

2004-05-06

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 131

MONDAY, 16 OCTOBER 2006

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- 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 **FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS**  
Mr Scott presented the following documents:  
Foreign Affairs, Defence and Trade—Joint Standing Committee—Review of the Defence annual report 2004-05—  
Report, October 2006.  
Evidence received by the committee.  
Report ordered to be made a Parliamentary Paper.  
Statements in connection with the report were made.
- 3 **NATIONAL CAPITAL AND EXTERNAL TERRITORIES—JOINT STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS**  
Mr Causley presented the following document:  
National Capital and External Territories—Joint Standing Committee—Report on the visit to Norfolk Island, 2 to 5 August 2006—Report, September 2006.  
Ordered to be made a Parliamentary Paper.  
Statements in connection with the report were made.
- 4 **INTELLIGENCE AND SECURITY—PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS**  
Mr Jull (Chair) presented the following document:  
Intelligence and Security—Parliamentary Joint Committee—Review of the re-listing of Al-Qa'ida and Jemaah Islamiyah as terrorist organisations—Report, October 2006.  
Ordered to be made a Parliamentary Paper.  
Statements in connection with the report were made.
- 5 **50TH ANNIVERSARY OF THE HUNGARIAN REVOLUTION**  
Mr Somlyay, pursuant to notice, moved—That the House:
- (1) commends the people of Hungary as they mark the 50<sup>th</sup> anniversary of the 1956 Hungarian Revolution, which set the stage for the ultimate collapse of communism in 1989 throughout Central and Eastern Europe, including Hungary, and two years later in the Soviet Union itself;
  - (2) expresses condolences to the people of Hungary for those who lost their lives fighting for the cause of Hungarian freedom and independence in 1956, as well as for those individuals executed by the Soviet and Hungarian communist authorities in the five years following the Revolution, including Prime Minister Imre Nagy;
  - (3) welcomes the changes that have taken place in Hungary since 1989, believing that Hungary's integration into NATO and the European Union, together with similar developments in the

neighbouring countries, will ensure peace, stability, and understanding among the great peoples of the Carpathian Basin;

- (4) reaffirms the friendship and cooperative relations between the governments of Hungary and Australia and between the Hungarian and Australian people; and
- (5) recognises the contribution of people of Hungarian origin to this nation.

Debate ensued.

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

## 6 BROADBAND COMMUNICATIONS

Mr Hatton, pursuant to notice, moved—That the House:

- (1) deplores the totally inadequate nature of Australia's current broadband communications infrastructure;
- (2) denounces the Howard Government's piecemeal dithering with broadband over the past ten years;
- (3) declares that Australia should be a world leader in broadband communications along with the Netherlands and South Korea, rather than one of the last to take up fast broadband; and
- (4) demands a modern, 21<sup>st</sup> Century, national broadband communications infrastructure for Australia, as set out in federal Labor's broadband plan to build a fast network for the whole of Australia.

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, Mr B. P. O'Connor was granted leave to continue his speech when the debate is resumed, and the resumption of the debate was made an order of the day for the next sitting.

## 7 MEMBERS' STATEMENTS

Members' statements were made.

## 8 QUESTIONS

Questions without notice being asked—

*Member directed to leave*

At 2.59 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—

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*Prime Minister—Motion of censure*

Mr Beazley, by leave, moved—That this House censure the Prime Minister for:

- (1) sending Australian troops to war in Iraq on a lie;
- (2) contributing to the spread of radicalism spawning a new generation of Islamic terrorists;
- (3) committing Australian troops to a war with no end; and
- (4) exposing Australians to an increased risk of terror at home and abroad.

Debate ensued.

Several Members rising to address the House—

*Closure*

Mr Turnbull (Parliamentary Secretary to the Prime Minister) moved—That the question be now put.

Question—That the question be now put—put.

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

## AYES, 80

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

## NOES, 58

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

\* Tellers

And so it was resolved in the affirmative.

And the question—That the motion be agreed to—being accordingly put—

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

## AYES, 58

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

## NOES, 80

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

\* Tellers

And so it was negatived.

Questions without notice concluded.

#### 9 SUSPENSION OF STANDING ORDERS 29 AND 34

Dr Stone (Minister for Workforce Participation), for Mr Abbott (Leader of the House), pursuant to notice, moved—That unless otherwise ordered, standing order 29 (Set meeting and adjournment times) be suspended to provide for the House to meet at 12.30 p.m. on Tuesdays, and so much of standing order 34 (Order of business) be suspended to provide for government business to have precedence between 12.30 p.m. and 2 p.m. on Tuesdays, and that these arrangements apply for the remainder of this period of sittings.

Question—put and passed.

**10 PETITIONS**

Petitions lodged for presentation were announced.

