

1998-1999-2000-2001

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 170

TUESDAY, 6 MARCH 2001

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

**2 QUESTIONS**

Questions without notice being asked—

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*Distinguished visitor*

The Speaker advised that the Right Honourable Jonathon Hunt, MP, Speaker of the House of Representatives of the Parliament of New Zealand, was within the precincts. With the concurrence of Members, the distinguished visitor was provided with a seat on the floor of the House.

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Questions without notice continuing—

*Member ordered to withdraw*

At 2:37 p.m. the Member for Swan (Mr Wilkie) was ordered, under standing order 304A, to withdraw from the House for one hour for continuing to interject after a warning had been given from the Chair, and he accordingly withdrew from the Chamber.

Questions without notice continuing—

*Paper*

Dr Wooldridge (Minister for Health and Aged Care) presented the following paper:

Medicare office—Copy of advertisement in *Port Stephens Examiner*, Bob Horne, ALP, 28 February 1996.

Questions without notice continued.

**3 PAPERS**

The following papers were presented:

Higher education—Report for the 2001-2003 triennium—Report by the Minister for Education, Training and Youth Affairs.

National Office of Local Government—Report for 1999-2000.

Stevedoring Industry Finance Committee—Report for 1999-2000.

Treaty—*Multilateral—Text, together with national interest analysis and regulation impact statement*—Amendments done at Koror, Palau on 30 March 1999 to the Treaty on Fisheries between the Governments of Certain Pacific Island States and the Government of the United States of America of 2 April 1987.

**4 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—GST COMPENSATION**

The House was informed that Mr Swan had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The failure of the Government to be up front and honest with Australia’s pensioners and other social security beneficiaries about the full extent of the clawback of their GST compensation”.

The proposed discussion having received the necessary support—

Mr Swan addressed the House.

Discussion ensued.

Discussion concluded.

**5 MESSAGE FROM THE GOVERNOR-GENERAL—ASSENT TO BILL**

A message from His Excellency the Governor-General was announced informing the House that His Excellency, in the name of Her Majesty, had assented to the following Bill:

2 March 2001—Message No. 283—International Monetary Agreements Amendment (No. 1) 2001.

**6 MESSAGE FROM THE SENATE—SALE OF CHRISTMAS ISLAND RESORT**

Message No. 563, 5 March 2001, from the Senate was reported acquainting the House that the Senate had agreed to a resolution that the time for the presentation of the report of the Joint Standing Committee on the National Capital and External Territories on the sale of the Christmas Island resort be extended to 18 June 2001.

**7 SELECTION COMMITTEE—REPORT**

Mr Nehl (Chair) presented the following paper:

Selection Committee—Report relating to the consideration of committee and delegation reports and private Members’ business on Monday, 26 March 2001.

**8 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REPORTS—STATEMENT BY MEMBER**

Mrs Moylan (Chair) presented the following papers:

Public Works—Parliamentary Standing Committee—Reports—

Remediation of Defence Land at Neutral Bay, Sydney (First report of 2001).

Defence Housing Authority responses to recommendations in the Tenth Report of 2000, Development of 90 Apartments in Darwin (2nd report of 2001).

Severally ordered to be printed.

Mrs Moylan, by leave, made a statement in connection with the reports.

**9 MESSAGE FROM THE SENATE—CRIMES AMENDMENT (FORENSIC PROCEDURES) BILL 2001**

Message No. 562, 5 March 2001, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend the *Crimes Act 1914*, and for other purposes.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting.

**10 WORKPLACE RELATIONS AMENDMENT (UNFAIR DISMISSALS) BILL 1998 [NO. 2]**

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 Bevis, viz.*—That all words after “That” be omitted with a view to substituting the following words: “the Bill be withdrawn and redrafted to provide for:

- (1) increased job security for all Australian workers;
- (2) protection for workers from harsh, unfair or unreasonable dismissal, regardless of the size of the business;
- (3) ready access for all workers to an affordable and fair industrial umpire to deal with unfair, unreasonable or harsh dismissal; and
- (4) repeal of paragraph 170CC(1)(a) of the *Workplace Relations Act 1996* to give workers engaged under a contract of employment for a specified period of time or a specified task protection from unfair, unreasonable or harsh dismissal”—

Debate resumed.

