

2004-05-06-07

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 172

MONDAY, 28 MAY 2007

1 The House met, at 12.30 p.m., pursuant to adjournment. The Speaker (the Honourable David Hawker) took the Chair, and read Prayers.

**2 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF DOCUMENT—REFERENCE TO MAIN COMMITTEE**

Mr Slipper (Chair) presented the following documents:

Legal and Constitutional Affairs—Standing Committee—The long road to statehood: Report of the inquiry into the federal implications of statehood for the Northern Territory—  
Report, May 2007.

Evidence received by the committee.

Minutes of proceedings.

Report ordered to be made a Parliamentary Paper.

Statements in connection with the report were made.

The time allotted for making statements on the report having expired—

Mr Slipper moved—That the House take note of the report.

In accordance with standing order 39, the debate was adjourned, and the resumption of the debate made an order of the day for a later hour this day.

Mr Slipper moved—That the order of the day be referred to the Main Committee for debate.

Question—put and passed.

**3 AVOIDING DANGEROUS CLIMATE CHANGE (KYOTO PROTOCOL RATIFICATION) BILL 2007**

Mr Garrett, pursuant to notice, presented a Bill for an Act to ratify the Kyoto Protocol to the United Nations Framework Convention on Climate Change.

*Document*

Mr Garrett presented an explanatory memorandum to the bill.

Mr Garrett made a statement in relation to the bill.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting, in accordance with standing order 41.

**4 SMALL BUSINESS**

Mrs Gash, pursuant to notice, moved—That the House:

- (1) notes the contribution of small business to regional economies;
- (2) acknowledges that small, micro businesses employ many people and are worthy of protection against predatory behaviour by conglomerates, including organised trade unions;
- (3) acknowledges the role small, family-owned businesses play in creating employment opportunities in smaller communities;

- (4) recognises the disadvantages faced by small business operators in competing against major chains in regional areas; and
- (5) calls on the Government to take all steps necessary to ensure that small business in Australia remains viable in the face of the many threats confronting small business operators.

Debate ensued.

The time allotted for the debate having expired, the debate was interrupted, and the resumption of the debate made an order of the day for the next sitting.

## 5 REMOVAL OF INDIGENOUS CHILDREN

Ms Macklin, pursuant to notice, moved—That the House:

- (1) notes that:
  - (a) 26 May marks the tenth anniversary of the *Bringing Them Home* report, which documented the systematic removal of up to 100,000 indigenous children from their families between 1910 and the 1970s, and its serious, and ongoing impact;
  - (b) the Howard Government's decision to not apologise for this systematic removal has compounded the distress of survivors and held us all back from achieving genuine reconciliation;
  - (c) research subsequent to the report has shown that indigenous children who were removed:
    - (i) were more likely to have been victims of family violence (38 per cent compared to the figure of 23 per cent for the broader indigenous population);
    - (ii) were 2.3 times more likely to experience clinical depression and behavioural difficulties;
    - (iii) had double the rate of both alcohol and other drug use than other indigenous children; and
    - (iv) were more likely to end up in jail; and
  - (d) a recent Urbis Keys Young report commissioned by the Government described the Government's response to date as "poorly coordinated and insufficiently targeted" and also revealed that some *Bringing Them Home* and *Link-Up* counsellors are struggling to cope with up to more than 80 clients each, compared with the average caseload of 25 for a mental health worker in mainstream services; and
- (2) calls on the Government to:
  - (a) apologise for past policies and practices that resulted in the systematic and forced removal of indigenous children from their families; and
  - (b) immediately implement measures to address the continuing adverse social, physical and mental health outcomes impacting on the Stolen Generation and subsequent generations.

### *Document*

Ms Macklin, by leave, presented the following document:

Close the indigenous health gap—GetUp! Action for Australia—Out of order petition.

Debate ensued.

At 1.45 p.m., the time allotted for the debate having expired, the debate was interrupted in accordance with standing order 43, Mr Slipper was granted leave to continue his speech when the debate is resumed, and the resumption of the debate was made an order of the day for the next sitting.

## 6 MEMBERS' STATEMENTS

Members' statements were made and a petition was presented.

