

2004-05-06-07

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 166

WEDNESDAY, 9 MAY 2007

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

**2 SOCIAL SECURITY AND VETERANS' AFFAIRS LEGISLATION AMENDMENT (ONE-OFF PAYMENTS AND OTHER 2007 BUDGET MEASURES) BILL 2007**

Mr Farmer (Parliamentary Secretary to the Minister for Education, Science and Training), for Mr Brough (Minister for Families, Community Services and Indigenous Affairs), pursuant to notice, presented a Bill for an Act to amend the law relating to social security and veterans' affairs, and for other purposes.

*Document*

Mr Farmer presented an explanatory memorandum to the bill.

Bill read a first time.

Mr Farmer moved—That the bill be now read a second time.

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

**3 SUPERANNUATION LAWS AMENDMENT (2007 BUDGET CO-CONTRIBUTION MEASURE) BILL 2007**

Mr Dutton (Minister for Revenue and Assistant Treasurer), pursuant to notice, presented a Bill for an Act to amend the law relating to superannuation co-contributions.

*Document*

Mr Dutton presented an explanatory memorandum to the bill.

Bill read a first time.

Mr Dutton moved—That the bill be now read a second time.

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

**4 DEFENCE FORCE (HOME LOANS ASSISTANCE) AMENDMENT BILL 2007**

Mr Billson (Minister Assisting the Minister for Defence), pursuant to notice, presented a Bill for an Act to amend the *Defence Force (Home Loans Assistance) Act 1990*.

*Document*

Mr Billson presented an explanatory memorandum to the bill.

Bill read a first time.

Mr Billson moved—That the bill be now read a second time.

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

**5 BROADCASTING LEGISLATION AMENDMENT (DIGITAL RADIO) 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 Mr Albanese, 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:
  - (a) that the Senate Committee inquiry into the bill did not allow interested parties sufficient time to consider and draft submissions to the committee, this constraint not allowing meaningful consultation on the bill;
  - (b) the lack of information as to how the omission of the Digital Radio Mondiale (DRM) platform from the legislation will affect the roll-out of digital radio to rural and regional Australia and notes that this legislation only specifies the use of Digital Radio Broadcasting (DAB); and
  - (c) that trials on DRM and compression standards are still being carried out;
- (2) calls for debate on the bill to be deferred until meaningful consultation has occurred; and
- (3) demands that the Government make every endeavour to ensure that standards are in place to enable the rollout of digital radio to remote, rural and regional Australia”—

Debate resumed.

Amendment negatived.

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

Leave granted for third reading to be moved immediately.

On the motion of Mr Farmer (Parliamentary Secretary to the Minister for Education, Science and Training), the bill was read a third time.

#### **6 RADIO LICENCE FEES AMENDMENT 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—

Question—put and passed—bill read a second time.

Leave granted for third reading to be moved immediately.

On the motion of Mr Farmer (Parliamentary Secretary to the Minister for Education, Science and Training), the bill was read a third time.

#### **7 TAX LAWS AMENDMENT (2007 MEASURES NO. 2) 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—

Debate resumed by Mr Bowen who moved, as an amendment—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 its failure to promote the venture capital industry and calls on the Government to:

- (1) increase to \$500 million the value of assets of an entity invested in by an Early Stage Venture Capital Limited Partnership (ESVCLP) beyond which ESVCLP must divest itself of an interest in the entity;
- (2) increase the time allowed for a partnership to divest an investment from 9 months to 12 months; and
- (3) increase the value of assets target investees of Venture Capital Limited Partnership can have, to \$500 million”.

Debate continued.

Amendment negatived.

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. 281, 10 April 2007, 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 immediately.

On the motion of Mr Dutton (Minister for Revenue and Assistant Treasurer), the bill was read a third time.

**8 FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS LEGISLATION AMENDMENT (CHILD SUPPORT REFORM CONSOLIDATION AND OTHER MEASURES) 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—

Debate resumed by Ms Macklin who moved, as an amendment—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 expresses its serious concern that the Government’s child support reforms do not provide adequate protection against income reductions for low income households raising children”.

Debate continued.

Amendment negatived.

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. 282, 2 April 2007, 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 immediately.

On the motion of Mr Hunt (Parliamentary Secretary to the Minister for Foreign Affairs), the bill was read a third time.