**11 WORLD POVERTY**

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

- (1) expresses its concern at the tragically high incidence of extreme poverty in the world;
- (2) supports the Australian Government's commitment to the Millennium Development Goals;
- (3) recognises recent increases in Australia's commitment to overseas aid; and
- (4) urges continued efforts towards the achievement of the Millennium Development Goals and the halving of world poverty by 2015.

Debate ensued.

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

**12 SUICIDE TERRORISM**

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

- (1) notes:
  - (a) the Parliament's and the Government's abhorrence of suicide terrorism as a tool of any organisation or movement;
  - (b) the global prevalence of suicide terrorism as the most lethal method of murder for many terrorist groups;
  - (c) the critical roles that actors other than the perpetrators play in the process, providing incitement through:
    - (i) education of youth;
    - (ii) statements and encouragement by religious and political leaders; and
    - (iii) inflammatory materials broadcast by media outlets and made available on Internet websites;
  - (d) the vital necessity of defining terrorism for the purpose of international criminal law, and particularly suicide terrorism; and
  - (e) the benefits for international law enforcement and Australia's national security in establishing such a multilateral enforcement framework; and
- (2) calls on the Government to:
  - (a) promote initiatives for the drafting of an International Convention on Suicide Terrorism, which would:
    - (i) provide a definition of suicide terrorism, including the meaning of the word 'terrorism'; and
    - (ii) create an offence of suicide terrorism;
  - (b) ensure that the content of such an offence would:
    - (i) be defined as a 'crime against humanity', attracting universal jurisdiction and the international legal consequences associated with such status;
    - (ii) include 'direct and public incitement to commit suicide terrorism' as a punishable offence by the same criteria as incitement under Article 3(c) of the Convention on the Prevention and Punishment of the Crime of Genocide (the Genocide Convention);
    - (iii) be punishable against constitutionally responsible rulers, public officials or private individuals in the same form as Article 4 of the Genocide Convention;
    - (iv) include a provision requiring mandatory enactment of the offence in the domestic jurisdiction of contracting parties, in the same form as Article 5 of the Genocide Convention; and
    - (v) exclude the defence of political crimes for the offence, in the same form as Article 7 of the Genocide Convention; and

- (c) commit to sponsoring a completed Convention, and actively promoting its adoption by the international community.

Debate ensued.

The time allotted for private Members' business having expired, the debate was interrupted, the resumption of the debate made an order of the day for the next sitting, and Mr Scott was granted leave to continue his speech when the debate is resumed.

**13 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.

Question—That grievances be noted—put and passed.

**14 PARLIAMENTARY SUPERANNUATION AMENDMENT BILL 2006**

The order of the day having been read for the resumption of the debate on the question—That the bill be now read a second time—

Debate resumed.

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

*Message from the Governor-General*

Message No. 220, 13 October 2006, 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.

Mr Andren, by leave, moved amendments (1) and (2) together.

Question—That the amendments be agreed to—put and negatived—Mr Andren dissenting.

Bill agreed to.

Consideration in detail concluded.

On the motion of Mr Nairn (Special Minister of State), by leave, the bill was read a third time.

**15 MESSAGE FROM THE SENATE—TELEVISION LICENCE FEES AMENDMENT BILL 2006**

Message No. 385, 12 October 2006, from the Senate was reported returning the Television Licence Fees Amendment Bill 2006 without requests.

**16 MESSAGE FROM THE SENATE—BROADCASTING LEGISLATION AMENDMENT (DIGITAL TELEVISION) BILL 2006**

Message No. 383, 12 October 2006, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend the law relating to broadcasting, and for other purposes.

Bill read a first time.

*Document*

Mr Hunt (Parliamentary Secretary to the Minister for the Environment and Heritage) presented a revised explanatory memorandum to the bill.

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

Debate adjourned (Mr S. F. Smith), and the resumption of the debate made an order of the day for a later hour this day.

**17 MESSAGE FROM THE SENATE—BROADCASTING SERVICES AMENDMENT (MEDIA OWNERSHIP) BILL 2006**

Message No. 382, 12 October 2006, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend the *Broadcasting Services Act 1992*, and for other purposes.

Bill read a first time.

*Document*

Mr Hunt (Parliamentary Secretary to the Minister for the Environment and Heritage) presented a revised explanatory memorandum to the bill.

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

Debate adjourned (Mr S. F. Smith), and the resumption of the debate made an order of the day for a later hour this day.

**18 MESSAGE FROM THE SENATE—COMMUNICATIONS LEGISLATION AMENDMENT (ENFORCEMENT POWERS) BILL 2006**

Message No. 384, 12 October 2006, from the Senate was reported returning the Communications Legislation Amendment (Enforcement Powers) Bill 2006 with amendments.

