

2004-05-06

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 97

MONDAY, 22 MAY 2006

1 The House met, at 12.30 p.m., pursuant to adjournment. The Speaker (the Honourable David Hawker) took the Chair, and read Prayers.

2 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENTS BY MEMBERS

Mr Cadman presented the following document:

Australian Parliamentary Delegation to the Fourteenth Annual Meeting of the Asia Pacific Parliamentary Forum, Jakarta, Indonesia and to Papua New Guinea, January 2006—Report, May 2006.

Mr Cadman and Mr Richardson made statements in connection with the report.

3 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF DOCUMENT—REFERENCE TO MAIN COMMITTEE

Mr Scott presented the following document:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Parliamentary delegation visit to Australian Defence Forces deployed to support the rehabilitation of Iraq, 22 to 28 October 2005—Report, May 2006.

Ordered to be made a Parliamentary Paper.

Statements in connection with the report were made.

The time allotted for making statements on the report having expired—

Mr Scott moved—That the House take note of the report.

In accordance with sessional order 39, the debate was adjourned, and the resumption of the debate made an order of the day for a later hour this day.

Mr Scott moved—That the order of the day be referred to the Main Committee for debate.

Question—put and passed.

4 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF DOCUMENT—REFERENCE TO MAIN COMMITTEE

Mr Scott presented the following document:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Australia's Defence Relations with the United States—Report, May 2006.

Ordered to be made a Parliamentary Paper.

Statements in connection with the report were made.

The time allotted for making statements on the report having expired—

Mr Scott moved—That the House take note of the report.

In accordance with sessional order 39, the debate was adjourned, and the resumption of the debate made an order of the day for a later hour this day.

Mr Scott moved—That the order of the day be referred to the Main Committee for debate.

Question—put and passed.

5 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS

Mr Baird presented the following document:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Expanding Australia's trade and investment relations with North Africa—Report, May 2006.

Ordered to be made a Parliamentary Paper.

Statements in connection with the report were made.

6 INTELLIGENCE AND SECURITY—PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF DOCUMENT

Mr Jull (Chair) presented the following document (sent to the Speaker on 26 April 2006, pursuant to standing order 247):

Intelligence and Security—Parliamentary Joint Committee—Review of the listing of the Kurdistan Workers' Party (PKK)—Report, incorporating a dissenting report, April 2006.

Ordered to be made a Parliamentary Paper.

Statements in connection with the report were made.

The time allotted for making statements on the report having expired—

Mr Jull moved—That the House take note of the report.

In accordance with sessional order 39, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting.

7 ELECTORAL MATTERS—JOINT STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF DOCUMENT

Mr Lindsay (Chair) presented the following document (sent to the Speaker on 30 March 2006, pursuant to standing order 247):

Electoral Matters—Joint Standing Committee—Funding and Disclosure: Inquiry into disclosure of donations to political parties and candidates—Report, incorporating dissenting reports, February 2006.

Ordered to be made a Parliamentary Paper.

Statements in connection with the report were made.

Mr Lindsay moved—That the House take note of the report.

In accordance with sessional order 39, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting.

8 PRIVATE MEMBERS' BUSINESS NOTICE

Upon notice No. 1, private Members' business being called on, Mr K. J. Thomson, in the absence of Mr Albanese, and at his request, fixed the next sitting as the day for presenting the Avoiding Dangerous Climate Change (Kyoto Protocol Ratification) Bill 2006.

9 ABOLITION OF THE DEATH PENALTY

Mr Baird, pursuant to notice, moved—That this House:

- (1) notes with concern:
 - (a) the increasing use of the death penalty as a criminal sanction in our region;
 - (b) the execution of Mr Van Tuong Nguyen in the Republic of Singapore; and
 - (c) the plight of all Australians who are currently on death row;
- (2) congratulates the Governor-General, the Prime Minister and the Australian Government and Opposition for their recent efforts on behalf of Australians on death row; and
- (3) calls on the Australian Government to:
 - (a) advocate with our regional neighbours the abolition of the death penalty or, as an interim measure, the establishment of a moratorium on executions; and
 - (b) encourage our regional neighbours to ratify the United Nations International Convention on Civil and Political Rights and the Second Optional Protocol.

Debate ensued.

