

2004-05

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 72

TUESDAY, 29 NOVEMBER 2005

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

2 QUESTIONS

Questions without notice being asked—

Documents

Mr Costello (Treasurer) presented the following documents:

Mr Robert Gerard—

Copy of letter from Michael Carmody, Commissioner of Taxation, 3 March 2003.

Declaration of Interests, 26 February 2003.

Questions without notice continuing—

Document

Mr Costello (Treasurer) presented the following document:

Tax Havens— Question on Notice—Extract from House Hansard, 17 August 1989.

Questions without notice continuing—

Suspension of standing and sessional orders moved

Mr Swan moved—That so much of standing and sessional orders be suspended as would prevent the Treasurer from being required to provide this House with a full and proper explanation of:

- (a) his communications with Mr Robert Gerard prior to Mr Gerard's appointment to the Board of the Reserve Bank of Australia; and
- (b) his knowledge of Mr Robert Gerard's dispute with the Australian Taxation Office prior to Mr Gerard's appointment to the Board of the Reserve Bank of Australia.

Debate ensued.

The time allowed by standing order 1 for debate on the motion having expired—

Question—put.

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

AYES, 59

Mr Adams	Ms A. L. Ellis	Ms Hoare	Ms Plibersek
Mr Albanese	Ms K. M. Ellis	Mrs Irwin	Mr Price
Mr Andren	Mr Emerson	Mr Jenkins	Mr Quick
Mr Beazley	Mr L. D. T. Ferguson	Mr Kerr	Mr Ripoll
Mr Bevis	Mr Fitzgibbon	Ms C. King	Ms Roxon
Ms Bird	Mr Garrett	Dr Lawrence	Mr Rudd
Mr Bowen	Mr Georganas	Ms Livermore	Mr Sawford
Ms A. E. Burke	Ms George	Mr McClelland	Mr S. F. Smith
Mr A. S. Burke	Mr Gibbons	Ms Macklin	Mr Snowdon
Mr Byrne	Ms Gillard	Mr McMullan	Mr Swan
Ms Corcoran	Ms Grierson	Mr Melham	Mr Tanner
Mr Crean	Mr Griffin	Mr Murphy	Mr K. J. Thomson
Mr Danby*	Ms Hall*	Mr B. P. O'Connor	Ms Vamvakinou
Mr Edwards	Mr Hatton	Mr G. M. O'Connor	Mr Wilkie
Mrs Elliot	Mr Hayes	Ms Owens	

NOES, 83

Mr Abbott	Mr Entsch	Jackie Kelly	Mr Ruddock
Mr Andrews	Mr Farmer	Mr Laming	Mr Schultz
Fran Bailey	Mr Fawcett	Mrs Ley	Mr Scott
Mr Baird	Mr M. D. Ferguson	Mr Lindsay	Mr Secker
Mr Baker	Mr Forrest*	Mr Lloyd	Mr Slipper
Mr Baldwin	Ms Gambaro	Mr McArthur*	Mr A. D. H. Smith
Mr Barresi	Mrs Gash	Mr Macfarlane	Mr Somlyay
Mr Bartlett	Mr Georgiou	Mr McGauran	Dr Stone
Mr Billson	Mr Haase	Mrs Markus	Mr C. P. Thompson
Mrs B. K. Bishop	Mr Hardgrave	Mrs May	Mr Ticehurst
Ms J. Bishop	Mr Hartsuyker	Mrs Moylan	Mr Tollner
Mr Broadbent	Mr Henry	Mr Nairn	Mr Truss
Mr Brough	Mr Hockey	Dr Nelson	Mr Tuckey
Mr Cadman	Mr Howard	Mr Neville	Mr Turnbull
Mr Causley	Mrs Hull	Ms Panopoulos	Mr M. A. J. Vaile
Mr Ciobo	Mr Hunt	Mr Pearce	Mrs D. S. Vale
Mr Cobb	Dr Jensen	Mr Prosser	Mr Vasta
Mr Costello	Mr Johnson	Mr Pyne	Mr Wakelin
Mr Downer	Mr Jull	Mr Randall	Dr Washer
Mrs Draper	Mr Keenan	Mr Richardson	Mr Wood
Mrs Elson	Mrs D. M. Kelly	Mr Robb	

* Tellers

And so it was negatived.

