

2004-05

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 44

THURSDAY, 23 JUNE 2005

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

2 SUSPENSION OF STANDING ORDERS 31 AND 33

Mr Abbott (Leader of the House), pursuant to notice, moved—That standing order 31 (automatic adjournment of the House) and standing order 33 (limit on business after 9.30 p.m.) be suspended for Thursday, 23 June 2005.

Question—put and passed.

3 HEALTH INSURANCE AMENDMENT (MEDICARE SAFETY-NETS) BILL 2005

Mr Abbott (Minister for Health and Ageing), pursuant to notice, presented a Bill for an Act to amend the *Health Insurance Act 1973*, and for related purposes.

Bill read a first time.

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

Document

Mr Abbott presented an explanatory memorandum to the bill.

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

4 HEALTH INSURANCE AMENDMENT (MEDICAL SPECIALISTS) BILL 2005

Mr Abbott (Minister for Health and Ageing), pursuant to notice, presented a Bill for an Act to amend the *Health Insurance Act 1973*, and for related purposes.

Bill read a first time.

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

Document

Mr Abbott presented an explanatory memorandum to the bill.

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

5 CUSTOMS TARIFF PROPOSAL NO. 3 (2005)

Mr Ruddock (Attorney-General) moved Customs Tariff Proposal No. 3 (2005).

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

6 CUSTOMS TARIFF AMENDMENT BILL (NO. 2) 2005

Mr Ruddock (Attorney-General) presented a Bill for an Act to amend the *Customs Tariff Act 1995*, and for related purposes.

Bill read a first time.

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

Document

Mr Ruddock 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 HIGHER EDUCATION LEGISLATION AMENDMENT (2005 BUDGET MEASURES) BILL 2005

Dr Nelson (Minister for Education, Science and Training), pursuant to notice, presented a Bill for an Act to amend higher education legislation, and for related purposes.

Bill read a first time.

Dr Nelson moved—That the bill be now read a second time.

Document

Dr Nelson 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 HIGHER EDUCATION LEGISLATION AMENDMENT (WORKPLACE RELATIONS REQUIREMENTS) BILL 2005

Dr Nelson (Minister for Education, Science and Training), pursuant to notice, presented a Bill for an Act to amend the *Higher Education Support Act 2003* in relation to workplace relations, and for related purposes.

Bill read a first time.

Dr Nelson moved—That the bill be now read a second time.

Document

Dr Nelson 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 NATIONAL RESIDUE SURVEY (EXCISE) LEVY AMENDMENT BILL 2005

Mr Entsch (Parliamentary Secretary to the Minister for Industry, Tourism and Resources) presented a Bill for an Act to amend the *National Residue Survey (Excise) Levy Act 1998*, and for related purposes.

Bill read a first time.

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

Document

Mr Entsch 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 NATIONAL RESIDUE SURVEY (CUSTOMS) LEVY AMENDMENT BILL 2005

Mr Entsch (Parliamentary Secretary to the Minister for Industry, Tourism and Resources) presented a Bill for an Act to amend the *National Residue Survey (Customs) Levy Act 1998*, and for related purposes.

Bill read a first time.

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

Document

Mr Entsch 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 TELECOMMUNICATIONS AND OTHER LEGISLATION AMENDMENT (PROTECTION OF SUBMARINE CABLES AND OTHER MEASURES) BILL 2005

Mr Entsch (Parliamentary Secretary to the Minister for Industry, Tourism and Resources), for Mr McGauran (Minister representing the Minister for Communications, Information Technology and the

Arts), pursuant to notice, presented a Bill for an Act to provide for the protection of submarine cables, and for other purposes.

Bill read a first time.

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

Document

Mr Entsch 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 CORPORATIONS (ABORIGINAL AND TORRES STRAIT ISLANDER) BILL 2005

Mr Entsch (Parliamentary Secretary to the Minister for Industry, Tourism and Resources), for Mr McGauran (Minister representing the Minister for Immigration and Multicultural and Indigenous Affairs), pursuant to notice, presented a Bill for an Act to provide for Aboriginal and Torres Strait Islander corporations, and for related purposes.

Bill read a first time.

