

2008

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 31

MONDAY, 23 JUNE 2008

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

2 PRIVATE MEMBERS' MOTIONS—PRESENTED BY SPEAKER

The Speaker presented copies of the terms of the following private Members' motions:

Mr Trevor—Centenary of Australian Rugby League (*see item No. 3, Minutes of Proceedings of the Main Committee*).

Mrs Hull—HIV/AIDS (*see item No. 4, Minutes of Proceedings of the Main Committee*).

Mr Ripoll—Urban planning (*see item No. 5, Minutes of Proceedings of the Main Committee*).

In accordance with standing order 41(h) the motions were made orders of the day and referred to the Main Committee.

3 DENTAL BENEFITS BILL 2008—SENATE'S AMENDMENT

The order of the day having been read for the consideration of the amendment made by the Senate—

On the motion of Ms Roxon (Minister for Health and Ageing), the amendment was agreed to, after debate.

4 TAX LAWS AMENDMENT (2008 MEASURES NO. 2) BILL 2008—SENATE'S AMENDMENTS

The order of the day having been read for the consideration of the amendments made by the Senate—

On the motion of Mr Bowen (Assistant Treasurer), the amendments were agreed to, after debate.

5 MESSAGE FROM THE SENATE—WHEAT EXPORT MARKETING BILL 2008

Message No. 61, 19 June 2008, from the Senate was reported returning the Wheat Export Marketing Bill 2008 with amendments.

Ordered—That the amendments be considered immediately.

On the motion of Mr A. S. Burke (Minister for Agriculture, Fisheries and Forestry), the amendments were agreed to—Mr Forrest dissenting.

6 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 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.

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

The House divided (the Deputy Speaker, Ms A. E. Burke, in the Chair)—

AYES, 71

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

NOES, 52

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

* Tellers

Pairs

Ms Gillard	Mr Downer
Mr Garrett	Mr Costello
Mr Danby	Mr M. A. J. Vaile

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 Griffin (Minister for Veterans' Affairs), the bill was read a third time.

7 JUDICIARY 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 Slipper 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.

8 MINISTERIAL ARRANGEMENTS

Mr Rudd (Prime Minister) informed the House that, during the absence overseas of Ms Gillard (Deputy Prime Minister), Mr O'Connor (Minister for Employment Participation) would answer questions on her behalf.

Mr Rudd also informed the House that, during the absence overseas of Mr M. J. Ferguson (Minister for Resources and Energy), Mr Crean (Minister for Trade) would answer questions on his behalf.

Mr Rudd also informed the House that, during the absence overseas of Mr Garrett (Minister for the Environment, Heritage and the Arts), Mr A. S. Burke (Minister for Agriculture, Fisheries and Forestry) and Mr Debus (Minister for Home Affairs) would answer questions on his behalf.

9 DEATH OF MRS JANE McGRATH—STATEMENTS

Mr Rudd (Prime Minister), by indulgence, made a statement on the death of Mrs Jane McGrath.

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

10 QUESTIONS

Questions without notice being asked—

Member directed to leave

At 3.12 p.m. the Member for Tangney (Dr Jensen) 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.

11 DOCUMENT

Mr Baldwin, by leave, during a personal explanation, presented the following document:

Defence Home Ownership Assistance Scheme Bill 2008—Second reading amendment—Copy of e-mail from Ms Robyn McClelland, Clerk Assistant (Table), Department of the House of Representatives, to Ms Michelle Moffat, office of Mr Baldwin, 19 June 2008.

12 MATTER REFERRED TO MAIN COMMITTEE

Mr Albanese (Leader of the House), by leave, moved—That the death of Mrs Jane McGrath be referred to the Main Committee for further statements by indulgence.

Question—put and passed.

13 EAST TIMOR—MINISTERIAL STATEMENT

Mr Fitzgibbon (Minister for Defence), by leave, made a ministerial statement on East Timor.

Suspension of standing orders—Time for speech

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

Question—put and passed.

Mr Baldwin addressed the House.

14 COMMONWEALTH CHIEF NURSING AND MIDWIFERY OFFICER AND OTHER HEALTH REFORMS—MINISTERIAL STATEMENT

Ms Roxon (Minister for Health and Ageing), by leave, made a ministerial statement on the Commonwealth Chief Nursing and Midwifery Officer, and other health reforms.