Questions without notice concluded.

3 DOCUMENT

Pursuant to section 65 of the *Parliamentary Service Act 1999*, the Speaker presented the following document:

Department of Parliamentary Services—Report for 2004-2005.

4 AUDITOR-GENERAL'S REPORTS

The Speaker presented the following documents:

Auditor-General—Audit reports of 2005–2006—Performance audits—

No. 15—Administration of the R & D Start Program: Department of Industry, Tourism and Resources; Industry Research and Development Board.

No. 16—The management and processing of leave.

No. 17—Administration of the Superannuation Lost Members Register: Australian Taxation Office.

Mr Lloyd (Minister for Local Government, Territories and Roads) moved—That the documents be made Parliamentary Papers.

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 Hawker, in the Chair)—

AYES, 83

Mr Abbott	Mr Entsch	Jackie Kelly	Mr Ruddock
Mr Anderson	Mr Farmer	Mr Laming	Mr Schultz
Mr Andrews	Mr Fawcett	Mrs Ley	Mr Scott
Fran Bailey	Mr M. D. Ferguson	Mr Lindsay	Mr Secker
Mr Baird	Mr Forrest*	Mr Lloyd	Mr Slipper
Mr Baker	Ms Gambaro	Mr McArthur*	Mr A. D. H. Smith
Mr Baldwin	Mrs Gash	Mr Macfarlane	Mr Somlyay
Mr Barresi	Mr Georgiou	Mr McGauran	Dr Stone
Mr Bartlett	Mr Haase	Mrs Markus	Mr C. P. Thompson
Mr Billson	Mr Hardgrave	Mrs May	Mr Ticehurst
Mrs B. K. Bishop	Mr Hartsuyker	Mrs Moylan	Mr Tollner
Ms J. Bishop	Mr Henry	Mr Nairn	Mr Truss
Mr Broadbent	Mr Hockey	Dr Nelson	Mr Tuckey
Mr Brough	Mrs Hull	Mr Neville	Mr Turnbull
Mr Cadman	Mr Hunt	Ms Panopoulos	Mr M. A. J. Vaile
Mr Causley	Dr Jensen	Mr Pearce	Mrs D. S. Vale
Mr Ciobo	Mr Johnson	Mr Prosser	Mr Vasta
Mr Cobb	Mr Jull	Mr Pyne	Mr Wakelin
Mr Costello	Mr Katter	Mr Randall	Dr Washer
Mrs Draper	Mr Keenan	Mr Richardson	Mr Wood
Mrs Elson	Mrs D. M. Kelly	Mr Robb	

NOES, 57

Mr Adams	Ms K. M. Ellis	Mrs Irwin	Mr Price
Mr Albanese	Mr Emerson	Mr Jenkins	Mr Quick
Mr Andren	Mr L. D. T. Ferguson	Mr Kerr	Mr Ripoll
Mr Beazley	Mr Fitzgibbon	Ms C. King	Ms Roxon
Mr Bevis	Mr Garrett	Dr Lawrence	Mr Sawford
Ms Bird	Mr Georganas	Ms Livermore	Mr S. F. Smith
Ms A. E. Burke	Ms George	Mr McClelland	Mr Snowdon
Mr A. S. Burke	Mr Gibbons	Ms Macklin	Mr Swan
Mr Byrne	Ms Gillard	Mr McMullan	Mr Tanner
Ms Corcoran	Ms Grierson	Mr Melham	Mr K. J. Thomson
Mr Crean	Mr Griffin	Mr Murphy	Ms Vamvakinou
Mr Danby*	Ms Hall*	Mr B. P. O'Connor	Mr Wilkie
Mr Edwards	Mr Hatton	Mr G. M. O'Connor	
Mrs Elliot	Mr Hayes	Ms Owens	
Ms A. L. Ellis	Ms Hoare	Ms Plibersek	

* Tellers

And so it was resolved in the affirmative.

And the question—That the reports be made Parliamentary Papers—was put accordingly, and passed.

5 DOCUMENTS

The following documents were presented:

Administrative Appeals Tribunal—Report for 2004-05.

Anglo-Australian Telescope Board—Report for 2004-05.

Australia-China Council—Report for 2004-05.