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

Document

Mr Entsch 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 OCCUPATIONAL HEALTH AND SAFETY (COMMONWEALTH EMPLOYMENT) AMENDMENT BILL 2005

Mr Andrews (Minister for Employment and Workplace Relations), pursuant to notice, presented a Bill for an Act to amend the *Occupational Health and Safety (Commonwealth Employment) Act 1991*, and for related purposes.

Bill read a first time.

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

Document

Mr Andrews presented an explanatory memorandum to the bill.

Debate adjourned (Mr G. M. O'Connor), and the resumption of the debate made an order of the day for the next sitting.

14 TAX LAWS AMENDMENT (2005 MEASURES NO. 4) BILL 2005

Mr Brough (Minister for Revenue and Assistant Treasurer) presented a Bill for an Act to amend the law relating to taxation, 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 G. M. O'Connor), and the resumption of the debate made an order of the day for the next sitting.

15 OFFSHORE PETROLEUM BILL 2005

Mr Entsch (Parliamentary Secretary to the Minister for Industry, Tourism and Resources), pursuant to notice, presented a Bill for an Act about offshore petroleum, and for other purposes.

Bill read a first time.

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

Document

Mr Entsch presented an explanatory memorandum to the bill.

Debate adjourned (Mr G. M. O'Connor), and the resumption of the debate made an order of the day for the next sitting.

16 OFFSHORE PETROLEUM (ANNUAL FEES) BILL 2005

Mr Entsch (Parliamentary Secretary to the Minister for Industry, Tourism and Resources), pursuant to notice, presented a Bill for an Act to provide for the payment of annual fees for certain permits, leases and licences under the *Offshore Petroleum Act 2005*, and for related purposes.

Bill read a first time.

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

Document

Mr Entsch presented an explanatory memorandum to the bill.

Debate adjourned (Mr G. M. O'Connor), and the resumption of the debate made an order of the day for the next sitting.

17 OFFSHORE PETROLEUM (REGISTRATION FEES) BILL 2005

Mr Entsch (Parliamentary Secretary to the Minister for Industry, Tourism and Resources) presented a Bill for an Act to impose, as taxes, fees for the registration under the *Offshore Petroleum Act 2005* of transfers of titles and approvals of dealings.

Bill read a first time.

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

Document

Mr Entsch presented an explanatory memorandum to the bill.

Debate adjourned (Mr G. M. O'Connor), and the resumption of the debate made an order of the day for the next sitting.

18 OFFSHORE PETROLEUM (ROYALTY) BILL 2005

Mr Entsch (Parliamentary Secretary to the Minister for Industry, Tourism and Resources), pursuant to notice, presented a Bill for an Act to impose a royalty on petroleum recovered from the North West Shelf, and for related purposes.

Bill read a first time.

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

Document

Mr Entsch presented an explanatory memorandum to the bill.

Debate adjourned (Mr G. M. O'Connor), and the resumption of the debate made an order of the day for the next sitting.

19 OFFSHORE PETROLEUM (REPEALS AND CONSEQUENTIAL AMENDMENTS) BILL 2005

Mr Entsch (Parliamentary Secretary to the Minister for Industry, Tourism and Resources), pursuant to notice, presented a Bill for an Act to deal with consequential matters arising from the repeal of the *Petroleum (Submerged Lands) Act 1967* and the enactment of the *Offshore Petroleum Act 2005*, and for other purposes.

Bill read a first time.

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

Document

Mr Entsch presented an explanatory memorandum to the bill.

Debate adjourned (Mr G. M. O'Connor), and the resumption of the debate made an order of the day for the next sitting.

20 OFFSHORE PETROLEUM (SAFETY LEVIES) AMENDMENT BILL 2005

Mr Entsch (Parliamentary Secretary to the Minister for Industry, Tourism and Resources) presented a Bill for an Act to amend the *Offshore Petroleum (Safety Levies) Act 2003*, and for related purposes.

Bill read a first time.

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

Document

Mr Entsch presented an explanatory memorandum to the bill.

Debate adjourned (Mr G. M. O'Connor), and the resumption of the debate made an order of the day for the next sitting.

21 SUPERANNUATION LEGISLATION AMENDMENT (SUPERANNUATION SAFETY AND OTHER MEASURES) BILL 2005

Dr Stone (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, presented a Bill for an Act to amend the law relating to superannuation, and for other purposes.

Bill read a first time.

Dr Stone moved—That the bill be now read a second time.

