

2008

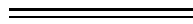
THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 4

MONDAY, 18 FEBRUARY 2008



1 The House met, at 12 noon, pursuant to adjournment. The Speaker (Mr Jenkins) took the Chair, and read Prayers.

2 ADDRESS IN REPLY TO THE GOVERNOR-GENERAL'S SPEECH

The order of the day having been read for the resumption of the debate on the question—That the following Address in Reply to the speech of His Excellency the Governor-General be agreed to:

May it please Your Excellency:

We, the House of Representatives of the Commonwealth of Australia, in Parliament assembled, express our loyalty to the Sovereign, and thank Your Excellency for the speech which you have been pleased to address to the Parliament—

Debate resumed.

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.

3 QUESTIONS

Questions without notice being asked—

Document

Mrs Elliot (Minister for Ageing) presented the following document:

Broughton Hall—Summary investigation report by Rhonda Parker, Aged Care Commissioner, to the Minister for Ageing, February 2008.

Questions without notice continued.

4 SUSPENSION OF STANDING ORDERS MOVED

Mr Hartsuyker moved—That so much of the standing orders be suspended as would prevent the Honourable Member for Cowper from being called immediately to address the House on the following matter of definite public importance: “The failure of the Rudd Labor Government to adequately address the issue of rising petrol prices which is placing upward pressure on interest rates and inflation and adversely affecting Australian families”, and for other members to then be called to address the House on this matter and for the time limits provided for in standing order 1 in relation to matters of public importance being applied to the Honourable Member for Cowper and other members speaking.

Closure of Member

Mr Albanese (Leader of the House) moved—That the Member be no longer heard.

Question—put.

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

AYES, 79

Mr Adams	Mrs Elliot	Dr Kelly	Ms Rea
Mr Albanese	Ms A. L. Ellis	Mr Kerr	Mr Ripoll
Mr Bevis	Ms K. M. Ellis	Ms King	Ms Rishworth
Mr Bowen	Dr Emerson	Ms Livermore	Ms Roxon
Mr Bradbury	Mr L. D. T. Ferguson	Mr McClelland	Ms Saffin
Ms A. E. Burke	Mr M. J. Ferguson	Ms McKew	Mr Shorten
Mr A. S. Burke	Mr Fitzgibbon	Ms Macklin	Mr Sidebottom
Mr Butler	Mr Garrett	Mr McMullan	Mr S. F. Smith
Mr Byrne	Mr Georganas	Mr Marles	Mr Snowdon
Ms Campbell	Ms George	Mr Melham	Mr Sullivan
Mr Champion	Mr Gibbons	Mr Murphy	Mr Swan
Mr Cheeseman	Ms Gillard	Ms Neal	Mr Symon
Mr Clare	Mr Gray	Mr Neumann	Mr Tanner
Ms Collins	Ms Grierson	Mr B. P. O'Connor	Mr C. R. Thomson
Mr Combet	Mr Griffin	Ms Owens	Mr K. J. Thomson
Mr Crean	Mr Hale	Ms Parke	Mr Trevor
Mr Danby	Ms Hall*	Mr Perrett	Mr Turnour
Ms D'Ath	Mr Hayes*	Ms Plibersek	Ms Vamvakinou
Mr Debus	Mrs Irwin	Mr Price	Mr Zappia
Mr Dreyfus	Ms Jackson	Mr Raguse	

NOES, 64

Mr Abbott	Mrs Gash	Mr Macfarlane	Mr Ruddock
Mr Andrews	Mr Georgiou	Mr McGauran	Mr Schultz
Fran Bailey	Mr Haase	Ms Marino	Mr Scott
Mr Baldwin	Mr Hartsuyker	Mrs Markus	Mr Secker
Mr Billson	Mr A. G. Hawke	Mrs May	Mr Simpkins
Mrs B. K. Bishop	Mr D. P. M. Hawker	Mrs Mirabella	Mr Slipper
Ms J. Bishop	Mr Hockey	Mr Morrison	Mr A. D. H. Smith
Mr Broadbent	Mrs Hull*	Mrs Moylan	Mr Somlyay
Mr Ciobo	Mr Hunt	Dr Nelson	Dr Southcott
Mr Cobb	Mr Irons	Mr Neville	Dr Stone
Mr Costello	Dr Jensen	Mr Pearce	Mr Truss
Mr Coulton	Mr Johnson*	Mr Pyne	Mr Tuckey
Mr Downer	Mr Keenan	Mr Ramsey	Mr Turnbull
Mr Dutton	Mr Laming	Mr Randall	Mrs D. S. Vale
Mr Farmer	Ms Ley	Mr Robb	Dr Washer
Mr Forrest	Mr Lindsay	Mr Robert	Mr Wood

