

HOUSE OF REPRESENTATIVES

SELECTION COMMITTEE

REPORT No. 21

Private Members' business

24 May 2011

MEMBERS OF THE COMMITTEE

Chair	Mr H A Jenkins MP, Speaker
Members	Mr A P Bandt MP
	Mr M M Coulton MP, Nationals Whip
	Hon J L Fitzgibbon MP, Chief Government Whip
	Ms J G Hall MP
	Mr C P Hayes MP
	Hon P M Ruddock MP
	Ms N B Marino MP
	Mr R J M Oakeshott MP
	Ms J A Saffin MP
	Mr P D Secker MP

Secretary	Ms C Surtees
Committee support	Mr J Rees
	Mr D Pecar
	Ms K Brett

Report relating to the consideration of committee and delegation business and of private Members' business

1. The committee met in private session on Tuesday, 24 May 2011.
2. The committee determined the order of precedence and times to be allotted for consideration of private Members' business on Monday 30 May 2011, as follows:

Items for House of Representatives Chamber (10.10 am to 12 noon)

PRIVATE MEMBERS' BUSINESS

Notices

1 **MR BANDT:** To move—That this House:

- (1) condemns the Gillard Government's deal with Malaysia that would see 800 asylum seekers intercepted in Australian waters and sent to Malaysia; and
- (2) calls on the Government to immediately abandon this proposal. (*Notice given 12 May 2011*)

Time allotted — 30 minutes.

Speech time limits —

Mr Bandt — 5 minutes.

Other Members — 5 minutes each.

[Minimum number of proposed Members speaking
= 6 x 5 mins]

*The Committee determined that consideration
of this matter should continue on a future day.*

2 **MR MORRISON:** To move—That:

- (1) a Select Committee on The Crisis in Australia's Immigration Detention Network be appointed to inquire into and report on:
 - (a) the riots and disturbances in detention facilities on Christmas Island commencing 12 March 2011, and Villawood from 19 April, 2011, in particular:
 - (i) the nature and circumstances of these events;
 - (ii) the nature and adequacy of the response of Commonwealth agencies to the events;

- (iii) any warning, briefings or advice that had been provided to the Government by agencies and individuals in the lead up to, during and after the events and the nature and adequacy of the response to such information;
 - (iv) the adequacy of security protocols, procedures and resources to mitigate the escalation of tension and conflict in the detention network;
 - (v) the extent and cost of the damage to facilities as a result of the events; and
 - (vi) any other matter deemed relevant by the Committee to understand why these events occurred; and
- (b) the performance and management of Commonwealth agencies and/or their agents or contractors in discharging their responsibilities associated with the interception, detention and processing of irregular maritime arrivals or other persons;
 - (c) the health, safety and wellbeing of employees of Commonwealth agencies and/or their agents or contractors in performing their duties relating to the interception, detention and processing of irregular maritime arrivals or other persons;
 - (d) the health, safety and wellbeing of persons detained within the detention network;
 - (e) the level, adequacy and effectiveness of reporting incidents and the response to incidents within the immigration detention network, including relevant policies, procedures, authorities and protocols;
 - (f) compliance with the Government's immigration detention values within the detention network;
 - (g) any issues relating to interaction with States and Territories regarding the interception, detention and processing of irregular maritime arrivals or other persons;
 - (h) the management of good order and public order with respect to the immigration detention network;
 - (i) the standards and adequacy of facilities and services and access to these facilities and services provided to detainees within the detention network;
 - (j) the total costs of managing and maintaining the immigration detention network and processing irregular maritime arrivals and other detainees;
 - (k) the expansion of the immigration detention network, including the cost and process adopted to establish new facilities;
 - (l) the length of time detainees have been held in the detention network, the reasons for their length of stay and the impact on the detention network;
 - (m) processes for assessment of protection claims made by irregular maritime arrivals and other persons and the impact on the detention network;
 - (n) the management of minors within the detention network, in particular children aged under 13;
 - (o) impact of existing and prospective Government policies with respect to irregular maritime arrivals and other persons detained within the detention network; and