At 1.45 p.m., the time allotted for the debate having expired, the debate was interrupted in accordance with standing order 43, Mrs Moylan was granted leave to continue her speech when the debate is resumed, and the resumption of the debate was made an order of the day for the next sitting.

10 MEMBERS' STATEMENTS

Members' statements were made.

11 MINISTERIAL ARRANGEMENTS

Mr Costello (Acting Prime Minister) informed the House that, during the absence overseas of Mr Howard (Prime Minister), he would answer questions on his behalf.

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

12 QUESTIONS

Questions without notice being asked—

Member directed to leave

At 2.55 p.m. the Member for Prospect (Mr Bowen) 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 continued.

13 MAIN COMMITTEE—DAY OF NEXT MEETING

The Speaker reported that the Deputy Speaker had fixed 4 p.m. on Monday, 22 May 2006, for the next meeting of the Main Committee.

14 PETITIONS

Petitions lodged for presentation were announced.

15 TAIWAN AND WORLD HEALTH ORGANISATION

Mr Bartlett, pursuant to notice, moved—That this House:

- (1) recognises Taiwan's:
 - (a) world class health care system;
 - (b) strong commitment to improved international health standards and international health security; and
 - (c) proud record of medical assistance to developing countries;
- (2) notes that:
 - (a) as emphasised by Dr Jong-wook Lee, Director-General of the World Health Organisation (WHO), the experience of SARS in 2003, and the ongoing threat of Avian Influenza, show the imperative of an internationally coordinated approach to international health emergencies;
 - (b) in the same way that Taiwan's containment and management efforts during the SARS epidemic in 2003 were hampered by its inability to access the expertise of the WHO, its capacity to meet the challenges of a global Avian Influenza epidemic would be similarly constrained if it continues to be denied the right to participate in the operation of the WHO;
 - (c) the World Health Assembly's (WHA) Rules of Procedure formally allow for the participation of observers in the activities of the organisation, without reference to questions of sovereignty;
 - (d) the participation of observers in WHO activities is consistent with the principle of 'universal application', given expression in the WHO's constitutional mandate to "advance the health of all peoples";
 - (e) there are currently six semi-permanent WHA observers, including a sovereign state (the Holy See), a quasi-state (Palestine), a political entity (the Order of Malta), and three international organisations, and thus the granting to Taiwan of observer status should not be construed as a form of political recognition;
 - (f) private Members' bills in support of Taiwan's bid for observer status with the WHO were tabled in this House in both 2003 and 2004;

- (g) support for Taiwan's previous bids has also come from many other governments, including the US Government, the EU, Japan and Canada at the May 2003 and 2004 Summits of the World Health Assembly in Geneva; and
 - (h) there is considerable public support for Taiwan's participation in the WHO from professional medical organisations; and
- (3) supports the participation of Taiwan in the WHA as an observer, given that such participation would allow Taiwan to more effectively contribute to international health coordination, and to better protect its 23 million people from possible trans-national health emergencies, including Avian Influenza.

Debate ensued.

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

16 TREATING COMPENSATION AS TAXABLE INCOME

Mr Windsor, pursuant to notice, moved—That this House:

- (1) recognises the hardship faced by families who face significant losses with the withdrawal of water rights;
- (2) acknowledges that a similar problem confronts those whose livelihood is threatened by government imposed changes in the use of forest resources;
- (3) acknowledges that compensation is being made in recognition of the loss of property rights caused by such policies;
- (4) recognises that any benefit such compensation confers will be substantially negated unless the government changes its stated policy of treating such compensation as income and taxing it accordingly; and
- (5) calls for the introduction and passage without delay of amendments to the Income Tax Assessment Act to correct this anomaly.

Debate ensued.

The time allotted for private Members' business having expired, the debate was interrupted, and the resumption of the debate made an order of the day for the next sitting.

17 GRIEVANCE DEBATE

Pursuant to the provisions of standing order 44, the order of the day having been read—

Question proposed—That grievances be noted.

Debate ensued.

Document

Ms King, by leave, presented the following document:

Herceptin and availability on the Pharmaceutical Benefits Scheme—Petition from certain citizens of Australia.

Debate continued.

Question—That grievances be noted—put and passed.

18 APPROPRIATION BILL (NO. 1) 2006-2007—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—

Debate resumed.

