

2004-05

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 35

TUESDAY, 31 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 MINISTERIAL ARRANGEMENTS

Mr Howard (Prime Minister) informed the House that, during the absence abroad of Mr M. A. J. Vaile (Minister for Trade), Mr Downer (Minister for Foreign Affairs) would answer questions on his behalf.

3 QUESTIONS

Questions without notice were asked.

4 AUDITOR-GENERAL'S REPORTS

The Speaker presented the following documents:

Auditor-General—Audit reports of 2004–2005—

No. 45—Performance audit—Management of selected defence system program offices, Department of Defence.

No. 46—Business support process audit—Management of trust monies in CAC Act entities.

No. 47—Performance audit—Australian Taxation Office Tax File Number integrity.

Reports ordered to be made Parliamentary Papers.

5 DOCUMENTS

The following documents were presented:

Australian Competition and Consumer Commission—Telecommunications reports for 2003–04—Report 1: Telecommunications competitive safeguards for 2003–04; Report 2: Changes in the prices paid for telecommunications services in Australia 1997–98 to 2003–04.

Australian River Co. Limited and its controlled entities—Report for the period 1 December 2003 to 30 November 2004.

Department of Communications, Information Technology and the Arts—Co-regulatory scheme for online content—Report for July to December 2004.

Treaties—Bilateral—Text of other amendments and an earlier version of this amendment tabled on 15 March 2005, together with national interest analysis and annexures—Re-tabling of Singapore-Australia Free Trade Agreement—Amendment—Section C: Documentary evidence.

6 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—TRANSPORT SYSTEM SECURITY

The House was informed that Mr Beazley (Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The failure of the Government to ensure the security of the Australian transport system”.

The proposed discussion having received the necessary support—

Mr Beazley addressed the House.

Discussion ensued.

Discussion concluded.

7 PROCEDURE—STANDING COMMITTEE

The House was informed that the Chief Nationals Whip had nominated Mr Hartsuyker to be a member of the Standing Committee on Procedure in place of Mr Neville.

Mr Downer (Minister for Foreign Affairs), by leave, moved—That Mr Neville be discharged from the Standing Committee on Procedure and that, in his place, Mr Hartsuyker be appointed a member of the committee.

Question—put and passed.

8 POSTPONEMENT OF ORDER OF THE DAY

Ordered—That order of the day No. 1, government business, be postponed until a later hour this day.

9 TAX LAWS AMENDMENT (2005 MEASURES NO. 3) 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 Fitzgibbon 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 condemns the Government for:

- (1) failing to pursue meaningful tax reform;
- (2) failing to seriously address the problem of effective marginal tax rates in its 2005–2006 Budget; and
- (3) continuing to introduce tax bills with significant errors and anomalies requiring costly and cumbersome legislative correction”.

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 Brough (Minister for Revenue and Assistant Treasurer), the bill was read a third time.

10 TAX LAWS AMENDMENT (MEDICARE LEVY AND MEDICARE LEVY SURCHARGE) 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 Fitzgibbon 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 condemns the Government for failing to accept Labor’s proposals which would increase the threshold which senior Australians do not have to pay the Medicare Levy by \$442, thus missing the opportunity to increase equity in the funding necessary to ensure that:

- (1) Medicare is sustainable over the long-term;
- (2) the Government’s failure to fund a sustainable strategy to increase bulk billing rates will be overcome;
- (3) the blowouts in the Medicare safety net, concealed from the public, will be funded; and
- (4) the Federal Government will be able to work with the states on health reform”.

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 Brough (Minister for Revenue and Assistant Treasurer), the bill was read a third time.

11 SUPERANNUATION LAWS AMENDMENT (ABOLITION OF SURCHARGE) 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 Fitzgibbon who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “the House declines to give the bill a second reading, and condemns the Government for:

- (1) failing to deliver meaningful overall tax reform to underpin future economic growth;
- (2) directing through this measure the largest tax benefits to high income earners while failing to deliver meaningful tax relief to those on average incomes; and
- (3) failing to reform tax measures consistent with Labor’s fairer tax package”.

Debate continued.

Question—That the words proposed to be omitted stand part of the question—put.

A division having been called for, in accordance with standing order 133 the division was deferred until 8 p.m.

Debate adjourned, and the resumption of the debate made an order of the day for a later hour this day.

12 SUPERANNUATION LEGISLATION AMENDMENT (CHOICE OF SUPERANNUATION FUNDS) 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 Fitzgibbon 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) condemns the Government for the poorly designed choice of superannuation fund regime which is too complex and unsafe; and
- (2) calls on the Government to:
 - (a) exempt small business—20 employees or less—from this new red tape burden;
 - (b) remove the two year gaol term and the \$22,000 fine on employers if they provide advice to their employees; and
 - (c) keep the Superannuation Holding Accounts Reserve Account open”.

Debate adjourned, and the resumption of the debate made an order of the day for a later hour this day.

13 SUPERANNUATION LAWS AMENDMENT (ABOLITION OF SURCHARGE) BILL 2005—DEFERRED DIVISION

The order of the day having been read for the further consideration of the bill—

The following question, on which a division had been called for and deferred in accordance with standing order 133, was put, viz.:

That the words proposed to be omitted stand part of the question (*see item No. 11, page 369*).