- (p) the implications of the matters considered by the Committee for the management of Australia's immigration detention network;
- (2) the Committee consist of 10 members, 4 Members to be nominated by the Government Whip or Whips, 4 Members to be nominated by the Opposition Whip or Whips, and two non-aligned Members;
- (3) every nomination of a member of the Committee be notified in writing to the Speaker of the House of Representatives;
- (4) the members of the Committee hold office as a select committee until presentation of the Committee's report or the House of Representatives is dissolved or expires by effluxion of time, whichever is the earlier;
- (5) the Committee elect a Government or a non-Government member as chair at its first meeting;
- (6) the Committee elect a member as its deputy chair who shall act as chair of the Committee at any time when the chair is not present at a meeting of the Committee, and at any time when the chair and deputy chair are not present at a meeting of the Committee the members present shall elect another member to act as chair at that meeting;
- (7) in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote;
- (8) 3 members of the Committee constitute a quorum of the Committee provided that in a deliberative meeting the quorum shall include 1 Government member and 1 non-Government member;
- (9) the Committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine;
- (10) the Committee appoint the chair of each subcommittee who shall have a casting vote only and at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting;
- (11) 2 members of a subcommittee constitute the quorum of that subcommittee;
- (12) members of the Committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum;
- (13) the Committee or any subcommittee have power to call for witnesses to attend and for documents to be produced;
- (14) the Committee or any subcommittee may conduct proceedings at any place it sees fit;
- (15) the Committee or any subcommittee have power to adjourn from time to time and to sit during any adjournment of the House of Representatives;
- (16) the Committee may report from time to time but that it present its final report no later than 7 October 2011; and

- (17) the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders. (*Notice given 24 May 2011.*)

Time allotted — 40 minutes.

Speech time limits —

Mr Morrison — 10 minutes.

Next Member — 10 minutes.

Other Members — 5 minutes each.

[Minimum number of proposed Members speaking
= 2 x 10 mins + 4 x 5 mins]

*The Committee determined that consideration
of this matter should continue on a future day.*

3 MR NEUMANN: To move—That this House:

- (1) recognises that:
- (a) there are about three million Australians who still smoke; and
 - (b) tobacco is a lethal product, killing around 15 000 Australians every year; and
- (2) calls on all Members and political parties to immediately stop accepting political donations from tobacco companies. (*Notice given 23 May 2011.*)

*Time allotted — remaining private Members’
business time prior to 12 noon.*

Speech time limits —

Mr Neumann — 5 minutes.

Other Members — 5 minutes each.

[Minimum number of proposed Members speaking
= 8 x 5 mins]

*The Committee determined that consideration
of this matter should continue on a future day.*

Items for House of Representatives Chamber (8 to 9.30 pm)

PRIVATE MEMBERS' BUSINESS

Notices

4 **MR PYNE:** To move—That this House:

- (1) notes that the Government has:
 - (a) admitted there is a problem with the criteria for independent youth allowance for inner regional students;
 - (b) committed to bringing forward its review of the matter with the broad purpose of finding a permanent solution to address the disadvantages that currently exist for rural and regional students in qualifying for financial assistance; and
 - (c) indicated it will remove the difference between the inner regional areas and the other regional zones for the eligibility criteria for independent youth allowance; and
- (2) calls on the Government to bring forward its timetable for resolving the matter, and in particular ensure that:
 - (a) the review is completed and funds to pay for the measure are secured by 1 July 2011;
 - (b) the current eligibility criteria for independent youth allowance for persons whose homes are located in Outer Regional Australia, Remote Australia, and Very Remote Australia according to the Remoteness Structure defined in subsection 1067A(10F) of the *Social Security Act 1991* also apply to those with homes in Inner Regional Australia from 1 July 2011; and
 - (c) all students who had a gap year in 2010 (ie, 2009 Year 12 school leavers) and who meet the relevant criteria qualify for the payment. (*Notice given 22 March 2011.*)

Time allotted — 50 minutes.

Speech time limits —

Mr Pyne — 10 minutes.