**9 GREAT BARRIER REEF MARINE PARK AMENDMENT 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—

Debate resumed by Mr Garrett who moved, as an amendment—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) affirms the object of the Principal Act - the protection of the Great Barrier Reef - but notes that the future of the reef is threatened by both short term and longer term factors, including climate change;
- (2) notes that the United Nations Intergovernmental Panel on Climate Change stated in 2007 that by 2050, 97% of the Great Barrier Reef could be bleached every year as a result of climate change;
- (3) condemns the Government’s incompetent handling of the structural adjustment package for the Great Barrier Reef Representative Areas Plan, which has seen the budget blow out from \$31 million to more than \$87 million;
- (4) calls on the Government to develop and implement an action plan to help protect the Great Barrier Reef from the effects of coral bleaching and protect Australian jobs and industries dependent on a healthy reef as part of a national climate change strategy; and
- (5) calls on the Government to prohibit mineral, oil and gas exploration in Australian waters adjacent to the Great Barrier Reef Marine Park”.

Debate continued.

It being 2 p.m., the debate was interrupted in accordance with standing order 97, and the resumption of the debate made an order of the day for a later hour this day.

**10 QUESTIONS**

Questions without notice being asked—

*Document*

Mr Costello (Treasurer) presented the following document:

Federal Budget fails the future test—Draft local media statement.

Questions without notice continuing—

*Member directed to leave*

At 3.11 p.m. the Member for Lalor (Ms Gillard—Deputy Leader of the Opposition) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a warning had been given from the Chair, and she accordingly left the Chamber.

Questions without notice continued.

**11 DOCUMENT**

Mr Costello (Treasurer), added to an answer to a question without notice and presented the following document:

Eddington just another voice: Gillard—Article from *The Australian*, 4 May 2007.

**12 DOCUMENTS**

The following documents were presented:

Employment, Workplace Relations and Workforce Participation—Standing Committee—Report—Shifting gears: Employment in the automotive components manufacturing industry—Government response.

*Migration Act 1958*—Section 486O—Assessment of detention arrangements—Government response to the Commonwealth Ombudsman’s statements—Personal identifiers 126/07 to 137/07.

Reports by the Commonwealth Ombudsman—Personal identifiers 126/07 to 137/07.

*Surveillance Devices Act 2004*—Commonwealth Ombudsman’s reports on inspection of surveillance device records for the period—1 July to 31 December 2006 (Australian Crime Commission, Australian Federal Police).

Telecommunications (Interception and Access) Act—Report for 2005-06.

Treaties—

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

Agreement between Australia and the Federal Republic of Germany on social security to govern persons temporarily employed in the territory of the other State (“Supplementary Agreement”), concluding protocol and implementation arrangement (Berlin, 9 February 2007).

Agreement on scientific and technological cooperation between the Government of Australia and the Government of the Republic of South Africa, done at Canberra on 18 October 2006.

Agreement on social security between the Government of Australia and the Government of the Republic of Korea (Canberra, 6 December 2006).

Exchange of notes constituting an agreement between the Government of Australia and the Government of Singapore to amend Annex 2C and Annex 2D of the Singapore-Australia Free Trade Agreement (SAFTA) to ensure compliance with changes to the international convention on the harmonized commodity description and coding system (HS2007).

Framework agreement between the Government of Australia and the Government of the Republic of Turkey on cooperation in military fields, done at Canberra on 13 June 2006.

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

Amendments, made at Antalya on 24 November 2006, to the constitution and convention of the International Telecommunication Union (Geneva 1992), as amended by the Plenipotentiary Conference (Kyoto 1994), by the Plenipotentiary Conference (Minneapolis 1998) and by the Plenipotentiary Conference (Marrakesh 2002).

Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the adoption of an additional distinctive emblem (Protocol III), done at Geneva on 8 December 2005.

Protocol amending the World Trade Organization agreement on trade-related aspects of intellectual property rights (TRIPS) (Geneva, 6 December 2005).

**13 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS**

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

Employment, Workplace Relations and Workforce Participation—Standing Committee—Report—Shifting gears: Employment in the automotive components manufacturing industry—Government response.

*Migration Act 1958*—Section 486O—Assessment of detention arrangements—Government response to the Commonwealth Ombudsman’s statements—Personal identifiers 126/07 to 137/07.

*Surveillance Devices Act 2004*—Commonwealth Ombudsman’s reports on inspection of surveillance device records for the period 1 July to 31 December 2006 (Australian Crime Commission, Australian Federal Police).

Telecommunications (Interception and Access) Act—Report for 2005-06.

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

#### 14 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—FUTURE ECONOMIC PROSPERITY

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 inadequacy of the 2007 Budget to secure future economic prosperity by addressing the nation’s long term challenges of flagging productivity growth and dangerous climate change”.

The proposed discussion having received the necessary support—

Mr Swan addressed the House.

Discussion ensued.

