

2008

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 29

WEDNESDAY, 18 JUNE 2008

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

**2 PROTECTION OF THE SEA LEGISLATION AMENDMENT BILL 2008**

Mr Albanese (Minister for Infrastructure, Transport, Regional Development and Local Government), pursuant to notice, presented a Bill for an Act to amend the law in relation to the protection of the sea, and shipping and marine navigation levies, and for related purposes.

*Document*

Mr Albanese presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**3 THERAPEUTIC GOODS LEGISLATION AMENDMENT (ANNUAL CHARGES) BILL 2008**

Mr Shorten (Parliamentary Secretary for Disabilities and Children's Services) presented a Bill for an Act to amend the law relating to therapeutic goods, and for related purposes.

*Document*

Mr Shorten presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**4 GREAT BARRIER REEF MARINE PARK AND OTHER LEGISLATION AMENDMENT BILL 2008**

Mr Garrett (Minister for the Environment, Heritage and the Arts), pursuant to notice, presented a Bill for an Act to amend the law in relation to the Great Barrier Reef Marine Park, and for related purposes.

*Document*

Mr Garrett presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**5 OFFSHORE PETROLEUM AMENDMENT (GREENHOUSE GAS STORAGE) BILL 2008**

Mr M. J. Ferguson (Minister for Resources and Energy), pursuant to notice, presented a Bill for an Act to amend the *Offshore Petroleum Act 2006*, and for other purposes.

*Document*

Mr M. J. Ferguson presented an explanatory memorandum to the following bills:

Offshore Petroleum Amendment (Greenhouse Gas Storage) 2008.

Offshore Petroleum (Annual Fees) Amendment (Greenhouse Gas Storage) 2008.

Offshore Petroleum (Registration Fees) Amendment (Greenhouse Gas Storage) 2008.

Offshore Petroleum (Safety Levies) Amendment (Greenhouse Gas Storage) 2008.

Bill read a first time.

Mr M. J. Ferguson moved—That bill be now read a second time.

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

**6 OFFSHORE PETROLEUM (ANNUAL FEES) AMENDMENT (GREENHOUSE GAS STORAGE) BILL 2008**

Mr M. J. Ferguson (Minister for Resources and Energy), pursuant to notice, presented a Bill for an Act to amend the *Offshore Petroleum (Annual Fees) Act 2006*, and for related purposes.

Bill read a first time.

Mr M. J. Ferguson moved—That the bill be now read a second time.

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

**7 OFFSHORE PETROLEUM (REGISTRATION FEES) AMENDMENT (GREENHOUSE GAS STORAGE) BILL 2008**

Mr M. J. Ferguson (Minister for Resources and Energy) presented a Bill for an Act to amend the *Offshore Petroleum (Registration Fees) Act 2006*, and for related purposes.

Bill read a first time.

Mr M. J. Ferguson moved—That the bill be now read a second time.

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

**8 OFFSHORE PETROLEUM (SAFETY LEVIES) AMENDMENT (GREENHOUSE GAS STORAGE) BILL 2008**

Mr M. J. Ferguson (Minister for Resources and Energy) presented a Bill for an Act to amend the *Offshore Petroleum (Safety Levies) Act 2003*, and for related purposes.

Bill read a first time.

Mr M. J. Ferguson moved—That the bill be now read a second time.

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

**9 GOVERNANCE REVIEW IMPLEMENTATION (AASB AND AUASB) BILL 2008**

Mr A. S. Burke (Minister for Agriculture, Fisheries and Forestry), for Mr Bowen (Assistant Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Australian Securities and Investments Commission Act 2001*, and for related purposes.

*Document*

Mr A. S. Burke presented an explanatory memorandum to the bill.

Bill read a first time.

Mr A. S. Burke moved—That the bill be now read a second time.

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

**10 GOVERNOR-GENERAL AMENDMENT (SALARY AND SUPERANNUATION) BILL 2008**

Mr Byrne (Parliamentary Secretary to the Prime Minister), pursuant to notice, presented a Bill for an Act to amend the *Governor-General Act 1974*, and for related purposes.

*Document*

Mr Byrne presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**11 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—PROPOSED AUSTRALIAN SKA PATHFINDER RADIO TELESCOPE IN GERALDTON-GREENOUGH AND IN MURCHISON SHIRE, WA**

Dr Kelly (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: Proposed Australian SKA Pathfinder radio telescope in Geraldton-Greenough and in Murchison Shire, WA.

Question—put and passed.

**12 TAX LAWS AMENDMENT (ELECTION COMMITMENTS NO. 1) BILL 2008**

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 Keenan 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) calls for the provisions in the bill relating to managed investment trust income to be referred to the Senate Economics Committee for review, thereby enabling greater understanding of why the withholding tax regime should particularly favour foreign investors in property trusts; and
- (2) urges the Government to ensure that the provisions in the bill relating to the exemption of the Prime Minister’s Literary Award be put forward in a separate bill that can be dealt with more quickly”.

