

2004-05-06-07

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 155

TUESDAY, 27 FEBRUARY 2007

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—

Member directed to leave

At 2.25 p.m. the Member for Oxley (Mr Ripoll) was directed, under standing order 94, to leave the Chamber for one hour for disorderly behaviour, and he accordingly left the Chamber.

Questions without notice continued.

3 DOCUMENTS

Mr Rudd (Leader of the Opposition), by leave, presented the following documents:

Review of uranium mining processing and nuclear energy in Australia—Copy of media release, Mr Howard (Prime Minister), 6 June 2006.

Australian Nuclear Energy Pty Ltd—Copy of ASIC historical company extract, 27 February 2007.

4 AUDITOR-GENERAL'S REPORTS

The Speaker presented the following documents:

Auditor-General—Audit reports of 2006–2007—Performance audits—

No. 26—Administration of complex age pension assessments: Centrelink.

No. 27—Management of air combat fleet in-service support: Department of Defence, Defence Materiel Organisation.

No. 28—Project management in Centrelink: Centrelink.

Reports ordered to be made Parliamentary Papers.

5 DOCUMENTS

The following documents were presented:

Australian Meat and Live-stock Industry Act—Live-stock mortalities for exports by sea—Report for the period 1 July to 31 December 2006.

Commonwealth Grants Commission—State revenue sharing relativities—2007 update.

Migration Act 1958—

Section 440A—Conduct of Refugee Review Tribunal (RRT) reviews not completed within 90 days—Report for the period 1 July to 31 October 2006.

Section 91Y—Protection visa processing taking more than 90 days—Report for the period 1 July to 31 October 2006.

National Environment Protection Council—Report for 2005-06.

*Surveillance Devices Act 2004—*Report on the operation of the Act for 2005-06.

Treaties—

*Bilateral—Text, together with national interest analysis and annexures—*Agreement between the Government of Australia and the Government of the Republic of Korea on the Protection of Migratory Birds, done at Canberra on 6 December 2006.

*Multilateral—Text, together with national interest analysis and annexures—*Measure 4 (2006) Specially Protected Species: Fur Seals (Edinburgh, 23 June 2006).

Wheat Export Authority—Report for 2005-06.

6 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS

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

Migration Act 1958—

Section 440A—Conduct of Refugee Review Tribunal (RRT) reviews not completed within 90 days—Report for the period 1 July to 31 October 2006.

Section 91Y—Protection visa processing taking more than 90 days—Report for the period 1 July to 31 October 2006.

National Environment Protection Council—Report for 2005-06.

Wheat Export Authority—Report for 2005-06.

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

7 MEMBER DIRECTED TO LEAVE THE CHAMBER

At 3.11 p.m. the Member for Indi (Mrs Mirabella) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after being asked to resume her seat, and she accordingly left the Chamber.

8 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—AUSTRALIAN ECONOMY

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 failure of the Government to recognise the long term challenges facing the Australian economy and formulate policies to underpin future economic growth and living standards”.

The proposed discussion having received the necessary support—

Mr Swan addressed the House.

Discussion ensued.

Document

Mr Costello (Treasurer) presented the following document:

Labor to seek legal advice on Costello bank letter plan—Copy of media release—Mr Beazley (Leader of the Opposition), 13 August 1996.

Discussion continued.

The time allotted under sessional order No. 1 having expired, the discussion was interrupted.

9 INTELLIGENCE AND SECURITY—PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENT BY MEMBER

Mr Jull (Chair) presented the following document:

Intelligence and Security—Parliamentary Joint Committee—Report—Review of the re-listing of the ASG, JuA, GIA and GSPC, February 2007.

Ordered to be made a Parliamentary Paper.

Mr Jull, by leave, made a statement in connection with the report.

10 CORPORATIONS AND FINANCIAL SERVICES—PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENT BY MEMBER

Ms A. E. Burke (Deputy Chair) presented the following documents:

Corporations and Financial Services—Parliamentary Joint Committee—Corporations Amendment (Takeovers) Bill 2006 [Exposure Draft]—

Report, February 2007.

Evidence received by the committee.

Report ordered to be made a Parliamentary Paper.

Ms A. E. Burke, by leave, made a statement in connection with the report.

11 APPROPRIATION BILL (NO. 3) 2006-2007—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the bill had been fully considered by the Main Committee and agreed to without amendment, and presented a certified copy of the bill.

Bill agreed to.

On the motion of Mr Baldwin (Parliamentary Secretary to the Minister for Industry, Tourism and Resources), by leave, the bill was read a third time.

12 APPROPRIATION BILL (NO. 4) 2006-2007—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the bill had been fully considered by the Main Committee and agreed to without amendment, and presented a certified copy of the bill.

Bill agreed to.

On the motion of Mr Baldwin (Parliamentary Secretary to the Minister for Industry, Tourism and Resources), by leave, the bill was read a third time.

13 MESSAGES FROM THE SENATE

Messages from the Senate, 26 February 2007, were reported:

- (a) returning the Australian Citizenship (Transitionals and Consequentials) Bill 2006 without amendment—Message No. 449; and
- (b) informing the House that Senators Brandis and Mason had been discharged from the Joint Standing Committee on Electoral Matters and Senators Adams and Fierravanti-Wells had been appointed members of the committee—Message No. 450.

14 MESSAGE FROM THE SENATE—AUSTRALIAN CITIZENSHIP BILL 2006

Message No. 448, 26 February 2007, from the Senate was reported returning the Australian Citizenship Bill 2006 with amendments.