Australian Bureau of Statistics—Census of Population and Housing: Nature and content—Australia 2006—Information paper.

Australian Sports Commission—Report for 2004-05.

Australian Transaction Reports and Analysis Centre (AUSTRAC)—Report for 2004-05.

Dairy Adjustment Authority—Report for 2004-05.

Department of Defence—Report for 2004-05.

Equal Opportunity for Women in the Workplace Agency—Report for 2004-05.

Indigenous Business Australia—Report for 2004-05.

Industry Research and Development Board—Report for 2004-05.

Maritime Industry Finance Company Limited—Report for 2004-05.

Migration Agents Registration Authority—Report for 2004-05.

National Institute of Clinical Studies Limited—Report for 2004-05.

Office of the Official Secretary to the Governor-General—Report for 2004-05.

Official Establishments Trust—Report for 2004-05.

Private Health Insurance Ombudsman—Report for 2004-05.

Treaties—

Bilateral—Text, together with national interest analysis and annexures—

Agreement between the Government of Australia and the Government of the Hong Kong Special Administrative Region of the People's Republic of China concerning transfer of sentenced persons, done at Hong Kong on 25 November 2005.

Agreement between the Government of Australia and the Government of the Republic of Turkey for the Promotion and Protection of Investments, done at Canberra on 16 June 2005.

Multilateral—Text, together with national interest analysis and annexures—

Amendments, adopted at Punta del Este on 6 May 2005, to add a new Annex (Annex G) to the Stockholm Convention on Persistent Organic Pollutants (POPs), done at Stockholm on 22 May 2001.

Amendments, adopted on 30 June 2005, to the Statute of the Hague Conference on Private International Law of 31 October 1951.

Appendix 1: World Anti-Doping Convention and Addendum to Appendix 2 to the United Nations Educational, Scientific and Cultural Organization International Convention Against Doping in Sport, done at Paris on 19 October 2005.

Universal Postal Union: Seventh Additional Protocol to the Constitution of 10 July 1964, as amended; Convention, and Final Protocol; General regulations, done at Bucharest on 5 October 2004.

Wet Tropics Management Authority—Report for 2004-05.

6 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS

Mr Abbott (Leader of the House) moved—That the House take note of the following documents:

Department of Defence—Report for 2004-05.

Equal Opportunity for Women in the Workplace Agency—Report for 2004-05.

Indigenous Business Australia—Report for 2004-05.

Private Health Insurance Ombudsman—Report for 2004-05.

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

7 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—CLIMATE CHANGE

The House was informed that Mr Albanese had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The threat posed to Australia’s environment and economy by dangerous climate change”.

The proposed discussion having received the necessary support—

Mr Albanese addressed the House.

Discussion ensued.

Discussion concluded.

8 MESSAGE FROM THE SENATE

Message No. 227, 28 November 2005, from the Senate was reported informing the House that Senator Campbell had been discharged from attendance on the Joint Standing Committee on Foreign Affairs, Defence and Trade, and Senator Crossin had been appointed a member of the committee.

9 SELECTION COMMITTEE—REPORT

Mr Causley (Chair) presented the following document:

Selection Committee—Report relating to the consideration of committee and delegation reports and private Members’ business on Monday, 5 December 2005.

10 BILLS REFERRED TO MAIN COMMITTEE

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

Defence Legislation Amendment (No. 2) 2005;

European Bank for Reconstruction and Development Amendment 2005;

Census Information Legislation Amendment 2005; and

Anglo-Australian Telescope Agreement Amendment 2005.

Question—put and passed.

11 AMENDMENT TO NOTICE OF MOTION

Mr Cobb (Minister for Citizenship and Multicultural Affairs), by leave, moved—That the notice relating to the Anti-Terrorism Bill (No. 2) 2005 be amended by omitting 7 p.m. and substituting 8 p.m.

Question—put and passed.

