

2002

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 47

TUESDAY, 24 SEPTEMBER 2002

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

2 DEATH OF FORMER SENATOR (MR G. GEORGES)

The Speaker informed the House of the death, on Monday, 23 September 2002, of George Georges, a Senator for the State of Queensland from 1968 to 1987.

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

3 QUESTIONS

Questions without notice being asked—

Paper

Mr Anderson (Acting Prime Minister) presented the following paper:

Meeting of the Commonwealth Chairpersons' Committee on Zimbabwe—Zimbabwe mid-term review—Commonwealth News Release, Abuja, 23 September 2002.

Questions without notice continued.

4 PAPER

Mr Crean (Leader of the Opposition), by leave, during a personal explanation, presented the following paper:

New National Drought Policy—Copy of media release by Simon Crean MP, Minister for Primary Industries and Energy, 20 August 1992.

5 PAPERS

The following papers were presented:

APEC—Australia's individual action plan 2002 (and corrigendum).

Australasian Police Ministers' Council—National Common Police Services—Report for 2000-01.

6 APEC—AUSTRALIA'S INDIVIDUAL ACTION PLAN 2002—REPORT—MOTION TO TAKE NOTE OF PAPER

Mr McGauran (Deputy Leader of the House) moved—That the House take note of the following paper:

APEC—Australia's individual action plan 2002 (and corrigendum).

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

7 AUSTRALIA'S DEVELOPMENT COOPERATION PROGRAM—MINISTERIAL STATEMENT AND PAPERS—MOTION TO TAKE NOTE OF PAPERS

Mr Downer (Minister for Foreign Affairs), by leave, made a ministerial statement on Australia's Development Cooperation Program and presented the following papers:

Australia's Development Cooperation Program—Australian Aid: Investing in growth, stability and prosperity—

11th statement to Parliament.

Ministerial statement, September 2002.

Mr Ruddock (Minister for Immigration and Multicultural and Indigenous Affairs) moved—That the House take note of the papers.

Suspension of standing and sessional orders—Extended time for speech

Mr Ruddock, by leave, moved—That so much of the standing and sessional orders be suspended as would prevent Mr Rudd speaking for a period not exceeding 15 minutes.

Question—put and passed.

Mr Rudd addressed the House.

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

8 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—EMPLOYMENT SERVICE PROGRAM

The House was informed that Mr Albanese had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The failure of the government to run an effective employment service program that assists Australia’s unemployed to find work”.

The proposed discussion having received the necessary support—

Mr Albanese addressed the House.

Discussion ensued.

Discussion concluded.

9 MAIN COMMITTEE—DAY OF NEXT MEETING

The Deputy Speaker reported that Wednesday, 25 September 2002, at 9.40 a.m., had been fixed for the next meeting of the Main Committee.

10 SUSPENSION OF STANDING AND SESSIONAL ORDERS

Mr Lloyd (Chief Government Whip), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent the Chief Government Whip moving a motion to refer order of the day No. 30, private Members’ business, relating to defence force personnel to the Main Committee for further debate.

Question—put and passed.

11 MATTER REFERRED TO MAIN COMMITTEE

Mr Lloyd (Chief Government Whip) moved—That order of the day No. 30, private Members’ business, relating to the resumption of debate on the defence force personnel motion, be referred to the Main Committee for further debate.

Question—put and passed.

12 BILLS REFERRED TO MAIN COMMITTEE

Mr Lloyd (Chief Government Whip), by leave, moved—That the following Bills be referred to the Main Committee for further consideration:

Treasury Legislation Amendment (No. 1) 2002; and

Education Services for Overseas Students Amendment 2002.

Question—put and passed.

13 SELECTION COMMITTEE—REPORT

Mr Causley (Chair) presented the following paper:

Selection Committee—Report relating to the consideration of committee and delegation reports and private Members’ business on Monday, 14 October 2002.