Document

Dr Stone presented an explanatory memorandum to the bill.

Debate adjourned (Mr G. M. O'Connor), and the resumption of the debate made an order of the day for the next sitting.

22 RESERVE BANK OF AUSTRALIAN BUSINESS RESUMPTION SITE AT BAULKHAM HILLS IN SYDNEY, NSW—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: Reserve Bank of Australian Business Resumption Site at Baulkham Hills in Sydney, NSW.

Question—put and passed.

23 MARIBYRNONG IMMIGRATION DETENTION CENTRE (MIDC)—ADDITIONAL ACCOMMODATION AND RELATED WORKS—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: Maribyrnong Immigration Detention Centre (MIDC)—Additional accommodation and related works.

Question—put and passed.

24 NEW OFFICES FOR THE AUSTRALIAN CONSULATE-GENERAL IN BALI, INDONESIA—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: New offices for the Australian Consulate-General in Bali, Indonesia.

Question—put and passed.

25 MID-LIFE UPGRADE OF EXISTING CHANCERY BUILDING FOR THE AUSTRALIAN HIGH COMMISSION, SINGAPORE—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: Mid-life upgrade of existing chancery building for the Australian High Commission, Singapore.

Question—put and passed.

26 CONSTRUCTION OF A NEW CHANCERY BUILDING FOR THE AUSTRALIAN EMBASSY IN VIENTIANE, LAOS—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: Construction of a new chancery building for the Australian Embassy in Vientiane, Laos.

Question—put and passed.

27 REFURBISHMENT OF AUSTRALIA HOUSE IN LONDON, UNITED KINGDOM—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: Refurbishment of Australia House in London, United Kingdom.

Question—put and passed.

28 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—RELOCATION OF SELECTED RAAF COLLEGE UNITS TO RAAF BASE EAST SALE, VICTORIA, AND RAAF BASE WAGGA WAGGA, NSW

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: Relocation of selected RAAF College units to RAAF Base East Sale, Victoria, and RAAF Base Wagga Wagga, NSW.

Debate ensued.

Question—put and passed.

29 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—RAAF BASE AMBERLEY REDEVELOPMENT STAGE 2, QUEENSLAND

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: RAAF Base Amberley redevelopment stage 2, Queensland.

Question—put and passed.

30 HUMAN SERVICES LEGISLATION AMENDMENT BILL 2005

Mr Hockey (Minister for Human Services), pursuant to notice, presented a Bill for an Act to amend legislation relating to the delivery of Commonwealth services, and for related purposes.

Bill read a first time.

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

Document

Mr Hockey 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.

31 CORPORATIONS AND FINANCIAL SERVICES—JOINT PARLIAMENTARY COMMITTEE—DOCUMENT

Ms A. E. Burke, by leave, presented the following document:

Corporations and Financial Services—Joint Parliamentary Committee—Report on the exposure draft of the Corporations Amendment Bill (No. 2) 2005—Erratum.

32 MESSAGE FROM THE SENATE—CRIMES LEGISLATION AMENDMENT (TELECOMMUNICATIONS INTERCEPTION AND OTHER MEASURES) BILL 2005

Message No. 145, 22 June 2005, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to extend the circumstances in which communications can be intercepted without warrant, and for other 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.

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.

33 FISHERIES LEGISLATION AMENDMENT (INTERNATIONAL OBLIGATIONS AND OTHER MATTERS) BILL 2005

The order of the day having been read for the second reading—Mr Dutton (Minister for Workforce Participation), for Mr Truss (Minister for Agriculture, Fisheries and Forestry) moved—That the bill be now read a second time.

Document

Mr Dutton presented an explanatory memorandum to the bill.

Debate adjourned (Mr G. M. O'Connor), and the resumption of the debate made an order of the day for a later hour this day.

34 LEADER OF THE NATIONAL PARTY, DEPUTY PRIME MINISTER AND MINISTER FOR TRANSPORT AND REGIONAL SERVICES—PROPOSED RESIGNATION—STATEMENTS BY MEMBERS

Mr Anderson (Deputy Prime Minister and Minister for Transport and Regional Services), by leave, made a statement informing the House that he would be resigning as Leader of the National Party, Deputy Prime Minister and Minister for Transport and Regional Services.