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 Mr Bowen (Assistant Treasurer), the bill was read a third time.

**13 INCOME TAX (MANAGED INVESTMENT TRUST WITHHOLDING TAX) BILL 2008**

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 Bowen (Assistant Treasurer), the bill was read a third time.

**14 INCOME TAX (MANAGED INVESTMENT TRUST TRANSITIONAL) BILL 2008**

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 Bowen (Assistant Treasurer), the bill was read a third time.

**15 COMMONWEALTH SECURITIES AND INVESTMENT LEGISLATION AMENDMENT BILL 2008**

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. 51, 18 June 2008, 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 Swan (Treasurer), the bill was read a third time.

#### 16 EVIDENCE AMENDMENT BILL 2008

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 Perrett addressing the House—

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.

#### 17 QUESTIONS

Questions without notice being asked—

*Member directed to leave*

At 2.04 p.m. the Member for O'Connor (Mr Tuckey) 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.

#### 18 AUDITOR-GENERAL'S REPORT

The Speaker presented the following document:

Auditor-General—Audit report No. 41 of 2007–2008—Performance audit—Management of personnel security—Follow-up audit.

Ordered to be made a Parliamentary Paper.

#### 19 DOCUMENTS

The following documents were presented:

Attorney-General's Department—Copyright exceptions for private copying of photographs and films—Review of sections 47J and 110AA of the *Copyright Act 1968*, Report 2008.

Australian Competition and Consumer Commission—Telecommunications report—2006-07 Report 1: Telecommunications competitive safeguards; Report 2: Changes in the prices paid for telecommunications services in Australia.

Australian National University—Report for 2007.

Infant Formula—Advisory panel on the marketing in Australia of infant formula—Report for the period July 2004 to June 2007.

Treaty—*Multilateral—Explanatory statement—2008 No. 2—Amendment*, adopted 1 October 2007, to annex 1 of the United Nations Educational, Scientific and Cultural Organisation (UNESCO) International Convention Against Doping in Sport of 19 October 2005—Attachment.

#### 20 INDIGENOUS LEGAL FUNDING—MINISTERIAL STATEMENT

Mr Debus (Minister for Home Affairs), by leave, made a ministerial statement on Indigenous legal funding.

*Suspension of standing orders—Time for speech*

Mr Debus, by leave, moved—That so much of the standing orders be suspended as would prevent Mr Pyne speaking for a period not exceeding 6 minutes.

Question—put and passed.

Mr Pyne addressed the House.

#### 21 NATIONAL PRODUCT SAFETY REFORM—MINISTERIAL STATEMENT

Mr Bowen (Assistant Treasurer), by leave, made a ministerial statement on national product safety reform.

*Suspension of standing orders—Time for speech*

Mr Bowen, by leave, moved—That so much of the standing orders be suspended as would prevent Mr Hartsuyker speaking for a period not exceeding 7 minutes.

Question—put and passed.

Mr Hartsuyker addressed the House.

**22 WHIPS' REPORT**

Mr Price (Chief Government Whip) presented the following document:

Whips' report—Report relating to the consideration of committee and delegation reports and private Members' business on Monday, 23 June 2008—

and moved—That the report be adopted.

Question—put and passed.

**23 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—COST OF LIVING**

The House was informed that Mr Turnbull had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The Government’s failure to address cost of living and other economic pressures faced by Australians and the consequent collapse in consumer and business confidence”.

The proposed discussion having received the necessary support—

Mr Turnbull addressed the House.

Discussion ensued.

The time allotted under standing order 1 having expired, the discussion was interrupted.

**24 MESSAGE FROM THE SENATE**

Message No. 38, 17 June 2008, from the Senate was reported returning the National Health Amendment (Pharmaceutical Benefits Scheme) Bill 2008 without amendment.

**25 MESSAGE FROM THE SENATE—TAX LAWS AMENDMENT (2008 MEASURES NO. 2) BILL 2008**

Message No. 39, 17 June 2008, from the Senate was reported returning the Tax Laws Amendment (2008 Measures No. 2) Bill 2008 with amendments.

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

**26 EVIDENCE AMENDMENT BILL 2008**

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.

*Document*

Mr McClelland (Attorney-General) presented the following document:

Correction to the explanatory memorandum.

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

Leave granted for third reading to be moved immediately.

On the motion of Mr McClelland, the bill was read a third time.