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

15 HUMAN SERVICES (ENHANCED SERVICE DELIVERY) BILL 2007

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 Plibersek, viz.*—That all words after “That” be omitted with a view to substituting the following words: “while supporting the use of smart card technology to improve service delivery in Medicare and social security; to reduce the number of cards necessary for people using these services and to reduce social security and health fraud; the House is of the opinion that the bill should not proceed in its current form because:

- (1) there are inadequate safeguards to protect the accuracy and privacy of information on the card and in the register;
- (2) the Government continues to keep secret key information about the costs of the card; and
- (3) there is no guarantee that the Document Verification Service will be fully operational with appropriate safeguards by the commencement date proposed”—

Debate resumed.

Debate adjourned (Mr Griffin), and the resumption of the debate made an order of the day for a later hour this day.

16 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:

Bankruptcy Legislation Amendment (Debt Agreements) 2007;

Bankruptcy (Estate Charges) Amendment 2007;

Australian Energy Market Amendment (Gas Legislation) 2006;
 Broadcasting Legislation Amendment 2007;
 Offshore Petroleum Amendment (Greater Sunrise); and
 Customs Tariff Amendment (Greater Sunrise) 2007.
 Question—put and passed.

17 HUMAN SERVICES (ENHANCED SERVICE DELIVERY) BILL 2007

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 Plibersek (see item No. 15, page 1747)*—

Debate resumed.

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

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

AYES, 73

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

NOES, 57

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

* Tellers

And so it was resolved in the affirmative.

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

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

AYES, 73

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

NOES, 58

Mr Adams	Mr L. D. T. Ferguson	Mr Katter	Mr Quick
Mr Albanese	Mr M. J. Ferguson	Mr Kerr	Mr Ripoll
Mr Andren	Mr Fitzgibbon	Ms King	Ms Roxon
Mr Bevis	Mr Garrett	Dr Lawrence	Mr Sawford
Ms Bird	Mr Georganas	Ms Livermore	Mr Sercombe
Mr Bowen	Ms George	Mr McClelland	Mr S. F. Smith
Ms A. E. Burke	Mr Gibbons	Ms Macklin	Mr Snowdon
Mr A. S. Burke	Ms Gillard	Mr McMullan	Mr Swan
Mr Byrne	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	Mr Windsor
Ms A. L. Ellis	Ms Hoare	Ms Plibersek	
Ms K. M. Ellis	Mrs Irwin	Mr Price	

* Tellers

And so it was resolved in the affirmative.

Bill read a second time.

Consideration in detail

Bill, by leave, taken as a whole.

Ms Plibersek moved Opposition amendment (1).

Question—That the amendment be agreed to—put.

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

AYES, 56

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

NOES, 76

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

* Tellers

And so it was negatived.

Ms Plibersek moved Opposition amendment (2).

Question—That the amendment be agreed to—put.

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

AYES, 56

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

NOES, 76

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

* Tellers

And so it was negatived.

18 **ADJOURNMENT**

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

Debate ensued.

The House continuing to sit until 9.30 p.m.—The Speaker adjourned the House until 9 a.m. tomorrow.

DOCUMENTS

The following documents were deemed to have been presented on 27 February 2007:

Civil Aviation Act—Civil Aviation Safety Regulations—Airworthiness Directive—Part 39-105—2007—23 February [F2007L00512].

Migration Act—Statements under section 351—1 July to 31 December 2006 (229).

Parliament Act—Parliamentary Zone—Proposal, together with supporting documentation for Reconciliation Place—Women artwork.

Sydney Airport Curfew Act—Dispensation—2007 No. 2.

Taxation Administration Act—Rulings—
2006 No. PR 163 (Addendum).
2007—

Nos CR 11, CR 12, CR 13.

Nos IT 2069 (Withdrawal), IT 2381 (Withdrawal), IT 2559 (Withdrawal), IT 2560 (Withdrawal), IT 2678 (Withdrawal).

Nos PR 9, PR 10, PR 11.

No. SST 19 (Withdrawal).

Nos ST 2066 (Withdrawal), ST 2069 (Withdrawal), ST 2070 (Withdrawal), ST 2071 (Withdrawal), ST 2072 (Withdrawal), ST 2073 (Withdrawal), ST 2075 (Withdrawal), ST 2077 (Withdrawal), ST 2079 (Withdrawal), ST 2081 (Withdrawal), ST 2085 (Withdrawal), ST 2086 (Withdrawal), ST 2087 (Withdrawal), ST 2088 (Withdrawal), ST 2090 (Withdrawal), ST 2091 (Withdrawal), ST 2092 (Withdrawal), ST 2094 (Withdrawal), ST 2095 (Withdrawal), ST 2384 (Withdrawal).

Veterans' Entitlements Act and Military Rehabilitation and Compensation Act—Instruments under subsection 196B—2007 Nos 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36 [F2007L00485], [F2007L00486], [F2007L00487], [F2007L00488], [F2007L00489], [F2007L00490], [F2007L00491], [F2007L00492], [F2007L00493], [F2007L00494], [F2007L00495], [F2007L00496], [F2007L00497], [F2007L00498], [F2007L00499], [F2007L00500].

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Cobb, Ms Corcoran, Mrs Elson, Mr Jenkins, Mrs Ley, Mr Truss and Mr Tuckey.

I. C. HARRIS
Clerk of the House of Representatives