

2008

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 34

THURSDAY, 26 JUNE 2008

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

**2 NATIONAL GREENHOUSE AND ENERGY REPORTING AMENDMENT BILL 2008**

Mr Swan (Treasurer), pursuant to notice, presented a Bill for an Act to amend the *National Greenhouse and Energy Reporting Act 2007*, and for related purposes.

*Document*

Mr Swan presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**3 FINANCIAL FRAMEWORK LEGISLATION AMENDMENT BILL 2008**

Mr Tanner (Minister for Finance and Deregulation), pursuant to notice, presented a Bill for an Act to amend the *Financial Management and Accountability Act 1997* and other legislation, and for other purposes.

*Document*

Mr Tanner presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**4 AVIATION LEGISLATION AMENDMENT (2008 MEASURES NO. 1) BILL 2008**

Mr Albanese (Minister for Infrastructure, Transport, Regional Development and Local Government), pursuant to notice, presented a Bill for an Act to amend legislation relating to aviation, 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 (Mrs B. K. Bishop), and the resumption of the debate made an order of the day for the next sitting.

**5 AVIATION LEGISLATION AMENDMENT (INTERNATIONAL AIRLINE LICENCES AND CARRIERS' LIABILITY INSURANCE) 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 relating to aviation, 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 (Mrs B. K. Bishop), and the resumption of the debate made an order of the day for the next sitting.

**6 TAX LAWS AMENDMENT (2008 MEASURES NO. 4) BILL 2008**

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

*Document*

Mr Bowen presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**7 TRADE PRACTICES LEGISLATION AMENDMENT BILL 2008**

Mr Bowen (Assistant Treasurer), pursuant to notice, presented a Bill for an Act to amend the law in relation to trade practices, and for related purposes.

*Document*

Mr Bowen presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**8 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENT BY MEMBER**

Mr K. J. Thomson, by leave, presented the following document:

Australian Parliamentary Delegation to European Parliaments and Institutions in The Netherlands, Belgium, France and Austria—Report, June 2008.

Mr K. J. Thomson, by leave, made a statement in connection with the report.

**9 TREATIES—JOINT STANDING COMMITTEE—REPORT—STATEMENT BY MEMBER**

Mr K. J. Thomson (Chair) presented the following document:

Treaties—Joint Standing Committee—Report 91: Treaties tabled on 12 March 2008—Report, June 2008.

Ordered to be made a Parliamentary Paper.

Mr K. J. Thomson, by leave, made a statement in connection with the report.

**10 PUBLIC ACCOUNTS AND AUDIT—JOINT COMMITTEE—REPORT—STATEMENT BY MEMBER**

Ms Grierson (Chair) presented the following document:

Public Accounts and Audit—Joint Committee—Report 410: Tax administration—Report, June 2008.

Ordered to be made a Parliamentary Paper.

Ms Grierson, by leave, made a statement in connection with the report.

**11 COMMITTEE OF PRIVILEGES AND MEMBERS' INTERESTS—DOCUMENT**

Mr Raguse (Chair) presented the following document:

Committee of Privileges and Members' Interests—Register of Members' Interests for the 42nd Parliament—Notifications of alterations of interests and a statement of registrable interests received during the period 17 March to 25 June 2008.

**12 PUBLICATIONS COMMITTEE—REPORT**

Mr Hayes (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 5 June 2008, it recommends that the following be made Parliamentary Papers:

AusLink—Report for 2006-07.

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

Australian Institute of Health and Welfare—Report—Australia's health 2008.

Australian National University—Report for 2007.

Australian Research Council—Report for 2006-07—Addendum.

*Defence Force Discipline Act 1982—*

Director of Military Prosecutions—Report for the period 12 June 2006 to 31 December 2007.

Judge Advocate General—Report for 2007.

Department of Education, Employment and Workplace Relations—Australian vocational education and training system—Report for 2006.

Equine Influenza—Commission of inquiry into the August 2007 outbreak in Australia—Report of the Commissioner, the Hon. Ian Callinan AC, April 2008.

**Report on Committee activities**

In accordance with an undertaking given in their May 2006 report on the distribution of the Parliamentary Papers Series, the Publications Committee is pleased to report that at this time no agencies are in default of their obligations for documents presented in the years 2006 and 2007.

**CHRIS HAYES**

Chair

26 June 2008

On the motion of Mr Hayes, by leave, the report was agreed to.

**13 GREAT BARRIER REEF MARINE PARK AND OTHER 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.

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.

**14 QUESTIONS**

Questions without notice being asked—

*Member directed to leave*

At 2.19 p.m. the Member for Tangney (Dr Jensen) 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 continuing—

*Document*

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

Permanent Select Committee on Intelligence and the Select Committee on Energy Independence and Global Warming, House of Representatives, Congress of the United States of America—National Intelligence Assessment on the national security implications of global climate change to 2030—Statement by Dr Thomas Fingar, Deputy Director of National Intelligence for Analysis and Chairman of the National Intelligence Council, 25 June 2008.