## 7 MINISTERIAL ARRANGEMENTS

Mr Howard (Prime Minister) informed the House that, during the absence of Mr Turnbull (Minister for the Environment and Water Resources), Mr M. A. J. Vaile (Deputy Prime Minister and Minister for Transport and Regional Services) would answer questions on his behalf.

Mr Howard also informed the House that, during the absences of Mr Downer (Minister for Foreign Affairs) and Mr Macfarlane (Minister for Industry, Tourism and Resources), Mr Truss (Minister for Trade) would answer questions on their behalf.

**8 PROPOSED ALTERATION OF SITTINGS OF THE HOUSE AND ADDRESSES TO PARLIAMENT**

Mr Howard (Prime Minister), by indulgence, informed the House of bilateral visits associated with APEC, and that it was proposed that the House not sit on Monday, 10 September 2007.

Mr Howard also advised that it was proposed that the Prime Minister of Japan, His Excellency Mr Shinzo Abe, address the Parliament on Tuesday, 11 September 2007, and that the Prime Minister of Canada, the Right Honourable Stephen Harper, address the Parliament on Wednesday, 12 September 2007.

Mr Rudd (Leader of the Opposition), by indulgence, also made a statement on the matter.

**9 QUESTIONS**

Questions without notice being asked—

*Member directed to leave*

At 2.39 p.m. the Member for Lilley (Mr Swan) 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 he accordingly left the Chamber.

Questions without notice continued.

**10 DOCUMENT**

Mr K. J. Thomson, by leave, during a personal explanation, presented the following document:

Maritime Security Identification Card (MSIC) Application—Approval Notice—MSIC Background Checking Unit, 27 February 2007.

**11 PETITIONS**

Petitions lodged for presentation were announced.

**12 ROAD ACCIDENTS**

Mr Johnson, pursuant to notice, moved—That the House:

- (1) recognise the tragic loss of 1,605 lives on our roads in 2006, including 336 in Queensland;
- (2) recognise that road crashes remain the biggest killer of young Australians aged 16 to 25 and that in any given year, people aged between 18 and 24 are twice as likely to die in road smashes than other drivers;
- (3) also recognise that researchers at the University of Queensland have calculated that the death and injury from road accidents costs the national economy some \$17 billion a year, or the equivalent of 2.3 per cent of Australia's gross national income; and
- (4) commend the Government for extending the AusLink Black Spot program, which has already eliminated some 700 dangerous crash sites in Queensland alone, for a further two years, from 2006-07 to 2007-08, at a cost of \$90 million.

Debate ensued.

*Member directed to leave*

At 3.39 p.m. the Member for Blair (Mr C. P. Thompson) 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 he accordingly left the Chamber.

Debate continued.

*Member directed to leave*

At 3.40 p.m. the Member for Ryan (Mr Johnson) 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 he accordingly left the Chamber.

Debate continued.

The time allotted for the debate having expired, the debate was interrupted, Ms Hall was granted leave to continue her speech when the debate is resumed, and the resumption of the debate was made an order of the day for the next sitting.

**13 EDUCATION AND SKILLS**

Mr Georganas, pursuant to notice, moved—That the House:

- (1) recognises that the Federal Government needs to invest in education and improving the skills of Australians to ensure that all students have the opportunity to complete Year 12 at high school and ensure that they have appropriate entry-level training for their chosen trade or vocation; and
- (2) condemns the failure of the Government to invest in education and skills for Australia's future, particularly when the commodity boom moderates.

Debate ensued.

The time allotted for private Members' business having expired, the debate was interrupted, Mr Henry was granted leave to continue his speech when the debate is resumed, and the resumption of the debate was made an order of the day for the next sitting.

**14 GRIEVANCE DEBATE**

Pursuant to the provisions of standing order 44, the order of the day having been read—

Question proposed—That grievances be noted.

Debate ensued.

Question—That grievances be noted—put and passed.

**15 WORKPLACE RELATIONS AMENDMENT (A STRONGER SAFETY NET) BILL 2007**

Mr Hockey (Minister for Employment and Workplace Relations), pursuant to notice, presented a Bill for an Act to amend the *Workplace Relations Act 1996*, and for other purposes.