* Tellers

And so it was resolved in the affirmative.

Mr Hockey (seconder) addressing the House—

Closure of Member

Mr Albanese moved—That the Member be no longer heard.

Question—put.

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

AYES, 79

Mr Adams	Mrs Elliot	Dr Kelly	Ms Rea
Mr Albanese	Ms A. L. Ellis	Mr Kerr	Mr Ripoll
Mr Bevis	Ms K. M. Ellis	Ms King	Ms Rishworth
Mr Bowen	Dr Emerson	Ms Livermore	Ms Roxon
Mr Bradbury	Mr L. D. T. Ferguson	Mr McClelland	Ms Saffin
Ms A. E. Burke	Mr M. J. Ferguson	Ms McKew	Mr Shorten
Mr A. S. Burke	Mr Fitzgibbon	Ms Macklin	Mr Sidebottom
Mr Butler	Mr Garrett	Mr McMullan	Mr S. F. Smith
Mr Byrne	Mr Georganas	Mr Marles	Mr Snowdon
Ms Campbell	Ms George	Mr Melham	Mr Sullivan
Mr Champion	Mr Gibbons	Mr Murphy	Mr Swan
Mr Cheeseman	Ms Gillard	Ms Neal	Mr Symon
Mr Clare	Mr Gray	Mr Neumann	Mr Tanner
Ms Collins	Ms Grierson	Mr B. P. O'Connor	Mr C. R. Thomson
Mr Combet	Mr Griffin	Ms Owens	Mr K. J. Thomson
Mr Crean	Mr Hale	Ms Parke	Mr Trevor
Mr Danby	Ms Hall*	Mr Perrett	Mr Turnour
Ms D'Ath	Mr Hayes*	Ms Plibersek	Ms Vamvakinou
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Fran Bailey	Mr Haase	Ms Marino	Mr Scott
Mr Baldwin	Mr Hartsuyker	Mrs Markus	Mr Secker
Mr Billson	Mr A. G. Hawke	Mrs May	Mr Simpkins
Mrs B. K. Bishop	Mr D. P. M. Hawker	Mrs Mirabella	Mr Slipper
Ms J. Bishop	Mr Hockey	Mr Morrison	Mr A. D. H. Smith
Mr Broadbent	Mrs Hull*	Mrs Moylan	Mr Somlyay
Mr Ciobo	Mr Hunt	Dr Nelson	Dr Southcott
Mr Cobb	Mr Irons	Mr Neville	Dr Stone
Mr Costello	Dr Jensen	Mr Pearce	Mr Truss
Mr Coulton	Mr Johnson*	Mr Pyne	Mr Tuckey
Mr Downer	Mr Keenan	Mr Ramsey	Mr Turnbull
Mr Dutton	Mr Laming	Mr Randall	Mrs D. S. Vale
Mr Farmer	Ms Ley	Mr Robb	Dr Washer
Mr Forrest	Mr Lindsay	Mr Robert	Mr Wood

* Tellers

And so it was resolved in the affirmative.

Question—That the motion for the suspension of standing orders be agreed to—put.