Mr Swan 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 view that:

- (1) despite record high commodity prices and rising levels of taxation the Government has failed to secure Australia's long term economic fundamentals and that it should be condemned for its failure to:
 - (a) stem the widening current account deficit and trade deficits;
 - (b) reverse the reduction in public education and training investment;

- (c) provide national leadership in infrastructure including high speed broadband for the whole country;
 - (d) further reduce effective marginal tax rates to meet the intergenerational challenge of greater workforce participation;
 - (e) provide accessible and affordable long-day childcare for working families;
 - (f) fundamentally reform our health system to equip it for a future focused on prevention, early intervention and an ageing population;
 - (g) expand and encourage research and development to move Australian industry and exports up the value-chain;
 - (h) provide for the economic, social and environmental sustainability of our region, and
 - (i) address falling levels of workplace productivity; and that
- (2) the Government's extreme industrial relations laws will lower wages and conditions for many workers and do nothing to enhance productivity, participation or economic growth; and that
- (3) the Government's Budget documents fail the test of transparency and accountability".

Debate continued.

Mr Broadbent addressing the House—

19 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 Speaker adjourned the House until 2 p.m. tomorrow.

DOCUMENTS

The following documents were deemed to have been presented on 22 May 2006:

Aged Care Act—Principles under subsection 96-1 (1)—2006 User rights amendment (No. 1) [F2006L01469].

Civil Aviation Act—

Civil Aviation Regulations—

Civil Aviation Order—2006 Civil Aviation Amendment Order 20.2 (No. 1) [F2006L01491].

Exemptions—2006 No. CASA EX17 [F2006L01547].

Civil Aviation Safety Regulations—Airworthiness Directives—

Part 39-105—2006—

11 May [F2006L01515].

16 (2) May [F2006L01544], [F2006L01545].

Part 39-107—2006 17 May [F2006L01550].

Consular Privileges and Immunities Act—Determination—2006 Consular Privileges and Immunities (Indirect Tax Concession Scheme) Amendment (No. 1) [F2006L01523].

Corporations Act—

Auditing standards—2006—

ASA 100—Preamble to AUASB standards [F2006L01321].

ASA 200—Objective and general principles governing an audit of a financial report [F2006L01360].

ASA 210—Terms of audit engagements [F2006L01364].

ASA 220—Quality control for audits of historical financial information [F2006L01365].

ASA 230—Audit documentation [F2006L01366].

ASA 240—The auditor's responsibility to consider fraud in an audit of a financial report [F2006L01368].

ASA 250—Consideration of laws and regulations in an audit of a financial report [F2006L01369].

ASA 260—Communication of audit matters with those charged with governance [F2006L01370].

ASA 300—Planning an audit of a financial report [F2006L01371].