**27 MILITARY MEMORIALS OF NATIONAL SIGNIFICANCE BILL 2008**

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 Mrs B. K. Bishop, viz.*—That all words after “That” be omitted with a view to substituting the following words: “whilst not declining to the give the bill a second reading, the House:

- (1) notes that the bill creates a new category of memorial—namely a Military Memorial of National Significance;
- (2) notes that this new category of memorial, unlike ‘National Memorials’ under the National Memorials Ordinance 1928:
  - (a) does not attract ongoing maintenance funding;
  - (b) must not be located in the national capital; and

- (c) involves a decision of the Minister and the Prime Minister rather than the bi-partisan Canberra National Memorials Committee;
- (3) acknowledges as correct the stance of the previous Government that National Memorials, pursuant to the 1928 Ordinance, can only be located in the national capital; and
- (4) condemns the Government for:
  - (a) playing politics with the veteran community;
  - (b) claiming in the Budget Papers that it will declare the Australian Ex-Prisoners of War Memorial in Ballarat a national memorial when it has not done so; and
  - (c) misleading the veteran community by claiming to have met an election commitment to declare the Ballarat Memorial a national memorial, when the Government has failed to do so?—

Debate resumed.

Mr Raguse addressing the House—

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## 28 ADJOURNMENT

It being 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 9 a.m. tomorrow.

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## DOCUMENTS

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

Defence Act—Determination under section 58B—2008 No. 23.

Environment Protection and Biodiversity Conservation Act—Notice under section 33—Accreditation of a plan for a declaration—Torres Strait Bêche-de-mer Fishery Statement of Management Arrangements, 11 June 2008.

Sydney Airport Curfew Act—Dispensation—2008 No. 7.

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## ATTENDANCE

All Members attended (at some time during the sitting) except Mr Broadbent, Mrs Hull, Ms King\* and Mrs Mirabella\*.

\* On leave

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**I. C. HARRIS**  
Clerk of the House of Representatives

2008

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

No. 29

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

**WEDNESDAY, 18 JUNE 2008**

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1 The Main Committee met at 9.30 a.m.

**2 MEMBERS' STATEMENTS**

Members' statements were made.

**3 APPROPRIATION BILL (NO. 1) 2008-2009**

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

Ordered—That the order for consideration of the proposed expenditures agreed to on Tuesday, 17 June 2008 by the Main Committee be varied by considering the proposed expenditure for the Foreign Affairs segment of the Foreign Affairs and Trade Portfolio after the Prime Minister and Cabinet Portfolio.

Schedule—

Proposed expenditures—

Infrastructure, Transport, Regional Development and Local Government Portfolio, \$716,598,000—debated—

*Document*

Mr Gray (Parliamentary Secretary for Regional Development and Northern Australia) presented the following document:

Regional Partnerships Programs—List of 86 not-for-profit and local council projects.

Debate continued.

Proposed expenditure agreed to.

Broadband, Communications and the Digital Economy Portfolio, \$1,455,351,000—debated and agreed to.

Agriculture, Fisheries and Forestry Portfolio, \$811,330,000—debated and agreed to.

Human Services Portfolio, \$1,828,805,000—debated and agreed to.

Immigration and Citizenship Portfolio, \$1,708,603,000—debated—

*Document*

Mr Andrews, by leave, presented the following document:

House of Representatives Estimates—List of questions to the Minister for Immigration and Citizenship (represented by the Attorney-General), 18 June 2008.

Debate continued.

Proposed expenditure agreed to.

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*Suspension of meeting*

At 1.03 p.m., the Deputy Speaker left the Chair.

*Resumption of meeting*

At 4.08 p.m., the Deputy Speaker resumed the Chair.

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Attorney-General's Portfolio, \$3,875,155,000—debated and agreed to.

Innovation, Industry, Science and Research Portfolio, \$1,935,213,000—debated and agreed to.

Finance and Deregulation Portfolio, \$523,465,000—debated and agreed to.

Treasury Portfolio, \$3,794,986,000—debated and agreed to.

Prime Minister and Cabinet Portfolio, \$420,033,000—debated and agreed to.

Foreign Affairs and Trade Portfolio, \$4,524,405,000—further debated and agreed to.

Remainder of bill, by leave, taken as a whole and agreed to.

Consideration in detail concluded.

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

**4 APPROPRIATION BILL (NO. 2) 2008-2009**

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 the question on the report to be put immediately.

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

**5 APPROPRIATION (PARLIAMENTARY DEPARTMENTS) BILL (NO. 1) 2008-2009**

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 the question on the report to be put immediately.

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

**6 APPROPRIATION BILL (NO. 5) 2007-2008**

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 the question on the report to be put immediately.

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

**7 APPROPRIATION BILL (NO. 6) 2007-2008**

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 the question on the report to be put immediately.

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

**8 ADJOURNMENT**

On the motion of Mr Danby, the Main Committee adjourned at 7.33 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