

2004-05

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 31

TUESDAY, 24 MAY 2005



1 The House met, at 2 p.m., pursuant to adjournment. The Speaker (the Honourable David Hawker) took the Chair, and read Prayers.

2 QUESTIONS

Questions without notice were asked.

3 AUDITOR-GENERAL'S REPORT

The Speaker presented the following document:

Auditor-General—Audit report No. 43 of 2004–2005—Performance audit—Veterans' home care: Department of Veterans' Affairs.

Ordered to be made a Parliamentary Paper.

4 DOCUMENTS

The following documents were presented:

Aboriginal Land Commissioner—Report and recommendations to the Minister for Immigration and Multicultural and Indigenous Affairs and to the Administrator of the Northern Territory—

No. 68—Upper Roper River Land Claims.

Explanatory statement by the Minister for Immigration and Multicultural and Indigenous Affairs.

Human Rights and Equal Opportunity Commission—Report No. 28—Inquiry into complaints by immigration detainees concerning their detention at the Curtin Immigration Reception and Processing Centre.

Parliamentary questions—Amended answers to questions numbered 498, 614, 867, 952, 965, 2672, 3044 and 3204 asked in the 40th Parliament.

Superannuation (Government Co-contribution for Low Income Earners) Act—Quarterly report on the operation of the Act—1 January to 31 March 2005.

Western Australian Fisheries Joint Authority—Report for 2001-02.

5 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—DROUGHT IN COUNTRY AUSTRALIA

The House was informed that both Mr Windsor and Mr Albanese had proposed that definite matters of public importance be submitted to the House for discussion today. In accordance with the provisions of standing order 46, the Speaker had given priority to the matter proposed by Mr Windsor, namely, "The crisis situation in country Australia as a result of what is now recognised as the worst drought in Australia's history".

The proposed discussion having received the necessary support—

Mr Windsor addressed the House.

Discussion ensued.

Discussion concluded.

6 MATTERS REFERRED TO MAIN COMMITTEE

Mr Bartlett (Chief Government Whip), by leave, moved—That:

(1) the following bill be referred to the Main Committee for further consideration:

- Health Legislation Amendment (Australian Community Pharmacy Authority) 2005; and
- (2) the following order of the day, committee and delegation reports, be referred to the Main Committee for debate:
- Economics, Finance and Public Administration—Standing Committee—Report—Review of the Reserve Bank of Australia annual report 2004 (first report)—Motion to take note of the document: Resumption of debate.

Question—put and passed.

7 SELECTION COMMITTEE—REPORT

Mr Causley (Chair) presented the following document:

Selection Committee—Report relating to the consideration of committee and delegation reports and private Members' business on Monday, 30 May 2005.

8 SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED

Mr Albanese moved—That so much of the standing and sessional orders be suspended as would prevent the Member for Grayndler from moving the following motion forthwith: That the House of Representatives calls on the Howard Government to:

- (1) stop whaling from occurring in all Australian Territorial waters;
- (2) take immediate steps to prosecute boats detected slaughtering whales within Australian Territorial Waters under the *Environment Protection and Biodiversity Conservation Act 1999*;
- (3) apply diplomatic pressure to Japan to stop it from expanding its whale killing activity;
- (4) take immediate action to ensure that Australia's opposition to the proposed expansion of whale killing is clearly conveyed to all International Whaling Commission members;
- (5) reaffirm its commitment to the establishment of a South Pacific Whale Sanctuary; and
- (6) if the whale hunt continues, take action against Japan in the International Court of Justice with the objective of stopping Japan's current practice of culling whales for so-called "scientific research".

Closure of Member

Mr Lloyd (Minister for Local Government, Territories and Roads) moved—That the Member be no longer heard.

Question—put.

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

AYES, 79

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

NOES, 56

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

* Tellers

And so it was resolved in the affirmative.

Mr Garrett (seconder) addressing the House—

Closure of Member

Mr Lloyd moved—That the Member be no longer heard.

Question—put.

