Parliamentary Services—Report for 2003-04.
- Department of the Environment and Heritage—Report for 2003-04.
- Department of the Prime Minister and Cabinet—Report for 2003-04.
- Department of the Treasury—Report for 2003-04.
- Department of Transport and Regional Services—
AusLink white paper, June 2004.
Report for 2003-04.
- Director of National Parks—Report for 2003-04.
- Employment Advocate—Report for 2003-04.
- Equal Opportunity for Women in the Workplace Agency—Report for 2003-04.
- Export Finance and Insurance Corporation (EFIC)—Report for 2003-04.
- Family Court of Australia—Report for 2003-04.

Family Law Council—Report for 2003-04.
Federal Court of Australia—Report for 2003-04.
Federal Magistrates Court—Report for 2003-04.
Federal Police Disciplinary Tribunal—Report for 2003-04.
Federal Privacy Commissioner—Report for 2003-04.
Film Australia Limited—Report for 2003-04.
Financial Reporting Council and Australian Accounting Standards Board—Report for 2003-04.
Fisheries Research and Development Corporation—Report for 2003-04.
Food Standards Australia New Zealand—Report for 2003-04.
Forest and Wood Products Research and Development Corporation—Report for 2003-04.
Freedom of Information Act 1982—Report for 2003-04 on the operation of the Act.
Grains Research and Development Corporation—Report for 2003-04.
Grape and Wine Research and Development Corporation—Report for 2003-04.
Great Barrier Reef Marine Park Authority—Report for 2003-04.
High Court of Australia—Report for 2003-04.
Housing Assistance Act 1996—Report for 2002-03 on the operation of the 1999 Commonwealth-State Housing Agreement. [Final report]
Human Rights and Equal Opportunity Commission—Report for 2003-04.
Indigenous Business Australia—Report for 2003-04.
Indigenous Land Corporation—Report for 2003-04.
Industrial Relations Court of Australia—Report for 2003-04.
Inspector-General of Intelligence and Security—Report for 2003-04.
Inspector-General of Taxation—Report for the period 7 August 2003 to 30 June 2004.
International Air Services Commission—Report for 2003-04.
Land and Water Australia—report for 2003-04.
Members of Parliament (Staff) Act 1984—Report for 2003-04 on consultants engaged under section 4 of the Act.
Military Superannuation and Benefits Board of Trustees—Report for 2003-04.
Murray-Darling Basin Commission—Report for 2003-04.
National Archives of Australia and National Archives of Australia Advisory Council—Report for 2003-04.
National Competition Council—Report for 2003-04.
National Gallery of Australia—Report for 2003-04.
National Library of Australia—Report for 2003-04.
National Museum of Australia—Report for 2003-04.
National Native Title Tribunal—Report for 2003-04.
National Oceans Office—Report for 2003-04.
National Residue Survey—Report for 2003-04.
National Standards Commission—Report for 2003-04.
National Transport Commission—Report for 2003-04.
Native Title Act 1993—Native title representative bodies—Reports for 2003-04—
Aboriginal Legal Rights Movement Inc.
Anindilyakwa Land Council.
Central Queensland Land Council Aboriginal Corporation.
Goldfields Land and Sea Council.
Gurang Land Council Aboriginal Corporation.
Kimberley Land Council.
North Queensland Land Council Aboriginal Corporation.

South West Aboriginal Land and Sea Council.
 Tiwi Land Council.
 Yamatji Marlpa Barna Baba Maaja Aboriginal Corporation.
 Natural Heritage Trust—Report for 2002-03.
 Office of Parliamentary Counsel—Report for 2003-04.
 Office of the Official Secretary to the Governor-General—Report for 2003-04.
 Professional Services Review [Medical and pharmaceutical]—Report for 2003-04.
 PSS Board—Public Sector Superannuation Scheme—Report for 2003-04.
 Public Service Commissioner—Report for 2003-04, including the report of the Merit Protection Commissioner.
 Queensland Fisheries Joint Authority—Report for 2003-04.
 Remuneration Tribunal—Report for 2003-04.
 Repatriation Commission, Military Rehabilitation and Compensation Commission, Department of Veterans' Affairs and the National Treatment Monitoring Committee—Reports for 2003-04.
 Repatriation Medical Authority—
 Report for 2003-04.
 Report for 2003-04—Corrigendum.
 Reserve Bank of Australia—Report for 2003-04.
 Rural Industries Research and Development Corporation—Report for 2003-04.
 Safety, Rehabilitation and Compensation Commission—Report for 2003-04.
 Seafarers Safety, Rehabilitation and Compensation Authority—Report for 2003-04.
 Services Trust Funds—Report for 2003-04.
 Social Security Appeals Tribunal—Report for 2003-04.
 Special Broadcasting Service Corporation (SBS)—Report for 2003-04.
 Sugar Research and Development Corporation—Report for 2003-04.
 Supervising Scientist—Report for 2003-04.
 Telstra Corporation Limited—Report for 2003-04.
 Tobacco Research and Development Corporation—Report for 2003-04. [Final report]
 Veterans' Review Board—Report for 2003-04.
War Crimes Act 1945—Report for 2003-04 on the operation of the Act.
Witness Protection Act 1994—Report for 2003-04 on the operation of the Act.