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

AYES, 64

Mr Abbott	Mrs Gash	Mr Macfarlane	Mr Ruddock
Mr Andrews	Mr Georgiou	Mr McGauran	Mr Schultz
Fran Bailey	Mr Haase	Ms Marino	Mr Scott
Mr Baldwin	Mr Hartsuyker	Mrs Markus	Mr Secker
Mr Billson	Mr A. G. Hawke	Mrs May	Mr Simpkins
Mrs B. K. Bishop	Mr D. P. M. Hawker	Mrs Mirabella	Mr Slipper
Ms J. Bishop	Mr Hockey	Mr Morrison	Mr A. D. H. Smith
Mr Broadbent	Mrs Hull*	Mrs Moylan	Mr Somlyay
Mr Ciobo	Mr Hunt	Dr Nelson	Dr Southcott
Mr Cobb	Mr Irons	Mr Neville	Dr Stone
Mr Costello	Dr Jensen	Mr Pearce	Mr Truss
Mr Coulton	Mr Johnson*	Mr Pyne	Mr Tuckey
Mr Downer	Mr Keenan	Mr Ramsey	Mr Turnbull
Mr Dutton	Mr Laming	Mr Randall	Mrs D. S. Vale
Mr Farmer	Ms Ley	Mr Robb	Dr Washer
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NOES, 79

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Mr Butler	Mr Garrett	Mr McMullan	Mr S. F. Smith
Mr Byrne	Mr Georganas	Mr Marles	Mr Snowdon
Ms Campbell	Ms George	Mr Melham	Mr Sullivan
Mr Champion	Mr Gibbons	Mr Murphy	Mr Swan
Mr Cheeseman	Ms Gillard	Ms Neal	Mr Symon
Mr Clare	Mr Gray	Mr Neumann	Mr Tanner
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Mrs D'Ath	Mr Hayes*	Ms Plibersek	Ms Vamvakinou
Mr Debus	Mrs Irwin	Mr Price	Mr Zappia
Mr Dreyfus	Ms Jackson	Mr Raguse	

* Tellers

And so it was negatived.

5 SPEAKER'S PANEL

The following warrant nominating members of the Speaker's panel, pursuant to standing order 17, was presented:

HOUSE OF REPRESENTATIVES

Pursuant to the provisions of standing order 17, I nominate—

Kevin James Andrews,
 Archibald Ronald Bevis,
 Sharon Leah Bird,
 Steven Georganas,
 Janelle Anne Saffin,
 Albert John Schultz,

Peter Neil Slipper,
 Kelvin John Thomson,
 Danna Sue Vale,
 Malcolm James Washer,

to be members of the Speaker's panel to assist the Chair when requested to do so by the Speaker or Deputy Speaker.

Given under my hand on 18 February 2008.

HARRY JENKINS
 Speaker

6 AUSTRALIA–UNITED STATES ‘OPEN SKIES’ AGREEMENT—MINISTERIAL STATEMENT

Mr Albanese (Minister for Infrastructure, Transport, Regional Development and Local Government), by leave, made a ministerial statement on the Australia–United States ‘Open Skies’ Agreement.

Suspension of standing orders—Time for speech

Mr Byrne (Parliamentary Secretary to the Prime Minister), by leave, moved—That so much of the standing orders be suspended as would prevent Mr Truss (Leader of the Nationals) speaking for a period not exceeding 9 minutes.

Question—put and passed.

Mr Truss addressed the House.

7 MESSAGES FROM THE SENATE

Messages from the Senate, 14 February 2008, were reported:

(a) returning the following bills without amendment:

No. 1—Aged Care Amendment (2008 Measures No. 1) 2008;

No. 2—Appropriation (Drought and Equine Influenza Assistance) (No. 1) 2007-2008; and

No. 3—Appropriation (Drought and Equine Influenza Assistance) (No. 2) 2007-2008;

(b) Message No. 4—informing the House that the Senate concurs with the 9 resolutions of the House relating to the appointment of joint committees; and

(c) Message No. 5—informing the House of the appointment of Senators to the following joint committees:

Australian Commission for Law Enforcement Integrity—Parliamentary Joint Committee—Senators Carol Brown, Campbell, Fierravanti-Wells and Parry;

Australian Crime Commission—Parliamentary Joint Committee—Senators Barnett, Hutchins, Parry and Polley;

Broadcasting of Parliamentary Proceedings—Joint Committee—Senators O'Brien and Parry;

Corporations and Financial Services—Parliamentary Joint Committee—Senators Boyce, Chapman, Kirk, Murray and Webber;

