

2002

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 61

THURSDAY, 14 NOVEMBER 2002

1 The House met, at 9.30 a.m., pursuant to adjournment. The Speaker (the Honourable Neil Andrew) took the Chair, and read Prayers.

2 CHARTER OF THE UNITED NATIONS AMENDMENT BILL 2002

Mrs Gallus (Parliamentary Secretary to the Minister for Foreign Affairs), for Mr Downer (Minister for Foreign Affairs), pursuant to notice, presented a Bill for an Act to amend the *Charter of the United Nations Act 1945*, and for related purposes.

Bill read a first time.

Mrs Gallus moved—That the Bill be now read a second time.

Paper

Mrs Gallus presented an explanatory memorandum to the Bill.

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

3 TAXATION LAWS AMENDMENT (VENTURE CAPITAL) BILL 2002

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) presented a Bill for an Act to amend the law relating to taxation, and for related purposes.

Bill read a first time.

Mr Slipper moved—That the Bill be now read a second time.

Paper

Mr Slipper presented an explanatory memorandum to the Bill and to the Venture Capital Bill 2002.

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

4 VENTURE CAPITAL BILL 2002

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) presented a Bill for an Act relating to venture capital investments, and for related purposes.

Bill read a first time.

Mr Slipper moved—That the Bill be now read a second time.

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

5 AUSTRALIAN CRIME COMMISSION ESTABLISHMENT BILL 2002

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.

Papers

Mr Kerr, by leave, presented the following papers:

Commonwealth Ombudsman's Office investigation of a complaint by Mr Grahame Wheeler against the Australian Federal Police—Copies of correspondence from—

Mr Duncan Kerr MP to Mr Ron McLeod, Commonwealth Ombudsman, 13 November 2002.

Mr Grahame Wheeler to Mr Oliver Winder, Deputy Ombudsman, 11 November 2002.

Mr Ron McLeod, Commonwealth Ombudsman, to Mr Duncan Kerr MP, 12 November 2002.

Debate continued.

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

Consideration in detail

Bill, by leave, taken as a whole.

Paper

Mr Williams (Attorney-General) presented a supplementary explanatory memorandum to the Bill.

On the motion of Mr Williams, by leave, Government amendments (1) to (31) were made together, after debate.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Mr Williams, by leave, the Bill was read a third time.

6 FINANCIAL SECTOR LEGISLATION AMENDMENT BILL (NO. 2) 2002

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.

Consideration in detail

Bill, by leave, taken as a whole.

Paper

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration) presented a supplementary explanatory memorandum to the Bill.

On the motion of Mr Slipper, by leave, Government amendments (1) to (33) were made together.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Mr Slipper, by leave, the Bill was read a third time.

7 ENVIRONMENT AND HERITAGE LEGISLATION AMENDMENT BILL (NO. 1) 2002

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.

It being 2 p.m., the debate was interrupted in accordance with standing order 101A, and the resumption of the debate made an order of the day for a later hour this day.

8 PAPERS

The Speaker presented the following papers:

Bali terrorist attacks—Condolence Messages—

Ambassador of Afghanistan.

Ambassador of Israel.

Chairman of the Committee for Inter-Parliamentary Cooperation of the House of Representatives of the Republic of Indonesia.

Ms Elena Guajardo and 24 other citizens of the United States.

Ms Kathleen Palmer, a citizen of the United States.

Speaker of the British House of Commons.

Speaker of the Israeli Knesset.

Speaker of the National Parliament of the Democratic Republic of East Timor.

Speaker of the Parliament of the Republic of Poland.

9 MINISTRY—PAPER

Mr Howard (Prime Minister) presented the following paper:

Third Howard Ministry, 14 November 2002,

and advised the House that Senator the Hon. Ian Macdonald was sworn in as the Minister for Fisheries, Forestry and Conservation.

10 QUESTIONS

Questions without notice being asked—

Papers

Mr McMullan, by leave, presented the following papers:

Commonwealth Income Tax Revenue—Total income tax as a percentage of GDP, 1960-61 to 2002-03.

Highest Taxing Treasurer—Costello wins—Income Tax to GDP (%), 1974-75 to 2002-2003 (excluding 1978-79 and 1979-80).

Questions without notice continued.

11 PAPER

Mr Costello (Treasurer) added to an answer given during question time and presented the following paper:

Schedule of old and new personal income tax scales.

12 PAPERS

The following papers were presented:

Australian Centre for International Agricultural Research—Report for 2001-02.

Civil Aviation Safety Authority—Report for 2001-02.

Foreign Affairs, Defence and Trade—Joint Standing Committee—Report—Conviction with compassion: Freedom of religion and belief—Government response.

Privacy Commissioner—Report for 2001-02 on the operation of the Act.

13 PAPERS—MOTION TO TAKE NOTE OF PAPERS

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

Foreign Affairs, Defence and Trade—Joint Standing Committee—Report—Conviction with compassion: Freedom of religion and belief—Government response.

Privacy Commissioner—Report for 2001-02 on the operation of the Act.

Debate adjourned (Ms Macklin—Deputy Leader of the Opposition), and the resumption of each debate made an order of the day for the next sitting.

14 PAPERS

Mr McGauran (Deputy Leader of the House) presented the following papers:

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

15 SPECIAL ADJOURNMENT

Mr McGauran (Deputy Leader of the House) moved—That the House, at its rising, adjourn until Monday, 2 December 2002, at 12.30 p.m., unless the Speaker fixes an alternative day or hour of meeting.

Question—put and passed.

16 INDIGENOUS EDUCATION AND TRAINING—NATIONAL REPORT TO PARLIAMENT 2001—MINISTERIAL STATEMENT AND PAPERS—MOTION TO TAKE NOTE OF PAPERS

Dr Nelson (Minister for Education, Science and Training), by leave, made a ministerial statement on the national report to Parliament on indigenous education and training 2001 and presented the following papers:

Indigenous Education and Training—National Report to Parliament, 2001.

Statement by the Minister for Education, Science and Training, the Honourable Dr Brendan Nelson, MP, 14 November 2002.

Ms Macklin (Deputy Leader of the Opposition) and Mr Snowdon, by leave, also made statements with reference to the matter.

Jackie Kelly (Parliamentary Secretary to the Prime Minister) moved—That the House take note of the papers.

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

17 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—PRIVATISATION OF TELSTRA

The House was informed that Mr Tanner had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The Government’s, including the National Party’s, support for the full privatisation of Telstra”.

The proposed discussion having received the necessary support—

Mr Tanner addressed the House.

Discussion ensued.

Discussion concluded.

18 WORKPLACE RELATIONS LEGISLATION AMENDMENT BILL 2002—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the Bill had been fully considered by the Main Committee and agreed to with amendments (*see item No. 3, Minutes of Proceedings of the Main Committee*), and presented a certified copy of the Bill together with a schedule of amendments.

Amendments made by the Main Committee agreed to.

Bill, as amended, agreed to.

On the motion of Dr Stone (Parliamentary Secretary to the Minister for the Environment and Heritage), by leave, the Bill was read a third time.

19 POSTPONEMENT OF ORDERS OF THE DAY

Ordered—That orders of the day Nos 4 to 7, government business, be postponed until a later hour this day.

20 MESSAGES FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS

Messages from His Excellency the Governor-General were announced informing the House that His Excellency, in the name of Her Majesty, had assented to the following Bills:

10 November 2002—Message—

No. 78—

Family and Community Services Legislation Amendment (Budget Initiatives and Other Measures) 2002.

Insurance and Aviation Liability Legislation Amendment 2002.

Taxation Laws Amendment (No. 3) 2002.

Research Agencies Legislation Amendment 2002.