Next Member — 10 minutes.

Other Members — 5 minutes each.

[Minimum number of proposed Members speaking
= 2 x 10 mins + 6 x 5 mins]

*The Committee determined that consideration
of this matter should continue on a future day.*

5 **MR MELHAM:** To move—That this House:

- (1) notes the release on 28 March 2011 of an Amnesty International report entitled *Death Sentences and Executions 2010* and that:
 - (a) over the last 10 years, 31 countries have abolished the death sentence in practice or in law; and

- (b) in December 2010:
 - (i) the United Nations General Assembly adopted its third resolution on a moratorium on the use of the death penalty; and
 - (ii) 23 countries had carried out executions in 2010 compared to 19 countries in 2009; and
- (2) recommits to its bi-partisan condemnation of the death penalty across the world. (*Notice given 23 May 2011.*)

Time allotted — remaining private Members' business time prior to 9.30 pm.

Speech time limits —

Mr Melham — 5 minutes.

Other Members — 5 minutes each.

[Minimum number of proposed Members speaking = 8 x 5 mins]

The Committee determined that consideration of this matter should continue on a future day.

Items for Main Committee (approx 11 am to approx 1.30 pm)

PRIVATE MEMBERS' BUSINESS

Notices

1 MR HAYES: To move—That this House:

- (1) notes that:
 - (a) for more than 2000 years religious groups such as Assyrians, Mandaeans, Chaldeans, Syriacs and other Aramaic speakers have called Iraq home;
 - (b) in 2003, Australia was part of the 'coalition of the willing' that invaded Iraq in the belief that Iraq harboured weapons of mass destruction;
 - (c) since 2003 there have been horrendous acts of persecution against these religious minorities in Iraq, including murders, bombings and extortion; and
 - (d) the Catholic Church reports that one million Christians have fled Iraq since the 2003 invasion; and
- (2) recognises that:
 - (a) thousands of people are sheltering in Syria, Egypt, Jordan and the northern regions of Iraq because they feel they cannot return to their homes for fear of death and persecution;
 - (b) due to our part in the 'coalition of the willing', Australia has a moral responsibility to deal compassionately with these displaced people; and
 - (c) it will be a damning critique on humanity and the Coalition forces, who have vowed to protect the people of Iraq, if religious groups with such a significant

historical link to the region are forced out at the hands of terrorists. (*Notice given 8 February 2011.*)

Time allotted — 40 minutes.

Speech time limits —

Mr Hayes — 10 minutes.

Other Members — 10 minutes each.

[Minimum number of proposed Members speaking
= 4 x 10 mins]

*The Committee determined that consideration
of this matter should continue on a future day.*

2 MRS GRIGGS: To move—That this House:

(1) notes:

- (a) that Darwin is currently experiencing the worst housing crisis since Cyclone Tracy, and the Minister for Defence Science and Personnel, the Member for Lingiari, supports the plans to demolish or remove the houses in Eaton; and
- (b) the significant adverse impact the demolition or removal of 396 defence houses at Eaton will have on the local community, local school and local businesses; and

(2) calls on the Government to:

- (a) excise the Darwin suburb of Eaton from RAAF Base Darwin;
- (b) hand over the 396 houses managed by the Department of Defence in the Darwin suburb of Eaton, to the Defence Housing Authority (DHA); and
- (c) direct DHA as a matter of priority, to develop and implement a business plan that would determine the percentage of the 396 houses in Eaton that could be made available for lease or sale to the local community in order to help address the critical housing shortage. (*Notice given 10 May 2011.*)

Time allotted — 20 minutes.

Speech time limits —

Mrs Griggs — 5 minutes.

Other Members — 5 minutes each.