12 SUSPENSION OF STANDING AND SESSIONAL ORDERS—CONSIDERATION OF ANTI-TERRORISM BILL (NO. 2) 2005

Mr Cobb (Minister for Citizenship and Multicultural Affairs), for Mr Abbott (Leader of the House), pursuant to notice, as amended, moved—That, in relation to proceedings on the Anti-Terrorism Bill (No. 2) 2005, so much of the standing and sessional orders be suspended to enable:

(1) at the conclusion of the second reading debate or at 8 p.m. on Tuesday 29 November 2005, whichever is the earlier, a Minister to be called to sum up the second reading debate without delay and thereafter the following occurring:

(a) the immediate question before the House to be put, then any question or questions necessary to complete the second reading stage of the bill to be put;

(b) the bill then to be taken as a whole during consideration in detail for a period not exceeding 60 minutes, immediately after which the question then before the House to be put, then the putting without amendment or debate of any question or questions necessary to complete the consideration of the bill; and

(2) any variation to this arrangement to be made only by a Minister moving a motion without notice.

Question—put and passed.

13 ANTI-TERRORISM BILL (NO. 2) 2005

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 Beazley (Leader of the*

Opposition), 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:

- (1) notes that securing the community from terrorism and ensuring our citizens live in freedom from fear is among the highest and most fundamental tasks of government;
- (2) condemns the Howard Government’s failure to take necessary and practical measures to adequately protect Australians from terrorist threats, in particular, its failure to:
 - (a) ensure aviation security as detailed in the recent report of Sir John Wheeler including:
 - (i) the x-ray examination of 100% of international checked baggage;
 - (ii) the upgrading of security at regional airports;
 - (iii) providing effective and coordinated security at Australian airports; and
 - (iv) ensuring the effective and accurate operation of Aviation Security Identity Cards;
 - (b) provide adequate maritime security including:
 - (i) allowing 90% of containers to transit ports without being x-rayed;
 - (ii) failing to enforce requirements that all inbound vessels identify their crew and cargo 48 hours before arriving in port; and
 - (iii) providing single voyage permits for foreign flagged ships of convenience to carry explosives and dangerous substances around the Australian coastline and into our ports;
 - (c) ensure security on our mass transit systems especially urban rail systems;
 - (d) provide a single co-ordinated response to terrorism through a Homeland Security Department;
 - (e) meet the international Financial Action Task Force’s 9 Special Recommendations on Terrorist Financing and the 40 general recommendations on Money Laundering—leaving Australia unprepared to deal with the estimated AUD \$2-3 billion laundered annually through the Australian economy by criminals and possibly terrorists;
 - (f) adequately secure Australia’s increasingly porous borders; and
 - (g) establish a Coastguard to properly protect our maritime approaches particularly in the north and north-west of Australia;
- (3) notes that:
 - (a) tough anti-terrorist laws need to be matched with strong safeguards;
 - (b) the struggle to defeat terrorism does not require us to surrender the basic rights and freedoms of the democratic and free society that we enjoy in Australia;
 - (c) the requirement for effective safeguards is highlighted by the Howard Government’s record of incompetence in immigration detention, which has led to the wrongful detention of at least 220 people; and
 - (d) the counter-terrorist financing measures contained within this bill are a mere fraction of the measures required to bring Australia into compliance with the global standard;
- (4) condemns the heavy handed and arrogant tactics originally adopted by the Howard Government in planning to introduce this bill into the Parliament and have it debated immediately on Melbourne Cup day and also seeking to have Senate Committee scrutiny limited to just one day;
- (5) calls on the Government to:
 - (a) introduce legislation to establish a permanent independent oversight agency for the Australian Federal Police to oversight the operations of the AFP without delay;
 - (b) provide increased resources for the Inspector General of Intelligence and Security to enable improved scrutiny of the expanding intelligence community;
 - (c) expand the role of the Joint Standing Committee on Intelligence Services to include oversight of those aspects of the AFP associated with anti-terrorism activities and further adopt the recommendations of that Committee made last year in relation to the Committee’s access to classified material;
 - (d) automatically refer all proposed laws relating to intelligence services or counter terrorism to the Standing Committee on Intelligence Services for report to both Houses of Parliament;