Suspension of standing orders—Time for speech

Ms Roxon, by leave, moved—That so much of the standing orders be suspended as would prevent Mr Hockey speaking for a period not exceeding eight minutes.

Question—put and passed.

Mr Hockey addressed the House.

15 AUSTRALIAN PARTICIPATION IN THE OECD WORKING GROUP ON BRIBERY—MINISTERIAL STATEMENT

Mr Debus (Minister for Home Affairs), by leave, made a ministerial statement on Australian participation in the OECD Working Group on Bribery.

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 two minutes.

Question—put and passed.

Mr Pyne addressed the House.

16 PETITIONS AND MINISTER'S RESPONSE

Petitions lodged for presentation and a Minister's response to a petition were announced.

17 MESSAGES FROM THE SENATE

Messages from the Senate were reported returning the following bills without amendment:

19 June 2008—

No. 58—Quarantine Amendment (National Health Security) 2008.

No. 59—Fisheries Legislation Amendment (New Governance Arrangements for the Australian Fisheries Management Authority and Other Matters) 2008.

No. 60—Higher Education Support Amendment (2008 Budget Measures) 2008.

No. 62—Wheat Export Marketing (Repeal and Consequential Amendments) 2008.

No. 63—Appropriation (No. 5) 2007-2008 (*without requests*).

No. 64—Appropriation (No. 6) 2007-2008.

No. 65—Tax Laws Amendment (Election Commitments No. 1) 2008.

No. 66—Income Tax (Managed Investment Trust Withholding Tax) 2008 (*without requests*).

No. 67—Income Tax (Managed Investment Trust Transitional) 2008 (*without requests*).

23 June 2008—

No. 68—Commonwealth Securities and Investment Legislation Amendment 2008.

No. 69—Social Security and Other Legislation Amendment (Employment Entry Payment) 2008.

18 JUDICIARY 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.

Leave granted for third reading to be moved immediately.

On the motion of Mr McClelland (Attorney-General), the bill was read a third time.

19 CRIMES LEGISLATION AMENDMENT (MISCELLANEOUS MATTERS) 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 Debus (Minister for Home Affairs) presented a correction to the explanatory memorandum to the bill.

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

Leave granted for third reading to be moved immediately.

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

20 POSTPONEMENT OF BUSINESS

Ordered—That business intervening before order of the day No. 8, government business, be postponed until a later hour this day.

21 GOVERNOR-GENERAL AMENDMENT (SALARY AND SUPERANNUATION) 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. 52, 10 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 Byrne (Parliamentary Secretary to the Prime Minister), the bill was read a third time.

22 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF DOCUMENT

Mr Dreyfus (Chair) presented the following documents:

Legal and Constitutional Affairs—Standing Committee—Reforming our Constitution: A roundtable discussion—

Report, incorporating an additional comment, June 2008.

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 Dreyfus 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 the next sitting.

23 CORPORATIONS AND FINANCIAL SERVICES—PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF DOCUMENT

Mr Ripoll (Chair) presented the following documents:

Corporations and Financial Services—Parliamentary Joint Committee—Better shareholders—Better company: Shareholder engagement and participation in Australia—

Report, June 2008.

Evidence received by the committee.

Report ordered to be made a Parliamentary Paper.

Statements in connection with the report were made.

Mr Ripoll 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 the next sitting.

24 AUSTRALIAN COMMISSION FOR LAW ENFORCEMENT INTEGRITY—PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS

Ms Parke presented the following documents:

Australian Commission for Law Enforcement Integrity—Parliamentary Joint Committee—Examination of the annual report of the Integrity Commissioner 2006-07—

Report, June 2008.

Evidence received by the committee.

Report ordered to be made a Parliamentary Paper.

Statements in connection with the report were made.

25 AUSTRALIAN CRIME COMMISSION—PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS

Mr Wood presented the following documents:

Australian Crime Commission—Parliamentary Joint Committee—Examination of the Australian Crime Commission annual report 2006-07—

Report, June 2008.

Evidence received by the committee.

Report ordered to be made a Parliamentary Paper.

Statements in connection with the report were made.

26 SAVE OUR SOLAR (SOLAR REBATE PROTECTION) BILL 2008

Mr Hunt, pursuant to notice, presented a Bill for an Act to make provisions for the better operation of the solar rebate scheme.

Document

Mr Hunt presented an explanatory memorandum to the bill.