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

AYES, 79

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

NOES, 57

Mr Adams	Ms K. M. Ellis	Ms Hoare	Mr Quick
Mr Albanese	Mr Emerson	Mrs Irwin	Mr Ripoll
Mr Andren	Mr L. D. T. Ferguson	Mr Kerr	Mr Rudd
Mr Bevis	Mr M. J. Ferguson	Ms C. King	Mr Sawford
Ms Bird	Mr Fitzgibbon	Ms Livermore	Mr Sercombe
Mr Bowen	Mr Garrett	Mr McClelland	Mr S. F. Smith
Ms A. E. Burke	Mr Georganas	Ms Macklin	Mr Snowdon
Mr A. S. Burke	Ms George	Mr McMullan	Mr Swan
Mr Byrne	Mr Gibbons	Mr Melham	Mr Tanner
Ms Corcoran	Ms Gillard	Mr Murphy	Mr K. J. Thomson
Mr Crean	Ms Grierson	Mr B. P. O'Connor	Ms Vamvakinou
Mr Danby*	Mr Griffin	Mr G. M. O'Connor	Mr Wilkie
Mr Edwards	Ms Hall*	Ms Owens	
Mrs Elliot	Mr Hatton	Ms Plibersek	
Ms A. L. Ellis	Mr Hayes	Mr Price	

* Tellers

And so it was resolved in the affirmative.

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

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

AYES, 79

Mr Abbott	Mrs Elson	Mrs D. M. Kelly	Mr Schultz
Mr Anderson	Mr Entsch	Jackie Kelly	Mr Scott
Mr Andrews	Mr Farmer	Mrs Ley	Mr Secker
Fran Bailey	Mr Fawcett	Mr Lindsay	Mr Slipper
Mr Baird	Mr M. D. Ferguson	Mr Lloyd	Mr A. D. H. Smith
Mr Baker	Mr Forrest*	Mr McArthur*	Mr Somlyay
Mr Baldwin	Ms Gambaro	Mr Macfarlane	Dr Southcott
Mr Barresi	Mrs Gash	Mr McGauran	Dr Stone
Mr Bartlett	Mr Georgiou	Mrs Markus	Mr C. P. Thompson
Mr Billson	Mr Haase	Mrs May	Mr Ticehurst
Mrs B. K. Bishop	Mr Hardgrave	Mrs Moylan	Mr Tollner
Ms J. Bishop	Mr Hartsuyker	Dr Nelson	Mr Truss
Mr Broadbent	Mr Henry	Mr Neville	Mr Tuckey
Mr Brough	Mr Hockey	Ms Panopoulos	Mr Turnbull
Mr Cadman	Mrs Hull	Mr Pearce	Mrs D. S. Vale
Mr Causley	Mr Hunt	Mr Pyne	Mr Vasta
Mr Ciobo	Dr Jensen	Mr Randall	Mr Wakelin
Mr Cobb	Mr Johnson	Mr Richardson	Dr Washer
Mr Downer	Mr Katter	Mr Robb	Mr Windsor
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NOES, 57

Mr Adams	Ms K. M. Ellis	Ms Hoare	Mr Quick
Mr Albanese	Mr Emerson	Mrs Irwin	Mr Ripoll
Mr Andren	Mr L. D. T. Ferguson	Mr Kerr	Mr Rudd
Mr Bevis	Mr M. J. Ferguson	Ms C. King	Mr Sawford
Ms Bird	Mr Fitzgibbon	Ms Livermore	Mr Sercombe
Mr Bowen	Mr Garrett	Mr McClelland	Mr S. F. Smith
Ms A. E. Burke	Mr Georganas	Ms Macklin	Mr Snowdon
Mr A. S. Burke	Ms George	Mr McMullan	Mr Swan
Mr Byrne	Mr Gibbons	Mr Melham	Mr Tanner
Ms Corcoran	Ms Gillard	Mr Murphy	Mr K. J. Thomson
Mr Crean	Ms Grierson	Mr B. P. O'Connor	Ms Vamvakinou
Mr Danby*	Mr Griffin	Mr G. M. O'Connor	Mr Wilkie
Mr Edwards	Ms Hall*	Ms Owens	
Mrs Elliot	Mr Hatton	Ms Plibersek	
Ms A. L. Ellis	Mr Hayes	Mr Price	

* Tellers

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

Leave granted for third reading to be moved immediately.

On the motion of Mr Brough (Minister for Revenue and Assistant Treasurer), the bill was read a third time.

14 SUPERANNUATION LEGISLATION AMENDMENT (CHOICE OF SUPERANNUATION FUNDS) 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—*And on the amendment moved thereto by Mr Fitzgibbon (see item No. 12, page 369)*—

Debate resumed.

Mr Hayes 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.

15 ADJOURNMENT

Mr Cobb (Parliamentary Secretary to the Minister for Transport and Regional Services) moved—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 11.03 p.m., adjourned until tomorrow at 9 a.m.