*Document*

Mr Hockey presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**16 SPECIAL ADJOURNMENT**

Mr Robb (Minister for Vocational and Further Education) moved—That the House, at its rising, adjourn until Tuesday, 29 May 2007, at 12.30 p.m., unless the Speaker or, in the event of the Speaker being unavailable, the Deputy Speaker, fixes an alternative day or hour of meeting and for government business to take precedence from 12.30 p.m. until 2 p.m. on that day.

Question—put and passed.

**17 MAIN COMMITTEE BUSINESS**

Mr Bartlett (Chief Government Whip), by leave, moved—That unless otherwise ordered, at the resumption of the Main Committee meeting at approximately 4 p.m. on Tuesday, 29 May 2007, the first item of business shall be Members' statements, each for no longer than 3 minutes, with the item of business continuing for 30 minutes irrespective of suspensions for divisions in the House.

Question—put and passed.

**18 TAX LAWS AMENDMENT (SMALL BUSINESS) 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 Emerson, 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 calls on the Government to implement Labor's *BAS Easy* option for simplifying GST bookkeeping requirements on small business with an annual turnover of less than two million dollars"—

Debate resumed.

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

A division having been called for, in accordance with standing order 133 the division was deferred until 8 p.m.

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

**19 FORESTRY MARKETING AND RESEARCH AND DEVELOPMENT SERVICES 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. 293, 3 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 Mrs Ley (Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry), the bill was read a third time.

**20 FORESTRY MARKETING AND RESEARCH AND DEVELOPMENT SERVICES (TRANSITIONAL AND CONSEQUENTIAL PROVISIONS) 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.

*Message from the Governor-General*

Message No. 294, 3 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 Mrs Ley (Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry), the bill was read a third time.

**21 BUILDING AND CONSTRUCTION INDUSTRY IMPROVEMENT AMENDMENT (OHS) 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, and the resumption of the debate made an order of the day for a later hour this day.

**22 TAX LAWS AMENDMENT (SMALL BUSINESS) BILL 2007—DEFERRED DIVISION**

The order of the day having been read for the further consideration of the bill—

The following question, on which a division had been called for and deferred in accordance with standing order 133, was put, *viz.*—

That the words proposed to be omitted stand part of the question (*see item No. 18, page 1900*)—

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

## AYES, 73

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

## NOES, 53

Mr Adams	Mr M. J. Ferguson	Mr Kerr	Mr Ripoll
Mr Albanese	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 Byrne	Ms Grierson	Mr Melham	Mr Swan
Mr Crean	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
Ms K. M. Ellis	Mrs Irwin	Ms Plibersek	
Mr Emerson	Mr Jenkins	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 and passed—bill read a second time.

*Consideration in detail*

Bill, by leave, taken as a whole, and agreed to, after debate.

Consideration in detail concluded.

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

## 23 BUILDING AND CONSTRUCTION INDUSTRY IMPROVEMENT AMENDMENT (OHS) 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.

Mr Hayes addressing the House—

**24 ADJOURNMENT**

It being 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 12.30 p.m. tomorrow, in accordance with the resolution agreed to this sitting.



**DOCUMENTS**

The following documents were deemed to have been presented on 28 May 2007:

Civil Aviation Act—Civil Aviation Safety Regulations—Airworthiness Directives—Part 39-105—22 (2) May 2007 [F2007L01504], [F2007L01505].

Currency Act—Determinations—2007—

Currency (Royal Australian Mint) (No. 3) [F2007L01506].

Currency (Royal Australian Mint) 2006 (No. 2) Amendment (No. 1) [F2007L01470].

Customs Act—Orders—

Tariff Concession—2007—

18 (18) May [F2007L01474], [F2007L01476], [F2007L01477], [F2007L01478], [F2007L01479], [F2007L01480], [F2007L01481], [F2007L01482], [F2007L01483], [F2007L01486], [F2007L01488], [F2007L01490], [F2007L01491], [F2007L01492], [F2007L01493], [F2007L01496], [F2007L01497], [F2007L01498].

21 May [F2007L01485].

Tariff Concession Revocation—30 (3) April 2007 [F2007L01409], [F2007L01410], [F2007L01411].