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

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

## AYES, 74

Mr Abbott	Mrs Elson	Mr Lindsay	Mr Scott
Mr Anderson	Mr Entsch	Mr Lloyd	Mr Secker
Mr Andren	Mr Fischer	Mr McArthur*	Mr Slipper
Mr K. J. Andrews	Mr Forrest*	Mr I. E. Macfarlane	Mr Somlyay
Mr Anthony	Mrs Gallus	Mr McGauran	Dr Southcott
Fran Bailey	Ms Gambaro	Mrs May	Dr Stone
Mr Baird	Mrs Gash	Mrs Moylan	Mrs Sullivan
Mr Barresi	Mr Georgiou	Mr Nairn	Mr C. P. Thompson
Mr Bartlett	Mr Haase	Mr Nehl	Mr A. P. Thomson
Mr Billson	Mr Hardgrave	Dr Nelson	Mr Truss
Mrs B. K. Bishop	Mr Hawker	Mr Neville	Mr Tuckey
Ms J. I. Bishop	Mr Hockey	Mr Nugent	Mr M. A. J. Vaile
Mr Brough	Mrs Hull	Mr Prosser	Mrs D. S. Vale
Mr Cadman	Mr Jull	Mr Pyne	Mr Wakelin
Mr Cameron	Mrs D. M. Kelly	Mr Reith	Dr Washer
Mr Charles	Jackie Kelly	Mr Ronaldson	Mr Williams
Mr Costello	Dr Kemp	Mr Ruddock	Ms Worth
Mr Downer	Mr Lawler	Mr St Clair	
Mr Draper	Mr Lieberman	Mr Schultz	

## NOES, 60

Mr Adams	Mr M. J. Ferguson	Mr Latham	Mr Quick
Mr Albanese	Mr Fitzgibbon	Dr Lawrence	Ms Roxon
Mr Bevis	Ms Gerick	Mr Lee	Mr Rudd
Mr Breerton	Mr Gibbons	Mr McClelland	Mr Sawford*
Ms Burke	Ms Gillard	Ms J. S. McFarlane	Mr Sciacca
Mr Byrne	Mr Griffin	Mr McLeay	Mr Sercombe*
Ms Corcoran	Ms Hall	Mr McMullan	Mr Sidebottom
Mr Cox	Mr Hatton	Dr Martin	Mr Smith
Mr Crean	Ms Hoare	Mr Melham	Mr Snowdon
Mrs Crosio	Mr Hollis	Mr Morris	Mr Swan
Mr Edwards	Mr Horne	Mr Mossfield	Mr Tanner
Ms Ellis	Mrs Irwin	Mr Murphy	Dr Theophanous
Mr Emerson	Mr Jenkins	Mr O'Connor	Mr K. J. Thomson
Mr M. J. Evans	Ms Kernot	Mr O'Keefe	Mr Wilkie
Mr L. D. T. Ferguson	Mr Kerr	Mr Price	Mr Zahra

\* Tellers

*Pairs*

Mr Howard	Mr Beazley
Mr Fahey	Ms O'Byrne

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.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Abbott (Minister for Employment, Workplace Relations and Small Business), the Bill was read a third time.

**11 FAMILY AND COMMUNITY SERVICES LEGISLATION AMENDMENT (NEW ZEALAND CITIZENS) BILL 2001**

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.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Anthony (Minister for Community Services), the Bill was read a third time.

**12 AIRCRAFT NOISE LEVY COLLECTION AMENDMENT BILL 2001**

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—

Mr K. J. Thomson addressing the House—

Mr K. J. Thomson 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 a later hour this day.

**13 PAPERS**

Mr Howard (Prime Minister), by indulgence, added to an answer given during question time and presented the following papers:

Members' Interests—

Declarations of Interest—Letter from Mr Harris, Clerk of the House to Mr Howard, 6 March 2001.