No. 79—

Aboriginal Land Rights (Northern Territory) Amendment 2002.

Space Activities Amendment 2002.

Education Services for Overseas Students Amendment 2002.

Vocational Education and Training Funding Amendment 2002.

No. 80—Torres Strait Fisheries Amendment 2002.

21 PARLIAMENTARY ZONE—CONSTRUCTION OF FLAGPOLES, SIGNAGE AND BOLLARDS AT RECONCILIATION PLACE AND SUN SHADING STRUCTURES AT COMMONWEALTH PLACE—APPROVAL OF PROPOSAL

Dr Stone (Parliamentary Secretary to the Minister for the Environment and Heritage), for Mr Tuckey (Minister for Regional Services, Territories and Local Government), pursuant to notice, moved—That, in accordance with section 5 of the *Parliament Act 1974*, the House approves the following proposal for work in the Parliamentary Zone which was presented to the House on 11 November 2002, namely: Construction of flagpoles, signage and bollards at Reconciliation Place and sun shading structures at Commonwealth Place.

Question—put and passed.

22 MESSAGES FROM THE SENATE

Messages from the Senate, 14 November 2002, were reported:

- (a) acquainting the House that the Senate had agreed to a resolution concerning capital works within the Parliamentary Zone, being additional works at Reconciliation Place and Commonwealth Place—Message No. 141; and
- (b) returning the following Bills without amendment:
 - No. 143—Criminal Code Amendment (Offences Against Australians) 2002;
 - No. 144—Australian Animal Health Council (Live-stock Industries) Funding Amendment 2002;
 - No. 145—Health Care (Appropriation) Amendment 2002;
 - No. 146—Excise Laws Amendment (No. 1) 2002;
 - No. 147—Excise Tariff Amendment (No. 2) 2002;
 - No. 148—Taxation Laws Amendment (No. 5) 2002;
 - No. 150—Broadcasting Legislation Amendment (No. 2) 2002.

23 MESSAGE FROM THE SENATE—PROHIBITION OF HUMAN CLONING BILL 2002

A message from the Senate was reported returning the following Bill with amendments:

14 November 2002—Message No. 142—Prohibition of Human Cloning Bill 2002.

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

24 MESSAGE FROM THE SENATE—BROADCASTING LEGISLATION AMENDMENT BILL (NO. 1) 2002

Message No. 149, 14 November 2002, 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 related purposes.

Bill read a first time.

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

25 ENVIRONMENT AND HERITAGE LEGISLATION AMENDMENT BILL (NO. 1) 2002

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.

Consideration in detail

Bill, by leave, taken as a whole.

Mr K. J. Thomson, by leave, moved Opposition amendments (1) to (120) together.

Mr K. J. Thomson addressing the House—

Adjournment negatived

It being 5.30 p.m.—The question was proposed—That the House do now adjourn.

Dr Kemp (Minister for the Environment and Heritage) requiring the question to be put forthwith without debate—

Question—put and negatived.

Mr K. J. Thomson addressing the House—

Closure

Mr Abbott (Leader of the House) 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, 70

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

NOES, 54

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

* Tellers

And so it was resolved in the affirmative.

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

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

AYES, 70

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

NOES, 50

Mr Andren	Mr Gibbons	Mr McClelland	Mr Ripoll
Mr Bevis	Ms Gillard	Ms J. S. McFarlane	Ms Roxon
Mr Byrne	Ms Grierson	Ms Macklin	Mr Rudd
Ms Corcoran	Mr Griffin	Mr McLeay	Mr Sawford
Mr Cox	Ms Hall	Mr McMullan	Mr Sercombe
Mrs Crosio	Mr Hatton	Mr Melham	Mr Sidebottom
Mr Danby*	Ms Hoare	Mr Mossfield	Mr Snowden
Ms Ellis	Mrs Irwin	Mr Murphy	Mr Swan
Mr Emerson	Ms Jackson	Mr G. M. O'Connor	Mr Tanner
Mr L. D. T. Ferguson	Mr Jenkins	Mr Organ	Mr K. J. Thomson
Mr M. J. Ferguson	Mr Kerr	Ms Plibersek	Mr Wilkie
Mr Fitzgibbon	Mr Latham	Mr Price	
Ms George	Dr Lawrence	Mr Quick*	

* Tellers

And so it was resolved in the affirmative.

Bill agreed to.

Dr Kemp asked leave to move—That the Bill be now read a third time.

Objection being raised, leave not granted.

Mr Abbott, pursuant to contingent notice, moved—That so much of the standing orders be suspended as would prevent the motion for the third reading being moved without delay.

Mr K. J. Thomson rising to address the House—

Closure

Mr Abbott 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, 67

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

NOES, 49

Mr Andren	Mr Gibbons	Mr McClelland	Ms Roxon
Mr Bevis	Ms Gillard	Ms J. S. McFarlane	Mr Rudd
Ms Corcoran	Ms Grierson	Ms Macklin	Mr Sawford
Mr Cox	Mr Griffin	Mr McLeay	Mr Sercombe
Mr Crean	Ms Hall	Mr McMullan	Mr Sidebottom
Mrs Crosio	Mr Hatton	Mr Melham	Mr Snowdon
Mr Danby*	Ms Hoare	Mr Mossfield	Mr Swan
Ms Ellis	Mrs Irwin	Mr Murphy	Mr Tanner
Mr Emerson	Ms Jackson	Mr G. M. O'Connor	Mr K. J. Thomson
Mr L. D. T. Ferguson	Mr Jenkins	Mr Organ	Mr Wilkie
Mr M. J. Ferguson	Mr Kerr	Mr Price	
Mr Fitzgibbon	Mr Latham	Mr Quick*	
Ms George	Dr Lawrence	Mr Ripoll	

* Tellers

And so it was resolved in the affirmative.

And the question—That so much of the standing orders be suspended as would prevent the motion for the third reading being moved without delay—being accordingly put—

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

AYES, 67

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

NOES, 49

Mr Andren	Mr Gibbons	Mr McClelland	Ms Roxon
Mr Bevis	Ms Gillard	Ms J. S. McFarlane	Mr Rudd
Ms Corcoran	Ms Grierson	Ms Macklin	Mr Sawford
Mr Cox	Mr Griffin	Mr McLeay	Mr Sercombe
Mr Crean	Ms Hall	Mr McMullan	Mr Sidebottom
Mrs Crosio	Mr Hatton	Mr Melham	Mr Snowdon
Mr Danby*	Ms Hoare	Mr Mossfield	Mr Swan
Ms Ellis	Mrs Irwin	Mr Murphy	Mr Tanner
Mr Emerson	Ms Jackson	Mr G. M. O'Connor	Mr K. J. Thomson
Mr L. D. T. Ferguson	Mr Jenkins	Mr Organ	Mr Wilkie
Mr M. J. Ferguson	Mr Kerr	Mr Price	
Mr Fitzgibbon	Mr Latham	Mr Quick*	
Ms George	Dr Lawrence	Mr Ripoll	

* Tellers

And so it was resolved in the affirmative.

Dr Kemp moved—That the Bill be now read a third time.

