

2002-03-04

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 146

THURSDAY, 12 FEBRUARY 2004

1 The House met, at 9 a.m., pursuant to adjournment. The Speaker (the Honourable Neil Andrew) took the Chair, and read Prayers.

2 **PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—PROPOSED FITOUT OF NEW LEASED PREMISES FOR DEPARTMENT OF HEALTH AND AGEING AT SCARBOROUGH HOUSE, WODEN TOWN CENTRE, ACT**

Mr Slipper (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Proposed fitout of new leased premises for Department of Health and Ageing at Scarborough House, Woden Town Centre, ACT.

Question—put and passed.

3 **WORKPLACE RELATIONS AMENDMENT (SIMPLIFYING AGREEMENT-MAKING) 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 by Mr Emerson who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “the House declines to give the Bill a second reading and condemns the Government for:

- (1) systematically weakening the capacity of working Australians to bargain collectively;
- (2) pursuing a legislative framework that is hostile to trade unions being able to represent their members effectively;
- (3) refusing to require the parties to bargain in good faith;
- (4) creating an environment wherein working Australians are forced to accept Australian Workplace Agreements, allowing employers to set conditions of employment below the minimum award conditions; and
- (5) weakening the capacity of the Australian Industrial Relations Commission to settle disputes where the parties cannot reach agreement”.

Debate continued.

Amendment negatived.

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

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

## AYES, 77

Mr Abbott	Mrs Draper	Jackie Kelly	Mr Schultz
Mr Anderson	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 I. E. Macfarlane	Mr C. P. Thompson
Mr Bartlett	Mrs Gash	Mr McGauran	Mr Ticehurst
Mr Billson	Mr Georgiou	Mrs May	Mr Tollner
Mrs B. K. Bishop	Mr Haase	Mrs Moylan	Mr Truss
Ms J. I. Bishop	Mr Hardgrave	Mr Nairn	Mr Tuckey
Mr Cadman	Mr Hartsuyker	Dr Nelson	Mrs D. S. Vale
Mr Cameron	Mr Hawker	Mr Neville	Dr Washer
Mr Causley	Mr Hockey	Ms Panopoulos	Mr Williams
Mr Charles	Mrs Hull	Mr Pearce	Mr Windsor
Mr Ciobo	Mr Hunt	Mr Prosser	Ms Worth
Mr Cobb	Mr Johnson	Mr Pyne	
Mr Costello	Mr Jull	Mr Randall	
Mr Downer	Mrs D. M. Kelly	Mr Ruddock	

## NOES, 64

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

\* Tellers

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

*Consideration in detail*

Bill, by leave, taken as a whole.

*Paper*

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

On the motion of Mr K. J. Andrews, by leave, Government amendments (1) to (19) were made together.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Mr K. J. Andrews, by leave, the Bill was read a third time.

**4 POSTAL SERVICES LEGISLATION 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—

Debate resumed by Ms O’Byrne who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “whilst not denying the Bill a second reading, the House expresses its concern with respect to:

- (1) the Government’s on-going agenda to deregulate Australia Post’s services, which threatens Australia Post’s longer term ability to provide all Australians with basic postal services, as evidenced by the proposals to legitimise the business practices of document exchanges and aggregation services in this Bill;
- (2) the Government’s proposal to transfer the monitoring role of Australia Post’s services from the independent Auditor-General to the Australian Communications Authority; and
- (3) the Government’s failure thus far to implement a Postal Industry Ombudsman scheme as promised at the last election”.

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.

**5 QUESTIONS**

Questions without notice being asked—

*Paper*

Mr K. J. Andrews (Minister for Employment and Workplace Relations) presented the following paper:  
Political courage beats Labor scab lifting—Copy of article by Alan Wood, *The Australian*, 15 December 1998.