Intelligence and Security—Parliamentary Joint Committee—Senators Marshall and Ray;

Public Accounts and Audit—Joint Committee—Senators Bishop, Chapman, Hogg, Lundy, Murray and Watson;

Public Works—Parliamentary Standing Committee—Senators Bishop, Forshaw and Troeth;

Electoral Matters—Joint Standing Committee—Senators Birmingham, Bob Brown, Carol Brown, Fierravanti-Wells and Hutchins;

Foreign Affairs, Defence and Trade—Joint Standing Committee—Senators Bartlett, Bishop, Cormann, Eggleston, Fifield, Forshaw, Kirk, Sandy Macdonald, Moore, Stott Despoja, Trood and Webber;

Migration—Joint Standing Committee—Senators Bartlett, Eggleston, McEwen and Polley;

National Capital and External Territories—Joint Standing Committee—Senators Crossin, Humphries, Joyce, Lundy and Stott Despoja;

Parliamentary Library—Joint Standing Committee—Senators Allison, Barnett, Hutchins, Kirk, Trood and Webber; and

Treaties—Joint Standing Committee—Senators Bartlett, Birmingham, Bushby, Cormann, Marshall, Sterle and Wortley.

8 COMMITTEES—APPOINTMENT OF MEMBERS

Mr Albanese (Leader of the House), by leave, moved—That Members be appointed as members of certain committees in accordance with the following schedule:

COMMITTEE	MEMBERSHIP
JOINT STATUTORY	
Australian Commission for Law Enforcement Integrity	Mr Clare, Ms Parke, Mr Hayes.
Australian Crime Commission	Mr Hayes, Mr Gibbons, Mr Champion.
Broadcasting of Parliamentary Proceedings	Mr Hale, Mr Hayes, Mr Price.
Corporations and Financial Services	Mr Ripoll, Ms Owens, Ms Grierson.
Public Accounts and Audit	Ms Grierson, Mr Bevis, Mr Neumann, Mr Bradbury, Mr Butler, Ms King.
Public Works	Mr Butler, Mr Hale, Mr Champion.
JOINT STANDING	
Electoral Matters	Mr Melham, Mr Danby, Mr Sullivan.
Foreign Affairs, Defence and Trade	Mr Bevis, Mr K. J. Thomson, Mr Hale, Mr Danby, Mr Ripoll, Ms A. L. Ellis, Ms Vamvakinou, Ms Parke, Mr Gibbons, Ms Saffin, Ms Rea, Ms Grierson.
Migration	Mr Danby, Mrs D’Ath, Mr Zappia.
National Capital and External Territories	Mr Adams, Mr Turnour, Ms A. L. Ellis.
Parliamentary Library	Mr Adams, Ms Jackson, Mr Butler
Treaties	Mr K. J. Thomson, Ms Neal, Mr Trevor, Ms Parke, Ms Hall, Ms Vamvakinou.

Question—put and passed.

9 ADDRESS IN REPLY TO THE GOVERNOR-GENERAL’S SPEECH

The order of the day having been read for the resumption of the debate on the question—That the Address in Reply to the speech of His Excellency the Governor-General be agreed to (*see item No. 2, page 87*)—

Debate resumed.

Mr K. J. Thomson addressing the House—

10 ADJOURNMENT

It being 8.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 9 p.m.—The Speaker adjourned the House until 2 p.m. tomorrow.

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DOCUMENTS

The following documents were deemed to have been presented on 18 February 2008:

Civil Aviation Act—Civil Aviation Safety Regulations—Airworthiness Directives under Part 39-105—AD/BELL 407—No. 9 Amendment (No. 3) [F2008L00382].

AD/CL-600—No. 95 [F2008L00383].

AD/J4100—No. 1 Amendment (No. 1) [F2008L00386].

Customs Act—Orders—

Tariff Concession—2008 Nos 0716959, 0717321, 0717342, 0717597, 0717641, 0718127, 0718168, 0718206, 0718307, 0718308, 0718356, 0718439, 0718560, 0718575, 0718662, 0718727, 0718731 [F2008L00315], [F2008L00299], [F2008L00314], [F2008L00313], [F2008L00297], [F2008L00294], [F2008L00336], [F2008L00293], [F2008L00337], [F2008L00292], [F2008L00328], [F2008L00323], [F2008L00289], [F2008L00338], [F2008L00339], [F2008L00340], [F2008L00341].