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

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Mr Abbott	Mrs Elson	Jackie Kelly	Mr Schultz
Mr Anderson	Mr Entsch	Mrs Ley	Mr Scott
Mr Andrews	Mr Farmer	Mr Lindsay	Mr Secker
Fran Bailey	Mr Fawcett	Mr Lloyd	Mr Slipper
Mr Baird	Mr M. D. Ferguson	Mr McArthur*	Mr A. D. H. Smith
Mr Baker	Mr Forrest*	Mr Macfarlane	Mr Somlyay
Mr Baldwin	Mrs Gash	Mr McGauran	Dr Stone
Mr Barresi	Mr Georgiou	Mrs Markus	Mr C. P. Thompson
Mr Bartlett	Mr Haase	Mrs May	Mr Ticehurst
Mr Billson	Mr Hardgrave	Mrs Moylan	Mr Tollner
Mrs B. K. Bishop	Mr Hartsuyker	Dr Nelson	Mr Truss
Ms J. Bishop	Mr Henry	Mr Neville	Mr Tuckey
Mr Broadbent	Mr Hockey	Ms Panopoulos	Mr Turnbull
Mr Brough	Mrs Hull	Mr Pearce	Mr M. A. J. Vaile
Mr Cadman	Mr Hunt	Mr Prosser	Mrs D. S. Vale
Mr Ciobo	Dr Jensen	Mr Pyne	Mr Vasta
Mr Cobb	Mr Johnson	Mr Randall	Mr Wakelin
Mr Costello	Mr Katter	Mr Richardson	Dr Washer
Mr Downer	Mr Keenan	Mr Robb	Mr Wood
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Ms Bird	Mr M. J. Ferguson	Ms C. King	Mr Ripoll
Mr Bowen	Mr Fitzgibbon	Dr Lawrence	Mr Sawford
Ms A. E. Burke	Mr Garrett	Ms Livermore	Mr Sercombe
Mr A. S. Burke	Ms George	Mr McClelland	Mr S. F. Smith
Mr Byrne	Mr Gibbons	Ms Macklin	Mr Swan
Ms Corcoran	Ms Gillard	Mr McMullan	Mr Tanner
Mr Crean	Ms Grierson	Mr Melham	Mr K. J. Thomson
Mr Danby*	Mr Griffin	Mr Murphy	Ms Vamvakinou
Mr Edwards	Ms Hall*	Mr B. P. O'Connor	Mr Wilkie
Mrs Elliot	Mr Hatton	Mr G. M. O'Connor	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 Deputy Speaker, Mr Causley, in the Chair)—

AYES, 57

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

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Ms J. Bishop	Mr Henry	Mr Neville	Mr Tuckey
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Mr Brough	Mrs Hull	Mr Pearce	Mr M. A. J. Vaile
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Mr Costello	Mr Katter	Mr Richardson	Dr Washer
Mr Downer	Mr Keenan	Mr Robb	Mr Wood
Mr Dutton	Mrs D. M. Kelly	Mr Ruddock	

* Tellers

And so it was negatived.

9 TAX LAWS AMENDMENT (PERSONAL INCOME TAX REDUCTION) BILL 2005

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 Swan 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 condemns the Government’s unfair 2005 Budget tax proposals that provide inadequate incentives and rewards for low and middle income taxpayers and considers that the bill should be amended to:

(a) from 1 January 2006:

- (i) cut the tax of people moving from welfare to work by introducing a *Welfare-to-Work Tax Bonus*, to replace the existing Low income Tax Offset, and when fully implemented fully offset any tax on the first \$10,000 taxable income for people earning up to \$20,000 a year; and
- (ii) extend the income range where the 17c marginal tax rate applies by raising the threshold where the 30c rate applies from \$21,600 to \$26,400, to deliver a tax cut of \$12 per week for low and middle income earners; and

(b) from 1 July 2006:

- (iii) extend the income range where the 30 cent marginal tax rate applies by raising the threshold where the 42c rate applies from \$63,000 to \$67,000, to ensure that at least 80 percent of taxpayers pay a marginal tax rate of 30c in the dollar or less; and
- (iv) extend the income range where the 42 cent marginal tax rate applies by lifting the threshold where the 47c rate begins from \$80,000 to \$100,000, to improve the international competitiveness of our tax system”.

Debate continued.

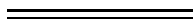
Mr Ciobo addressing the House—

10 ADJOURNMENT

It being 9 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 9.30 p.m.—The Deputy Speaker adjourned the House until tomorrow at 9 a.m.

**DOCUMENTS**

The following documents were deemed to have been presented on 24 May 2005:

Broadcasting Services Act—Variations—2005—

Licence area plan for Brisbane analog television—No. 1 [F2005L01184].

Licence area plan for Remote Central and Eastern Australia (Radio)—No. 1 [F2005L01183].

Civil Aviation Act—

Civil Aviation Regulations—Instrument—2005 No. CASA 167 [F2005L01198].

Civil Aviation Safety Regulations—Airworthiness Directive—Part 39-105—2005 20 May [F2005L01211].

Corporations Act—Order under—paragraph 992B(1)(c)—Australian Securities and Investments Commission—Class Order CO 05/508 [F2005L01206].

Criminal Code Act—Regulations—2005 Select Legislative Instruments Nos 36, 57, 58, 59, 60, 61, 62 [F2005L00699], [F2005L00703], [F2005L00702], [F2005L00707], [F2005L00701], [F2005L00706], [F2005L00850].

Higher Education Funding Act—Determination—2004 No. T66 [F2005L01207].

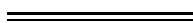
Higher Education Support Act—2005—Administration guidelines, 15 April [F2005L01196].

Navigation Act—Marine Orders—2005 No. 3 [F2005L01209].

**ATTENDANCE**

All Members attended (at some time during the sitting) except Mrs Draper, Ms Gambaro, Ms Hoare, Mr Jull*, Mr Laming, Mr Nairn, Ms Roxon*, Mr Snowdon and Dr Southcott.

* On leave



I. C. HARRIS

Clerk of the House of Representatives