Mr Howard (Prime Minister), Mr Beazley (Leader of the Opposition) and other Members, by leave, made statements on the matter.

35 QUESTIONS

Questions without notice being asked—

Member directed to leave

At 2.33 p.m. the Member for Grayndler (Mr Albanese) 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.

Questions without notice continuing—

Document

Mr Price, in accordance with standing order 201, having called for documents quoted from by Mr Lloyd (Minister for Local Government, Territories and Roads)—

Mr Lloyd presented the following document:

Economics, Finance and Public Administration—Standing Committee—Report—Rates and taxes: A fair share for responsible local government—Government response—Notes on report and response.

Questions without notice concluded.

36 RETIRING SENATORS AND MILITARY LEADERS—STATEMENTS

Mr Howard (Prime Minister), by indulgence, made a statement in relation to the retirement of Senators and military leaders, General Peter Cosgrove and Vice Admiral Chris Ritchie.

Mr Beazley (Leader of the Opposition) and Mr Anderson (Deputy Prime Minister), by indulgence, made a statement on the same matter.

37 DOCUMENT

The Speaker presented the following document:

Committee reports—Schedule of Government responses to the reports of House of Representatives and joint committees, for period 8 December 2004 to 22 June 2005, and reports presented to which responses are outstanding, 23 June 2005.

38 AUDITOR-GENERAL'S REPORT

The Speaker presented the following document:

Auditor-General—Audit report No. 55 of 2004–2005—Performance audit—Workforce planning.

Ordered to be made a Parliamentary Paper.

39 DOCUMENTS

The following documents were presented:

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

Department of Finance and Administration—Reports—

Former Parliamentarians' travel paid by the department for the period July to December 2004, June 2005.

Parliamentarians' overseas study travel reports for the period 25 May to 31 December 2004, June 2005.

Parliamentarians' travel paid by the department for the period July to December 2004, June 2005.

Department of the Prime Minister and Cabinet—Expenditure on travel by former Governors-General paid by the department for the period—

1 January to 30 June 2004.

1 July to 31 December 2004.

Education and Training—House of Representatives Standing Committee—Report—Learning to work—Government response.

Family and Community Affairs—House of Representatives Standing Committee—Report—Every picture tells a story—Government response.

National Capital and External Territories—Joint Standing Committee—Norfolk Island: Review of the annual reports of the Department of Transport and Regional Services and the Department of the Environment and Heritage—Government response.

Official Establishments Trust—Report for 2003-04.

40 DOCUMENTS

Mr Andrews (Minister for Employment and Workplace Relations) presented the following documents:

Petitions not in accord with standing and sessional orders of the House.

41 SPECIAL ADJOURNMENT

Mr Andrews (Minister for Employment and Workplace Relations) moved—That the House, at its rising, adjourn until Tuesday, 9 August 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.

Question—put and passed.

42 LEAVE OF ABSENCE TO ALL MEMBERS

Mr Andrews (Minister for Employment and Workplace Relations) 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 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—POLICIES FOR A PRODUCTIVE AUSTRALIA

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's policies to secure a fair and productive Australia".

The proposed discussion having received the necessary support—

Mr Beazley addressed the House.

Discussion ensued.

Discussion concluded.

44 LEADER OF THE NATIONAL PARTY, DEPUTY PRIME MINISTER AND MINISTER FOR TRANSPORT AND REGIONAL SERVICES—PROPOSED RESIGNATION—STATEMENTS BY MEMBERS

Members, by leave, made further statements on the matter (*see item No. 34, page 473*).

45 STATUTE LAW REVISION BILL 2005—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 Hardgrave (Minister for Vocational and Technical Education), by leave, the bill was read a third time.

46 DEATH OF HIS HOLINESS POPE JOHN PAUL II—COPY OF CONDOLENCE MOTION MOVED BY THE PRIME MINISTER—MOTION TO TAKE NOTE OF DOCUMENT—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the motion to take note of the copy of the condolence motion moved by the Prime Minister in relation to the death of His Holiness Pope John Paul II, had been debated in the Main Committee and returned to the House, and presented a certified copy of the document.

Document noted.

