

2004-05-06-07

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 189

THURSDAY, 16 AUGUST 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 HEALTH INSURANCE AMENDMENT (MEDICARE DENTAL SERVICES) BILL 2007

Mr Abbott (Minister for Health and Ageing), pursuant to notice, presented a Bill for an Act to amend the *Health Insurance Act 1973*, and for related purposes.

Document

Mr Abbott presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

3 FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS LEGISLATION AMENDMENT (CHILD DISABILITY ASSISTANCE) BILL 2007

Mr Brough (Minister for Families, Community Services and Indigenous Affairs), pursuant to notice, presented a Bill for an Act to amend the law in relation to social security, and for related purposes.

Document

Mr Brough presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

4 INDIGENOUS EDUCATION (TARGETED ASSISTANCE) AMENDMENT (CAPE YORK MEASURES) BILL 2007

Ms J. Bishop (Minister for Education, Science and Training), pursuant to notice, presented a Bill for an Act to amend the *Indigenous Education (Targeted Assistance) Act 2000*, and for related purposes.

Document

Ms J. Bishop presented an explanatory memorandum to the bill.

Bill read a first time.

Ms J. Bishop moved—That the bill be now read a second time.

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

5 HIGHER EDUCATION ENDOWMENT FUND BILL 2007

Ms J. Bishop (Minister for Education, Science and Training), pursuant to notice, presented a Bill for an Act about the Higher Education Endowment Fund, and for related purposes.

Document

Ms J. Bishop presented an explanatory memorandum to the bill.

Bill read a first time.

Ms J. Bishop moved—That the bill be now read a second time.

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

6 HIGHER EDUCATION ENDOWMENT FUND (CONSEQUENTIAL AMENDMENTS) BILL 2007

Ms J. Bishop (Minister for Education, Science and Training), pursuant to notice, presented a Bill for an Act to deal with consequential matters relating to the enactment of the *Higher Education Endowment Fund Act 2007*, and for other purposes.

Document

Ms J. Bishop presented an explanatory memorandum to the bill.

Bill read a first time.

Ms J. Bishop moved—That the bill be now read a second time.

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

7 SYDNEY HARBOUR FEDERATION TRUST AMENDMENT BILL 2007

Mr Turnbull (Minister for the Environment and Water Resources), pursuant to notice, presented a Bill for an Act to amend the *Sydney Harbour Federation Trust Act 2001*, and for related purposes.

Document

Mr Turnbull presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

8 TAX LAWS AMENDMENT (2007 MEASURES NO. 5) BILL 2007

Mr Dutton (Minister for Revenue and Assistant Treasurer) presented a Bill for an Act to amend the law relating to taxation, and for related purposes.

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 Griffin), and the resumption of the debate made an order of the day for the next sitting.

9 SOCIAL SECURITY AMENDMENT (2007 MEASURES NO. 2) BILL 2007

Dr Stone (Minister for Workforce Participation), pursuant to notice, presented a Bill for an Act to amend the law in relation to social security, and for related purposes.

Document

Dr Stone presented an explanatory memorandum to the bill.

Bill read a first time.

Dr Stone moved—That the bill be now read a second time.

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

10 CONSTRUCTION OF STAFF APARTMENTS IN THE AUSTRALIAN EMBASSY COMPOUND, BAGHDAD, IRAQ—APPROVAL OF WORK

Mr Lindsay (Parliamentary Secretary to the Minister for Defence), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, and by reason of the urgent nature of the work, it is expedient that the following proposed work be carried out without having been referred to the Parliamentary Standing Committee on Public Works: Construction of staff apartments in the Australian Embassy compound, Baghdad, Iraq.

Question—put and passed.

11 AUSTRALIAN BROADCASTING CORPORATION ACCOMMODATION PROJECT, BRISBANE, QLD—APPROVAL OF WORK

Mr Lindsay (Parliamentary Secretary to the Minister for Defence), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, and by reason of the urgent nature of the work, it is expedient that the following proposed work be carried out without having been referred to the Parliamentary Standing Committee on Public Works: Australian Broadcasting Corporation accommodation project, Brisbane, Qld.