- (e) recognise that a key safeguard against terrorism is the maintenance of a coherent and harmonious multicultural community and therefore:
 - (i) adopt Labor’s plan to criminalise incitement to violence on racial or religious grounds by separate legislation; and
 - (ii) ensure the teaching of respect for Australian values in all schools;
 - (f) report to the Parliament on the question of constitutionality of the measures contained in the bill;
 - (g) report to the Parliament on whether the proposed laws are consistent with Australia’s obligations under international law;
 - (h) ensure that fair commentary, artistic expression and criticism is not restricted by this bill;
 - (i) ensure that peaceful industrial, political and artistic protest is not restricted by this bill;
 - (j) excise schedule 7 on sedition and refer the sedition laws of Australia to an independent public review for consideration and recommendation to the Parliament prior to introducing amendments to the Parliament; and
 - (k) expedite the stalled Counter-Terrorist Financing and Anti-Money Laundering legislation, first promised by the Howard Government in December 2003 and yet to be brought before the Parliament;
- (6) calls on the Government to seek agreement with the States and Territories to alter the bill to give effect to the following:
- (a) require the Attorney-General to report to Parliament on the use of control orders, preventative detention orders and prohibited contact orders every three months, to ensure sufficient parliamentary scrutiny as is the case in the UK;
 - (b) require the court to hear a control order confirmation hearing as soon as reasonably practicable after the interim hearing;
 - (c) permit a person held subject to a preventative detention order to inform an immediate family member about their detention in similar terms to that applying in the bill to a person under 18 years, subject to any prohibited contact order that may have been made (ie, a specific decision that that family member should not be informed for security reasons);
 - (d) subject the provisions of the Anti-Terrorism Acts (No.1) and (No.2) to a five year sunset clause, not the proposed ten years (noting that the ASIO 2002 Act is subject to a three year sunset clause and similar UK laws are subject to an effective one year sunset clause);
 - (e) subject the provisions of the Anti-Terrorism Acts (No 1) and (No 2) to a review after two and one half years, by a committee as is required by section 4 of the Security Legislation Amendment (Terrorism) Act 2002;
 - (f) establish a Federal Public Interest Monitor with similar powers and functions as the Queensland office; and
 - (g) define an issuing court for the purposes of control orders to be the Federal Court; and
- (7) urges the Senate committee to look closely at the issues outlined above as well as:
- (a) the breadth and reach of the provisions relating to advocacy of terrorism and financing of terrorism; and
 - (b) any retrospective effect of the bill”—

Debate resumed.

Document

Mr Garrett, by leave, presented the following document:

Anti-Terrorism Bill 2005, sedition and creative and artistic expression—Opinion—Provided by Peter Gray SC, Blackstone Chambers, Sydney, 28 October 2005.

Debate continued.

It being 8 p.m., in accordance with the resolution agreed to earlier this day, the debate was interrupted and Mr Ruddock (Attorney-General) summed up the second reading debate.

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

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

AYES, 78

Mr Abbott	Mr Farmer	Jackie Kelly	Mr Schultz
Mr Anderson	Mr Fawcett	Mr Laming	Mr Scott
Mr Andrews	Mr M. D. Ferguson	Mrs Ley	Mr Secker
Fran Bailey	Mr Forrest*	Mr Lindsay	Mr Slipper
Mr Baird	Ms Gambaro	Mr Lloyd	Mr A. D. H. Smith
Mr Baker	Mrs Gash	Mr McArthur*	Mr Somlyay
Mr Baldwin	Mr Georgiou	Mr McGauran	Dr Stone
Mr Barresi	Mr Haase	Mrs Markus	Mr C. P. Thompson
Mr Bartlett	Mr Hardgrave	Mrs May	Mr Ticehurst
Mr Billson	Mr Hartsuyker	Mrs Moylan	Mr Tollner
Mrs B. K. Bishop	Mr Henry	Mr Nairn	Mr Truss
Ms J. Bishop	Mr Hockey	Dr Nelson	Mr Turnbull
Mr Broadbent	Mrs Hull	Mr Neville	Mr M. A. J. Vaile
Mr Brough	Mr Hunt	Ms Panopoulos	Mrs D. S. Vale
Mr Cadman	Dr Jensen	Mr Prosser	Mr Vasta
Mr Causley	Mr Johnson	Mr Pyne	Mr Wakelin
Mr Ciobo	Mr Jull	Mr Randall	Dr Washer
Mr Cobb	Mr Katter	Mr Richardson	Mr Wood
Mrs Elson	Mr Keenan	Mr Robb	
Mr Entsch	Mrs D. M. Kelly	Mr Ruddock	