14 MESSAGES FROM THE SENATE

Messages from the Senate, 23 September 2002, were reported returning the following Bills without amendment:

Message—

No. 112—Proceeds of Crime 2002.

No. 113—Proceeds of Crime (Consequential Amendments and Transitional Provisions) 2002.

15 AUSTRALIAN SECURITY INTELLIGENCE ORGANISATION LEGISLATION AMENDMENT (TERRORISM) BILL 2002

The order of the day having been read for the further consideration in detail of the Bill—

Bill, as a whole—

Debate resumed on the motion moved by Mr Williams (Attorney-General) that Government amendments (1) to (57) be agreed to (*see item No. 22, 23 September 2002, page 432*).

Amendments agreed to.

Bill, as amended, agreed to.

Consideration in detail concluded.

Leave granted for third reading to be moved forthwith.

Mr Williams moved—That the Bill be now read a third time.

Debate ensued.

Question—put.

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

AYES, 73

Mr Abbott	Mr Dutton	Dr Kemp	Mr Secker
Mr Anderson	Mrs Elson	Mr P. E. King	Mr Slipper
Fran Bailey	Mr Entsch	Mrs Ley	Mr A. D. H. Smith
Mr Baird	Mr Farmer	Mr Lindsay	Mr Somlyay
Mr Baldwin	Mr Forrest*	Mr Lloyd	Dr Southcott
Mr Barresi	Mrs Gallus	Mr McArthur*	Dr Stone
Mr Bartlett	Mrs Gash	Mr I. E. Macfarlane	Mr C. P. Thompson
Mr Billson	Mr Georgiou	Mr McGauran	Mr Ticehurst
Mrs B. K. Bishop	Mr Haase	Mrs Moylan	Mr Tollner
Ms J. I. Bishop	Mr Hardgrave	Mr Nairn	Mr Truss
Mr Brough	Mr Hartsuyker	Dr Nelson	Mr Tuckey
Mr Cadman	Mr Hawker	Mr Neville	Mr M. A. J. Vaile
Mr Cameron	Mr Hockey	Ms Panopoulos	Mrs D. S. Vale
Mr Causley	Mrs Hull	Mr Pearce	Mr Wakelin
Mr Charles	Mr Hunt	Mr Prosser	Dr Washer
Mr Ciobo	Mr Johnson	Mr Pyne	Mr Williams
Mr Cobb	Mr Jull	Mr Randall	
Mr Downer	Mrs D. M. Kelly	Mr Ruddock	
Mrs Draper	Jackie Kelly	Mr Schultz	

NOES, 61

Mr Adams	Mr M. J. Ferguson	Dr Lawrence	Mr Rudd
Mr Albanese	Mr Fitzgibbon	Mr McClelland	Mr Sawford
Mr Andren	Ms George	Ms J. S. McFarlane	Mr Sercombe
Mr Bevis	Mr Gibbons	Ms Macklin	Mr Sidebottom
Ms Burke	Ms Gillard	Mr McLeay	Mr S. F. Smith
Mr Byrne	Ms Grierson	Mr McMullan	Mr Snowdon
Ms Corcoran	Mr Griffin	Mr Melham	Mr Swan
Mr Cox	Ms Hall	Mr Mossfield	Mr Tanner
Mr Crean	Mr Hatton	Mr Murphy	Mr K. J. Thomson
Mrs Crosio	Ms Hoare	Mr B. P. O'Connor	Ms Vamvakinou
Mr Danby*	Mrs Irwin	Mr G. M. O'Connor	Mr Wilkie
Mr Edwards	Ms Jackson	Ms Plibersek	Mr Windsor
Ms Ellis	Mr Katter	Mr Price	Mr Zahra
Mr Emerson	Mr Kerr	Mr Quick*	
Mr Evans	Ms C. F. King	Mr Ripoll	
Mr L. D. T. Ferguson	Mr Latham	Ms Roxon	

* Tellers

And so it was resolved in the affirmative—Bill read a third time.