Question—put and passed.

12 RATIONALISATION OF ADF FACILITIES AT RMAF BUTTERWORTH, MALAYSIA—APPROVAL OF WORK

Mr Lindsay (Parliamentary Secretary to the Minister for Defence), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Rationalisation of ADF facilities at RMAF Butterworth, Malaysia.

Question—put and passed.

13 RAAF BASE PEARCE REDEVELOPMENT STAGE 1, PEARCE, WA—APPROVAL OF WORK

Mr Lindsay (Parliamentary Secretary to the Minister for Defence), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: RAAF Base Pearce redevelopment stage 1, Pearce, WA.

Question—put and passed.

14 FIT-OUT OF NEW LEASED PREMISES FOR THE DEPARTMENT OF HEALTH AND AGEING AT THE SIRIUS BUILDING, WODEN TOWN CENTRE, ACT—APPROVAL OF WORK

Mr Lindsay (Parliamentary Secretary to the Minister for Defence), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Fit-out of new leased premises for the Department of Health and Ageing at the Sirius Building, Woden Town Centre, ACT.

Question—put and passed.

15 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—MULTI ROLE HELICOPTER FACILITIES

Mr Lindsay (Parliamentary Secretary to the Minister for Defence), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Multi role helicopter facilities.

Question—put and passed.

16 SPECIAL ADJOURNMENT

Mr Lindsay (Parliamentary Secretary to the Minister for Defence) moved—That the House, at its rising, adjourn until Tuesday, 11 September 2007, at a time to be advised by the Speaker, 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.

17 PRODUCT STEWARDSHIP (OIL) 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.

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

Leave granted for third reading to be moved immediately.

On the motion of Mr Cobb (Assistant Minister for the Environment and Water Resources), the bill was read a third time.

18 SOCIAL SECURITY 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 by Ms Gillard (Deputy Leader of the Opposition) 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) condemns the Government for making it harder for Australians to move from welfare to work;
- (2) condemns the Government for reducing the financial rewards for people who move from welfare to work;
- (3) condemns the Government for restricting access to training and education for job seekers; and
- (4) calls on the Government to allow people with part-time participation requirements to fulfil those requirements through real training or study”.

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. 332, 21 June 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 Dr Stone (Minister for Workforce Participation), the bill was read a third time.

19 SUSPENSION OF STANDING AND SESSIONAL ORDERS—INTRODUCTION OF BILL

Mr Nairn (Special Minister of State), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent the introduction of a Bill for an Act to amend the *Commonwealth Electoral Act 1918*, and for related purposes.

Question—put and passed.

20 COMMONWEALTH ELECTORAL AMENDMENT (DEMOCRATIC PLEBISCITES) BILL 2007

Mr Nairn (Special Minister of State) presented a Bill for an Act to amend the *Commonwealth Electoral Act 1918*, and for related purposes.

Document

Mr Nairn presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

21 COMMUNICATIONS LEGISLATION AMENDMENT (INFORMATION SHARING AND DATACASTING) 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 Albanese 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) is concerned that the bill does not:
 - (a) provide for consultation with licence holders prior to varying the frequencies on which datacasting transmitter licences operate; and
 - (b) address privacy concerns or provide adequate protection of confidential information; and
- (2) therefore demands that:
 - (a) the Government make every attempt to carry out spectrum planning for new digital mobile services to ensure that consumers and licence holders are not disadvantaged; and
 - (b) the Government undertake consultation with all stakeholders prior to varying the frequencies on which datacasting transmitter licences operate”.

Debate continued.

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 Mrs Ley (Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry), the bill was read a third time.