Mr K. J. Thomson rising to address the House—

Closure

Mr Abbott 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, 65

Mr Abbott	Mr Downer	Jackie Kelly	Mr Secker
Mr Anderson	Mr Dutton	Dr Kemp	Mr Slipper
Mr K. J. Andrews	Mrs Elson	Mr P. E. King	Mr A. D. H. Smith
Mr Anthony	Mr Farmer	Mrs Ley	Mr Somlyay
Fran Bailey	Mr Forrest*	Mr Lindsay	Dr Southcott
Mr Baird	Mrs Gallus	Mr Lloyd	Mr C. P. Thompson
Mr Baldwin	Ms Gambaro	Mr McArthur*	Mr Ticehurst
Mr Bartlett	Mr Georgiou	Mrs May	Mr Tollner
Mr Billson	Mr Haase	Mrs Moylan	Mr Truss
Mrs B. K. Bishop	Mr Hardgrave	Mr Nairn	Mr Tuckey
Ms J. I. Bishop	Mr Hartsuyker	Dr Nelson	Mrs D. S. Vale
Mr Cadman	Mr Hockey	Mr Neville	Mr Wakelin
Mr Cameron	Mrs Hull	Ms Panopoulos	Mr Williams
Mr Charles	Mr Hunt	Mr Pearce	Ms Worth
Mr Ciobo	Mr Johnson	Mr Pyne	
Mr Cobb	Mr Jull	Mr Ruddock	
Mr Costello	Mrs D. M. Kelly	Mr Schultz	

NOES, 40

Mr Andren	Ms George	Mr Kerr	Mr Quick*
Mr Bevis	Mr Gibbons	Dr Lawrence	Mr Ripoll
Ms Corcoran	Ms Grierson	Ms J. S. McFarlane	Ms Roxon
Mr Cox	Mr Griffin	Mr McLeay	Mr Sawford
Mrs Crosio	Ms Hall	Mr Melham	Mr Sercombe
Mr Danby*	Mr Hatton	Mr Mossfield	Mr Sidebottom
Ms Ellis	Ms Hoare	Mr Murphy	Mr Snowdon
Mr Emerson	Mrs Irwin	Mr G. M. O'Connor	Mr Tanner
Mr L. D. T. Ferguson	Ms Jackson	Mr Organ	Mr K. J. Thomson
Mr Fitzgibbon	Mr Jenkins	Mr Price	Mr Wilkie

* Tellers

And so it was resolved in the affirmative.

And the question—That the Bill be now read a third time—being accordingly put—

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

AYES, 65

Mr Abbott	Mr Downer	Jackie Kelly	Mr Secker
Mr Anderson	Mr Dutton	Dr Kemp	Mr Slipper
Mr K. J. Andrews	Mrs Elson	Mr P. E. King	Mr A. D. H. Smith
Mr Anthony	Mr Farmer	Mrs Ley	Mr Somlyay
Fran Bailey	Mr Forrest*	Mr Lindsay	Dr Southcott
Mr Baird	Mrs Gallus	Mr Lloyd	Mr C. P. Thompson
Mr Baldwin	Ms Gambaro	Mr McArthur*	Mr Ticehurst
Mr Bartlett	Mr Georgiou	Mrs May	Mr Tollner
Mr Billson	Mr Haase	Mrs Moylan	Mr Truss
Mrs B. K. Bishop	Mr Hardgrave	Mr Nairn	Mr Tuckey
Ms J. I. Bishop	Mr Hartsuyker	Dr Nelson	Mrs D. S. Vale
Mr Cadman	Mr Hockey	Mr Neville	Mr Wakelin
Mr Cameron	Mrs Hull	Ms Panopoulos	Mr Williams
Mr Charles	Mr Hunt	Mr Pearce	Ms Worth
Mr Ciobo	Mr Johnson	Mr Pyne	
Mr Cobb	Mr Jull	Mr Ruddock	
Mr Costello	Mrs D. M. Kelly	Mr Schultz	

NOES, 40

Mr Andren	Ms George	Mr Kerr	Mr Quick*
Mr Bevis	Mr Gibbons	Dr Lawrence	Mr Ripoll
Ms Corcoran	Ms Grierson	Ms J. S. McFarlane	Ms Roxon
Mr Cox	Mr Griffin	Mr McLeay	Mr Sawford
Mrs Crosio	Ms Hall	Mr Melham	Mr Sercombe
Mr Danby*	Mr Hatton	Mr Mossfield	Mr Sidebottom
Ms Ellis	Ms Hoare	Mr Murphy	Mr Snowdon
Mr Emerson	Mrs Irwin	Mr G. M. O'Connor	Mr Tanner
Mr L. D. T. Ferguson	Ms Jackson	Mr Organ	Mr K. J. Thomson
Mr Fitzgibbon	Mr Jenkins	Mr Price	Mr Wilkie

* Tellers

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

26 AUSTRALIAN HERITAGE COUNCIL BILL 2002

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—

Declaration of Bill as urgent Bill: Mr Abbott (Leader of the House) declared that the Bill was an urgent Bill.

Question—That the Bill be considered an urgent Bill—put.

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

AYES, 62

Mr Abbott	Mr Dutton	Dr Kemp	Mr Secker
Mr Anderson	Mrs Elson	Mr P. E. King	Mr Slipper
Mr K. J. Andrews	Mr Farmer	Mrs Ley	Mr A. D. H. Smith
Mr Anthony	Mr Forrest*	Mr Lindsay	Mr Somlyay
Fran Bailey	Ms Gambaro	Mr Lloyd	Dr Southcott
Mr Baird	Mr Georgiou	Mr McArthur*	Mr C. P. Thompson
Mr Baldwin	Mr Haase	Mrs May	Mr Ticehurst
Mr Bartlett	Mr Hardgrave	Mrs Moylan	Mr Tollner
Mr Billson	Mr Hartsuyker	Mr Nairn	Mr Truss
Mrs B. K. Bishop	Mr Hockey	Dr Nelson	Mr Tuckey
Ms J. I. Bishop	Mrs Hull	Mr Neville	Mrs D. S. Vale
Mr Cadman	Mr Hunt	Ms Panopoulos	Mr Wakelin
Mr Cameron	Mr Johnson	Mr Pearce	Mr Williams
Mr Charles	Mr Jull	Mr Pyne	Ms Worth
Mr Ciobo	Mrs D. M. Kelly	Mr Ruddock	
Mr Cobb	Jackie Kelly	Mr Schultz	

NOES, 40

Mr Andren	Ms George	Mr Kerr	Mr Quick*
Mr Bevis	Mr Gibbons	Dr Lawrence	Mr Ripoll
Ms Corcoran	Ms Grierson	Ms J. S. McFarlane	Ms Roxon
Mr Cox	Mr Griffin	Mr McLeay	Mr Sawford
Mrs Crosio	Ms Hall	Mr Melham	Mr Sercombe
Mr Danby*	Mr Hatton	Mr Mossfield	Mr Sidebottom
Ms Ellis	Ms Hoare	Mr Murphy	Mr Snowdon
Mr Emerson	Mrs Irwin	Mr G. M. O'Connor	Mr Tanner
Mr L. D. T. Ferguson	Ms Jackson	Mr Organ	Mr K. J. Thomson
Mr Fitzgibbon	Mr Jenkins	Mr Price	Mr Wilkie

* Tellers

And so it was resolved in the affirmative.

Allotment of time: Mr Abbott then moved—That the time allotted for the remaining stages of the Bill be until 6.35 p.m. this day.