Mr Hunt 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.

27 CLEANERS

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

- (1) acknowledges the important contributions of cleaners across Australia as recognised through the International Day for Cleaners in June 2008;
- (2) recognises that cleaners require jobs that provide them with basic economic security, enough time to do their jobs properly, and respect in their workplaces as essential elements of these reforms;
- (3) supports the call for a fair go for cleaners across Australia; and
- (4) congratulates all cleaners for the work they have done in promoting the ‘Clean Start’ campaign and the rights of cleaners across Australia.

Debate ensued.

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

28 ADJOURNMENT

It being 9.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 9.59 p.m., adjourned until 2 p.m. tomorrow.

DOCUMENTS

The following documents were deemed to have been presented on 23 June 2008:

Aged Care Act—Principles under section 96-1—2008 Residential care subsidy—Amendment (No. 3) [F2008L02172].

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposals—2008 Nos 3, 4, 5.

Australian Energy Market Amendment (Gas Legislation) Act 2007—Proclamation under subsection 2(1) fixing the day on which Schedule 1 to that Act commences as the date of commencement of the *National Gas (South Australia) Act 2008* of South Australia [F2008L02164].

Charter of the United Nations Act—Regulations—Select Legislative Instrument—2008 No. 109 [F2008L02097].

Civil Aviation Act—Civil Aviation Regulations—

Exemption—2008 No. CASA EX26 [F2008L01365]—Revised explanatory statement.

Order—2008 Civil Aviation Order 40.1.0—Amendment (No. 1) [F2008L01477].

Cross-Border Insolvency Act—Proclamation under subsection 2(1) fixing 1 July 2008 as the day on which Parts 2, 3 and 4 of that Act commence [F2008L02165].

Customs Act—

Orders—Tariff Concession—2008 Nos 0800039, 0802156, 0802632, 0802702, 0802706, 0802707, 0802719, 0802940, 0803087, 0803239, 0803249, 0803251, 0803282, 0803431, 0803433, 0803794, 0803795, 0803832, 0803909, 0803926, 0803930 [F2008L02137], [F2008L02138], [F2008L02139], [F2008L02140], [F2008L02141], [F2008L02142], [F2008L02143], [F2008L02108], [F2008L02110], [F2008L02144], [F2008L02145], [F2008L02146], [F2008L02147], [F2008L02148], [F2008L01996], [F2008L02149], [F2008L02150], [F2008L02107], [F2008L02111], [F2008L02112], [F2008L02113].

Regulations—Select Legislative Instruments—2008 Nos 102, 103 [F2008L02025], [F2008L02066].

Environment Protection and Biodiversity Conservation Act—Instrument under section 184—29 May 2008 [F2008L02188].

Family Law Act—Regulations—Select Legislative Instrument—2008 No. 104 [F2008L02125].

Future Fund Act—Determination—Crediting of additional amounts—17 June 2008 [F2008L02181].

Health Insurance Act—

Determinations—

2008 Allied health services—Amendment (No. 1) [F2008L02167].

under section 3—Nos HIB 8, HIB 9, HIB 10 [F2008L02176], [F2008L02177], [F2008L02179].

Regulations—Select Legislative Instruments—2008 Nos 110, 111, 112, 113, 114 [F2008L01330], [F2008L01395], [F2008L01332], [F2008L01331], [F2008L01130].

Motor Vehicle Standards Act—Determinations—

2005—

Vehicle standard (Australian design rule 79/02—Emission control for light vehicles)—Amendment No. 1 [F2008L02122].

Vehicle standard (Australian design rule 81/01—Fuel consumption labelling for light vehicles)—Amendment No. 1 [F2008L02123].

2008 Vehicle standard (Australian design rule 81/02—Fuel consumption labelling for light vehicles) —Amendment No. 1 [F2008L02124].

National Health Act—Regulations—Select Legislative Instrument—2008 No. 116 [F2008L01021].

Parliament Act—Parliamentary Zone—Proposal, together with supporting documentation, for construction of a childcare facility within Parliament House.

Protection of the Sea (Shipping Levy) Act—Regulations—Select Legislative Instrument—2008 No. 120 [F2008L02126].

Social Security (Administration) Act—Determinations—2008—

Declared relevant Northern Territory areas—Various (No. 22) [F2008L02182].

Public interest certificate guidelines—DEEWR—Amendment [F2008L02218].