Questions without notice continuing—

*Papers*

Mr Anderson (Minister for Transport and Regional Services) presented the following papers:

Land surrounding Canberra International Airport—Copies of letter from—

Jon Stanhope, Chief Minister, ACT Legislative Assembly, to Mr Anderson, Deputy Prime Minister and Minister for Transport and Regional Services, 11 November 2003.

Mr Anderson, Deputy Prime Minister and Minister for Transport and Regional Services, to Jon Stanhope, Chief Minister, ACT Legislative Assembly, 19 January 2004.

Questions without notice continued.

**6 AUDITOR-GENERAL’S REPORT**

The Speaker presented the following paper:

Auditor-General—Audit report No. 28 of 2003–2004—Audit activity report: July to December 2003—Summary of outcomes.

Ordered to be printed.

**7 PAPER**

The following paper was presented:

Treaties—Joint Standing Committee—45th Report—The Statute of the International Criminal Court—Government response.

**8 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—WORK AND FAMILY POLICIES**

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 Government’s failure to address the growing pressures on families or reform its own flawed work and family policies”.

The proposed discussion having received the necessary support—

Mr Swan addressed the House.

*Member ordered to withdraw*

At 3.32 p.m. the Member for Brisbane (Mr Bevis) 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 ensued.

*Paper*

Mr Anthony (Minister for Children and Youth Affairs) presented the following paper:

Internet extracts from <http://www.swanmp.org> dated 12 February 2004—

About Lilley electorate.

Welcoming the babies.

Your community.

Discussion continued.

Discussion concluded.

**9 MESSAGES FROM THE SENATE**

Messages from the Senate, 12 February 2004, were reported returning the following Bills without amendment:

Message—

No. 409—Primary Industries (Excise) Levies Amendment (Wine Grapes) 2003.

No. 410—National Residue Survey Customs Levy Rate Correction (Lamb Exports) 2003.

No. 411—National Residue Survey Excise Levy Rate Correction (Lamb Transactions) 2003.

**10 POSTAL SERVICES LEGISLATION 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 Ms O'Byrne (see item No. 4, page 1425)*—

Debate having been resumed by Mr Organ—

---

**11 ADJOURNMENT**

It being 4.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 5 p.m.—The Speaker adjourned the House until Monday next at 12.30 p.m.

---

**PAPERS**

The following papers were deemed to have been presented on 12 February 2004:

Aboriginal and Torres Strait Islander Commission Act—Statement under subsection 40(3), 11 February 2004.

Defence Act—Determinations under section 58B—2004 Nos 4, 5.

Lands Acquisition Act—

Statement under section 125(5), February 2004.

Statement under subsection 40(3), February 2004.

---

**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr G. M. O'Connor and Mr M. A. J. Vaile.



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

2002-03-04

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

No. 146

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

THURSDAY, 12 FEBRUARY 2004

---

1 The Main Committee met at 9.40 a.m.

2 **MEMBERS' STATEMENTS**

Members' statements were made.

3 **SPEAKER'S ANNOUNCEMENT ON THE DEATHS OF FORMER MEMBERS—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 Abbott (Leader of the House)—That the House take note of the paper (*presented on 10 February 2004*), viz.:

Speaker's announcement on the deaths of former Members—

Debate resumed.

---

*Suspension of sitting*

At 10.48 a.m., a division having been called in the House, the proceedings were suspended.

*Resumption of sitting*

At 11 a.m., the proceedings were resumed.

---

Debate continued.

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

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

4 **FAMILY AND COMMUNITY AFFAIRS—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 11 February 2004*), viz.:

Family and Community Affairs—Standing Committee—Report—*Every picture tells a story*: Report on the inquiry into child custody arrangements in the event of family separation, December 2003—

Debate resumed.

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

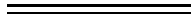
5 **ADJOURNMENT**

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

Debate ensued.

Question—put and passed.

At 1.04 p.m. the Deputy Speaker adjourned the Main Committee until Wednesday 18 February 2004, at 9.40 a.m.



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