- ASA 315—Understanding the entity and its environment and assessing the risks of material misstatement [F2006L01372].
- ASA 320—Materiality and audit adjustments [F2006L01375].
- ASA 330—The auditor's procedures in response to assessed risks [F2006L01378].
- ASA 402—Audit considerations relating to entities using service organisations [F2006L01379].
- ASA 500—Audit evidence [F2006L01380].
- ASA 501—Existence and valuation of inventory [F2006L01381].
- ASA 505—External confirmations [F2006L01382].
- ASA 508—Enquiry regarding litigation and claims [F2006L01384].
- ASA 510—Initial engagements—Opening balances [F2006L01385].
- ASA 520—Analytical procedures [F2006L01387].
- ASA 530—Audit sampling and other means of testing [F2006L01389].
- ASA 540—Audit of accounting estimates [F2006L01390].
- ASA 545—Auditing fair value measurements and disclosures [F2006L01395].
- ASA 550—Related parties [F2006L01394].
- ASA 560—Subsequent events [F2006L01396].
- ASA 570—Going concern [F2006L01397].
- ASA 580—Management representations [F2006L01398].
- ASA 600—Using the work of another auditor [F2006L01399].
- ASA 610—Considering the work of internal audit [F2006L01400].
- ASA 620—Using the work of an expert [F2006L01401].
- ASA 700—The auditor's report on a general purpose financial report [F2006L01402].
- ASA 701—Modifications to the auditor's report [F2006L01403].
- ASA 710—Comparatives [F2006L01404].
- ASA 720—Other information in documents containing audited financial reports [F2006L01405].
- ASA 800—The auditor's report on special purpose audit engagements [F2006L01406].
- Auditing standards on review engagements—2006—ASRE 2410—Review of an interim financial report performed by the independent auditor of the entity [F2006L01407].
- Regulations—Select Legislative Instrument—2006 No. 102 [F2006L01444].
- Customs Act—Orders—
 Tariff Concession—2006—
 21 April [F2006L01428].
 28 (3) April [F2006L01419], [F2006L01423], [F2006L01426].
 5 (21) May [F2006L01471], [F2006L01472], [F2006L01473], [F2006L01474], [F2006L01475],
 [F2006L01476], [F2006L01477], [F2006L01479], [F2006L01480], [F2006L01481], [F2006L01494],
 [F2006L01495], [F2006L01496], [F2006L01497], [F2006L01498], [F2006L01499], [F2006L01500],
 [F2006L01501], [F2006L01503], [F2006L01504], [F2006L01507].
 9 May [F2006L01470].
 12 (15) May [F2006L01521], [F2006L01525], [F2006L01526], [F2006L01527], [F2006L01528],
 [F2006L01529], [F2006L01532], [F2006L01533], [F2006L01534], [F2006L01535], [F2006L01536],
 [F2006L01537], [F2006L01538], [F2006L01539], [F2006L01540].
 Tariff Concession Revocation—2006—
 10 (2) May [F2006L01505], [F2006L01508].
 11 May [F2006L01542].
- Dairy Produce Act—Funding contract with Dairy Australia Limited—Report for 2004-05.
- Defence Act—Determinations under—
 section 58B—2006 Nos 21, 22.
 section 58H—2006 Nos 2, 3, 5, 6.
- Diplomatic Privileges and Immunities Act—Determination—2006 Diplomatic Privileges and Immunities (Indirect Tax Concession Scheme) Amendment (No. 1) [F2006L01524].
- Environment Protection and Biodiversity Conservation Act—
 Declaration under section 184(1)—20 December 2005 [F2006L01478].
 Instrument under section 270B—11 April 2006 [F2006L01482].
- Financial Management and Accountability Act—
 Determinations to abolish a special account—2006 Nos 8, 9 [F2006L01511], [F2006L01512].

- Determinations to establish a special account—2006 Nos 2, 3, 4, 5, 7 [F2006L01487], [F2006L01502], [F2006L01506], [F2006L01513], [F2006L01509].
- Determination to vary a special account—2006 No. 10 [F2006L01514].
- Determinations to vary and abolish a special account—2006 Nos 1, 6 [F2006L01468], [F2006L01488].
- Fisheries Management Act—Regulations—Select Legislative Instrument—2006 No. 91 [F2006L00237].
- Higher Education Support Act—
Guidelines—Other Grants—2006 Amendment No. 7 [F2006L01548].
- Higher education provider—Notice of approval—2006 No. 5 [F2006L01520].
- Insurance Act—Determination—2006 Insurance (prudential standard) No. 5 [F2006L01462].
- Migration Act—Migration Agents Regulations—Notices—2006—
Migration Agents (Continuing professional development—Attendance at a seminar, workshop, conference or lecture) [F2006L01519].
- Migration Agents (Continuing professional development—Miscellaneous activities) [F2006L01516].
- Migration Agents (Continuing professional development—Private study of audio, video or written material) [F2006L01518].
- Motor Vehicle Standards Act—Determinations—2006—
Vehicle Standard (Australian design rule 2/00—Side door latches and hinges) [F2006L01318].
- Vehicle Standard (Australian design rule 22/00—Head restraints) [F2006L01410].
- Vehicle Standard (Australian design rule 22/00—Head restraints) Amendment 1 [F2006L01414].
- Vehicle Standard (Australian design rule 29/00—Side door strength) [F2006L01429].
- Vehicle Standard (Australian design rule 47/00—Retroreflectors) [F2006L01440].
- Vehicle Standard (Australian design rule 48/00—Devices for illumination of rear registration plates) [F2006L01442].
- Vehicle Standard (Australian design rule 58/00—Requirements for omnibuses designed for hire and reward) [F2006L01450].
- Vehicle Standard (Australian design rule 59/00—Omnibus rollover strength) [F2006L01451].
- Vehicle Standard (Australian design rule 68/00—Occupant protection in buses) [F2006L01454].
- Vehicle Standard (Australian design rule 2/01—Side door latches and hinges) [F2006L01362].
- Vehicle Standard (Australian design rule 30/01—Smoke emission control for diesel vehicles) [F2006L01280].
- Vehicle Standard (Australian design rule 45/01—Lighting and light signalling devices not covered by ECE regulations) [F2006L01433].
- Vehicle Standard (Australian design rule 62/01—Mechanical connections between vehicles) [F2006L01453].
- Vehicle Standard (Australian design rule 3/03—Seats and seat anchorages) [F2006L01377].
- Vehicle Standard (Australian design rule 4/04—Seatbelts) [F2006L01522].
- Vehicle Standard (Australian design rule 43/04—Vehicle configuration and dimensions) [F2006L01430].
- National Health Act—Statement under section 73F—Private Patients' Hospital Charter, 14 April 2006 [F2006L01224].
- Occupational Health and Safety (Commonwealth Employment) Act—Notice—2006 Occupational Health and Safety (Definition of employee) (No. 2) [F2006L01490].
- Quarantine Act—Proclamations—2006—
Quarantine Amendment (No. 3) [F2006L01293].
- Quarantine (Christmas Island) Amendment (No. 1) [F2006L01295].
- Quarantine (Cocos Island) Amendment (No. 1) [F2006L01296].
- Radiocommunications Act—Determination—2006 Radiocommunications (Prohibited devices) (AFP testing of mobile telephone jamming devices) Exemption [F2006L01517].
- Remuneration Tribunal Act—Remuneration Tribunal—Determinations—2006 Nos 3, 4 [F2006L01484], [F2006L01485].
- Taxation Administration Act—
Determinations—
1993—No. TD 189 (Withdrawal)
2006—Nos TD 31, TD 32, TD 33, TD 37.