Mr K. J. Thomson addressing the House—

Closure

Mr Abbott 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, 62

Mr Abbott	Mr Dutton	Dr Kemp	Mr Secker
Mr Anderson	Mrs Elson	Mr P. E. King	Mr Slipper
Mr K. J. Andrews	Mr Farmer	Mrs Ley	Mr A. D. H. Smith
Mr Anthony	Mr Forrest*	Mr Lindsay	Mr Somlyay
Fran Bailey	Ms Gambaro	Mr Lloyd	Dr Southcott
Mr Baird	Mr Georgiou	Mr McArthur*	Mr C. P. Thompson
Mr Baldwin	Mr Haase	Mrs May	Mr Ticehurst
Mr Bartlett	Mr Hardgrave	Mrs Moylan	Mr Tollner
Mr Billson	Mr Hartsuyker	Mr Nairn	Mr Truss
Mrs B. K. Bishop	Mr Hockey	Dr Nelson	Mr Tuckey
Ms J. I. Bishop	Mrs Hull	Mr Neville	Mrs D. S. Vale
Mr Cadman	Mr Hunt	Ms Panopoulos	Mr Wakelin
Mr Cameron	Mr Johnson	Mr Pearce	Mr Williams
Mr Charles	Mr Jull	Mr Pyne	Ms Worth
Mr Ciobo	Mrs D. M. Kelly	Mr Ruddock	
Mr Cobb	Jackie Kelly	Mr Schultz	

NOES, 40

Mr Andren	Ms George	Mr Kerr	Mr Quick*
Mr Bevis	Mr Gibbons	Dr Lawrence	Mr Ripoll
Ms Corcoran	Ms Grierson	Ms J. S. McFarlane	Ms Roxon
Mr Cox	Mr Griffin	Mr McLeay	Mr Sawford
Mrs Crosio	Ms Hall	Mr Melham	Mr Sercombe
Mr Danby*	Mr Hatton	Mr Mossfield	Mr Sidebottom
Ms Ellis	Ms Hoare	Mr Murphy	Mr Snowdon
Mr Emerson	Mrs Irwin	Mr G. M. O'Connor	Mr Tanner
Mr L. D. T. Ferguson	Ms Jackson	Mr Organ	Mr K. J. Thomson
Mr Fitzgibbon	Mr Jenkins	Mr Price	Mr Wilkie

* Tellers

And so it was resolved in the affirmative.

And the question—That the time allotted in connection with the Bill be agreed to—being accordingly put—

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

AYES, 62

Mr Abbott	Mr Dutton	Dr Kemp	Mr Secker
Mr Anderson	Mrs Elson	Mr P. E. King	Mr Slipper
Mr K. J. Andrews	Mr Farmer	Mrs Ley	Mr A. D. H. Smith
Mr Anthony	Mr Forrest*	Mr Lindsay	Mr Somlyay
Fran Bailey	Ms Gambaro	Mr Lloyd	Dr Southcott
Mr Baird	Mr Georgiou	Mr McArthur*	Mr C. P. Thompson
Mr Baldwin	Mr Haase	Mrs May	Mr Ticehurst
Mr Bartlett	Mr Hardgrave	Mrs Moylan	Mr Tollner
Mr Billson	Mr Hartsuyker	Mr Nairn	Mr Truss
Mrs B. K. Bishop	Mr Hockey	Dr Nelson	Mr Tuckey
Ms J. I. Bishop	Mrs Hull	Mr Neville	Mrs D. S. Vale
Mr Cadman	Mr Hunt	Ms Panopoulos	Mr Wakelin
Mr Cameron	Mr Johnson	Mr Pearce	Mr Williams
Mr Charles	Mr Jull	Mr Pyne	Ms Worth
Mr Ciobo	Mrs D. M. Kelly	Mr Ruddock	
Mr Cobb	Jackie Kelly	Mr Schultz	

NOES, 40

Mr Andren	Ms George	Mr Kerr	Mr Quick*
Mr Bevis	Mr Gibbons	Dr Lawrence	Mr Ripoll
Ms Corcoran	Ms Grierson	Ms J. S. McFarlane	Ms Roxon
Mr Cox	Mr Griffin	Mr McLeay	Mr Sawford
Mrs Crosio	Ms Hall	Mr Melham	Mr Sercombe
Mr Danby*	Mr Hatton	Mr Mossfield	Mr Sidebottom
Ms Ellis	Ms Hoare	Mr Murphy	Mr Snowdon
Mr Emerson	Mrs Irwin	Mr G. M. O'Connor	Mr Tanner
Mr L. D. T. Ferguson	Ms Jackson	Mr Organ	Mr K. J. Thomson
Mr Fitzgibbon	Mr Jenkins	Mr Price	Mr Wilkie

* Tellers

And so it was resolved in the affirmative.

Limitation of debate: The time allotted for the remaining stages of the Bill having expired—
Question—That the Bill now read a second time—put.

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

AYES, 62

Mr Abbott	Mr Dutton	Dr Kemp	Mr Secker
Mr Anderson	Mrs Elson	Mr P. E. King	Mr Slipper
Mr K. J. Andrews	Mr Farmer	Mrs Ley	Mr A. D. H. Smith
Mr Anthony	Mr Forrest*	Mr Lindsay	Mr Somlyay
Fran Bailey	Ms Gambaro	Mr Lloyd	Dr Southcott
Mr Baird	Mr Georgiou	Mr McArthur*	Mr C. P. Thompson
Mr Baldwin	Mr Haase	Mrs May	Mr Ticehurst
Mr Bartlett	Mr Hardgrave	Mrs Moylan	Mr Tollner
Mr Billson	Mr Hartsuyker	Mr Nairn	Mr Truss
Mrs B. K. Bishop	Mr Hockey	Dr Nelson	Mr Tuckey
Ms J. I. Bishop	Mrs Hull	Mr Neville	Mrs D. S. Vale
Mr Cadman	Mr Hunt	Ms Panopoulos	Mr Wakelin
Mr Cameron	Mr Johnson	Mr Pearce	Mr Williams
Mr Charles	Mr Jull	Mr Pyne	Ms Worth
Mr Ciobo	Mrs D. M. Kelly	Mr Ruddock	
Mr Cobb	Jackie Kelly	Mr Schultz	

NOES, 40

Mr Andren	Ms George	Mr Kerr	Mr Quick*
Mr Bevis	Mr Gibbons	Dr Lawrence	Mr Ripoll
Ms Corcoran	Ms Grierson	Ms J. S. McFarlane	Ms Roxon
Mr Cox	Mr Griffin	Mr McLeay	Mr Sawford
Mrs Crosio	Ms Hall	Mr Melham	Mr Sercombe
Mr Danby*	Mr Hatton	Mr Mossfield	Mr Sidebottom
Ms Ellis	Ms Hoare	Mr Murphy	Mr Snowdon
Mr Emerson	Mrs Irwin	Mr G. M. O'Connor	Mr Tanner
Mr L. D. T. Ferguson	Ms Jackson	Mr Organ	Mr K. J. Thomson
Mr Fitzgibbon	Mr Jenkins	Mr Price	Mr Wilkie

* Tellers

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

Further question—That the remaining stages of the Bill be agreed to—put.