The Hon. Peter McGauran—Private Interests—Facsimile from Ms Barbara Belcher, First Assistant Secretary, Department of the Prime Minister and Cabinet to Mr Howard, 6 March 2001.

Mr Beazley (Leader of the Opposition), by indulgence, also made a statement on the matter.

**14 AIRCRAFT NOISE LEVY COLLECTION AMENDMENT BILL 2001**

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 K. J. Thomson 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 its incompetent administration of the aircraft noise levy, in failing to declare Sydney (Kingsford-Smith) Airport a ‘leviable’ airport for the period from 1 July 1996 to 21 February 2001;

- (2) condemns the Government for collecting in excess of \$150m from aircraft operators without due legal authority as a result; and
- (3) condemns the Government for giving priority to the GST at the expense of other important taxation matters”.

Debate continued.

Mr Hatton addressing the House—

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## 15 ADJOURNMENT

It being 10.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 11 p.m.—The Speaker adjourned the House until tomorrow at 9.30 a.m.

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## PAPERS

The following papers were deemed to have been presented on 6 March 2001:

Census and Statistics Act—Australian Bureau of Statistics—Statement of disclosure of information 2001 No. 1.

Lands Acquisition Act—

Statement under section 125—March 2001.

Statement under sub-section 40(3)—March 2001.

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## ATTENDANCE

All Members attended (at some time during the sitting) except Mr Fahey\*, Ms Livermore, Ms O’Byrne\*, Ms Plibersek\* and Mr Ripoll.

\* On leave

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**I. C. HARRIS**

Clerk of the House of Representatives

1998-1999-2000-2001

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

No. 170

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

**TUESDAY, 6 MARCH 2001**

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1 The Main Committee met at 4.30 p.m.

**2 APPROPRIATION BILL (NO. 3) 2000-2001**

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 Tanner, 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 this Government for its:

- (1) failure to address the significant investment needs in the areas of education and health and the provision of social and employment services since coming to Government;
- (2) blowout in the cost of the Pharmaceutical Benefits Scheme and the threat this presents to the sustainability of Australia’s subsidised medicines scheme;
- (3) belated and inadequate attempts to remedy the chronic underfunding of research and innovation;
- (4) mismanagement of the Defence Budget;
- (5) refusal to remove the effects of the sale of the rest of Telstra from the Budget aggregates consistent with the resolution of the Senate of 16 March 2000, the findings of the Besley report and the wishes of the Leader of the National Party;
- (6) mishandling of the move to accrual accounting by providing complex, confusing and uninformative budget documents;
- (7) wasteful and profligate spending on poor quality programs to buy Democrat support for its unfair GST;
- (8) failure to identify in the Budget papers the full cost of GST collection and implementation;
- (9) failure to put in place arrangements that deliver its guarantee that no Australian will be worse off as a result of the GST package; and

(10) bungling of the Business Activity Statement which has sent many small businesses to the wall”—

Debate resumed.

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*Suspension of sitting*

At 5.07 p.m., a division having been called in the House, the proceedings were suspended.

*Resumption of sitting*

At 5.18 p.m., the proceedings were resumed.

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Debate continued.

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*Suspension of sitting*

At 6.30 p.m., the Deputy Speaker left the Chair.

*Resumption of sitting*

At 8.00 p.m., the Deputy Speaker resumed the Chair.

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Debate continued.

Debate adjourned (Mrs Gallus—Parliamentary Secretary to the Minister for Reconciliation and Aboriginal and Torres Strait Islander Affairs) and the resumption of the debate made an order of the day for the next sitting.

### 3 ADJOURNMENT

On the motion of Mrs Gallus (Parliamentary Secretary to the Minister for Reconciliation and Aboriginal and Torres Strait Islander Affairs), the Main Committee adjourned at 10.32 p.m.

The Deputy Speaker fixed tomorrow at 9.40 a.m. for the next meeting of the Main Committee.

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