Rulings—

2004—Nos PR 76 (Addendum), PR 102 (Withdrawal).

2006—

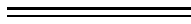
Nos CR 40, CR 41, CR 42.

No. GSTR 4 (Erratum).

Nos IT 135 (Withdrawal), IT 136 (Withdrawal), IT 2023 (Withdrawal), IT 2046 (Withdrawal), IT 2059 (Withdrawal), IT 2082 (Withdrawal), IT 2102 (Withdrawal), IT 2106 (Withdrawal), IT 2126 (Withdrawal), IT 2127 (Withdrawal), IT 2143 (Withdrawal), IT 2311 (Withdrawal), IT 2366 (Withdrawal), IT 2564 (Withdrawal).

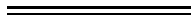
Nos PR 23 (Erratum), PR 47 (Withdrawal), PR 71, PR 72, PR 73, PR 74, PR 75, PR 76, PR 77, PR 78, PR 79, PR 80, PR 81, PR 82, PR 83, PR 84, PR 85, PR 86, PR 87, PR 88.

Telecommunications (Consumer Protection and Service Standards) Act—Determination—2006 Special digital data service provider revocation (No. 1) [F2006L01558].

**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Garrett, Mrs Gash, Mr Hatton, Mr Howard, Ms Livermore*, Mr Nairn, Mr Schultz, Mr Sercombe, Mr Tanner and Mr M. A. J. Vaile.

* On leave



I. C. HARRIS

Clerk of the House of Representatives

2004-05-06

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 97

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

MONDAY, 22 MAY 2006

1 The Main Committee met at 4 p.m.

2 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—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 Scott—That the House take note of the document (*presented on 22 May 2006*), viz.:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Australia's Defence Relations with the United States—Report, May 2006—

Debate resumed.

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

3 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—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 Scott—That the House take note of the document (*presented on 22 May 2006*), viz.:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Parliamentary delegation visit to Australian Defence Forces deployed to support the rehabilitation of Iraq—Report, May 2006—

Debate resumed.

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

4 PROCEDURE COMMITTEE—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 Melham—That the House take note of the document (*presented on 27 March 2006*), viz.:

Procedure Committee—Maintenance of the standing and sessional orders—First report: Debate on election of Speaker—Report, March 2006—

Debate resumed.

Mr Melham, by leave, addressed the Main Committee without closing the debate.

Debate continued.

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

5 ADJOURNMENT

On the motion of Mr Neville, the Main Committee adjourned at 5.29 p.m.

The Deputy Speaker fixed 9.30 a.m. on Wednesday, 24 May 2006, for the next meeting of the Main Committee.



B. C. WRIGHT
Clerk of the Main Committee