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

#### 15 SUSPENSION OF STANDING ORDER 31

Mr Hockey (Minister for Employment and Workplace Relations), for Mr Abbott (Leader of the House), pursuant to notice, moved—That standing order 31 (automatic adjournment of the House) be suspended for the sitting on Thursday, 10 May 2007 and at that sitting, after the Leader of the Opposition completes his reply to the Budget speech, the House automatically stand adjourned until 12.30 p.m. on Monday, 21 May 2007, unless the Speaker or, in the event of the Speaker being unavailable, the Deputy Speaker, fixes an alternative day or hour of meeting.

Question—put and passed.

#### 16 AMENDMENTS TO STANDING ORDERS 190(E) AND 192

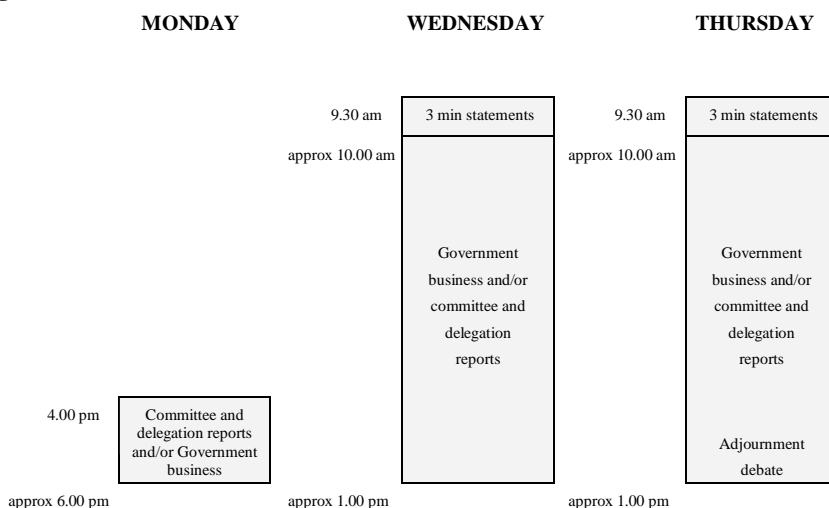
Mr Hockey (Minister for Employment and Workplace Relations), for Mr Abbott (Leader of the House), pursuant to notice, moved—That, unless otherwise ordered, standing orders Nos 190(e) and 192 be as follows:

**190 (e)** The Committee shall stand adjourned on completion of all matters referred to it, or may be adjourned on motion moved without notice by any Member—

*That the Committee do now adjourn.*

#### **192 Main Committee’s order of business**

- (a) If the Committee meets on a Wednesday or Thursday the normal order of business is set out in figure 4.
- (b) The Committee shall meet, if required, on a sitting Monday from 4 pm to 6 pm to consider orders of the day relating to committee and delegation reports and these orders of the day shall have priority over other business, unless otherwise ordered.

**Figure 4.** Main Committee order of business

The meeting times of the Main Committee are fixed by the Deputy Speaker and are subject to change. Additional meetings may be scheduled if required. Adjournment debates can occur on days other than Thursdays by agreement between the Whips.

Debate ensued.

Question—put and passed.

#### 17 DISCHARGE OF ORDER OF THE DAY

Mr Hockey (Minister for Employment and Workplace Relations), for Mr Abbott (Leader of the House), pursuant to notice, moved—That the following order of the day, government business, be discharged:

Child Support Legislation Amendment Bill 2004: Second reading—Resumption of debate.

Question—put and passed.

#### 18 LEAVE OF HOUSE FOR PRODUCTION OF RECORDS IN COURT PROCEEDINGS

Mr Hockey (Minister for Employment and Workplace Relations), for Mr Abbott (Leader of the House), pursuant to notice, moved—That the House grants leave for the report by the House of Representatives Standing Committee on Expenditure entitled *Northern Territory Forestry Program, 24 May 1978*, to be produced in proceedings in the Federal Court of Australia in the case *Collins v. Northern Territory of Australia*, and in any subsequent proceedings.

Question—put and passed.

#### 19 HEALTH INSURANCE AMENDMENT (INAPPROPRIATE AND PROHIBITED PRACTICES AND OTHER MEASURES) BILL 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 Hockey (Minister for Employment and Workplace Relations), by leave, the bill was read a third time.

#### 20 MESSAGES FROM THE SENATE

Messages from the Senate, 9 May 2007, were reported returning the following bills without amendment:

No. 513—Higher Education Legislation Amendment (2007 Measures No. 1) 2007.

No. 514—Migration Amendment (Maritime Crew) 2007.

#### 21 SOCIAL SECURITY AND VETERANS' AFFAIRS LEGISLATION AMENDMENT (ONE-OFF PAYMENTS AND OTHER 2007 BUDGET MEASURES) 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—

Debate resumed.

Question—put and passed—bill read a second time.

*Message from the Governor-General*

Message No. 283, 8 May 2007, 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 immediately.

On the motion of Mr Brough (Minister for Families, Community Services and Indigenous Affairs), the bill was read a third time.