22 INTERNATIONAL TRADE INTEGRITY 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 Crean 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) notes that it has been 18 months since the OECD Working Group on Foreign Bribery in International Business Transactions released its Phase 2 Report on Australia and nine months since the Cole Inquiry, and yet we are only now seeing this legislation pass through Parliament;
- (2) notes that this lax approach to Australia’s obligations on bribery of foreign officials is unsurprising, given that the Government—either through complicity or incompetence—allowed AWB to funnel \$350 million to the former Iraqi Dictator, Saddam Hussein;
- (3) condemns the Government for failing to take action on the scandal despite the repeated communications made to senior public servants, Ministerial offices and Ministers themselves;
- (4) condemns the Government for its failure to bring forward the full range of measures needed to bring Australia into compliance with our international obligations on bribery—which includes a failure to bring forward proper legislative protections for whistleblowers;
- (5) notes that other key statutory instruments of Australia’s fight against money-laundering and terrorist financing were delayed for years, with many still yet to be brought before Parliament; and
- (6) condemns the Government for its abject failure to uphold Australia’s international reputation on these issues of importance”.

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.

23 QUESTIONS

Questions without notice being asked—

Member directed to leave

At 3.04 p.m. the Member for Calwell (Ms Vamvakinou) was directed, under standing order 94, to leave the Chamber for one hour for disorderly behaviour, and she accordingly left the Chamber.

Questions without notice continued.

24 AUDITOR-GENERAL'S REPORT

The Speaker presented the following document:

Auditor-General—Audit report No. 5 of 2007–2008—Performance audit—National Cervical Screening Program—Follow-up audit: Department of Health and Ageing.

Ordered to be made a Parliamentary Paper.

25 DOCUMENTS

The following documents were presented:

ASIO, ASIS and DSD—Parliamentary Joint Committee—Reports—

Review of the listing of four terrorist organisations—Government response.

Review of the listing of six terrorist organisations—Government response.

Intelligence and Security—Parliamentary Joint Committee—Reports—

Review of the re-listing of Al-Qa'ida and Jemaah Islamiyah as terrorist organisations—Government response.

Review of the re-listing of ASG, JuA, GIA and GSPC—Government response.

International Labour Organisation—Submission report on ILO instrument—Maritime Labour Convention 2006 (No. 186—MLC 2006).

National Capital and External Territories—Joint Standing Committee—Report—Review of the Griffin Legacy amendments—Government response.

Procedure—Standing Committee—Report—Consideration of the annual estimates by the House of Representatives—Government response.

26 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS

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

ASIO, ASIS and DSD—Parliamentary Joint Committee—Reports—

Review of the listing of four terrorist organisations—Government response.

Review of the listing of six terrorist organisations—Government response.

Intelligence and Security—Parliamentary Joint Committee—Reports—

Review of the re-listing of Al-Qa'ida and Jemaah Islamiyah as terrorist organisations—Government response.

Review of the re-listing of ASG, JuA, GIA and GSPC—Government response.

Procedure—Standing Committee—Report—Consideration of the annual estimates by the House of Representatives—Government response.

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

27 DOCUMENTS

Mr Abbott (Leader of the House) presented the following documents:

Petitions not in accord with standing and sessional orders of the House.

28 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—LOCAL GOVERNMENT AMALGAMATIONS

The House was informed that both Mr McClelland and Mr Neville had proposed that definite matters of public importance be submitted to the House for discussion today. In accordance with the provisions of standing order 46, the Speaker had given priority to the matter proposed by Mr Neville, namely, “The urgent need for action to allow citizens to express their views in respect of forced local government amalgamations”.

The proposed discussion having received the necessary support—

Mr Neville addressed the House.

Discussion ensued.

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

29 ADJOURNMENT NEGATIVED

It being almost 4.30 p.m.—The question was proposed—That the House do now adjourn.

Mr Ruddock (Attorney-General) requiring the question to be put immediately without debate—

Question—put and negatived.