Ordered—That the amendments be considered at the next sitting.

**19 BROADCASTING LEGISLATION AMENDMENT (DIGITAL TELEVISION) BILL 2006**

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 Tuckey addressing the House—

**20 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 12.30 p.m. tomorrow, in accordance with the resolution agreed to this sitting.

**DOCUMENTS**

The following documents were deemed to have been presented on 16 October 2006:

Civil Aviation Act—Civil Aviation Regulations—

Direction—2006 No. CASA 321 [F2006L03351].

Exemption—2006 No. CASA EX44 [F2006L03344].

Instruction—2006 No. CASA 371 [F2006L03353].

Customs Act—Tariff Concession Orders—2006 6 (3) October [F2006L03321], [F2006L03322], [F2006L03323].

Financial Management and Accountability Act—

Determinations to establish a special account—2006 Nos 62, 64, 66, 70, 72 [F2006L03368], [F2006L03374], [F2006L03371], [F2006L03378], [F2006L03380].

Determinations to vary and abolish a special account—2006 Nos 61, 63, 67, 69, 71 [F2006L03366], [F2006L03369], [F2006L03373], [F2006L03377], [F2006L03379].

Fisheries Management Act—Declaration—2006 Fish receiver permits [F2006L03343].

Higher Education Support Act—Higher education provider—Notices of approval—2006 Nos 16, 17 [F2006L03365] [F2006L03367].

Social Security Act—Principles—2006—

Social security (Asset-test exempt income stream (market-linked)—payment factors) (FACS) [F2006L03341].

Social security (Partially asset-test exempt income stream—exemption) (FACS) [F2006L03340].

Sydney Airport Curfew Act—Dispensation—2006 No. 7.

Taxation Administration Act—Rulings—2006—

Nos CR 7 (Addendum), CR 99, CR 100, CR 101, CR 102.

Nos PR 145, PR 146, PR 147.

Veterans' Entitlements Act—Determination—2006 Veterans' entitlements (Veterans' children education scheme) eligible child [F2006L03356].

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**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Anderson, Mr Baird, Mr Edwards, Mrs Hull, Mr Kerr\* and Mrs Moylan.

\* On leave

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**I. C. HARRIS**  
Clerk of the House of Representatives



2004-05-06

**HOUSE OF REPRESENTATIVES**  
**SUPPLEMENT TO VOTES AND PROCEEDINGS**

No. 131

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

**MONDAY, 16 OCTOBER 2006**

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1 The Main Committee met at 4 p.m.

**2 LOCAL GOVERNMENT—MOTION BY MR LLOYD (MINISTER FOR LOCAL GOVERNMENT, TERRITORIES AND ROADS)—RESUMPTION OF DEBATE**

The order of the day having been read for the resumption of the debate on the motion of Mr Lloyd (Minister for Local Government, Territories and Roads)—That this House:

- (1) recognises that local government is part of the governance of Australia, serving communities through locally elected councils;
- (2) values the rich diversity of councils around Australia, reflecting the varied communities they serve;
- (3) acknowledges the role of local government in governance, advocacy, the provision of infrastructure, service delivery, planning, community development and regulation;
- (4) acknowledges the importance of cooperating with and consulting with local government on the priorities of their local communities;
- (5) acknowledges the significant Australian Government funding that is provided to local government to spend on locally determined priorities, such as roads and other local government services; and
- (6) commends local government elected officials who give their time to serve their communities—

*And on the amendment moved thereto by Mr Albanese, viz.—That paragraph (1) be omitted and the following paragraph substituted:*

“(1) supports a referendum to extend constitutional recognition to local government in recognition of the essential role it plays in the governance of Australia”—

Debate resumed.

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*Suspension of meeting*

At 4.21 p.m., a division having been called in the House, the proceedings were suspended.

*Resumption of meeting*

At 4.41 p.m., the proceedings were resumed.

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Debate continued.

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

**3 ENERGY INITIATIVES—MINISTERIAL STATEMENT—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 14 August 2006*), *viz.—*

Energy Initiatives—Ministerial Statement—

Debate resumed.

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

**4 DEATH OF PETER BROCK AM—STATEMENTS BY THE PRIME MINISTER AND LEADER OF THE OPPOSITION—MOTION TO TAKE NOTE OF STATEMENTS**

The order of the day having been read for the resumption of the debate on the motion of Ms Gambaro (Parliamentary Secretary—Foreign Affairs)—That the House take note of the statements of the Prime Minister and the Leader of the Opposition on the death of Peter Brock AM—

Debate resumed.

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

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 6.01 p.m.

The Deputy Speaker fixed 9.30 a.m. on Wednesday, 18 October 2006 for the next meeting of the Main Committee.

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**B. C. WRIGHT**  
Clerk of the Main Committee