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

AYES, 62

Mr Abbott	Mr Dutton	Dr Kemp	Mr Secker
Mr Anderson	Mrs Elson	Mr P. E. King	Mr Slipper
Mr K. J. Andrews	Mr Farmer	Mrs Ley	Mr A. D. H. Smith
Mr Anthony	Mr Forrest*	Mr Lindsay	Mr Somlyay
Fran Bailey	Ms Gambaro	Mr Lloyd	Dr Southcott
Mr Baird	Mr Georgiou	Mr McArthur*	Mr C. P. Thompson
Mr Baldwin	Mr Haase	Mrs May	Mr Ticehurst
Mr Bartlett	Mr Hardgrave	Mrs Moylan	Mr Tollner
Mr Billson	Mr Hartsuyker	Mr Nairn	Mr Truss
Mrs B. K. Bishop	Mr Hockey	Dr Nelson	Mr Tuckey
Ms J. I. Bishop	Mrs Hull	Mr Neville	Mrs D. S. Vale
Mr Cadman	Mr Hunt	Ms Panopoulos	Mr Wakelin
Mr Cameron	Mr Johnson	Mr Pearce	Mr Williams
Mr Charles	Mr Jull	Mr Pyne	Ms Worth
Mr Ciobo	Mrs D. M. Kelly	Mr Ruddock	
Mr Cobb	Jackie Kelly	Mr Schultz	

NOES, 40

Mr Andren	Ms George	Mr Kerr	Mr Quick*
Mr Bevis	Mr Gibbons	Dr Lawrence	Mr Ripoll
Ms Corcoran	Ms Grierson	Ms J. S. McFarlane	Ms Roxon
Mr Cox	Mr Griffin	Mr McLeay	Mr Sawford
Mrs Crosio	Ms Hall	Mr Melham	Mr Sercombe
Mr Danby*	Mr Hatton	Mr Mossfield	Mr Sidebottom
Ms Ellis	Ms Hoare	Mr Murphy	Mr Snowdon
Mr Emerson	Mrs Irwin	Mr G. M. O'Connor	Mr Tanner
Mr L. D. T. Ferguson	Ms Jackson	Mr Organ	Mr K. J. Thomson
Mr Fitzgibbon	Mr Jenkins	Mr Price	Mr Wilkie

* Tellers

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

27 AUSTRALIAN HERITAGE COUNCIL (CONSEQUENTIAL AND TRANSITIONAL PROVISIONS) BILL 2002

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—

Declaration of Bill as urgent Bill: Mr Abbott (Leader of the House) declared that the Bill was an urgent Bill.

Question—That the Bill be considered an urgent Bill—put.

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

AYES, 61

Mr Abbott	Mrs Elson	Mr P. E. King	Mr Slipper
Mr K. J. Andrews	Mr Farmer	Mrs Ley	Mr A. D. H. Smith
Mr Anthony	Mr Forrest*	Mr Lindsay	Mr Somlyay
Fran Bailey	Ms Gambaro	Mr Lloyd	Dr Southcott
Mr Baird	Mr Georgiou	Mr McArthur*	Mr C. P. Thompson
Mr Baldwin	Mr Haase	Mrs May	Mr Ticehurst
Mr Bartlett	Mr Hardgrave	Mrs Moylan	Mr Tollner
Mr Billson	Mr Hartsuyker	Mr Nairn	Mr Truss
Mrs B. K. Bishop	Mr Hockey	Dr Nelson	Mr Tuckey
Ms J. I. Bishop	Mrs Hull	Mr Neville	Mrs D. S. Vale
Mr Cadman	Mr Hunt	Ms Panopoulos	Mr Wakelin
Mr Cameron	Mr Johnson	Mr Pearce	Mr Williams
Mr Charles	Mr Jull	Mr Pyne	Ms Worth
Mr Ciobo	Mrs D. M. Kelly	Mr Ruddock	
Mr Cobb	Jackie Kelly	Mr Schultz	
Mr Dutton	Dr Kemp	Mr Secker	

NOES, 37

Mr Andren	Mr Gibbons	Dr Lawrence	Mr Ripoll
Mr Bevis	Ms Grierson	Ms J. S. McFarlane	Ms Roxon
Mr Cox	Mr Griffin	Mr McLeay	Mr Sidebottom
Mrs Crosio	Ms Hall	Mr Melham	Mr Snowden
Mr Danby*	Mr Hatton	Mr Mossfield	Mr Tanner
Ms Ellis	Ms Hoare	Mr Murphy	Mr K. J. Thomson
Mr Emerson	Mrs Irwin	Mr G. M. O'Connor	Mr Wilkie
Mr L. D. T. Ferguson	Ms Jackson	Mr Organ	
Mr Fitzgibbon	Mr Jenkins	Mr Price	
Ms George	Mr Kerr	Mr Quick*	

* Tellers

And so it was resolved in the affirmative.

Allotment of time: Mr Abbott then moved—That the time allotted for the remaining stages of the Bill be until 6.56 p.m. this day.

Mr K. J. Thomson addressing the House—

Closure

Mr Abbott 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, 61

Mr Abbott	Mrs Elson	Mr P. E. King	Mr Slipper
Mr K. J. Andrews	Mr Farmer	Mrs Ley	Mr A. D. H. Smith
Mr Anthony	Mr Forrest*	Mr Lindsay	Mr Somlyay
Fran Bailey	Ms Gambaro	Mr Lloyd	Dr Southcott
Mr Baird	Mr Georgiou	Mr McArthur*	Mr C. P. Thompson
Mr Baldwin	Mr Haase	Mrs May	Mr Ticehurst
Mr Bartlett	Mr Hardgrave	Mrs Moylan	Mr Tollner
Mr Billson	Mr Hartsuyker	Mr Nairn	Mr Truss
Mrs B. K. Bishop	Mr Hockey	Dr Nelson	Mr Tuckey
Ms J. I. Bishop	Mrs Hull	Mr Neville	Mrs D. S. Vale
Mr Cadman	Mr Hunt	Ms Panopoulos	Mr Wakelin
Mr Cameron	Mr Johnson	Mr Pearce	Mr Williams
Mr Charles	Mr Jull	Mr Pyne	Ms Worth
Mr Ciobo	Mrs D. M. Kelly	Mr Ruddock	
Mr Cobb	Jackie Kelly	Mr Schultz	
Mr Dutton	Dr Kemp	Mr Secker	

NOES, 37

Mr Andren	Mr Gibbons	Dr Lawrence	Mr Ripoll
Mr Bevis	Ms Grierson	Ms J. S. McFarlane	Ms Roxon
Mr Cox	Mr Griffin	Mr McLeay	Mr Sidebottom
Mrs Crosio	Ms Hall	Mr Melham	Mr Snowdon
Mr Danby*	Mr Hatton	Mr Mossfield	Mr Tanner
Ms Ellis	Ms Hoare	Mr Murphy	Mr K. J. Thomson
Mr Emerson	Mrs Irwin	Mr G. M. O'Connor	Mr Wilkie
Mr L. D. T. Ferguson	Ms Jackson	Mr Organ	
Mr Fitzgibbon	Mr Jenkins	Mr Price	
Ms George	Mr Kerr	Mr Quick*	

* Tellers

And so it was resolved in the affirmative.

And the question—That the time allotted in connection with the Bill be agreed to—being accordingly put—

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

AYES, 61

Mr Abbott	Mrs Elson	Mr P. E. King	Mr Slipper
Mr K. J. Andrews	Mr Farmer	Mrs Ley	Mr A. D. H. Smith
Mr Anthony	Mr Forrest*	Mr Lindsay	Mr Somlyay
Fran Bailey	Ms Gambaro	Mr Lloyd	Dr Southcott
Mr Baird	Mr Georgiou	Mr McArthur*	Mr C. P. Thompson
Mr Baldwin	Mr Haase	Mrs May	Mr Ticehurst
Mr Bartlett	Mr Hardgrave	Mrs Moylan	Mr Tollner
Mr Billson	Mr Hartsuyker	Mr Nairn	Mr Truss
Mrs B. K. Bishop	Mr Hockey	Dr Nelson	Mr Tuckey
Ms J. I. Bishop	Mrs Hull	Mr Neville	Mrs D. S. Vale
Mr Cadman	Mr Hunt	Ms Panopoulos	Mr Wakelin
Mr Cameron	Mr Johnson	Mr Pearce	Mr Williams
Mr Charles	Mr Jull	Mr Pyne	Ms Worth
Mr Ciobo	Mrs D. M. Kelly	Mr Ruddock	
Mr Cobb	Jackie Kelly	Mr Schultz	
Mr Dutton	Dr Kemp	Mr Secker	

NOES, 37

Mr Andren	Mr Gibbons	Dr Lawrence	Mr Ripoll
Mr Bevis	Ms Grierson	Ms J. S. McFarlane	Ms Roxon
Mr Cox	Mr Griffin	Mr McLeay	Mr Sidebottom
Mrs Crosio	Ms Hall	Mr Melham	Mr Snowdon
Mr Danby*	Mr Hatton	Mr Mossfield	Mr Tanner
Ms Ellis	Ms Hoare	Mr Murphy	Mr K. J. Thomson
Mr Emerson	Mrs Irwin	Mr G. M. O'Connor	Mr Wilkie
Mr L. D. T. Ferguson	Ms Jackson	Mr Organ	
Mr Fitzgibbon	Mr Jenkins	Mr Price	
Ms George	Mr Kerr	Mr Quick*	

* Tellers

And so it was resolved in the affirmative.