DOCUMENTS

The following documents were deemed to have been presented on 31 May 2005:

Charter of the United Nations Act—Regulations—2005 Select Legislative Instrument No. 97 [F2005L01236].

Classification (Publications, Films and Computer Games) Act—

Determination—2005 Classification (Markings for films and computer games) [F2005L01276].

Guidelines for the classification of films and computer games [F2005L01286].

Guidelines for the classification of publications 2005 [F2005L01285].

Customs Act—Tariff Concession Revocation Orders—2005 18 (2) May [F2005L01249], [F2005L01250].

Defence Act—Determination under subsection 93B(1)—2005 Determination of prohibited substances, 23 May [F2005L01272].

Family Law (Superannuation) Regulations—

Approval—2005 Family Law (Superannuation) (Methods and factors for valuing particular superannuation interests) Amendment (No. 4) [F2005L01178].

Determinations—2005—

Family Law (Superannuation) (Provision of information—Commonwealth Superannuation Scheme) Amendment (No. 1) [F2005L01179].

Family Law (Superannuation) (Provision of information—Defence Force Schemes) Amendment (No. 1) [F2005L01181].

Family Law (Superannuation) (Provision of information—Military Superannuation and Benefits Scheme) Amendment (No. 1) [F2005L01182].

Family Law (Superannuation) (Provision of information—Public Sector Superannuation Scheme) Amendment (No. 1) [F2005L01180].

Financial Management and Accountability Act—

Determination to establish a special account—2005 No. 7 [F2005L01247].

Net Appropriation Agreement under section 31—2005 18 May [F2005L01245].

Food Standards Australia New Zealand Act—Variation to the Australia New Zealand Food Standards Code—2005 Amendment No. 78 [F2005L01246].

Health Insurance Act—Regulations—2005 Select Legislative Instrument No. 100 [F2005L01221].

Migration Act—Migration Regulations—Notice—2005 Specification of passports [F2005L01122].

National Health Act—Arrangements under subparagraph 100(1)(b)(i)—2005 No. PB 13 [F2005L01274].

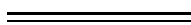
Trade Practices Amendment (Australian Energy Market) Act—Proclamation under subsection 2 (1) fixing 23 May 2005 as the day on which Schedules 1 and 2 to the Act commence [F2005L01121].

Water Efficiency Labelling and Standards Act—Regulations—2005 Select Legislative Instrument No. 96 [F2005L01243].

ATTENDANCE

All Members attended (at some time during the sitting) except Mrs Draper, Mr Jull*, Mr Laming, Mr Nairn, Ms Roxon*, Mr M. A. J. Vaile and Mr Wood.

* On leave



I. C. HARRIS
Clerk of the House of Representatives

2004-05

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 35

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

TUESDAY, 31 MAY 2005

1 The Main Committee met at 4 p.m.

2 **MEMBERS' STATEMENTS**

Members' statements were made.

3 **APPROPRIATION BILL (NO. 1) 2005-2006—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 Swan, 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 a Budget which:

- (1) delivers grossly unfair tax relief which favours the highest income earners at the expense of ordinary Australian families;
- (2) ignores the crippling effect of punishingly high effective marginal tax rates on workforce participation;
- (3) imposes harsh conditions on the income of the most vulnerable members of the community;
- (4) fails to invest in skills and infrastructure disregarding repeated warnings from the RBA and OECD about skills shortages and infrastructure bottlenecks;
- (5) exposes Australians to the risk of higher interest rates as a result of capacity constraints and escalating economic imbalances;
- (6) predicts a significantly slowing rate of real GDP growth to below the Australian long-term average and considerably below world GDP growth;
- (7) confirms continuing unsustainable current account deficits into the future;
- (8) predicts a continuing increase in Australia's foreign debt;
- (9) predicts import growth to exceed export growth; and
- (10) contains a proposed Future Fund which is focused on offsetting the superannuation liability of Commonwealth employees at the expense of sensible long-term investment in vital infrastructure”—

Debate resumed.

Documents

Mr Scott, by leave, presented the following documents:

Telecommunications infrastructure and services in the bush—

Accessibility/Remoteness Index of Australia (Plus) classifications—Copy of Figure 1 from Regional Business—A Plan for Action, page 3.

Copies of press clippings relating to New Zealand telecommunications (7).

Differences between Australian and New Zealand regulatory regimes for telecommunications—Telstra Clear, 6 April 2005—Copy of table.

Records of Mr Scott's meetings in New Zealand with—

Douglas Webb, Telecommunications Commissioner, 4 April 2005.

Federated Farmers, 4 April 2005.

Telstra Clear, 11 April 2005.

Scott talks communications for the bush—Copy of media release by Mr Scott, 26 May 2005.

Suspension of sitting

At 8.18 p.m., a division having been called in the House, the proceedings were suspended.

Resumption of sitting

At 8.33 p.m., the proceedings were resumed.

Debate continued.

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 Neville, the Main Committee adjourned at 9.58 p.m.

The Deputy Speaker fixed tomorrow at 9.30 a.m. for the next meeting of the Main Committee.

B. C. WRIGHT
Clerk of the Main Committee