30 INTERNATIONAL TRADE INTEGRITY 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 Crean (see item No. 22, page 2087)*—

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 Ruddock (Attorney-General), the bill was read a third time.

31 TREATIES—JOINT STANDING COMMITTEE—REPORTS—MOTION TO TAKE NOTE OF DOCUMENTS

Dr Southcott (Chair) presented the following documents:

Treaties—Joint Standing Committee—

Report 86—Treaties tabled on 27 March and 9 May 2007—Report, August 2007.

Report 87—Treaties tabled on 13 June 2007—Report, August 2007.

Report 88—Treaty tabled on 7 August 2007—Report, August 2007.

Tabling statement.

Ordered—That the reports be made Parliamentary Papers.

Dr Southcott, by leave, moved—That the House take note of the reports.

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

32 PUBLICATIONS COMMITTEE—REPORT

Mrs Draper (Chair) presented the following document:

PUBLICATIONS COMMITTEE REPORT

The Publications Committee reports that it has met in conference with the Publications Committee of the Senate. Having considered documents presented to Parliament since 21 June, it recommends that the following be made Parliamentary Papers:

Australian Land Transport Development Programme—Progress report for 2004-05.

Defence Force Discipline Act—Judge Advocate General—Report for 2006.

Human Rights and Equal Opportunity Commission—Report—Same-sex: Same entitlements—National inquiry into discrimination against people in same-sex relationships: Financial and work-related entitlements and benefits—May 2007.

Wreck Bay Aboriginal Community Council—Report for 2005-06.

Trish Draper MP

Chair

16 August 2007

On the motion of Mrs Draper, by leave, the report was agreed to.

33 ADJOURNMENT

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

Debate ensued.

The House continuing to sit until 5 p.m.—The Speaker adjourned the House until Tuesday, 11 September 2007, at a time to be advised, in accordance with the resolution agreed to this sitting.

DOCUMENTS

The following documents were deemed to have been presented on 16 August 2007:

Civil Aviation Act—Civil Aviation Safety Regulations—Airworthiness Directives—Part 39-105—2007—

11 July [F2007L02566].

20 July [F2007L02571].

Customs Act—Orders—Tariff Concession Revocation—2007 20 (2) July [F2007L02556], [F2007L02557].

Medicare Australia Act—Direction—2007 Medicare Australia (Functions of chief executive officer) Amendment (No. 2) [F2007L02583].

Migration Act—Instrument under paragraphs 82(2AA)(a) and (b)—2007 Substantive visa classes, No. IMMI 07/048 [F2007L02531].

Quarantine Act—Regulations—Select Legislative Instrument—2007 No. 233 [F2007L02427].

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Adams, Mr Anderson, Mr Andren, Mr Beazley, Mr Bevis, Mrs Elson, Mr Forrest, Ms Hoare, Mr Katter, Mr Laming, Ms Plibersek, Mr Sercombe and Mr Wilkie.

I. C. HARRIS

Clerk of the House of Representatives

2004-05-06-07

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 189

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 16 AUGUST 2007

1 The Main Committee met at 9.30 a.m.

2 MEMBERS' STATEMENTS

Members' statements were made.

3 THERAPEUTIC GOODS AMENDMENT BILL 2007

The order of the day having been read for the second reading—

Document

Mrs D. M. Kelly (Parliamentary Secretary to the Minister for Transport and Regional Services) presented an explanatory memorandum to the bill.

Mrs D. M. Kelly moved—That the bill be now read a second time.

Debate ensued.

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 INTERNATIONAL TAX AGREEMENTS AMENDMENT BILL (NO. 2) 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.

5 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.

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.

6 ADJOURNMENT

Dr Southcott moved—That the Main Committee do now adjourn.

Debate ensued.

Question—put and passed.

At 12.58 p.m., the Deputy Speaker adjourned the Main Committee until 9.30 a.m. on Wednesday, 12 September 2007.

B. C. WRIGHT
Clerk of the Main Committee