Debate ensued on the question—That the Bill be now read a second time.

Limitation of debate: At 6.56 p.m., the Speaker having called the attention of the House to the fact that the time allotted for the remaining stages of the Bill had expired—

Question—That the Bill be now read a second time—put.

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

AYES, 61

Mr Abbott	Mrs Elson	Mr P. E. King	Mr Slipper
Mr K. J. Andrews	Mr Farmer	Mrs Ley	Mr A. D. H. Smith
Mr Anthony	Mr Forrest*	Mr Lindsay	Mr Somlyay
Fran Bailey	Ms Gambaro	Mr Lloyd	Dr Southcott
Mr Baird	Mr Georgiou	Mr McArthur*	Mr C. P. Thompson
Mr Baldwin	Mr Haase	Mrs May	Mr Ticehurst
Mr Bartlett	Mr Hardgrave	Mrs Moylan	Mr Tollner
Mr Billson	Mr Hartsuyker	Mr Nairn	Mr Truss
Mrs B. K. Bishop	Mr Hockey	Dr Nelson	Mr Tuckey
Ms J. I. Bishop	Mrs Hull	Mr Neville	Mrs D. S. Vale
Mr Cadman	Mr Hunt	Ms Panopoulos	Mr Wakelin
Mr Cameron	Mr Johnson	Mr Pearce	Mr Williams
Mr Charles	Mr Jull	Mr Pyne	Ms Worth
Mr Ciobo	Mrs D. M. Kelly	Mr Ruddock	
Mr Cobb	Jackie Kelly	Mr Schultz	
Mr Dutton	Dr Kemp	Mr Secker	

NOES, 36

Mr Andren	Ms George	Mr Jenkins	Mr Price
Mr Bevis	Mr Gibbons	Mr Kerr	Mr Quick*
Mr Cox	Ms Grierson	Ms J. S. McFarlane	Mr Ripoll
Mrs Crosio	Mr Griffin	Mr McLeay	Ms Roxon
Mr Danby*	Ms Hall	Mr Melham	Mr Sidebottom
Ms Ellis	Mr Hatton	Mr Mossfield	Mr Snowdon
Mr Emerson	Ms Hoare	Mr Murphy	Mr Tanner
Mr L. D. T. Ferguson	Mrs Irwin	Mr G. M. O'Connor	Mr K. J. Thomson
Mr Fitzgibbon	Ms Jackson	Mr Organ	Mr Wilkie

* Tellers

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

Further question—That the remaining stages of the Bill be agreed to—put.

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

AYES, 61

Mr Abbott	Mrs Elson	Mr P. E. King	Mr Slipper
Mr K. J. Andrews	Mr Farmer	Mrs Ley	Mr A. D. H. Smith
Mr Anthony	Mr Forrest*	Mr Lindsay	Mr Somlyay
Fran Bailey	Ms Gambaro	Mr Lloyd	Dr Southcott
Mr Baird	Mr Georgiou	Mr McArthur*	Mr C. P. Thompson
Mr Baldwin	Mr Haase	Mrs May	Mr Ticehurst
Mr Bartlett	Mr Hardgrave	Mrs Moylan	Mr Tollner
Mr Billson	Mr Hartsuyker	Mr Nairn	Mr Truss
Mrs B. K. Bishop	Mr Hockey	Dr Nelson	Mr Tuckey
Ms J. I. Bishop	Mrs Hull	Mr Neville	Mrs D. S. Vale
Mr Cadman	Mr Hunt	Ms Panopoulos	Mr Wakelin
Mr Cameron	Mr Johnson	Mr Pearce	Mr Williams
Mr Charles	Mr Jull	Mr Pyne	Ms Worth
Mr Ciobo	Mrs D. M. Kelly	Mr Ruddock	
Mr Cobb	Jackie Kelly	Mr Schultz	
Mr Dutton	Dr Kemp	Mr Secker	

NOES, 36

Mr Andren	Ms George	Mr Jenkins	Mr Price
Mr Bevis	Mr Gibbons	Mr Kerr	Mr Quick*
Mr Cox	Ms Grierson	Ms J. S. McFarlane	Mr Ripoll
Mrs Crosio	Mr Griffin	Mr McLeay	Ms Roxon
Mr Danby*	Ms Hall	Mr Melham	Mr Sidebottom
Ms Ellis	Mr Hatton	Mr Mossfield	Mr Snowden
Mr Emerson	Ms Hoare	Mr Murphy	Mr Tanner
Mr L. D. T. Ferguson	Mrs Irwin	Mr G. M. O'Connor	Mr K. J. Thomson
Mr Fitzgibbon	Ms Jackson	Mr Organ	Mr Wilkie

* Tellers

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

28 MEMBERS OF PARLIAMENT (LIFE GOLD PASS) BILL 2002—SENATE'S REQUEST

The order of the day having been read for the consideration of Message No. 131 from the Senate (*reported 22 October 2002, see page 517*)—

Power of House in respect of money bills—Statement by Speaker

Before the House considers message No. 131 from the Senate it is my duty as Speaker to draw the attention of the House to the constitutional question this message raises. When similar circumstances have arisen in the past successive Speakers have advised the House of the constitutional principles involved, and the House has invariably endorsed their statements.

The message purports to repeat the request for an amendment contained in message No. 121 which the House rejected at its sitting on 16 October 2002. The House of Representatives has never accepted that the Senate has a right to repeat and thereby press or insist on a request for an amendment in a bill which the Senate is not able to amend itself.

It is a matter of constitutional propriety between the Houses based on the provisions of sections 53 to 57 of the Constitution. Legal opinions supporting the argument that the Constitution does not empower the Senate to press a request have been advanced by Quick and Garran, who were intimately involved in the development of the Constitution, and by eminent constitutional lawyers, past and present. Respectfully, I agree with those opinions but do not propose to repeat the arguments which are summarised in House of Representatives Practice.

It rests with the House as to whether it will consider message No. 131 insofar as it purports to press the request that was contained in message No. 121.

Mr Abbott (Leader of the House) moved—That:

- (1) the House endorses the statement of the Speaker in relation to the constitutional questions raised by Message No. 131 transmitted by the Senate in relation to the Members of Parliament (Life Gold Pass) Bill 2002; and
- (2) the House refrains from the determination of its constitutional rights in respect of Senate message No. 131.