NOES, 55

Mr Adams	Mr Emerson	Ms Hoare	Ms Plibersek
Mr Beazley	Mr L. D. T. Ferguson	Mrs Irwin	Mr Price
Mr Bevis	Mr M. J. Ferguson	Mr Jenkins	Mr Quick
Ms Bird	Mr Fitzgibbon	Mr Kerr	Mr Ripoll
Mr Bowen	Mr Garrett	Ms C. King	Ms Roxon
Ms A. E. Burke	Mr Georganas	Ms Livermore	Mr Rudd
Mr Byrne	Ms George	Mr McClelland	Mr Sawford
Ms Corcoran	Mr Gibbons	Ms Macklin	Mr S. F. Smith
Mr Crean	Ms Gillard	Mr McMullan	Mr Snowdon
Mr Danby*	Ms Grierson	Mr Melham	Mr Swan
Mr Edwards	Mr Griffin	Mr Murphy	Mr Tanner
Mrs Elliot	Ms Hall*	Mr B. P. O'Connor	Mr K. J. Thomson
Ms A. L. Ellis	Mr Hatton	Mr G. M. O'Connor	Ms Vamvakinou
Ms K. M. Ellis	Mr Hayes	Ms Owens	

* 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.

Consideration in detail

Bill, by leave, taken as a whole.

Ordered—That questions not be put on Opposition amendments until after the House has completed its consideration of all the proposed amendments.

Mr Bevis moved Opposition amendment (1).

Mr Bevis moved Opposition amendment (2).

Mr Bevis moved Opposition amendment (3).

Debate continued.

Document

Mr Snowdon, by leave, presented the following document:

Sea Ranger patrols—Copy of letter from Ian Munro, Chief Executive Officer, Bawinanga Aboriginal Corporation, Maningrida, Northern Territory, to Senator the Hon. Ian Macdonald, Minister for

Fisheries, Forestry and Conservation, and Senator the Hon. Chris Ellison, Minister for Justice and Customs, 7 November 2005.

Debate continued.

Adjournment negated

It being past 9 p.m.—The question was proposed—That the House do now adjourn.

Mr Ruddock requiring the question to be put immediately without debate—

Question—put and negated.

Debate continued.

In accordance with the resolution agreed to earlier this day, the time for consideration in detail having expired—Question—That amendment (1) be agreed to—put.

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

AYES, 58

Mr Adams	Mr Emerson	Mrs Irwin	Mr Quick
Mr Andren	Mr L. D. T. Ferguson	Mr Jenkins	Mr Ripoll
Mr Beazley	Mr M. J. Ferguson	Mr Kerr	Ms Roxon
Mr Bevis	Mr Fitzgibbon	Ms C. King	Mr Rudd
Ms Bird	Mr Garrett	Ms Livermore	Mr Sawford
Mr Bowen	Mr Georganas	Mr McClelland	Mr S. F. Smith
Mr A. S. Burke	Ms George	Ms Macklin	Mr Snowdon
Mr Byrne	Mr Gibbons	Mr McMullan	Mr Swan
Ms Corcoran	Ms Gillard	Mr Melham	Mr Tanner
Mr Crean	Ms Grierson	Mr Murphy	Mr K. J. Thomson
Mr Danby*	Mr Griffin	Mr B. P. O'Connor	Ms Vamvakinou
Mr Edwards	Ms Hall*	Mr G. M. O'Connor	Mr Wilkie
Mrs Elliot	Mr Hatton	Ms Owens	Mr Windsor
Ms A. L. Ellis	Mr Hayes	Ms Plibersek	
Ms K. M. Ellis	Ms Hoare	Mr Price	