16 TRANSPORT SAFETY INVESTIGATION BILL 2002—REPORT FROM MAIN COMMITTEE

The order of the day having been read for the consideration of the report of the Main Committee relating to the Transport Safety Investigation Bill 2002—

Unresolved question—That the amendment moved by Mr Andren be agreed to—

Debate ensued.

Paper

Mr M. J. Ferguson, by leave, presented the following paper:

Proposal to remove 10% cap on Ethanol content in petrol—Copy of letter from Sherry Donaldson, Chief Executive Officer, Australian Marine Industries Federation Limited, to Dr David Kemp, Minister for Education, Training and Youth Affairs, 20 August 2002.

Debate continued.

Amendment negatived.

Mr Andren moved a further amendment.

Debate ensued.

Amendment agreed to.

Bill, as amended, agreed to.

On the motion of Mr Cameron (Parliamentary Secretary to the Minister for Family and Community Services), by leave, the Bill was read a third time.

17 TRANSPORT SAFETY INVESTIGATION (CONSEQUENTIAL AMENDMENTS) BILL 2002—REPORT FROM MAIN COMMITTEE

The order of the day having been read for the consideration of the report of the Main Committee relating to the Transport Safety Investigation (Consequential Amendments) Bill 2002—

Bill agreed to.

On the motion of Mr Cameron (Parliamentary Secretary to the Minister for Family and Community Services), by leave, the Bill was read a third time.

18 RESEARCH INVOLVING EMBRYOS BILL 2002

The order of the day having been read for the further consideration in detail of the Bill—

Clause 25—

Debate resumed on the motion moved by Mr Cadman that amendments (1) and (2) be agreed to (*see item No. 18, 16 September 2002, page 395*).

Debate continued.

By leave, question on amendments (1) and (2) to be put separately.

Question—That amendment (1) moved by Mr Cadman be agreed to—put.

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

AYES, 32

Mr Abbott	Mr Ciobo	Mr Lloyd	Mr Randall
Mr Anderson	Mrs Draper	Mr McGauran	Mr Schultz
Mr Andren	Mr Farmer	Mr Mossfield	Mr Secker
Mr Baird	Mr Forrest	Mr Murphy*	Mr Slipper*
Mr Baldwin	Mr Jull	Mr Neville	Mr Ticehurst
Mr Bartlett	Mr Katter	Ms Panopoulos	Mr M. A. J. Vaile
Mr Cadman	Mrs D. M. Kelly	Mr Pearce	Mrs D. S. Vale
Mr Cameron	Jackie Kelly	Mr Pyne	Mr Windsor

NOES, 96

Mr Adams	Mr M. J. Ferguson	Mr Kerr	Ms Roxon
Mr Albanese	Mr Fitzgibbon	Ms C. F. King	Mr Rudd
Fran Bailey	Mrs Gallus	Mr P. E. King	Mr Ruddock
Mr Barresi	Mrs Gash	Mr Latham	Mr Sawford
Mr Bevis	Ms George	Dr Lawrence	Mr Sercombe
Mr Billson	Mr Georgiou	Mrs Ley	Mr Sidebottom
Mrs B. K. Bishop	Mr Gibbons	Mr Lindsay	Mr A. D. H. Smith
Ms J. I. Bishop	Ms Gillard	Mr McArthur*	Mr S. F. Smith
Mr Brough	Ms Grierson	Mr McClelland	Mr Snowden
Ms Burke	Mr Griffin	Mr I. E. Macfarlane	Mr Somlyay
Mr Causley	Mr Haase	Ms J. S. McFarlane	Dr Southcott
Mr Charles	Ms Hall	Ms Macklin	Dr Stone
Mr Cobb	Mr Hardgrave	Mr McLeay*	Mr Swan
Ms Corcoran	Mr Hartsuyker	Mr McMullan	Mr C. P. Thompson
Mr Crean	Mr Hatton	Mr Melham	Mr K. J. Thomson
Mrs Crosio	Ms Hoare	Mrs Moylan	Mr Tollner
Mr Dutton	Mr Hockey	Mr Nairn	Mr Truss
Mr Edwards	Mrs Hull	Dr Nelson	Mr Tuckey
Ms Ellis	Mr Hunt	Mr B. P. O'Connor	Ms Vamvakinou
Mrs Elson	Mrs Irwin	Mr G. M. O'Connor	Mr Wakelin
Mr Emerson	Ms Jackson	Ms Plibersek	Dr Washer
Mr Entsch	Mr Jenkins	Mr Prosser	Mr Wilkie
Mr Evans	Mr Johnson	Mr Quick	Mr Williams
Mr L. D. T. Ferguson	Dr Kemp	Mr Ripoll	Mr Zahra