Mr Melham addressing the House—

Closure

Mr Abbott 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, 56

Mr Abbott	Mr Cobb	Mrs D. M. Kelly	Mr Schultz
Mr K. J. Andrews	Mr Dutton	Jackie Kelly	Mr Secker
Mr Anthony	Mrs Elson	Mr P. E. King	Mr Slipper
Fran Bailey	Mr Farmer	Mrs Ley	Mr Somlyay
Mr Baird	Mr Forrest*	Mr Lindsay	Dr Southcott
Mr Baldwin	Ms Gambaro	Mr Lloyd	Mr C. P. Thompson
Mr Bartlett	Mr Georgiou	Mr McArthur*	Mr Ticehurst
Mr Billson	Mr Hardgrave	Mrs May	Mr Tollner
Mrs B. K. Bishop	Mr Hartsuyker	Mrs Moylan	Mr Truss
Ms J. I. Bishop	Mr Hockey	Mr Nairn	Mr Tuckey
Mr Cadman	Mrs Hull	Dr Nelson	Mrs D. S. Vale
Mr Cameron	Mr Hunt	Mr Neville	Mr Wakelin
Mr Charles	Mr Johnson	Ms Panopoulos	Mr Williams
Mr Ciobo	Mr Jull	Mr Pyne	Ms Worth

NOES, 35

Mr Bevis	Ms Grierson	Dr Lawrence	Mr Quick*
Mr Cox	Mr Griffin	Ms J. S. McFarlane	Mr Ripoll
Mrs Crosio	Ms Hall	Mr McLeay	Ms Roxon
Mr Danby*	Mr Hatton	Mr Melham	Mr Sidebottom
Ms Ellis	Ms Hoare	Mr Mossfield	Mr Snowdon
Mr Emerson	Mrs Irwin	Mr Murphy	Mr Tanner
Mr L. D. T. Ferguson	Ms Jackson	Mr G. M. O'Connor	Mr K. J. Thomson
Mr Fitzgibbon	Mr Jenkins	Mr Organ	Mr Wilkie
Mr Gibbons	Mr Kerr	Mr Price	

* Tellers

And so it was resolved in the affirmative.

And the question—That the motion moved by the Leader of the House endorsing the statement of the Speaker be agreed to—was put accordingly, and passed.

Mr Abbott moved—That the requested amendment which the Senate has purported to press be not made.

Mr Snowdon rising to address the House—

Closure

Mr Abbott 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, 51

Mr Abbott	Mrs Elson	Mr P. E. King	Mr Secker
Mr Anthony	Mr Farmer	Mrs Ley	Mr Slipper
Fran Bailey	Mr Forrest*	Mr Lindsay	Mr Somlyay
Mr Baird	Ms Gambaro	Mr Lloyd	Dr Southcott
Mr Baldwin	Mr Hardgrave	Mr McArthur*	Mr C. P. Thompson
Mr Bartlett	Mr Hartsuyker	Mrs May	Mr Ticehurst
Mrs B. K. Bishop	Mr Hockey	Mrs Moylan	Mr Tollner
Ms J. I. Bishop	Mrs Hull	Mr Nairn	Mr Truss
Mr Cadman	Mr Hunt	Dr Nelson	Mrs D. S. Vale
Mr Cameron	Mr Johnson	Mr Neville	Mr Wakelin
Mr Ciobo	Mr Jull	Ms Panopoulos	Mr Williams
Mr Cobb	Mrs D. M. Kelly	Mr Pyne	Ms Worth
Mr Dutton	Jackie Kelly	Mr Schultz	

NOES, 36

Mr Bevis	Mr Gibbons	Mr Kerr	Mr Price
Mr Cox	Ms Grierson	Dr Lawrence	Mr Quick*
Mrs Crosio	Mr Griffin	Ms J. S. McFarlane	Mr Ripoll
Mr Danby*	Ms Hall	Mr McLeay	Ms Roxon
Ms Ellis	Mr Hatton	Mr Melham	Mr Sidebottom
Mr Emerson	Ms Hoare	Mr Mossfield	Mr Snowdon
Mr L. D. T. Ferguson	Mrs Irwin	Mr Murphy	Mr Tanner
Mr Fitzgibbon	Ms Jackson	Mr G. M. O'Connor	Mr K. J. Thomson
Ms George	Mr Jenkins	Mr Organ	Mr Wilkie

* Tellers

And so it was resolved in the affirmative.

And the question—That the requested amendment which the Senate has purported to press be not made—being accordingly put—

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

AYES, 51

Mr Abbott	Mrs Elson	Mr P. E. King	Mr Secker
Mr Anthony	Mr Farmer	Mrs Ley	Mr Slipper
Fran Bailey	Mr Forrest*	Mr Lindsay	Mr Somlyay
Mr Baird	Ms Gambaro	Mr Lloyd	Dr Southcott
Mr Baldwin	Mr Hardgrave	Mr McArthur*	Mr C. P. Thompson
Mr Bartlett	Mr Hartsuyker	Mrs May	Mr Ticehurst
Mrs B. K. Bishop	Mr Hockey	Mrs Moylan	Mr Tollner
Ms J. I. Bishop	Mrs Hull	Mr Nairn	Mr Truss
Mr Cadman	Mr Hunt	Dr Nelson	Mrs D. S. Vale
Mr Cameron	Mr Johnson	Mr Neville	Mr Wakelin
Mr Ciobo	Mr Jull	Ms Panopoulos	Mr Williams
Mr Cobb	Mrs D. M. Kelly	Mr Pyne	Ms Worth
Mr Dutton	Jackie Kelly	Mr Schultz	

NOES, 36

Mr Bevis	Mr Gibbons	Mr Kerr	Mr Price
Mr Cox	Ms Grierson	Dr Lawrence	Mr Quick*
Mrs Crosio	Mr Griffin	Ms J. S. McFarlane	Mr Ripoll
Mr Danby*	Ms Hall	Mr McLeay	Ms Roxon
Ms Ellis	Mr Hatton	Mr Melham	Mr Sidebottom
Mr Emerson	Ms Hoare	Mr Mossfield	Mr Snowdon
Mr L. D. T. Ferguson	Mrs Irwin	Mr Murphy	Mr Tanner
Mr Fitzgibbon	Ms Jackson	Mr G. M. O'Connor	Mr K. J. Thomson
Ms George	Mr Jenkins	Mr Organ	Mr Wilkie

* Tellers

And so it was resolved in the affirmative.

29 PUBLICATIONS COMMITTEE REPORT

Mrs D. M. Kelly presented the following paper:

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 23 October 2002, recommends that the following be printed:

Aboriginal and Torres Strait Islander Commission—Report for 2001-02.

Airservices Australia—Report for 2001-02.

Anindilyakwa Land Council—Report for 2001-02.

Attorney-General's Department—Report for 2001-02.

Australia New Zealand Food Authority—Report for 2001-02.

Australian Dairy Corporation—Report for 2001-02.

Australian Federal Police—Report for 2001-02.

Australian Government Solicitor—Report for 2001-02.

Australian Heritage Commission—Report for 2001-02.

Australian Institute of Aboriginal and Torres Strait Islander Studies—Report for 2001-02.

Australian Security Intelligence Organisation—Report for 2001-02.

Australian Sports Drug Agency—Report for 2001-02.

Australian Tourist Commission—Report for 2001-02.

Bankruptcy Act 1966—Inspector-General in Bankruptcy—Report for 2001-02 on the operation of the Act.

Bureau of Meteorology—Report for 2001-02.

Classification Board and Classification Review Board—Report for 2001-02.

Commissioner for Superannuation—Report for 2001-02, incorporating reports on the administration and operation of the *Papua New Guinea (Staffing Assistance) Act 1973* and the *Superannuation Act 1922*.

Commissioner of Taxation—Report for 2001-02.

Commonwealth Ombudsman and Defence Force Ombudsman—Reports for 2001-02, including a report pursuant to the *Complaints (Australian Federal Police) Act 1981*.

Commonwealth Scientific and Industrial Research Organisation (CSIRO)—Report for 2001-02.

CSS Board—Commonwealth Superannuation Scheme—Report for 2001-02.

Department of Defence—Report for 2001-02.