Medicare Australia Act—Direction—2007 Medicare Australia (Function of chief executive officer—Lifetime health cover) [F2007L01525].

Remuneration Tribunal Act—Remuneration Tribunal—Determination—2007 No. 5 [F2007L01500].



**ATTENDANCE**

All Members attended (at some time during the sitting) except Fran Bailey, Mr Baker, Mr Beazley, Ms Corcoran, Mr Danby, Mr Downer, Ms Hoare, Mr Macfarlane and Mr Turnbull.



**I. C. HARRIS**

Clerk of the House of Representatives

2004-05-06-07

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

No. 172

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

MONDAY, 28 MAY 2007

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1 The Main Committee met at 4 p.m.

**2 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—MOTION TO TAKE NOTE OF DOCUMENT**

The order of the day having been read for the resumption of the debate on the motion of Mr Slipper—That the House take note of the document (*presented on 28 May 2007*), *viz.*—

Legal and Constitutional Affairs—Standing Committee—The long road to statehood: Report of the inquiry into the federal implications of statehood for the Northern Territory—Report, May 2007—

Debate resumed.

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

**3 POSTPONEMENT OF BUSINESS**

Ordered—That business intervening before order of the day No. 1, committee and delegation reports, be postponed until a later hour this day.

**4 INTELLIGENCE AND SECURITY—PARLIAMENTARY JOINT COMMITTEE—MOTION TO TAKE NOTE OF DOCUMENT**

The order of the day having been read for the resumption of the debate on the motion of Mr Jull—That the House take note of the document (*presented on 22 May 2007*), *viz.*—

Intelligence and Security—Parliamentary Joint Committee—Review of the re-listing of Tanzim Qa'idat al-Jihad fi Bilad al-Rafidayn (the al-Zarqawi network) as a terrorist organisation—Report, May 2007—

Debate resumed.

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

**5 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—MOTION TO TAKE NOTE OF DOCUMENT**

The order of the day having been read for the resumption of the debate on the motion of Mr Slipper—That the House take note of the document (*presented on 28 May 2007*), *viz.*—

Legal and Constitutional Affairs—Standing Committee—The long road to statehood: Report of the inquiry into the federal implications of statehood for the Northern Territory—Report, May 2007—

Debate resumed.

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

**6 APPROPRIATION BILL (NO. 1) 2007-2008—BUDGET DEBATE**

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 Tanner, 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 is of the view that:

- (1) despite record high commodity prices from surging demand from India and China and rising levels of taxation, the Government has failed to secure Australia’s long term economic fundamentals and should be condemned for its failure to:
  - (a) address Australia’s flagging productivity growth;
  - (b) stem the widening current account deficit and trade deficits;
  - (c) attend to the long term relative decline in education and training investment undercutting workplace productivity;
  - (d) provide national leadership on infrastructure including a high speed national broadband network for the whole country;
  - (e) expand and encourage research and development to move Australian industry and exports up the value-chain; and
  - (f) reform our health system to equip it for a future focused on prevention, early intervention and an ageing population;
- (2) the Government’s failure to address the damaging consequences of climate change is endangering Australia’s future economic prosperity;
- (3) the Government’s extreme industrial relations laws will lower wages and conditions for many workers and do nothing to enhance productivity, participation or economic growth; and
- (4) the Government’s Budget documents fail the test of transparency and accountability”—

Debate resumed.

*Document*

Mr Edwards, by leave, presented the following document:

Commonwealth State Territory Disability Services Agreement—Briefing for Federal Parliamentarians—The Honourable Tony McRae MLA, WA Minister for the Environment; Climate Change; Disability Services, 19 February 2007.

Debate continued.

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*Suspension of meeting*

At 8.09 p.m., a division having been called in the House, the proceedings were suspended.

*Resumption of meeting*

At 8.23 p.m., the proceedings were resumed.

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Debate continued.

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

**7 ADJOURNMENT**

On the motion of Mrs Gash, the Main Committee adjourned at 9.12 p.m.

The Deputy Speaker fixed 4 p.m. tomorrow for the next meeting of the Main Committee.

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