* Tellers

And so it was negatived.

Question—That amendment (2) moved by Mr Cadman be agreed to—put.

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

AYES, 32

Mr Abbott	Mr Ciobo	Mr Lloyd	Mr Randall
Mr Anderson	Mrs Draper	Mr McGauran	Mr Schultz
Mr Andren	Mr Farmer	Mr Mossfield	Mr Secker
Mr Baird	Mr Forrest	Mr Murphy*	Mr Slipper*
Mr Baldwin	Mr Jull	Mr Neville	Mr Ticehurst
Mr Bartlett	Mr Katter	Ms Panopoulos	Mr M. A. J. Vaile
Mr Cadman	Mrs D. M. Kelly	Mr Pearce	Mrs D. S. Vale
Mr Cameron	Jackie Kelly	Mr Pyne	Mr Windsor

NOES, 97

Mr Adams	Mr Fitzgibbon	Mr P. E. King	Mr Ruddock
Mr Albanese	Mrs Gallus	Mr Latham	Mr Sawford
Fran Bailey	Mrs Gash	Dr Lawrence	Mr Sercombe
Mr Barresi	Ms George	Mrs Ley	Mr Sidebottom
Mr Bevis	Mr Georgiou	Mr Lindsay	Mr A. D. H. Smith
Mr Billson	Mr Gibbons	Mr McArthur*	Mr S. F. Smith
Mrs B. K. Bishop	Ms Gillard	Mr McClelland	Mr Snowdon
Ms J. I. Bishop	Ms Grierson	Mr I. E. Macfarlane	Mr Somlyay
Ms Burke	Mr Griffin	Ms J. S. McFarlane	Dr Southcott
Mr Causley	Mr Haase	Ms Macklin	Dr Stone
Mr Charles	Ms Hall	Mr McLeay*	Mr Swan
Mr Cobb	Mr Hardgrave	Mr McMullan	Mr C. P. Thompson
Ms Corcoran	Mr Hartsuyker	Mr Melham	Mr K. J. Thomson
Mr Cox	Mr Hatton	Mrs Moylan	Mr Tollner
Mr Crean	Ms Hoare	Mr Nairn	Mr Truss
Mrs Crosio	Mr Hockey	Dr Nelson	Mr Tuckey
Mr Dutton	Mrs Hull	Mr B. P. O'Connor	Ms Vamvakinou
Mr Edwards	Mr Hunt	Mr G. M. O'Connor	Mr Wakelin
Ms Ellis	Mrs Irwin	Ms Plibersek	Dr Washer
Mrs Elson	Ms Jackson	Mr Price	Mr Wilkie
Mr Emerson	Mr Jenkins	Mr Prosser	Mr Williams
Mr Entsch	Mr Johnson	Mr Quick	Mr Zahra
Mr Evans	Dr Kemp	Mr Ripoll	
Mr L. D. T. Ferguson	Mr Kerr	Ms Roxon	
Mr M. J. Ferguson	Ms C. F. King	Mr Rudd	

* Tellers

And so it was negatived.

Mr Pyne moved amendment (1).

Debate continued.

