

2002-03

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 97

WEDNESDAY, 4 JUNE 2003

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- 1 The House met, at 9 a.m., pursuant to adjournment. The Speaker (the Honourable Neil Andrew) took the Chair, and read Prayers.
- 2 **MIGRATION LEGISLATION AMENDMENT (SPONSORSHIP MEASURES) BILL 2003**  
Mr Ruddock (Minister for Immigration and Multicultural and Indigenous Affairs), pursuant to notice, presented a Bill for an Act to amend the *Migration Act 1958*, and for related purposes.  
Bill read a first time.  
Mr Ruddock moved—That the Bill be now read a second time.  
*Paper*  
Mr Ruddock presented an explanatory memorandum to the Bill.  
Debate adjourned (Mr Cox), and the resumption of the debate made an order of the day for the next sitting.
- 3 **NATIONAL TRANSPORT COMMISSION BILL 2003**  
Mr Tuckey (Minister for Regional Services, Territories and Local Government), for Mr Anderson (Minister for Transport and Regional Services), pursuant to notice, presented a Bill for an Act to establish the National Transport Commission, and for related purposes.  
Bill read a first time.  
Mr Tuckey moved—That the Bill be now read a second time.  
*Paper*  
Mr Tuckey presented an explanatory memorandum to the Bill.  
Debate adjourned (Mr Cox), and the resumption of the debate made an order of the day for the next sitting.
- 4 **NATIONAL TRANSPORT COMMISSION (CONSEQUENTIAL AMENDMENTS AND TRANSITIONAL PROVISIONS) BILL 2003**  
Mr Tuckey (Minister for Regional Services, Territories and Local Government), for Mr Anderson (Minister for Transport and Regional Services), pursuant to notice, presented a Bill for an Act to repeal the *National Road Transport Commission Act 1991*, to deal with consequential and transitional matters arising from the repeal of that Act and the enactment of the *National Transport Commission Act 2003*, and for related purposes.  
Bill read a first time.  
Mr Tuckey moved—That the Bill be now read a second time.  
*Paper*  
Mr Tuckey presented an explanatory memorandum to the Bill.  
Debate adjourned (Mr Cox), and the resumption of the debate made an order of the day for the next sitting.

**5 HEALTH CARE (APPROPRIATION) AMENDMENT BILL 2003**

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 S. F. Smith, viz.*—That all words after “That” be omitted with a view to substituting the following words: “whilst not opposing the Bill, the House condemns the Government for its health policy failures, including:

- (a) the Howard Government’s withdrawal of \$918 million from public hospitals over the next four years;
- (b) the Howard Government’s unfair Medicare package which will result in bulk billing, in time, only being available to pensioners and concession card holders and families being left to pay more and more for their health care;
- (c) the Howard Government’s decision to increase the cost of essential medicines by up to 30%, hitting the sickest and the poorest hardest; and
- (d) the Howard Government’s refusal to review the \$2.3 billion private health insurance rebate to ensure that it provides value for money for consumers and taxpayers”—

Debate resumed.

*Paper*

Ms Worth (Parliamentary Secretary to the Minister for Health and Ageing), by leave, presented the following paper:

Preserving choice: A defence of public support for private health care funding in Australia—Report prepared by Harper Associates, April 2003.

Debate continued.

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

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

AYES, 77

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

## NOES, 60

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

\* Tellers

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.

*Message from the Governor-General*

Message No. 135, 13 May 2003, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the Bill.

Leave granted for third reading to be moved forthwith.

On the motion of Ms Worth, the Bill was read a third time.

## 6 TAXATION LAWS AMENDMENT (PERSONAL INCOME TAX REDUCTION) BILL 2003

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*

Ms Hall, by leave, presented the following papers:

Taxation—Graphs—

Personal income tax paid per worker, 1992-93 to 2002-03.

Personal income tax to GDP (%), 2000-01 to 2005-06.

Total income tax to GDP (%), 1969-70 to 2005-06.

Debate continued.

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.