## 22 SUPERANNUATION LAWS AMENDMENT (2007 BUDGET CO-CONTRIBUTION MEASURE) 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—

Debate resumed.

Question—put and passed—bill read a second time.

*Message from the Governor-General*

Message No. 284, 8 May 2007, 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 immediately.

On the motion of Mr Dutton (Minister for Revenue and Assistant Treasurer), the bill was read a third time.

## 23 GREAT BARRIER REEF MARINE PARK AMENDMENT 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 Mr Garrett (see item No. 9, page 1853)*—

Debate resumed.

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## 24 ADJOURNMENT

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

Debate ensued.

Question—put and passed.

And then the House, at 8 p.m., adjourned until tomorrow at 9 a.m.

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## DOCUMENTS

The following documents were deemed to have been presented on 9 May 2007:

Civil Aviation Act—

Civil Aviation Regulations—Civil Aviation Orders—2007—

Civil Aviation Amendment Order 40.1.0 (No. 1) [F2007L01243].

Civil Aviation Amendment Order 40.3.0 (No. 1) [F2007L01244].

Civil Aviation Safety Regulations—Airworthiness Directives—Part 39-105—2 (3) May 2007 [F2007L01250], [F2007L01251], [F2007L01252].

Customs Act—Orders—

Tariff Concession—2007—

26 April [F2007L01292].

30 (13) April [F2007L01254], [F2007L01255], [F2007L01257], [F2007L01258], [F2007L01260], [F2007L01261], [F2007L01262], [F2007L01263], [F2007L01264], [F2007L01293], [F2007L01294], [F2007L01295], [F2007L01296].

1 (4) May [F2007L01265], [F2007L01266], [F2007L01267], [F2007L01268].

Tariff Concession Revocation—2007—

27 March [F2007L01208].

3 April [F2007L01207].

17 April [F2007L01206].

18 (5) April [F2007L01301], [F2007L01302], [F2007L01303], [F2007L01304], [F2007L01305].

Defence Act—Determinations under section 58B—2007 Nos 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21.

Migration Act—Migration Regulations—Instruments—2007—

Organisations that may sponsor short stay business visitors No. IMMI 07/019 [F2007L01290].

Student visa assessment levels No. IMMI 07/014 [F2007L01232].

National Health Act—

Arrangements under subparagraph 100(1)(b)(i)—2007 No. PB 41 [F2007L01249].

Declaration under subsection 85(2)—2007 No. PB 37 [F2007L01238].

Determinations under—

sections 85, 85A and 88—2007—No. PB 38 [F2007L01245].

subsection 85B(1)—2007—No. PB 39 [F2007L01246].

Telecommunications (Interception and Access) Act—Instruments—2007—

Emergency service facility—Queensland [F2007L01281].

Emergency service facility—South Australia [F2007L01279].

Emergency service facility—Victoria [F2007L01282].

Emergency service facility—Western Australia [F2007L01280].

*Telecommunications Act 1997*—Determination under subsection 110 (3)—2007 Section of the telecommunications industry [F2007L01242].

Veterans' Entitlements Act and Military Rehabilitation and Compensation Act—Instruments under subsection 196B—2007 Nos 47, 48, 49, 54, 55, 56, 63, 64, 67, 68 [F2007L01172], [F2007L01173], [F2007L01174], [F2007L01179], [F2007L01180], [F2007L01181], [F2007L01188], [F2007L01189], [F2007L01192], [F2007L01193].

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#### ATTENDANCE

All Members attended (at some time during the sitting) except Mr Beazley, Ms Corcoran, Mr Forrest, Ms Hoare and Mr Sawford.

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**I. C. HARRIS**

Clerk of the House of Representatives



2004-05-06-07

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

No. 166

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

**WEDNESDAY, 9 MAY 2007**

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1 The Main Committee met at 9.30 a.m.

2 **MEMBERS' STATEMENTS**

Members' statements were made.

3 **HEALTH INSURANCE AMENDMENT (INAPPROPRIATE AND PROHIBITED PRACTICES AND OTHER MEASURES) 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—

Debate resumed.

Question—put and passed—bill read a second time.

Leave granted for the question on the report to be put immediately.

Question—That the bill be reported to the House without amendment—put and passed.

4 **VETERANS' AFFAIRS LEGISLATION AMENDMENT (2007 MEASURES NO. 1) 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.

Debate resumed.

Debate adjourned (Mrs B. K. Bishop), and the resumption of the debate made an order of the day for the next sitting.

5 **ADJOURNMENT**

On the motion of Mrs B. K. Bishop, the Main Committee adjourned at 1 p.m.

The Deputy Speaker fixed 9.30 a.m. tomorrow for the next meeting of the Main Committee.

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