TRISH DRAPER

Chair

9 December 2004

On the motion of Mrs Draper, by leave, the report was agreed to.

42 LEAVE OF ABSENCE TO ALL MEMBERS

Mr Howard (Prime Minister) moved—That leave of absence be given to every Member of the House of Representatives from the determination of this sitting of the House to the date of its next sitting.

Question—put and passed.

43 SPECIAL ADJOURNMENT

Mr Howard (Prime Minister) moved—That the House, at its rising, adjourn until Tuesday, 8 February 2005, at 2 p.m., unless the Speaker or, in the event of the Speaker being unavailable, the Deputy Speaker, fixes an alternative day or hour of meeting.

Debate ensued.

Question—put and passed.

44 ADJOURNMENT

Mr Costello (Treasurer) moved—That the House do now adjourn.

Question—put and passed.

And then the House, at 5.53 p.m., adjourned until Tuesday, 8 February 2005, in accordance with the resolution agreed to this sitting.

DOCUMENTS

The following documents were deemed to have been presented on 9 December 2004:

Airports Act—Statement of decision, 11 November 2004.

Australian Meat and Live-stock Industry Act—Order—2004 Australian Meat and Live-stock Industry Amendment and Repeal.

Civil Aviation Act—Regulations—Statutory Rules 2004 No. 345.

Customs Act—Regulations—Statutory Rules 2004 No. 338.

Diplomatic Privileges and Immunities Act—Diplomatic Privileges and Immunities Regulations—Certificates—2004 2 December (2).

Extradition Act—Regulations—Statutory Rules 2004 Nos 339, 340, 341.

Fisheries Management Act—Regulations—Statutory Rules 2004 Nos 335, 336.

Freedom of Information Act—Regulations—Statutory Rules 2004 No. 342.

Fringe Benefits Tax Assessment Act—Regulations—Statutory Rules 2004 No. 347.

Health Insurance Act—Regulations—Statutory Rules 2004 No. 343.

Interstate Road Transport Charge Act—Regulations—Statutory Rules 2004 No. 346.

Military Rehabilitation and Compensation Act—Regulations—Statutory Rules 2004 No. 350.

Petroleum (Submerged Lands) Act—Regulations—Statutory Rules 2004 No. 344.

Retirement Savings Accounts Act—Regulations—Statutory Rules 2004 No. 348.

Superannuation Industry (Supervision) Act—Regulations—Statutory Rules 2004 No. 349.

Taxation Administration Act—

Determinations—2004—Nos GSTD 4, TD 68, TD 69, TD 70, TD 71.

Rulings—

2000—No. GSTR 31 (Addendum).

2004—Nos CR 131, CR 132, CR 133, CR 134, CR 135, CR 136, CR 137, GSTR 7, PR 24 (Withdrawal), PR 112.

Veterans' Entitlements Act—Regulations—Statutory Rules 2004 No. 337.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Katter, Mrs May and Mr Tanner.

I. C. HARRIS
Clerk of the House of Representatives

2004

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 11

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 9 DECEMBER 2004

1 The Main Committee met at 9.40 a.m.

2 **MEMBERS' STATEMENTS**

Members' statements were made.

3 **FINANCIAL FRAMEWORK 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.

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

Message from the Governor-General

Message No. 15, 30 November 2004, 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 immediately.

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

4 **WATER EFFICIENCY LABELLING AND STANDARDS 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 Albanese 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 is of the opinion that the Government:

- (1) has failed to deliver water efficiency standards for indoor water use products other than toilets, forgoing a significant opportunity to reduce household water consumption even further; and
- (2) should be condemned due to the failure of the Measures for a Better Environment package, from which funding has been drawn to finance this bill, to deliver environmental outcomes”.

Debate continued.

Amendment negatived.

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

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

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

5 **ADJOURNMENT**

Mr Hunt moved—That the Main Committee do now adjourn.

Debate ensued.

Documents

Mr Fitzgibbon presented the following documents:

Sylvester Bros Bakery Pty Ltd—Copy of statements concerning bread retailers in the Hunter region (7).
Question—put and passed.

At 1.52 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