Tariff Concession Revocation—2008 Nos 19, 20, 21, 22, 23, 24, 25, 26 [F2008L00266], [F2008L00268], [F2008L00269], [F2008L00270], [F2008L00271], [F2008L00272], [F2008L00273], [F2008L00335].

Defence Act—Determination under Section 58B—2008 No. 7.

Fisheries Levy Act—Regulations—Select Legislative Instrument—2008 No. 6 [F2008L00307].

Income Tax Assessment Act 1997—Rules—2008—

Film Certification Advisory Board [F2008L00350].

Location offset [F2008L00352].

PDV offset [F2008L00353].

International Criminal Court Act—Regulations—Select Legislative Instrument—2008 No. 7 [F2008L00247].

Migration Act—Migration Regulations—Instrument—2008 Professional year programs, No. IMMI 08/002 [F2008L00487].

Radiocommunications Act—Class licence—2008 Overseas amateurs visiting Australia [F2008L00376].

Retirement Savings Accounts Act—Regulations—Select Legislative Instrument—2008 No. 8 [F2008L00375].

Superannuation Industry (Supervision) Act—Regulations—Select Legislative Instrument—2008 No. 9 [F2008L00373].

Sydney Airport Curfew Act—Dispensations—2008 No. 1.

Taxation Administration Act—Rulings—

2007—PR No. 25 (Addendum).

2008—

CR No. 7.

PR Nos 9, 10, 11, 12, 13.

Therapeutic Goods Act—Notice—2008 Listing (Nos 1 and 2) [F2008L00384], [F2008L00385].

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Bidgood, Ms Bird and Mr M. A. J. Vaile.

I. C. HARRIS
Clerk of the House of Representatives

2008

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 4

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

MONDAY, 18 FEBRUARY 2008

1 The Main Committee met at 4 p.m.

2 APOLOGY TO AUSTRALIA'S INDIGENOUS PEOPLES

The order of the day having been read for the resumption of the debate on the motion of Mr Rudd (Prime Minister)—That:

Today we honour the Indigenous peoples of this land, the oldest continuing cultures in human history.

We reflect on their past mistreatment.

We reflect in particular on the mistreatment of those who were Stolen Generations—this blemished chapter in our nation's history.

The time has now come for the nation to turn a new page in Australia's history by righting the wrongs of the past and so moving forward with confidence to the future.

We apologise for the laws and policies of successive Parliaments and governments that have inflicted profound grief, suffering and loss on these our fellow Australians.

We apologise especially for the removal of Aboriginal and Torres Strait Islander children from their families, their communities and their country.

For the pain, suffering and hurt of these Stolen Generations, their descendants and for their families left behind, we say sorry.

To the mothers and the fathers, the brothers and the sisters, for the breaking up of families and communities, we say sorry.

And for the indignity and degradation thus inflicted on a proud people and a proud culture, we say sorry.

We the Parliament of Australia respectfully request that this apology be received in the spirit in which it is offered as part of the healing of the nation.

For the future we take heart; resolving that this new page in the history of our great continent can now be written.

We today take this first step by acknowledging the past and laying claim to a future that embraces all Australians.

A future where this Parliament resolves that the injustices of the past must never, never happen again.

A future where we harness the determination of all Australians, Indigenous and non-Indigenous, to close the gap that lies between us in life expectancy, educational achievement and economic opportunity.

A future where we embrace the possibility of new solutions to enduring problems where old approaches have failed.

A future based on mutual respect, mutual resolve and mutual responsibility.

A future where all Australians, whatever their origins, are truly equal partners, with equal opportunities and with an equal stake in shaping the next chapter in the history of this great country, Australia—

Debate ensued.

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

3 ADJOURNMENT

On the motion of Mr Johnson, the Main Committee adjourned at 8.30 p.m.

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

B. C. WRIGHT
Clerk of the Main Committee