47 DEATH OF THE HONOURABLE SIR JOHANNES BJELKE-PETERSEN, KCMG—COPY OF CONDOLENCE MOTION MOVED BY THE DEPUTY PRIME MINISTER—MOTION TO TAKE NOTE OF DOCUMENT—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the motion to take note of the copy of the condolence motion moved by the Deputy Prime Minister in relation to the death of the Honourable Sir Johannes Bjelke-Petersen, KCMG, had been debated in the Main Committee and returned to the House, and presented a certified copy of the document.

Document noted.

48 DEATH OF THE HONOURABLE ALBERT JAIME GRASSBY, AM—COPY OF CONDOLENCE MOTION MOVED BY THE PRIME MINISTER—MOTION TO TAKE NOTE OF DOCUMENT—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the motion to take note of the copy of the condolence motion moved by the Prime Minister in relation to the death of the Honourable Albert Jaime Grassby, AM, had been debated in the Main Committee and returned to the House, and presented a certified copy of the document.

Document noted.

49 MEMBERS' INTERESTS COMMITTEE—DOCUMENT

Mr Ciobo (Chair) presented the following document:

Committee of Members' Interests—Register of Members' Interests for the 41st Parliament—Notifications of alterations of interests and Statements of Registrable Interests received during the period 10 February to 22 June 2005.

50 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 2 June 2005, recommends that the following be made Parliamentary Papers:

Australian Maritime College—Report for 2004.

Australian National University—Report for 2004.

Higher Education Funding Act—Report detailing determinations made under the Act in respect of 2003.
 Human Rights and Equal Opportunity Commission—Report No. 30—Inquiry into a complaint by Mr William Mayne of age discrimination in the Australian Defence Force.
 National Health and Medical Research Council—Report for 2004.
 Natural Heritage Trust—Report for 2003-04.
 Pharmaceutical Benefits Pricing Authority—Supplementary report for 2003-04.

TRISH DRAPER MP

Chair

23 June 2005

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

51 FISHERIES LEGISLATION AMENDMENT (INTERNATIONAL OBLIGATIONS AND OTHER MATTERS) 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 ensued.

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

Leave granted for third reading to be moved immediately.

On the motion of Mr Truss (Minister for Agriculture, Fisheries and Forestry), the bill was read a third time.

52 AUSTRALIAN TECHNICAL COLLEGES (FLEXIBILITY IN ACHIEVING AUSTRALIA'S SKILLS NEEDS) 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 Ms Macklin (Deputy Leader of the Opposition), 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:

- (1) creating a skills crisis through its continued failure to provide the necessary opportunities during their nine long years in office for Australians to get the training they need to get a decent job and meet the skills needs of the economy;
- (2) failing to train enough Australians in areas of skill shortage and relying on skilled migration;
- (3) exacerbating this crisis by failing to introduce Budget measures to train more Australians now, including Labor's Trade Completion Bonus for traditional apprentices;
- (4) making Australian business wait until 2010 for the Technical Colleges to produce their first qualified tradesperson;
- (5) failing to double the number of school-based traditional apprentices and provide extra funding to support schools in taking up the places;
- (6) failing to further invest in our world-class school and TAFE systems to create opportunities for young Australians to access high quality vocational education and training at all schools, not just 24 Australian Technical Colleges;
- (7) its uncooperative and hostile attitude towards the States and Territories in establishing these Colleges, despite the central role the States and Territories will play in any successful operation;
- (8) failing to provide new support to other regions that also have high youth unemployment, an industry base and skill shortages, but are not listed for a Technical College; and
- (9) inappropriately using vocational education and training as a vehicle through which to drive their ideological industrial relations agenda which bears no relation to successful student outcomes”—

Debate resumed.

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

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

AYES, 75

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

NOES, 53

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

* Tellers

And so it was resolved in the affirmative.

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. 77, 16 May 2005, 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, and agreed to, after debate.

Consideration in detail concluded.

On the motion of Mr Hardgrave (Minister for Vocational and Technical Education), by leave, the bill was read a third time.

53 MESSAGE FROM THE SENATE—MIGRATION AMENDMENT (DETENTION ARRANGEMENTS) BILL 2005

Message No. 153, 23 June 2005, from the Senate was reported returning the Migration Amendment (Detention Arrangements) Bill 2005 with amendments.

Ordered—That the amendments be considered immediately.

On the motion of Mr McGauran (Minister for Citizenship and Multicultural Affairs), the amendments be disagreed to, after debate.