Questions without notice continuing—

*Member directed to leave*

At 3.11 p.m. the Member for Cowan (Mr Simpkins) 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 continuing—

*Suspension of standing and sessional orders moved*

Dr Nelson (Leader of the Opposition) moved—That so much of the standing and sessional orders be suspended as would prevent the Leader of the Opposition moving immediately—That this House condemns the Prime Minister and his Government for seven months of watching, symbolism, inquiries, summits, committees, stunts, spin and buck-passing—anything but making a decision. In particular, for:

- (1) standing by and watching petrol, grocery, childcare and household costs rise significantly, while doing nothing about it;
- (2) watching consumer confidence plummet to 16 year lows, not seen since the days of Paul Keating's recession 'we had to have';
- (3) watching the largest decline in small business confidence since the start of the survey, while doing nothing about it;
- (4) walking away from pensioners, carers, seniors, farmers and small businesses by failing to assist them in the recent Budget, while only delivering the Howard Government's tax cuts to workers and families;
- (5) slugging Australians with \$19 billion of new inflationary taxes that Labor hid from the community prior to the election;
- (6) promising the Australian people last November that he would deliver 'new leadership and fresh ideas' when instead, the Prime Minister has outsourced leadership and decision-making to 135 committees, reviews, inquiries and summits; and
- (7) misleading the Australian community into believing that he wanted to end the 'Blame Game' when on over 420 occasions in this chamber alone, the Prime Minister and his Government has variously blamed the Coalition, OPEC, the Iraq War, his own staff, the international credit crisis, the mining boom, China's energy demands, international banks, alcohol companies, heatwaves, pubs and clubs, an 'overheating' solar panel industry, oil companies, overseas travel entitlements when in Opposition, State governments and State oppositions, the RACV, RACQ and RAA of South Australia, his own public service, alcopops, the drought, urban traffic congestion, global warming, four wheel drives and Taragos, the US subprime crisis, drinkers, smokers, teenagers, parents, and even the Japanese Government for the challenges he faces, but won't do anything about it.

Debate ensued.

The time allowed by standing order 1 for debate on the motion having expired—

Question—put.

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

## AYES, 50

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

## NOES, 69

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

\* Tellers

*Pairs*

Ms Gillard	Mr Downer
Mr Garrett	Mr Costello
Mr Danby	Mr M. A. J. Vaile
Mr McMullan	Mr Robb
Mr S. F. Smith	Mr A. D. H. Smith
Mr Gray	Dr Stone
Ms King	Mr Neville
Ms Vamvakinou	Mr Haase
Mr M. J. Ferguson	Mr Pyne
Ms Owens	Mr Ruddock

And so it was negatived.

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 Questions without notice continuing—

*Member directed to leave*

At 4.03 p.m. the Member for Fadden (Mr Robert) 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 continuing—

*Members directed to leave*

At 4.14 p.m. the Member for Hume (Mr Schultz) and the Member for Tangney (Dr Jensen) were directed, under standing order 94, to leave the Chamber for one hour for disorderly behaviour, and they accordingly left the Chamber.

Questions without notice continued.

**15 DOCUMENT**

The Speaker presented the following document:

Committee reports—Schedule of Government responses to the reports of House of Representatives and joint committees, for the period 21 June 2007 to 26 June 2008, and reports presented to which responses are outstanding, 26 June 2008.

**16 AUDITOR-GENERAL'S REPORT**

The Speaker presented the following document:

Auditor-General—Audit report No. 45 of 2007–2008—Performance audit—Specific purpose payments—General recurrent grants for government schools: Department of Education, Employment and Workplace Relations.

Ordered to be made a Parliamentary Paper.

**17 DOCUMENTS**

The following documents were presented:

Department of Defence—Special purpose flights—Schedule for the period July to December 2007.

Department of Finance and Deregulation—Reports—

Former parliamentarians' travel paid by the department for the period July to December 2007.

Parliamentarians' overseas study travel reports for the period July to December 2007.

Parliamentarians' travel paid by the department for the period July to December 2007.

Department of the Prime Minister and Cabinet—Expenditure on travel by former Governors-General paid by the department for the period 1 July to 31 December 2007.

Intelligence and Security—Parliamentary Joint Committee—Reports—Review of the re-listing of Hizballah's External Security Organisation (ESO); Review of the re-listing of Tanzim Qa'idat al-Jihad fi Bilad al-Rafidayn (the al-Zarqawi network) as a terrorist organisation; Review of the re-listing of three terrorist organisations—Government response.

Renewable Energy Regulator—Report for 2007.

**18 LEAVE OF ABSENCE TO ALL MEMBERS**

Mr Albanese (Leader of the House) moved—That leave of absence be given to every Member of the House of Representatives from the determination of this sitting of the House to the date of its next sitting.