Mr Pyne rising to address the House—

Closure

Mr Snowdon moved—That the question be now put.

Question—That the question be now put—put.

The House divided (the Speaker, Mr J. N. Andrew, in the Chair)—

AYES, 80

Mr Adams	Mr M. J. Ferguson	Mr Latham	Mr Rudd
Mr Albanese	Mr Fitzgibbon	Dr Lawrence	Mr Sawford*
Fran Bailey	Mrs Gash	Mrs Ley	Mr Sercombe
Mr Barresi	Ms George	Mr Lindsay	Mr Sidebottom
Mr Bevis	Mr Gibbons	Mr McClelland	Mr S. F. Smith
Mr Billson	Ms Gillard	Mr I. E. Macfarlane	Mr Snowdon
Ms J. I. Bishop	Ms Grierson	Ms J. S. McFarlane	Mr Somlyay
Ms Burke	Mr Griffin	Ms Macklin	Dr Stone
Mr Causley	Mr Haase	Mr McLeay	Mr Swan
Mr Charles	Ms Hall	Mr McMullan	Mr Tanner
Ms Corcoran	Mr Hardgrave	Mr Melham	Mr C. P. Thompson
Mr Cox	Mr Hatton	Mr Mossfield	Mr K. J. Thomson
Mr Crean	Ms Hoare	Mr Nairn	Mr Tollner
Mrs Crosio	Mr Hockey	Dr Nelson	Mr Tuckey
Mr Edwards	Mrs Irwin	Mr B. P. O'Connor	Ms Vamvakinou
Ms Ellis	Ms Jackson	Ms Plibersek	Mr Wakelin
Mr Emerson	Mr Jenkins	Mr Price	Dr Washer
Mr Entsch	Mr Kerr	Mr Prosser	Mr Wilkie*
Mr Evans	Ms C. F. King	Mr Ripoll	Mr Williams
Mr L. D. T. Ferguson	Mr P. E. King	Ms Roxon	Mr Zahra

NOES, 48

Mr Abbott	Mr Dutton	Mr Katter	Mr Pyne
Mr Anderson	Mrs Elson*	Mrs D. M. Kelly	Mr Ruddock
Mr Andren	Mr Farmer	Jackie Kelly	Mr Schultz
Mr Baird	Mr Forrest	Dr Kemp	Mr Secker
Mr Baldwin	Mrs Gallus	Mr Lloyd	Mr Slipper
Mr Bartlett	Mr Georgiou	Mr McArthur*	Mr A. D. H. Smith
Mrs B. K. Bishop	Mr Hartsuyker	Mrs Moylan	Dr Southcott
Mr Cadman	Mr Hawker	Mr Murphy	Mr Ticehurst
Mr Cameron	Mrs Hull	Mr Neville	Mr Truss
Mr Ciobo	Mr Hunt	Mr G. M. O'Connor	Mr M. A. J. Vaile
Mr Cobb	Mr Johnson	Ms Panopoulos	Mrs D. S. Vale
Mrs Draper	Mr Jull	Mr Pearce	Mr Windsor

* Tellers

And so it was resolved in the affirmative.

And the question—That amendment (1) moved by Mr Pyne be agreed to—being accordingly put—
The House divided (the Speaker, Mr J. N. Andrew, in the Chair)—

AYES, 27

Mr Anderson	Mr Farmer	Mr Lloyd	Mr Schultz
Mr Andren	Mr Forrest*	Mr McGauran	Mr Secker
Mr Baldwin	Mr Hawker	Mr Mossfield	Mr Slipper*
Mr Bartlett	Mr Jull	Mr Neville	Mr M. A. J. Vaile
Mr Cadman	Mr Katter	Ms Panopoulos	Mrs D. S. Vale
Mr Cameron	Mrs D. M. Kelly	Mr Pyne	Mr Windsor
Mrs Draper	Jackie Kelly	Mr Quick	