Mr McGauran presented reasons, which were circulated, and are as follows:

Reasons of the House of Representatives for disagreeing to the amendments of the Senate

Senate Amendment 1

This amendment would provide medical professionals and media representatives unfettered right of access to detainees. This makes detainees objects because the amendment provides rights to medical professionals and media representatives and does not give a detainee the right to decline or indeed ask for their presence. This is unacceptable.

Accordingly, the House of Representatives does not accept this amendment.

Senate Amendments 2,4,7,8,16 and 17

These amendments are based on a misunderstanding that section 196 provides the power to detain an unlawful non-citizen. This is incorrect as the authority under the Migration Act 1958 to detain an unlawful non-citizen is provided for under section 189 of the Act. Consequently, these amendments are unnecessary.

Accordingly, the House of Representatives does not support these amendments.

Senate Amendment 3

This amendment attempts to direct the Minister on how to use the Minister's new non-compellable power contained in section 195A to grant permanent protection visas. This direction is inconsistent with the concept of a non-compellable power.

Accordingly, the House of Representatives does not accept this amendment.

Senate Amendments 5,6 and 9

These amendments require the establishment of a judicial assessor to oversight the appropriateness of detention. This is an effect requiring judicial officers to make administrative decisions.

Accordingly, the House of Representatives does not accept these amendments.

Senate Amendments 10 to 15

These amendments would require the Ombudsman to review the detention arrangements of a detainee after 90 days and then every month thereafter. These amendments would place an excessive administrative burden on the Ombudsman to effectively commence a review immediately post an earlier review regardless of any changes in the detainees' circumstances. The Government's commitment to speed up visa processing times render these unnecessary.

Accordingly, the House of Representatives does not accept these amendments.

On the motion of Mr McGauran, the reasons were adopted.

54 MESSAGE FROM THE SENATE—TAX LAWS AMENDMENT (2005 MEASURES NO. 1) BILL 2005

Message No. 155, 23 June 2005, from the Senate was reported returning the Tax Laws Amendment (2005 Measures No. 1) Bill 2005 with amendments.

Ordered—That the amendments be considered immediately.

On the motion of Mr Brough (Minister for Revenue and Assistant Treasurer), the amendments were agreed to, after debate.

55 MESSAGE FROM THE SENATE—TAX LAWS AMENDMENT (2005 MEASURES NO. 2) BILL 2005

Message No. 154, 23 June 2005, from the Senate was reported returning the Tax Laws Amendment (2005 Measures No. 2) Bill 2005 with amendments.

Ordered—That the amendments be considered immediately.

On the motion of Mr Brough (Minister for Revenue and Assistant Treasurer), the amendments were agreed to, after debate.

56 MESSAGES FROM THE SENATE

Messages from the Senate, 23 June 2005, were reported returning the following bills without amendment or requests:

No. 156—Superannuation 2005.

No. 158—Tax Laws Amendment (Improvements to Self Assessment) (No. 1) 2005.

No. 159—Shortfall Interest Charge (Imposition) 2005 (*without requests*).

57 MESSAGES FROM THE SENATE

Messages from the Senate, 23 June 2005, were reported acquainting the House that from 1 July:

Senator Hutchins had been discharged from attendance on the Parliamentary Joint Committee on the Australian Crime Commission, and Senators Ludwig and Polley had been appointed members of the committee—Message No. 146;

Senator Lundy had been discharged from attendance on the Parliamentary Joint Committee on Corporations and Financial Services, and Senator Sherry had been appointed a member of the committee—Message No. 147;

Senator Lundy had been discharged from attendance on the Joint Standing Committee on Foreign Affairs, Defence and Trade, and Senators George Campbell, Moore and Webber had been appointed members of the committee—Message No. 148;

Senator Parry had been appointed a member of the Joint Standing Committee on Migration—Message No. 149;

Senator Siewert had been appointed a member of the Parliamentary Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Account—Message No. 150;

Senator Forshaw had been discharged from attendance on the Parliamentary Standing Committee on Public Works, and Senator Wortley had been appointed a member of the committee—Message No. 151; and

Senator Stephens had been discharged from attendance on the Joint Standing Committee on Treaties and Senators Sterle, Trood and Wortley had been appointed members of the committee—Message No. 152.