## 7 QUESTIONS

Questions without notice being asked—

*Papers*

Mr Dutton, in accordance with standing order 321, having called for documents quoted from by Dr Nelson (Minister for Education, Science and Training)—

Dr Nelson presented the following papers:

Education Budget a dud—Beattie tries to hoodwink public—Copy of media release by Murray Briggs, Queensland Teachers' Union, 3 June 2003.

Education Funding—Ministerial Statement—Extract from Queensland Hansard, 5 December 2002.

Questions without notice continuing—

*Papers*

Mr Swan, in accordance with standing order 321, having called for documents quoted from by Mr Ruddock (Minister for Immigration and Multicultural and Indigenous Affairs)—

Mr Ruddock presented the following papers:

Extracts from House Hansard, 3 June 2003—

Immigration: Mr Dante Tan, p. 15178.

Liberal Party of Australia: Donations, p. 15176.

Questions without notice continued.

**8 PAPERS—MOTION TO TAKE NOTE OF PAPERS**

Mr Abbott (Leader of the House) presented the following papers:

Australian Land Transport Development Program—Progress report for 2001-02.

Australian Maritime College—Report for 2002.

and moved—That the House take note of the papers.

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

**9 AUDITOR-GENERAL'S REPORT**

The Speaker presented the following paper:

Auditor-General—Audit report No. 45 of 2002–2003—Business support process audit—Reporting of financial statements and audit reports in annual reports.

Ordered to be printed.

**10 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—NURSING HOME RESIDENTS**

The House was informed that Ms Ellis had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The failure of the Government to protect the frail and elderly residents of nursing homes”.

The proposed discussion having received the necessary support—

Ms Ellis addressed the House.

Discussion ensued.

*Member ordered to withdraw*

At 4.17 p.m. the Member for Batman (Mr M. J. Ferguson) 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.

Discussion continued.

Discussion concluded.

**11 TAXATION LAWS AMENDMENT (PERSONAL INCOME TAX REDUCTION) BILL 2003**

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 Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the Bill was read a third time.

**12 HEALTH LEGISLATION AMENDMENT (MEDICARE AND PRIVATE HEALTH INSURANCE) BILL 2003**

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 S. F. Smith who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words:

“the House rejects this Bill and the Government’s so-called “A Fairer Medicare” package for the following reasons:

- (1) it will create a two tiered user-pays health system under which Australian families will pay more for a visit to the doctor;
- (2) it will lead in time to Medicare becoming a second-class safety net in which bulk billing is only available for pensioners and concession card holders;
- (3) it will make it easier for those doctors who currently bulk bill Australian families to start charging them co-payments for the first time, and those doctors who are currently private billing to increase their fees;

and commends Labor’s plan to save Medicare and restore bulk billing for Australian families”.

Debate continued.

Mr Billson 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 SELECTION COMMITTEE—AMENDED REPORT

Mr Causley (Chair) presented the following paper:

Selection Committee—Amended report relating to the program of private Members’ business on Monday, 16 June 2003—

and, Mr Lloyd (Chief Government Whip), by leave, moved—That the report be adopted in lieu of the report presented on 3 June 2003.

Question—put and passed.

### 14 TERRORISM INSURANCE BILL 2003—SENATE’S AMENDMENTS

The order of the day having been read for the consideration of the amendments made by the Senate—

On the motion of Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), the amendments were disagreed to, after debate.

Mr Slipper presented reasons, which were circulated, and are as follows:

*Reasons of the House of Representatives for disagreeing to the amendments of the Senate*

*Senate Amendment 1*

Amendment 1 to the Bill imposes a requirement that the 3-yearly review reports on the continued need for the Act be tabled in both Houses of Parliament within 10 sitting days of the Minister receiving the report.

The House of Representatives rejects this amendment. It contains too prescriptive an approach for reports which could, for example, contain commercially sensitive material. Absent such material, it is proposed that the reports will, as a matter of course, be made public. There is therefore no need to take such a rigid approach.

*Senate Amendment 2*

Amendment 2 inserts an amendment to the *Trade Practices Act 1974* to give the ACCC powers to prevent price exploitation by insurers following the implementation of the terrorism insurance scheme.

The House of Representatives rejects this amendment.