[Minimum number of proposed Members speaking
= 4 x 5 mins]

*The Committee determined that consideration
of this matter should continue on a future day.*

3 MRS MARKUS: To move—That this House:

- (1) notes that in the 2010 Federal Election, the Coalition, Australian Labor Party and Australian Greens committed to establishing the Greater Western Sydney Corridor

- but the Australian Government has failed to act to protect Cumberland Plain Woodland and endangered flora and fauna species; and
- (2) calls on the Australian Government to implement the Coalition's policy to protect Western Sydney's Cumberland Plain Woodland and endangered flora and fauna species, and:
- (a) establish the Greater Western Sydney Conservation Corridor linking nature reserves and identified priority lands within the Greater Western Sydney Region, as an environmental legacy for future generations;
 - (b) establish a joint State-Federal Consultative Committee to consider information with regard to the establishment of the Greater Western Sydney Conservation Corridor;
 - (c) consult and work with the NSW Government on strategies to acquire identified 'priority conservation sites' for the Conservation Corridor, utilising funds held within the NSW Growth Centres Conservation Fund for that purpose;
 - (d) identify private land that links areas of the proposed Corridor and work towards a mutually beneficial outcome with private land holders; and
 - (e) consult with the NSW Government on the feasibility of a comprehensive audit of the Greater Western Sydney bushland region to identify conservation values that will include listings of threatened and or endangered species. (*Notice given 22 March 2011.*)

Time allotted — 20 minutes.

Speech time limits —

Mrs Markus — 5 minutes.

Other Members — 5 minutes each.

[Minimum number of proposed Members speaking
= 4 x 5 mins]

*The Committee determined that consideration
of this matter should continue on a future day.*

4 MS PARKE: To move—That this House:

- (1) notes that:
- (a) Australia's oceans are the most diverse on earth but less than 1 per cent of the South-West, North-West, North, Coral Sea and East marine regions are currently protected;
 - (b) the Australian coastal lifestyles and our coastal economies are dependent on the good health of our oceans;
 - (c) evidence from marine sanctuaries around the world, including in Australia, New Zealand, Canada and the United States, has shown that fish populations and fish size dramatically increase inside sanctuaries and in the nearby fished areas;
 - (d) the marine and environmental science is clear, and in 2008, 900 scientists from the Australian Marine Scientists Association reached a consensus that the creation of networks of large marine sanctuaries will:

- (i) protect ocean life, including threatened species and critical habitats;
 - (ii) recover the abundance of ocean life within and beyond sanctuary boundaries, fostering more and bigger fish;
 - (iii) increase the resilience of ocean life to climate change; and
 - (iv) underpin the future of commercial and recreational fisheries and the sustainability of coastal economies; and
 - (e) through international agreement under the Convention on Biological Diversity, Australia has committed to establishing networks of marine reserves in its oceans by the end of 2012;
- (2) welcomes the fact that:
- (a) during 2011 the Australian Government will be finalising marine bioregional marine plans for the South-West, North-West, North and East marine regions (including the Coral Sea) in keeping with the commitment to a national marine conservation scheme first agreed to at the Council of Australian Governments in 1998;
 - (b) each marine bioregional plan will include a proposed network of Commonwealth marine reserves that will include sanctuary zones; and
 - (c) 2011 is the year of delivery for the world-class protection of the world's richest marine environments; and
- (3) calls upon the Australian Government to further consider:
- (a) establishing networks of large marine sanctuaries in each of the marine regions currently under investigation in the marine bioregional planning process; and
 - (b) providing sufficient funding for the transition of commercial fishing activities displaced by the establishment of marine sanctuaries. (*Notice given 22 March 2011.*)

Time allotted — 40 minutes.

Speech time limits —

Ms Parke — 10 minutes.

Next Member — 10 minutes.

Other Members — 5 minutes each.

[Minimum number of proposed Members speaking
= 2 x 10 mins + 4 x 5 mins]

*The Committee determined that consideration
of this matter should continue on a future day.*

5 MRS MOYLAN: To move—That this House:

- (1) recognises the provision of affordable medicines through the Pharmaceutical Benefits Scheme (PBS) is central to Australia's health system;
- (2) acknowledges that since its inception, the PBS is an uncapped program;
- (3) agrees that evaluations of pharmaceuticals for listing under the PBS should be transparent, evidence based, and not subject to capricious political interference;
- (4) notes that:

- (a) before recommending medicines for listing on the PBS, the Pharmaceutical Benefits Advisory Committee (PBAC) conducts a rigorous evaluation to determine the comparative clinical and cost effectiveness of the proposed medicine;
 - (b) the three tiers of major applications for PBS listings are designed to promote an efficient Government approval process; and
 - (c) positive recommendations by the PBAC have nearly always been approved by the Minister for Health;
- (5) deplores the Government's new policy that:
- (a) despite positive recommendations by the PBAC, all applications for listing will be further scrutinised by Cabinet;
 - (b) listing of medicines can be deferred indefinitely;
 - (c) no new PBS listings will occur unless offset savings are found; and
 - (d) until the budget returns to surplus, these measures will remain in place;
- (6) recognises that:
- (a) in scrutinising applications, the PBAC already determines value for money; and
 - (b) under the Government's new policy, access to medicines will be limited and medications which could improve the treatment of chronic or common conditions will remain financially unaffordable for many Australians; and
- (7) condemns the Government for prioritising a return to surplus above the wellbeing of Australians. (*Notice given 10 May 2011.*)

Time allotted — remaining private Members' business time prior to 1.30 pm

Speech time limits —

Mrs Moylan — 10 minutes.

Next Member — 10 minutes.

Other Members — 5 minutes each.

[Minimum number of proposed Members speaking
= 2 x 10 mins + 2 x 5 mins]

The Committee determined that consideration of this matter should continue on a future day.

Items for Main Committee (approx 6.30 to 9 pm)

PRIVATE MEMBERS' BUSINESS

6 MR CHRISTENSEN: To move—That this House:

- (1) recognises the one-hundredth anniversary of the sinking of SS Yongala;
- (2) notes that:
 - (a) the SS Yongala sank in a cyclone on 23 March 1911 on a voyage from Mackay to Townsville;

- (b) the SS Yongala was lost 12 nautical miles off Alva in the Burdekin; and
- (c) 122 passengers lost their lives as a result of the ship's sinking; and
- (3) extends its thoughts and sympathies, at this time of memorial, to the living descendants of those who perished with the sinking of the SS Yongala. (*Notice given 21 March 2011.*)

Time allotted — 20 minutes.

Speech time limits —

Mr Christensen — 5 minutes.

Other Members — 5 minutes each.

[Minimum number of proposed Members speaking
= 4 x 5 mins]

*The Committee determined that consideration
of this matter should continue on a future day.*

7 MS A. E. BURKE: To move—That this House:

- (1) notes that:
 - (a) Thursday 26 May marks World Multiple Sclerosis Day; and
 - (b) around the world, World Multiple Sclerosis Day in 2011 is being given the theme of employment to acknowledge that staying at work is a key concern for people diagnosed with multiple sclerosis;
- (2) recognises that:
 - (a) multiple sclerosis is most frequently diagnosed in people aged between 20 and 40 years, at a stage in life when these people are building their careers and their families;
 - (b) the Australian Multiple Sclerosis Longitudinal Study reported that 80 per cent of people with multiple sclerosis lose their employment within 10 years of diagnosis;
 - (c) like many chronic diseases, multiple sclerosis is costly, and enabling people with multiple sclerosis to stay in work not only builds their confidence and self-esteem but helps to meet the costs that come with managing a lifelong disease; and
 - (d) with the ageing of the population, people with chronic diseases such as multiple sclerosis will increasingly feature in Australian workplaces, requiring enhanced management and support of these employees; and
- (3) commits itself to:
 - (a) ensuring that the labour market and welfare system continue to provide assistance to people with multiple sclerosis in supporting them to both obtain and retain employment; and

- (b) encouraging employers to incorporate greater flexibility in workplaces to enable people with multiple sclerosis and their carers to fulfil their productive capacity. (*Notice given 23 May 2011.*)

Time allotted — 30 minutes.

Speech time limits —

Ms A. E. Burke — 5 minutes.

Other Members — 5 minutes each.