Question—put and passed.

**19 REPORT OF THE EQUINE INFLUENZA INQUIRY AND GOVERNMENT RESPONSE—MINISTERIAL STATEMENT**

Mr A. S. Burke (Minister for Agriculture, Fisheries and Forestry), by leave, made a ministerial statement on the report of the equine influenza inquiry and the Government response.

**20 ADJOURNMENT**

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

Debate ensued.

The House continuing to sit until 5 p.m.—The Speaker adjourned the House until 12 noon on Monday, 26 August 2008.

**DOCUMENTS**

The following documents were deemed to have been presented on 26 June 2008:

Aged Care Act—Determinations under section 52-1—2008 ACA Ch. 3 Nos 19, 20 [F2008L02236], [F2008L02237].

Australian Passports Act and Australian Passports (Application Fees) Act—Determination—2008 Australian passports—Amendment (No. 1) [F2008L02171].

Bankruptcy Act—Determination—2008 Fees and remuneration [F2008L02175].

Christmas Island Act—Utilities and Services Ordinance—Determination—2008 Fees for water and sewerage services (No. 1) [F2008L02088].

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

AD/CL-600—No. 101 [F2008L02226].

AD/EC 135—No. 17 [F2008L02201].

AD/EMB-145—No. 16 [F2008L02286].

AD/S-PUMA—No. 78 [F2008L02227].

Cocos (Keeling) Islands Act—Utilities and Services Ordinance—Determination—2008 Fees for water and sewerage services (No. 1) [F2008L02087].

Corporations Act—Accounting standard—2008 Amendment—AASB 124 [F2008L02242].

Financial Management and Accountability Act—

Determinations transferring appropriations—2008 Nos 34, 35 [F2008L02291], [F2008L02293].

Regulations—Select Legislative Instrument—2008 No. 108 [F2008L02162].

Private Health Insurance Act—Rules—2008 Complying product (No. 2) [F2008L02207].

Quarantine Act—

Proclamation—2008 Amendment (No. 1) [F2008L01163].

Regulations—Select Legislative Instrument—2008 No. 101 [F2008L01161].

Social Security Act—

Declarations—2008—

Means test treatment of private companies—Excluded companies—DEEWR [F2008L02157].

Means test treatment of private trusts—Excluded trusts—DEEWR [F2008L02159].

Determination—2008 Social security exempt lump sum (Climate change adjustment program re-establishment grant)—DEEWR [F2008L02158].

Superannuation (Productivity Benefit) Act—

Declarations—2008—

2008-2009 continuing contributions [F2008L02214].

2008-2009 first interest factor [F2008L02215].

2008-2009 second interest factor [F2008L02211].

Determination—2008 Penalty interest—Amendment (No. 1) [F2008L02209].

Trade Practices Act—Pricing Principles—2008 Digital data access service [F2008L02178].

Veterans' Entitlements Act and Military Rehabilitation and Compensation Act—Instruments under section 196B—2008 Nos 37, 38, 39 [F2008L02187], [F2008L02189], [F2008L02190].

**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Abbott, Mr Costello, Mr Danby, Mr Downer, Mr M. J. Ferguson, Mr Garrett, Ms Gillard, Mr Gray, Mr Haase, Mr Johnson, Ms King\*, Mr McMullan, Mrs Mirabella\*, Mr Neville, Mr Pyne, Mr Robb, Mr A. D. H. Smith, Mr S. F. Smith, Dr Stone, Mr M. A. J. Vaile and Ms Vamvakinou.

\* 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. 34

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

**THURSDAY, 26 JUNE 2008**

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1 The Main Committee met at 9.30 a.m.

2 **MEMBERS' CONSTITUENCY STATEMENTS**

Members' constituency statements were made.

3 **ELECTORAL MATTERS—JOINT 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 Melham—That the House take note of the document (*presented on 16 June 2008*), *viz.*—

Electoral Matters—Joint Standing Committee—Advisory report on Schedule 1 of the Tax Laws Amendment (2008 Measures No. 1) Bill 2008—Report, June 2008—

Debate resumed.

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

4 **ADJOURNMENT**

Ms Hall moved—That the Main Committee do now adjourn.

Debate ensued.

*Petitions*

Mr Zappia presented the following petitions approved by the Standing Committee on Petitions: Regional Partnerships funding for sporting facilities (2)—2,389 petitioners and 2,187 petitioners.

Debate continued.

*Petition*

Ms Saffin presented the following petition approved by the Standing Committee on Petitions:

Climate change—Renewable energy research and development—2,462 petitioners.

Debate continued.

*Document*

Mr Murphy, by leave, presented the following document:

Political situation in Sri Lanka—(*Receipt of document as a petition subject to approval by the Standing Committee on Petitions*).

Question—put and passed.

At 12.03 p.m., the Deputy Speaker adjourned the Main Committee.

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