Formal prices surveillance and controls should only be considered if competitive pressures are insufficient to ensure efficient prices and protect consumers. The general insurance industry in Australia does not exhibit monopoly characteristics. The ACCC pointed out in the second *Insurance Industry Market Pricing Review*, released in September 2002, that while the top 10 insurance companies write 71 per cent of business, no market participant has significant market power.

The terrorism insurance scheme does not give insurers increased scope to exploit policyholders. The premium charged by the Australian Reinsurance Pool Corporation (ARPC) for terrorism reinsurance will be a percentage of the existing underlying property insurance premium. As such, if an insurer that purchases terrorism insurance from the ARPC lifts its premium by a greater amount than other insurers, then the policyholder would have a strong incentive to shop around. In the March quarter 2003, 43 insurers were providing insurance for Fire and Industrial Special Risks for commercial property in Australia.

Prices surveillance imposes additional costs on industry and administrative costs on governments, which in turn are passed on to consumers and taxpayers.

On the motion of Mr Slipper, the reasons were adopted.

**15 HEALTH LEGISLATION AMENDMENT (MEDICARE AND PRIVATE HEALTH INSURANCE) BILL 2003**

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 S. F. Smith (see item No. 12, page 938)*—

Debate having been resumed by Mr Billson—

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**16 ADJOURNMENT**

It being 7.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 8 p.m.—The Speaker adjourned the House until tomorrow at 9 a.m.

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**PAPERS**

The following papers were deemed to have been presented on 4 June 2003:

Customs Act, Air Navigation Act, Charter of the United Nations Act and Migration Act—Regulations—Statutory Rules 2003 No. 97.

Health Insurance Act—Regulations—Statutory Rules 2003 No. 98.

National Environment Protection Council Act—National Environment Protection Measure—Ambient air quality—Variation for particles as PM<sub>2.5</sub>.

Natural Heritage Trust Act—Bilateral agreements to deliver the natural heritage trust extension between the Commonwealth of Australia and—

The Australian Capital Territory.

The State of South Australia.

The State of Victoria.

The State of Western Australia.

Primary Industries Levies and Charges Collection Act, National Residue Survey (Customs) Levy Act and National Residue Survey (Excise) Levy Act—Regulations—Statutory Rules 2003 No. 99.

Renewable Energy (Electricity) Act—Regulations—Statutory Rules 2003 No. 96.

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**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr I. E. Macfarlane\* and Mr M. A. J. Vaile.

\* On leave

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**I. C. HARRIS**

Clerk of the House of Representatives

2002-03

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

No. 97

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

WEDNESDAY, 4 JUNE 2003

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1 Due to a division having been called in the House, the Main Committee met at 9.50 a.m.

**2 MEMBERS' STATEMENTS**

Members' statements were made.

**3 APPROPRIATION BILL (NO. 1) 2003-2004**

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 McMullan, 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 the Government for:

- (1) its obsession with shifting the cost of health and education from the budget to Australian families;
- (2) imposing higher costs of doctors' visits on families without concession cards and a 30 per cent hike in essential medicine prices;
- (3) allowing HECS fees to rise by 30%, introducing a loan scheme with a 6% interest rate and doubling the number of places reserved for full fee paying students;
- (4) its cynical attempt to distract the public from these higher costs by offering miserly tax cuts of \$4 a week for the average family;
- (5) its failure to address the complexity of superannuation and its determination to offer super cuts only to the wealthiest families;
- (6) its willingness to deliver tax cuts to corporate Australia while imposing a record tax burden on Australian families;
- (7) its failure to protect the superannuation savings of Australian families by protecting them from corporate greed;
- (8) its decision to hire yet more tax officials rather than take steps to ease the BAS compliance burden on small business; and
- (9) its failure to provide leadership on environmental issues and in particular its failure to address water reform”—

Debate resumed. \_\_\_\_\_

*Suspension of sitting*

At 1.30 p.m., the Deputy Speaker left the Chair.

*Resumption of sitting*

At 4 p.m., the Deputy Speaker resumed the Chair. \_\_\_\_\_

Debate continued.

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

4 **ADJOURNMENT**

On the motion of Mrs Elson, the Main Committee adjourned at 7.21 p.m.

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



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