Defence Force Retirement and Death Benefits Authority—Report for 2001-02.

Department of Education, Science and Training —Report for 2001-02.

- Department of Employment and Workplace Relations—Report for 2001-02.
- Department of Finance and Administration—Report for 2001-02.
- Department of Health and Ageing—Report for 2001-02, including a report on the administration and operation of Therapeutic Goods Administration.
- Department of Immigration and Multicultural and Indigenous Affairs—Report for 2001-02, including reports pursuant to the *Immigration (Education) Act 1971* and the *Australian Citizenship Act 1948*.
- Department of Industry, Tourism and Resources—Report for 2001-02.
- Department of the Environment and Heritage—Report for 2001-02, including the report of the Supervising Scientist and reports on the operation of the *Environment Protection and Biodiversity Conservation Act 1999* the *Ozone Protection Act 1989*, the *Hazardous Waste (Regulation of Exports and Imports) Act 1989* and the *Protection of Movable Cultural Heritage Act 1986*.
- Department of the Parliamentary Library—Report for 2001-02.
- Department of the Parliamentary Reporting Staff—Report for 2001-02.
- Department of the Treasury—Report for 2001-02.
- Director of National Parks—Report for 2001-02.
- Employment Advocate—Report for 2001-02.
- Equal Opportunity for Women in the Workplace Agency—Report for 2001-02.
- Family Law Council—Report for 2001-02.
- Federal Court of Australia—Report for 2001-02.
- Federal Police Disciplinary Tribunal—Report for 2001-02.
- Financial Reporting Council and Australian Accounting Standards Board—Report for 2001-02.
- Health Insurance Commission—Report for 2001-02.
- High Court of Australia—Report for 2001-02.
- Housing Assistance Act 1996*—Report for 1999-2000 on the operation of the 1999 Commonwealth – State Housing Agreement.
- Human Rights and Equal Opportunity Commission—Report No. 21—Inquiry into a complaint by six asylum seekers concerning their transfer from immigration detention centres to State prisons and their detention in those prisons.
- Indigenous Business Australia—Report for 2001-02.
- Industrial Relations Court of Australia—Report for 2001-02.
- Joint House Department—Report for 2001-02.
- Military Superannuation and Benefits Board of Trustees—Report for 2001-02.
- National Capital Authority—Report for 2001-02.
- National Native Title Tribunal—Report for 2001-02.
- National Oceans Office—Report for 2001-02.
- National Standards Commission—Report for 2001-02.
- Northern Land Council—Report for 2001-02.
- Office of the Official Secretary to the Governor-General—Report for 2001-02.
- Parliamentary Service Commissioner—Report for 2001-02, including a report of the Parliamentary Service Merit Protection Commissioner.
- Private Health Insurance Administration Council—Report for 2001-02.
- Private Health Insurance Ombudsman—Report for 2001-02.
- Professional Services Review—Report for 2001-02.
- PSS Board—Public Sector Superannuation Scheme—Report for 2001-02.
- Refugee Review Tribunal—Report for 2001-02.
- Services Trust Funds—Reports for 2001-02 of the Australian Military Forces Relief Trust Fund, the Royal Australian Navy Relief Trust Fund and the Royal Australian Air Force Welfare Trust Fund.

Veterans' Review Board—Report for 2001-02.

Wet Tropics Management Authority—Report for 2001-02.

DON RANDALL

Chair

14 November 2002

30 ADJOURNMENT

Mr Abbott (Minister for Employment and Workplace Relations) moved—That the House do now adjourn.

Question—put.

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

AYES, 51

Mr Abbott	Mr Dutton	Jackie Kelly	Mr Schultz
Mr Anthony	Mrs Elson	Mr P. E. King	Mr Secker
Fran Bailey	Mr Farmer	Mrs Ley	Mr Slipper
Mr Baird	Mr Forrest*	Mr Lindsay	Mr Somlyay
Mr Baldwin	Ms Gambaro	Mr Lloyd	Dr Southcott
Mr Bartlett	Mr Hardgrave	Mr McArthur*	Mr C. P. Thompson
Mr Billson	Mr Hartsuyker	Mrs May	Mr Ticehurst
Mrs B. K. Bishop	Mr Hockey	Mrs Moylan	Mr Tollner
Ms J. I. Bishop	Mrs Hull	Mr Nairn	Mr Truss
Mr Cadman	Mr Hunt	Dr Nelson	Mrs D. S. Vale
Mr Cameron	Mr Johnson	Mr Neville	Mr Wakelin
Mr Ciobo	Mr Jull	Ms Panopoulos	Ms Worth
Mr Cobb	Mrs D. M. Kelly	Mr Pyne	

NOES, 32

Mr Bevis	Mr Gibbons	Mr Jenkins	Mr Price
Mr Cox	Ms Grierson	Mr Kerr	Mr Quick*
Mrs Crosio	Mr Griffin	Ms J. S. McFarlane	Mr Ripoll
Ms Ellis	Ms Hall	Mr McLeay	Ms Roxon
Mr Emerson	Mr Hatton	Mr Melham	Mr Sidebottom
Mr L. D. T. Ferguson	Ms Hoare	Mr Mossfield	Mr Snowden
Mr Fitzgibbon	Mrs Irwin*	Mr Murphy	Mr K. J. Thomson
Ms George	Ms Jackson	Mr G. M. O'Connor	Mr Wilkie

* Tellers

And so it was resolved in the affirmative.

And then the House, at 7.47 p.m., adjourned until Monday, 2 December 2002 at 12.30 p.m., in accordance with the resolution agreed to this sitting.

PAPERS

The following papers were deemed to have been presented on 14 November 2002:

Aboriginal and Torres Strait Islander Commission Act—Determination—2002 Aboriginal and Torres Strait Islander Commission (Misbehaviour).

Civil Aviation Act—Civil Aviation Regulations—
Amendment Order—2002 No. 15.

Exemptions—2002 Nos CASA EX20, CASA EX28, CASA EX33.

Instrument—2002 No. CASA 622.

National Health Act—Determination under paragraph (bj) of Schedule 1—2002 No. HSR 30.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Barresi, Mr Brereton*, Mr Causley*, Mrs Draper, Mr Edwards, Ms O'Byrne*, Mr Scott*, Mr M. A. J. Vaile, Ms Vamvakinou, Dr Washer and Mr Zahra.

* On leave

I. C. HARRIS
Clerk of the House of Representatives

2002

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 61

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 14 NOVEMBER 2002

1 The Main Committee met at 9.40 a.m.

2 MEMBERS' STATEMENTS

Members' statements were made.

3 WORKPLACE RELATIONS LEGISLATION AMENDMENT BILL 2002

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.

Consideration in detail

Bill, by leave, taken as a whole.

Paper

Mr Abbott (Minister for Employment and Workplace Relations) presented a supplementary explanatory memorandum to the Bill.

On the motion of Mr Abbott, by leave, Government amendments (1) to (5), were made together.

Bill, as amended, agreed to.

Consideration in detail concluded.

Question—That the Bill be reported to the House with amendments—put and passed.

4 EDUCATION AND TRAINING—STANDING COMMITTEE—MOTION TO TAKE NOTE OF PAPER

The order of the day having been read for the resumption of the debate on the motion of Mr Bartlett—That the House take note of the paper (*presented on 21 October 2002*), viz.:

Education and Training—Standing Committee—Report—Boys—Getting it right: The education of boys—

Debate resumed.

Mr Bartlett, 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

Mr Neville moved—That the Main Committee do now adjourn.

Debate ensued.

Question—put and passed.

At 1.48 p.m. the Acting Deputy Speaker adjourned the Main Committee.



B. C. WRIGHT
Clerk of the Main Committee