NOES, 101

Mr Abbott	Mr L. D. T. Ferguson	Ms C. F. King	Mr Sawford*
Mr Adams	Mr M. J. Ferguson	Mr P. E. King	Mr Sercombe
Mr Albanese	Mr Fitzgibbon	Mr Latham	Mr Sidebottom
Fran Bailey	Mrs Gallus	Dr Lawrence	Mr A. D. H. Smith
Mr Baird	Mrs Gash	Mrs Ley	Mr S. F. Smith
Mr Barresi	Ms George	Mr Lindsay	Mr Snowdon
Mr Bevis	Mr Georgiou	Mr McArthur*	Mr Somlyay
Mr Billson	Mr Gibbons	Mr McClelland	Dr Southcott
Mrs B. K. Bishop	Ms Gillard	Mr I. E. Macfarlane	Dr Stone
Ms J. I. Bishop	Ms Grierson	Ms J. S. McFarlane	Mr Swan
Ms Burke	Mr Griffin	Ms Macklin	Mr Tanner
Mr Causley	Mr Haase	Mr McLeay	Mr C. P. Thompson
Mr Charles	Ms Hall	Mr McMullan	Mr K. J. Thomson
Mr Ciobo	Mr Hardgrave	Mr Melham	Mr Ticehurst
Mr Cobb	Mr Hartsuyker	Mrs Moylan	Mr Tollner
Ms Corcoran	Mr Hatton	Mr Murphy	Mr Truss
Mr Cox	Ms Hoare	Dr Nelson	Mr Tuckey
Mr Crean	Mr Hockey	Mr B. P. O'Connor	Ms Vamvakinou
Mrs Crosio	Mrs Hull	Mr G. M. O'Connor	Mr Wakelin
Mr Dutton	Mr Hunt	Mr Pearce	Dr Washer
Mr Edwards	Mrs Irwin	Ms Plibersek	Mr Wilkie
Ms Ellis	Ms Jackson	Mr Price	Mr Williams
Mrs Elson	Mr Jenkins	Mr Prosser	Mr Zahra
Mr Emerson	Mr Johnson	Mr Ripoll	
Mr Entsch	Dr Kemp	Ms Roxon	
Mr Evans	Mr Kerr	Mr Ruddock	

* Tellers

And so it was negatived.

Clause 25 agreed to.

Clauses 26 to 55, by leave, taken together and agreed to.

Clause 56—

Mr Pyne moved amendment (2).

Debate continued.

Debate adjourned (Mr Williams—Attorney-General), and the resumption of the debate made an order of the day for the next sitting.

19 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE

The House was informed that the Chief Opposition Whip had nominated Mr Byrne to be a member of the Joint Standing Committee on Foreign Affairs, Defence and Trade.

Mr Williams (Attorney-General), by leave, moved—That Mr Byrne be appointed a member of the Joint Standing Committee on Foreign Affairs, Defence and Trade.

Question—put and passed.

20 ADJOURNMENT

Mr Williams (Attorney-General) moved—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 10.59 p.m., adjourned until tomorrow at 9.30 a.m.

PAPERS

The following papers were deemed to have been presented on 24 September 2002:

Lands Acquisition Act—

Statement under sub-section 40(3)—September 2002.

Statement under section 125(5)—September 2002.

Parliamentary Entitlements Act—Advice under paragraph 18(b), 23 September 2002.

Taxation Administration Act—

Determinations—2002—Nos GSTD 3, TD 23.

Rulings—

2000—No. GSTR 21.

2002—No. CR 72.



ATTENDANCE

All Members attended (at some time during the sitting) except Mr K. J. Andrews, Mr Beazley, Mr Brereton*, Mr Costello, Ms Gambaro, Mr Howard, Ms Livermore, Mrs May, Ms O'Byrne*, Mr Sciacca, Mr Scott* and Ms Worth*.

* On leave



B. C. WRIGHT

Acting Clerk of the House of Representatives