Taxation Administration Act—Rulings—

2002—GSTR No. 3 (Addendum).

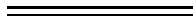
2008—PR Nos 57, 58.

Telecommunications (Interception and Access) Act—Regulations—Select Legislative Instrument—2008 No. 105 [F2008L02095].

Therapeutic Goods (Charges) Act—Regulations—Select Legislative Instrument—2008 No. 118 [F2008L01351].

Therapeutic Goods Act—Regulations—Select Legislative Instruments—2008 Nos 117, 119 [F2008L01367], [F2008L01366].

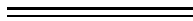
Trade Practices Act—Pricing principles—Integrated services digital network, 4 June 2008 [F2008L02180].



ATTENDANCE

All Members attended (at some time during the sitting) except Mr Cobb, Mr Costello, Mr Danby, Mr Downer, Mr M. J. Ferguson, Mr Garrett, Ms Gillard, Ms King*, Mr McMullan, Mrs Mirabella*, Mr Robb, Mr A. D. H. Smith, Mr M. A. J. Vaile and Ms Vamvakinou.

* On leave



I. C. HARRIS

Clerk of the House of Representatives

2008

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 31

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

MONDAY, 23 JUNE 2008

1 The Main Committee met at 6.40 p.m.

2 MEMBERS' STATEMENTS

Members' statements were made.

3 CENTENARY OF AUSTRALIAN RUGBY LEAGUE

The order of the day having been read for the resumption of the debate on the motion of Mr Trevor—
That the House:

- (1) recognises the 100 year centenary of Australian Rugby League and its contribution to Australian society, culture and community; and
- (2) congratulates and recognises the contributions of players both Indigenous and non-Indigenous, volunteers, officials, parents, children and others who have made this sport a truly great contributor to Australia as a nation (*see item No. 2, Votes and Proceedings*)—

Debate resumed.

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.

4 HIV/AIDS

The order of the day having been read for the resumption of the debate on the motion of Mrs Hull—
That the House recognises:

- (1) there is a rising rate of HIV infection in Australia with around 1000 new HIV infections per year;
- (2) there are more Australians living with HIV/AIDS than ever previously experienced;
- (3) Australia requires a new and innovative strategy for a model of service delivery in prevention, reduction, and long term treatments of HIV/AIDS;
- (4) attention must be given to the provision of better access to HIV/AIDS services for rural and regional communities;
- (5) it is crucial for Australia to be a leader in the international fight against the spread of HIV/AIDS;
- (6) a new international strategy for Australia needs to be developed;
- (7) more resources and funding is critical to the future success of Australia's HIV/AIDS strategies; and
- (8) all policy and decision makers have an obligation to ensure HIV/AIDS sufferers and their families are given the best possible options for long term health management (*see item No. 2, Votes and Proceedings*)—

Debate resumed.

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 URBAN PLANNING

The order of the day having been read for the resumption of the debate on the motion of Mr Ripoll—
That the House:

- (1) notes that:
 - (a) urban planning is an essential part of dealing with Australia's future growth and addresses important areas such as jobs, housing, infrastructure and sustainable transport;
 - (b) urban planning requires broad participation from all tiers of government and various sectors to help shape future directions and developments;
 - (c) urban planning fosters quality planning which will create sustainable Australian communities which produce social, cultural, economic and environmental benefits for all; and
 - (d) if the nation is to have an agenda for prosperity—both economic and social—we must search for long term solutions; and
- (2) supports:
 - (a) positive initiatives by the current Government to address future growth such as the establishment of Infrastructure Australia; and
 - (b) policies, projects and initiatives that deliver long term solution for Australia's future planning needs and not for each electoral cycle (*see item No. 2, Votes and Proceedings*)—

Debate resumed.

The time allotted for private Members' business having expired, the debate was interrupted, Mr Hawke 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 GRIEVANCE DEBATE

Pursuant to the provisions of standing order 192B, the order of the day having been read for the resumption of the debate on the question—That grievances be noted—

Debate ensued.

Ms Bird, by leave, again addressed the Main Committee.

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

7 ADJOURNMENT

On the motion of Mr C. R. Thomson, the Main Committee adjourned at 9.27 p.m.

The Deputy Speaker fixed 9.30 a.m. on Wednesday, 25 June 2008 for the next meeting of the Main Committee.

B. C. WRIGHT
Clerk of the Main Committee