NOES, 79

Mr Abbott	Mr Farmer	Jackie Kelly	Mr Ruddock
Mr Anderson	Mr Fawcett	Mr Laming	Mr Schultz
Mr Andrews	Mr M. D. Ferguson	Mrs Ley	Mr Scott
Fran Bailey	Mr Forrest*	Mr Lindsay	Mr Secker
Mr Baird	Ms Gambaro	Mr Lloyd	Mr Slipper
Mr Baker	Mrs Gash	Mr McArthur*	Mr A. D. H. Smith
Mr Baldwin	Mr Georgiou	Mr McGauran	Mr Somlyay
Mr Barresi	Mr Haase	Mrs Markus	Dr Stone
Mr Bartlett	Mr Hardgrave	Mrs May	Mr C. P. Thompson
Mr Billson	Mr Hartsuyker	Mrs Moylan	Mr Ticehurst
Mrs B. K. Bishop	Mr Henry	Mr Nairn	Mr Tollner
Ms J. Bishop	Mr Hockey	Dr Nelson	Mr Truss
Mr Broadbent	Mrs Hull	Mr Neville	Mr Tuckey
Mr Brough	Mr Hunt	Ms Panopoulos	Mr Turnbull
Mr Cadman	Dr Jensen	Mr Pearce	Mrs D. S. Vale
Mr Causley	Mr Johnson	Mr Prosser	Mr Vasta
Mr Ciobo	Mr Jull	Mr Pyne	Mr Wakelin
Mr Cobb	Mr Katter	Mr Randall	Dr Washer
Mrs Elson	Mr Keenan	Mr Richardson	Mr Wood
Mr Entsch	Mrs D. M. Kelly	Mr Robb	

* Tellers

And so it was negatived.

Question—That amendment (2) be agreed to—put.

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

AYES, 57

Mr Adams	Mr Emerson	Mrs Irwin	Mr Quick
Mr Andren	Mr L. D. T. Ferguson	Mr Jenkins	Mr Ripoll
Mr Beazley	Mr M. J. Ferguson	Mr Kerr	Ms Roxon
Mr Bevis	Mr Fitzgibbon	Ms C. King	Mr Rudd
Ms Bird	Mr Garrett	Ms Livermore	Mr Sawford
Mr Bowen	Mr Georganas	Mr McClelland	Mr S. F. Smith
Mr A. S. Burke	Ms George	Ms Macklin	Mr Snowdon
Mr Byrne	Mr Gibbons	Mr McMullan	Mr Swan
Ms Corcoran	Ms Gillard	Mr Melham	Mr Tanner
Mr Crean	Ms Grierson	Mr Murphy	Mr K. J. Thomson
Mr Danby*	Mr Griffin	Mr B. P. O'Connor	Ms Vamvakinou
Mr Edwards	Ms Hall*	Mr G. M. O'Connor	Mr Wilkie
Mrs Elliot	Mr Hatton	Ms Owens	
Ms A. L. Ellis	Mr Hayes	Ms Plibersek	
Ms K. M. Ellis	Ms Hoare	Mr Price	

NOES, 79

Mr Abbott	Mr Farmer	Jackie Kelly	Mr Ruddock
Mr Anderson	Mr Fawcett	Mr Laming	Mr Schultz
Mr Andrews	Mr M. D. Ferguson	Mrs Ley	Mr Scott
Fran Bailey	Mr Forrest*	Mr Lindsay	Mr Secker
Mr Baird	Ms Gambaro	Mr Lloyd	Mr Slipper
Mr Baker	Mrs Gash	Mr McArthur*	Mr A. D. H. Smith
Mr Baldwin	Mr Georgiou	Mr McGauran	Mr Somlyay
Mr Barresi	Mr Haase	Mrs Markus	Dr Stone
Mr Bartlett	Mr Hardgrave	Mrs May	Mr C. P. Thompson
Mr Billson	Mr Hartsuyker	Mrs Moylan	Mr Ticehurst
Mrs B. K. Bishop	Mr Henry	Mr Nairn	Mr Tollner
Ms J. Bishop	Mr Hockey	Dr Nelson	Mr Truss
Mr Broadbent	Mrs Hull	Mr Neville	Mr Tuckey
Mr Brough	Mr Hunt	Ms Panopoulos	Mr Turnbull
Mr Cadman	Dr Jensen	Mr Pearce	Mrs D. S. Vale
Mr Causley	Mr Johnson	Mr Prosser	Mr Vasta
Mr Ciobo	Mr Jull	Mr Pyne	Mr Wakelin
Mr Cobb	Mr Katter	Mr Randall	Dr Washer
Mrs Elson	Mr Keenan	Mr Richardson	Mr Wood
Mr Entsch	Mrs D. M. Kelly	Mr Robb	

* Tellers

And so it was negatived.

Question—That amendment (3) be agreed to—put.