[Minimum number of proposed Members speaking
= 6 x 5 mins]

*The Committee determined that consideration
of this matter should continue on a future day.*

8 MR CHESTER: To move—That this House:

(1) notes that:

- (a) 2011 marks the fortieth anniversary of the Ramsar Convention and the establishment of a list of wetlands of international importance; and
(b) the existence of 64 Ramsar-listed sites in Australia covering 8.1 million hectares; and

(2) highlights the:

- (a) social, economic, environmental and cultural importance of conserving wetlands through wise use and management; and
(b) need for ongoing Commonwealth funding to other agencies, including volunteer organisations, which play an important role in educational initiatives and practical environmental projects to protect and enhance Australia's wetlands. (*Notice given 24 May 2011.*)

Time allotted — 30 minutes.

Speech time limits —

Mr Chester — 5 minutes.

Other Members — 5 minutes each.

[Minimum number of proposed Members speaking
= 6 x 5 mins]

*The Committee determined that consideration
of this matter should continue on a future day.*

9 MR L. D. T. FERGUSON: To move—That this House:

(1) notes:

- (a) there has been a long running armed conflict in the Philippines;
(b) both the new President Benigno Aquino III and the National Democratic Front of the Philippines have expressed the desire to resume the peace negotiations

between the two parties which began in 1992 and were suspended in 2005; and

- (c) the Royal Norwegian Government is the third party facilitator of these peace negotiations and it is actively supporting the resumption of the peace negotiations; and
- (2) welcomes the re-commencement of the formal peace negotiations between the Government of the Republic of the Philippines and the National Democratic Front of the Philippines from February 15-21 this year; and
- (3) encourages both parties in their efforts to resolve the conflict, and expresses a sincere wish for their success. (*Notice given 22 March 2011.*)

Time allotted — 20 minutes.

Speech time limits —

Mr L. D. T. Ferguson — 5 minutes.

Other Members — 5 minutes each.

[Minimum number of proposed Members speaking
= 4 x 5 mins]

*The Committee determined that consideration
of this matter should continue on a future day.*

10 MR HUNT: To move—That this House:

- (1) expresses:
 - (a) its condolences to the family of Australian citizen Mr Greg McNicol who was shot while helping to transform a run-down apartment block into a family building in Detroit;
 - (b) its gratitude to the City and Police Department of Detroit for the speed with which they have apprehended the alleged killer, and urge that the investigation is continued until such time as police are certain that no other parties were complicit; and
 - (c) our great respect for the people of America and in particular those engaged in the great renaissance of Detroit; and
- (2) respectfully call on the Mayor and City of Detroit to create a public park in the vacant land adjacent to where Mr McNicol was both working and lost his life, with an appropriate recognition of Mr McNicol's vision for a better local community. (*Notice given 24 May 2011.*)

Time allotted — 20 minutes.

Speech time limits —

Mr Hunt — 10 minutes.

Other Member — 10 minutes.

[Minimum number of proposed Members speaking
= 2 x 10 mins]

*The Committee determined that consideration
of this matter should continue on a future day.*

11 DR LEIGH: To move—That this House:

- (1) recognises:
 - (a) Australians are keen to have better access to information about government performance;
 - (b) more transparent public services have been shown to perform at higher levels; and
 - (c) greater access to information helps Australians make the best choices; and
- (2) commends the Australian Government on the creation of the MySchool, MyHospitals and MyChild websites. (*Notice given 23 February 2011.*)

Time allotted — remaining private Members' business time prior to 9 pm

Speech time limits —

Dr Leigh — 5 minutes.

Other Members — 5 minutes each.

[Minimum number of proposed Members speaking = 6 x 5 mins]

The Committee determined that consideration of this matter should continue on a future day.

3. The committee recommends that the following items of private Members' business listed on the notice paper be voted on:

Orders of the Day—

Centenary of the choice of the Griffin design for the national capital (Mr K J Andrews)
Home Insulation Program (Commission of Inquiry) Bill 2011 (Mr Hunt)
Indexation of Military Pensions (Mr Robert)
Israel (Ms J Bishop)
Science Curriculum (Mr Pyne)

Harry Jenkins MP
Chair

24 May 2011