58 WORKPLACE RELATIONS AMENDMENT (SMALL BUSINESS EMPLOYMENT PROTECTION) 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 S. F. Smith 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) noting that the nation’s independent umpire in industrial relations matters, the Australian Industrial Relations Commission (AIRC), has examined and heard submissions concerning the impact of redundancy payments on small business;
- (2) noting that the AIRC has found that the available evidence does not support the general proposition that small businesses across the board does not have the capacity to pay severance pay; but
- (3) recognising the circumstances of those individual small business which are incapable of making redundancy payments;

calls on the Government to comply with the AIRC decision and to adopt mechanisms to address those individual businesses with a genuine incapacity to make redundancy payments”.

Debate adjourned (Dr Stone—Parliamentary Secretary to the Minister for Finance and Administration), and the resumption of the debate made an order of the day for a later hour this day.

59 MESSAGE FROM THE SENATE—SUPERANNUATION (CONSEQUENTIAL AMENDMENTS) BILL 2005

Message No. 157, 23 June 2005, from the Senate was reported returning the Superannuation (Consequential Amendments) Bill 2005 with amendments.

Ordered—That the amendments be considered immediately.

On the motion of Dr Stone (Parliamentary Secretary to the Minister for Finance and Administration), the amendments were agreed to, after debate.

60 WORKPLACE RELATIONS AMENDMENT (SMALL BUSINESS EMPLOYMENT PROTECTION) 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 S. F. Smith (see item No. 58, page 479)—*

Debate resumed.

The House continuing to sit until after midnight—

FRIDAY, 24 JUNE 2005

Debate continued.

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

61 MESSAGE FROM THE SENATE—CRIMINAL CODE AMENDMENT (SUICIDE RELATED MATERIAL OFFENCES) BILL 2005

Message No. 161, 24 June 2005 a.m., from the Senate was reported returning the Criminal Code Amendment (Suicide Related Material Offences) Bill 2005 with amendments.

Ordered—That the amendments be considered immediately.

On the motion of Mr Ruddock (Attorney-General), the amendments were agreed to, after debate.

62 MESSAGE FROM THE SENATE

Message No. 160, 23 June 2005, from the Senate was reported returning the Superannuation Legislation Amendment (Choice of Superannuation Funds) Bill 2005 without amendment.

63 ADJOURNMENT

Mr Abbott (Minister for Health and Ageing) moved—That the House do now adjourn.

Question—put and passed.

And then the House, at 12.40 a.m., adjourned until Tuesday, 9 August 2005, in accordance with the resolution agreed to this sitting.

DOCUMENT

The following document was deemed to have been presented on 23 June 2005:

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposal—2005 No. 5.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Baldwin, Mr Jull*, Dr Lawrence, Mr Macfarlane and Ms Roxon*.

* On leave

I. C. HARRIS
Clerk of the House of Representatives

2004-05

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 44

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 23 JUNE 2005

1 The Main Committee met at 9.30 a.m.

2 MEMBERS' STATEMENTS

Members' statements were made.

3 STATUTE LAW REVISION BILL 2005

The order of the day having been read for the second reading—Mr Hunt (Parliamentary Secretary to the Minister for the Environment and Heritage) moved—That the bill be now read a second time.

Document

Mr Hunt presented an explanatory memorandum to the bill.

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 DEATH OF HIS HOLINESS POPE JOHN PAUL II—COPY OF CONDOLENCE MOTION MOVED BY THE PRIME MINISTER—MOTION TO TAKE NOTE OF DOCUMENT

The order of the day having been read for the resumption of the debate on the motion of Mr Abbott (Leader of the House)—That the House take note of the document (*presented on 10 May 2005*), viz.:

Death of His Holiness Pope John Paul II—Copy of condolence motion moved by the Prime Minister—

Debate resumed.

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

5 ORDERS OF THE DAY—RETURNED TO HOUSE

Mrs May, by leave, moved—That further proceedings on orders of the day Nos 2, 3 and 4, government business, be conducted in the House.

Question—put and passed.

6 ADJOURNMENT

Mrs May moved—That the Main Committee do now adjourn.

Debate ensued.

Suspension of sitting

At 11.55 a.m., the Deputy Speaker left the Chair.

Resumption of sitting

At 12.30 p.m., the Deputy Speaker resumed the Chair.

Debate continued.

Question—put and passed.

At 1.30 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