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

AYES, 57

Mr Adams	Mr Emerson	Mrs Irwin	Mr Quick
Mr Andren	Mr L. D. T. Ferguson	Mr Jenkins	Mr Ripoll
Mr Beazley	Mr M. J. Ferguson	Mr Kerr	Ms Roxon
Mr Bevis	Mr Fitzgibbon	Ms C. King	Mr Rudd
Ms Bird	Mr Garrett	Ms Livermore	Mr Sawford
Mr Bowen	Mr Georganas	Mr McClelland	Mr S. F. Smith
Mr A. S. Burke	Ms George	Ms Macklin	Mr Snowdon
Mr Byrne	Mr Gibbons	Mr McMullan	Mr Swan
Ms Corcoran	Ms Gillard	Mr Melham	Mr Tanner
Mr Crean	Ms Grierson	Mr Murphy	Mr K. J. Thomson
Mr Danby*	Mr Griffin	Mr B. P. O'Connor	Ms Vamvakinou
Mr Edwards	Ms Hall*	Mr G. M. O'Connor	Mr Wilkie
Mrs Elliot	Mr Hatton	Ms Owens	
Ms A. L. Ellis	Mr Hayes	Ms Plibersek	
Ms K. M. Ellis	Ms Hoare	Mr Price	

NOES, 79

Mr Abbott	Mr Farmer	Jackie Kelly	Mr Ruddock
Mr Anderson	Mr Fawcett	Mr Laming	Mr Schultz
Mr Andrews	Mr M. D. Ferguson	Mrs Ley	Mr Scott
Fran Bailey	Mr Forrest*	Mr Lindsay	Mr Secker
Mr Baird	Ms Gambaro	Mr Lloyd	Mr Slipper
Mr Baker	Mrs Gash	Mr McArthur*	Mr A. D. H. Smith
Mr Baldwin	Mr Georgiou	Mr McGauran	Mr Somlyay
Mr Barresi	Mr Haase	Mrs Markus	Dr Stone
Mr Bartlett	Mr Hardgrave	Mrs May	Mr C. P. Thompson
Mr Billson	Mr Hartsuyker	Mrs Moylan	Mr Ticehurst
Mrs B. K. Bishop	Mr Henry	Mr Nairn	Mr Tollner
Ms J. Bishop	Mr Hockey	Dr Nelson	Mr Truss
Mr Broadbent	Mrs Hull	Mr Neville	Mr Tuckey
Mr Brough	Mr Hunt	Ms Panopoulos	Mr Turnbull
Mr Cadman	Dr Jensen	Mr Pearce	Mrs D. S. Vale
Mr Causley	Mr Johnson	Mr Prosser	Mr Vasta
Mr Ciobo	Mr Jull	Mr Pyne	Mr Wakelin
Mr Cobb	Mr Katter	Mr Randall	Dr Washer
Mrs Elson	Mr Keenan	Mr Richardson	Mr Wood
Mr Entsch	Mrs D. M. Kelly	Mr Robb	

* Tellers

And so it was negatived.

In accordance with the resolution agreed to earlier this day, the question—That the bill be agreed to and be now read a third time—put and passed—Mr Andren dissenting—bill read a third time.

14 ADJOURNMENT

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

Question—put and passed.

And then the House, at 9.42 p.m., adjourned until 9 a.m. tomorrow.

DOCUMENTS

The following documents were deemed to have been presented on 29 November 2005:

Census and Statistics Act—Regulations—Select Legislative Instrument—2005 No. 259 [F2005L03411].

Civil Aviation Act—

Civil Aviation Regulations—Instrument—2005 No. CASA 490 [F2005L03699].

Civil Aviation Safety Regulations—Airworthiness Directives—Part 39-105—2005 23 November [F2005L03704].

Higher Education Support Act—Higher education provider—Notice of approval—2005 No. 13 [F2005L03706].

Migration Act—Regulations—Select Legislative Instrument—2005 No. 275 [F2005L03683].

Occupational Health and Safety (Commonwealth Employment) Act—Regulations—Select Legislative Instrument—2005 No. 268 [F2005L03634].

Social Security Act—Determination—2005 Social Security foreign currency exchange rate (No. 3) [F2005L03703].

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Dutton and Dr Southcott*.

* On leave

I. C. HARRIS

Clerk of the House of Representatives